



# ARE NEW NUCLEAR BARGAINS ATTAINABLE?

DEEPTI CHOUBEY



CARNEGIE ENDOWMENT

FOR INTERNATIONAL PEACE

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## SUMMARY

Policy makers have returned to the debate over whether and how total nuclear disarmament should take place. The notion that preventing the spread of nuclear weapons is much harder without also reducing their number seems to be motivating much of this interest. Consequently, officials in both the United States and other nuclear-weapon states hope that in direct exchange for renewed action on disarmament, non-nuclear-weapon states will support nonproliferation efforts.

Such quid pro quo bargains are going nowhere fast because nuclear-weapon states and their non-nuclear counterparts are talking past each other. Nuclear-weapon states fail to understand that these “bargains” are not seen as fair exchanges by non-nuclear-weapon states in light of long overdue and unfulfilled promises made by nuclear-weapon states.

Discussions with the foreign ministries of sixteen key non-nuclear-weapon states—including U.S. allies (within and outside of NATO); key leaders of the global south; and members of the Non-Aligned Movement (NAM)—reveal that this tendency to craft quid pro quo bargains misreads the political landscape. The debate in the United States about the feasibility of nuclear disarmament has been overly focused on steps that nuclear-armed states should take, without serious attention being given to the views of non-nuclear-weapon states that have an important role to play on both the nonproliferation and disarmament agendas. This lack of understanding has limited the range of policy options under consideration.

Although the foreign ministries disclosed that there are no automatic or immediate bargains to be had in the near term, they did indicate that a reorientation in U.S. policies and approaches could create the conditions for future bargains.

On both the nonproliferation and disarmament of nuclear weapons, America’s leadership and authority have eroded so far that they have imperiled U.S. national security. There is a way forward, if American policy makers recognize that disarmament is not altruism. Instead, disarmament is vital to U.S. national security. Many countries must take corrective action to improve the nonproliferation regime, but the United States has the best capacity to do so. With the alignment of a new U.S. administration, the sheer impact U.S. action can have on the international regime, and the impending 2010 Non-Proliferation Treaty Review Conference, the United States has a serious opportunity to reclaim its leadership.

This analysis:

- Provides U.S. officials with a “reality check” about the environment in which they seek to advance their nonproliferation agenda.
- Identifies for the United States a clear and practical step-by-step approach to engage non–nuclear-weapon states in pursuit of enhancing U.S. national security goals.
- Includes non–nuclear-weapon state reactions to nonproliferation initiatives and calls on non–nuclear-weapon states to make use of what may be only a limited window of opportunity for them to maximize their agenda and respond to positive signals from the United States.

It is time for the United States to set a new agenda for the world that affirms the U.S. commitment to disarmament, renews efforts for interim steps, and sets a leading example for others. Such an effort could result in the United States reclaiming its leadership of the nonproliferation regime and increasing global security.

## INTRODUCTION

A renewed debate on the desirability and feasibility of nuclear disarmament has emerged among U.S. policy makers and influential people on both sides of the political aisle. The notion that preventing the spread of nuclear weapons is much harder without also reducing their number seems to be motivating much of this interest. Consequently, officials in both the United States and other nuclear-weapon states hope that in direct exchange for renewed action on disarmament, non-nuclear-weapon states will support nonproliferation efforts.

Such quid pro quo bargains are going nowhere fast because nuclear-weapon states and their non-nuclear counterparts are talking past each other. Nuclear-weapon states fail to understand that these “bargains” are not seen as fair exchanges by non-nuclear-weapon states in light of long overdue and unfulfilled promises made by nuclear-weapon states.

As illuminated by President George W. Bush’s declaration that “the greatest threat to peace is the spread of nuclear weapons [read nonproliferation],”<sup>1</sup> nuclear-weapon states emphasize the urgency of nonproliferation measures to reduce nuclear dangers and the risk of more nuclear-weapon states. Non-nuclear-weapon states, by contrast, emphasize that the burden of fulfilling obligations must shift to nuclear-weapon states. They argue that progress on disarmament commitments, now long overdue, is needed to restore credibility to the nonproliferation regime. For the United States to manage the emerging global order, it will have to listen better to states that will matter—many of whom do not currently possess nuclear weapons.

Discussions with the foreign ministries of sixteen key non-nuclear-weapon states including U.S. allies (within and outside of NATO); key leaders of the global south; and members of the Non-Aligned Movement (NAM) reveal that this tendency to craft quid pro quo bargains misreads the political landscape. A Brazilian diplomat addressed the fallacy of this approach by pointing out, “There are no clean quid pro quos because nuclear-weapon states and non-nuclear-weapon states can’t be organized into blocs.”<sup>2</sup> An Argentine official asserted that the “quid pro quo mentality is a mistake, particularly for Argentina and Brazil, because it would mean that 1995 was a mistake.”<sup>3</sup> The debate surrounding the indefinite extension of the Nuclear Non-Proliferation Treaty (NPT) in 1995 was highly contentious for non-nuclear-weapon states, because they felt that too few concessions were made by nuclear-weapon states regarding disarmament. For Argentina and Brazil—two countries that halted their nuclear weapons programs and joined the NPT in 1995 and 1998, respectively—the lack of meaningful steps to disarm by nuclear-weapon states, paired with new demands for nonproliferation, calls into question their decision to accede to the NPT.



Many diplomats conceded that there is a link between progress on disarmament and support for nonproliferation measures, although there is disagreement about how direct this link is. A German diplomat shed light on this issue when he explained that “more progress on disarmament is necessary for creating an atmosphere for non–nuclear-weapon states to consider other nonproliferation steps; however, disarmament progress is a necessary, but not sufficient step.”<sup>4</sup> The stark reality is that nuclear-weapon states are in arrears and have a significant debt to pay before key non–nuclear-weapon states will consider additional nonproliferation commitments. This stalemate also occurs in the context of a nonproliferation regime under pressure.

Americans should be worried by this reading of the state of affairs, particularly if “the most serious threat to U.S. national security today is not a specific enemy but the erosion of the institutional foundations of the global order that the United States has commanded for half a century and through which it has pursued its interests and national security. America’s leadership position and authority within the global system are in serious crisis—and this puts American national security at risk.”<sup>5</sup> As the traditional leader of the nonproliferation regime, the United States faces real challenges. On both the nonproliferation and disarmament of nuclear weapons, America’s leadership and authority have eroded so far that they have imperiled U.S. national security.

There is a way forward, if American policymakers recognize that disarmament is not altruism. Instead, disarmament is vital to U.S. security. By understanding non–nuclear-weapon states’ views and adopting a different approach calibrated to meet their concerns, the United States has an opportunity to craft a global order in which other countries go along with its nuclear interests rather than banding together against the United States. This analysis identifies for the United States a clear and practical step-by-step approach to engage non–nuclear-weapon states in pursuit of enhancing U.S. national security. Many of the prescriptions to cure the ills of the nonproliferation regime offered by non–nuclear-weapon states apply to all nuclear-weapon states, but the strategic opportunity is greatest for the United States. With the alignment of a new U.S. administration, the sheer impact that U.S. action can have on the international regime, and the impending 2010 Non-Proliferation Treaty Review Conference, the United States has a serious opportunity to reclaim its leadership.

## **THE RATIONALE**

The coming change in U.S. administrations has sparked grand strategy debates. U.S. policy makers should absorb the key lesson that “the United States

has typically prospered when its leaders have understood the nature of the changing world.”<sup>6</sup> A recent study of a range of conservative and liberal thinkers recommends that “U.S. leaders should go out of their way to build and solidify relationships, rules, and organizations in a variety of areas,” including global order and security.<sup>7</sup> Conservative commentator Robert Kagan’s pronouncement that “international competition among great powers has returned, with the United States, Russia, China, Europe, Japan, India, Iran and others vying for regional predominance”<sup>8</sup> underscores the salience of these observations for nuclear issues. What are the indicators of worthiness for a state’s position in the international order? Is one indicator the mastery of the nuclear fuel-cycle? Considering the proliferation risk represented by that metric, Brazil, Japan, Iran, South Africa, and some European countries are just a few of the key non-nuclear-weapon states for the United States to understand better. One Swedish official pointed out that “there is a big debate in the developing world about ‘who are the next big powers,’ and the United States should not underestimate its importance.”<sup>9</sup> To the extent the United States is concerned about how Russia, China, and India will “use” nuclear weapons to ensure their ascendance, it is worth exploring how best to join with non-nuclear-weapon states in common cause to decrease nuclear dangers and possibly curb the ambitions of other nuclear-armed states.<sup>10</sup>

A set of “middle power” countries and other states, through the New Agenda Coalition (NAC) and the Seven Nation Initiative, have tried to cooperate to ensure successful Nuclear Non-Proliferation Treaty Review Conferences. A diplomat from New Zealand sums up the approach of the NAC on both nonproliferation and disarmament issues, arguing that “If we want to get rid of nukes, we need to make it as easy as possible. We shouldn’t give either side excuses for not being involved in both processes, because action on both fronts (disarmament and nonproliferation) is required.”<sup>11</sup> These efforts are certainly welcome and necessary in creating political space, but they fall short of what is actually needed from both nuclear and non-nuclear-weapon states. Specifically, nuclear-armed states have no demonstrable strategy for engaging non-nuclear-weapon states on nuclear matters outside of key proliferation crises (e.g., Six Party Talks on North Korea and EU3 diplomacy with Iran) or in pursuit of one-off nonproliferation initiatives (e.g., garnering support for the Proliferation Security Initiative, the Additional Protocol, and export-control measures). A good example is how the United States relates to its allies. According to one diplomat, “There is not much talk about disarmament with the U.S. due to our alliance, but we talk about export control, regional crises, and counterproliferation cooperation. . . . There is an impression that nonproliferation issues are discussed more frequently than those relating to disarmament.”<sup>12</sup>

Discussions with non–nuclear-weapon state allies, such as Japan, Germany, Canada, and other NATO countries, reveal that U.S. consultations with even them on nuclear issues are more information-sharing sessions than forums for seriously discussing disarmament concerns. One exception, however, was Australia. A diplomat shared that Australia talks to the United States about disarmament and arms control issues and encourages the United States to make further cuts in its arsenal.<sup>13</sup> Non–nuclear-weapon state descriptions of the nature of their interactions with key nuclear-weapon states reveal the leadership disparity among the United States, Russia, and China. For instance, a Canadian diplomat noted strong engagement with the United States on export-control issues, but that “the Chinese and Russians were less engaged.”<sup>14</sup> One German diplomat credited the United Kingdom with being more open-minded than other nuclear-weapon states about disarmament issues.<sup>15</sup> If even U.S. allies find it hard to engage Washington, the purported leader of the nonproliferation regime, on these issues, the level of frustration emanating from other non–nuclear-weapon states (allies and non-allies alike) should only be expected.

## AN INCOMPLETE DEBATE

Debates about the feasibility of nuclear disarmament, particularly within the United States, focus on the dynamics among nuclear-armed states and steps to be taken by them individually or in concert. Not enough attention is paid to the views of non–nuclear-weapon states and how they might influence the calculations of nuclear-armed states. As a result, these debates truncate the range of policy options. For instance, in determining the appetite that Russia or China may have for modifying their nuclear policies, the role of non–nuclear-weapon states in shaping how these nuclear-weapon states want to be perceived is underestimated and underutilized. Non–nuclear-weapon states can apply significant pressure on issues of mutual interest to the United States, such as further transparency measures.<sup>16</sup> The United States has been characterized as one of the most transparent nuclear-weapon states, as measured by the availability of open-source information to gain a picture of the U.S. arsenal and other nuclear-related activities. Calls for more transparency from non–nuclear-weapon states, aimed particularly at the other NPT nuclear-weapon states, can benefit the United States.<sup>17</sup> “The U.S. and U.K. have done a lot, but others can do more,” stated a Norwegian diplomat.<sup>18</sup>

The debates in their current form also miss a factor by which to evaluate the efficacy of proposed policies. Although the call for a “nuclear weapons free world” by former secretary of state George Shultz et al. is welcome, they, too, underestimate the role non–nuclear-weapon states could play in making that vision a reality.<sup>19</sup> For example, their first step is for the United States and Russia

to undertake further substantial reductions in their nuclear forces beyond the boundaries of the Moscow Treaty. As this process proceeds, they envision other nuclear-weapon states participating. The second step is to create an international system of controls to manage the fuel-cycle. This second step will require the cooperation of non-nuclear-weapon states, which currently view most fuel-cycle proposals as further infringements on their NPT Article IV right to the peaceful use of nuclear energy. Taking the temperature of non-nuclear-weapon states on these issues would show that the actions proposed in step one are not enough to gain the support of non-nuclear-weapon states to accomplish step two. To the extent the future of the nuclear fuel-cycle is linked to the fate of the nonproliferation regime, more work needs to be done to bring non-nuclear-weapon states on board.

Tone deafness is another charge leveled at nuclear-weapon states, particularly the United States. In anticipation of a new U.S. administration, several studies inside and outside of government are being conducted to shape the next U.S. Nuclear Posture Review. Many of these efforts are bipartisan, and a recent discussion previewing the progress of several efforts described a major disagreement about how big and bold unilateral U.S. action should be.<sup>20</sup> One view is that the United States should take dramatic action if warranted by a diminished threat environment, for example, drawing down the U.S. arsenal to 1,000 weapons. The opposing view is less sanguine about the threat environment and instead suggests that the United States could move ahead of schedule to the lower boundary of the Moscow Treaty.

The vast majority of non-nuclear-weapon states interviewed stated that stockpile reductions were less important than other steps indicating a commitment to disarmament. This point was made repeatedly at the 2008 Preparatory Committee (PrepCom) meeting for the 2010 Nuclear Non-Proliferation Treaty Review Conference after the U.S. special representative for nuclear nonproliferation trumpeted American stockpile reductions by asserting that “the numbers speak for themselves.”<sup>21</sup> The Brazilian delegation countered U.S. claims, stating, “While we welcome the efforts made by Nuclear-Weapon States for the reduction of stockpiles, the progress achieved thus far does not necessarily represent a commitment to disarmament.”<sup>22</sup> One official from New Zealand also assessed the U.S. pronouncement by saying, “Reductions in numbers have little value if nuclear weapons are seen to continue to offer unique security; action on the former needs to be matched by a lesser role for nuclear weapons in military doctrine.”<sup>23</sup> The lesson from this exchange is that further stockpile reductions alone will not rehabilitate the U.S.’s reputation or provide it with enough leverage to gain more support for its nonproliferation agenda. “The United States would get more credit if it linked its actions to its commitments,” observed one UN official.<sup>24</sup>

## A CREDIBILITY PROBLEM

As characterized by a Japanese diplomat, a further complication to harmonizing the interests of both nuclear and non–nuclear-weapon states is a pervasive atmosphere of “deep mistrust or deep miscommunication.”<sup>25</sup> It is fueled by the slow pace and limited scope of achievements in disarmament and arms control and suspicions that certain non–nuclear-weapon states are holding nonproliferation hostage as a result.<sup>26</sup> From some vocal non–nuclear-weapon states, such as Egypt, the perception is that states are “fostering nonproliferation at the expense of disarmament.”<sup>27</sup> As described by a South African official, the situation is exacerbated by the view that nuclear-weapon states see nuclear weapons as a “permanent right.”<sup>28</sup> Causing further distrust is the conspicuous lack of even preliminary actions that would indicate some seriousness about disarmament. Sergio Duarte, UN high representative for disarmament affairs, points out that there is “still no sign of the infrastructure required to achieve nuclear disarmament—no operational plans, deadlines, government disarmament agencies, budgets, and detailed domestic legislation.”<sup>29</sup>

In light of this assessment, non–nuclear-weapon state skepticism about how seriously nuclear-weapon states take their disarmament obligations seems well founded. This skepticism is also eroding the confidence non–nuclear-weapon states have in the NPT’s “grand bargain,” whereby NPT nuclear-weapon states promise to eliminate arsenals and, in return, non–nuclear-weapon states promise to forgo the development of nuclear weapons in exchange for peaceful nuclear energy cooperation. Although there are disagreements<sup>30</sup> about the nature of nuclear-weapon states’ commitment to disarmament, the previous description is the narrative in which most non–nuclear-weapon states operate. It better explains their disappointment with the current situation and their ambivalence toward additional nonproliferation demands.

Taking corrective action to restore America’s reputation will not be easy and may not yield immediate results. The United States and other Western powers face a credibility problem. The United States, as both a “leader and laggard”<sup>31</sup> in pressing others to abide by international law while still maintaining its own freedom of action, has compromised its standing and sparked resentment. This predicament is raised by Kishore Mahbubani, former ambassador of Singapore to the UN, when he asks, “How can the violators of UN principles also be their enforcers?”<sup>32</sup> No doubt, U.S. policy in recent years has demonstrated selective support for some international agreements. The level of resentment is not surprising, considering the power the United States wields and how it has fallen short of the expectations and the higher standards to which it is held by the rest of the world. These dynamics are starkly evident in official forums

that address nonproliferation and disarmament issues. However, there is an opportunity on the horizon to ensure that this stultifying resentment does not become a permanent fixture. As one German official wryly observed about the 2008 PrepCom, “Everyone is playing nice and waiting for the next U.S. administration.”<sup>33</sup> That U.S. administration must make use of this small window of opportunity. If the 2010 NPT Review Conference ends in failure and without result, multilateral approaches to nonproliferation are likely to become increasingly difficult to manage.

Kagan, and perhaps other adherents of the Bush administration’s approach, would assert that the rest of the world will react negatively to whatever the United States does due to America’s preponderance of power. In contrast, almost all officials who raised the issue of mistrust predicted that more progress on disarmament, particularly from the United States, would help to improve the conditions for having serious conversation about how best to strengthen the nonproliferation regime. At the very least, it would make it easier for allies to advance nonproliferation objectives with other non–nuclear-weapon states by removing some of the objections they have raised reflexively. One Japanese official even postulated that some of the “more extreme NAM countries would be more constructive.”<sup>34</sup> As much as officials from across the spectrum of states had critiques of current U.S. policy, they focused more on the need for renewed U.S. leadership. Non–nuclear-weapon states should also consider what they can do to balance American, Russian, and Chinese power through regional or broader multilateral efforts.

## THE OPPORTUNITY

Successful strategies often rely on specific pressure points to focus the will for targeted action. The specter of the 2010 NPT Review Conference looms as a major test of the health of the nonproliferation regime. Considering the dominant narrative by regime observers that it is on the verge of collapse, the vast majority of states do not want to see the 2010 Review Conference end in failure and without a final result. The United States should make use of this opening to devise a strategy that primarily acknowledges the views of non–nuclear-weapon states as a first step to enlisting their support in a longer-term agenda involving disarmament and nonproliferation efforts. The strategy should be coordinated with other efforts, such as the crafting of the next Nuclear Posture Review and National Security Strategy document. As signals to the rest of the world about U.S. intentions and commitments, this strategy should also connect with public statements made by U.S. leaders, such as the new president’s inaugural speech or key speeches from the secretaries of state, defense, or energy. A new U.S. administration takes office in January

2009, making the May 2009 PrepCom too early for a major reorientation of U.S. policies. It is still, however, an opportunity for U.S. officials to get their bearings and for other states to present constructively their points of view so that Washington hears them. U.S. officials should also be prepared to hear a good deal of criticism about the U.S.–India nuclear cooperation deal and questions about how it will be reconciled with other nonproliferation policies.

Tactically, the next administration should do its best to ensure that it sends the right team—including high-level officials to signal U.S. seriousness—to participate in these kinds of exchanges and one that can read the political dynamics and use them to reshape the terms of the debate in advance of the 2010 Review Conference and afterwards. The United States should present a strategy and action plan that covers immediate and longer time horizons on key issues for debate, such as implementation of the 13 Steps agreed to at the 2000 Review Conference. As one German official advocated, the United States should “change its posture from defensive to proactive by forcefully subscribing to the goal of a nuclear weapons-free world.”<sup>35</sup>

Forty years after the NPT was opened for signature, states are calling for “rekindl[ing] a sense of common purpose in the international community.”<sup>36</sup> Although such calls may be interpreted as a dire indication of the health of the nonproliferation regime, they also reveal that the bar for positive action has been set low. Small steps that may be low-cost for the United States will have disproportionate impact in the short run, but meaningful steps demonstrating a sustained commitment will be required in the long run. Carefully executed, the approach outlined above can yield broader strategic benefits, such as non–nuclear-weapon states placing more pressure on the Russians and Chinese to become more transparent and tempering the talking points of states like Iran, whose rhetoric has had great resonance with other non–nuclear-weapon states in recent years. An official put it best when she remarked, “It shouldn’t be so easy for a non-compliant state to take such close aim at nuclear-weapon states—this points to the health of the regime.”<sup>37</sup> Conservatives may cast this situation as another example of the ineffectiveness of the UN process. Or it could also be evidence of the extent to which nuclear-weapon states have failed to live up to their commitments that even problematic states have grounds for pointing fingers. The United States is currently losing the soft power competition.

## **NON–NUCLEAR-WEAPON STATE VIEWS**

A survey of a range of key non–nuclear-weapon states suggests there are areas of consensus about what nuclear-weapon states, and the United States in particular, can do to strengthen the nonproliferation regime.

This analysis draws on interviews of foreign ministry officials who are based in Washington, New York, Geneva, Vienna, and home capitals and who are responsible for each state's nuclear policies. Officials interviewed represented Argentina, Australia, South Africa, Brazil, Canada, Egypt, Germany, Indonesia, Ireland, Iran, Japan, New Zealand, Norway, South Korea, Sweden, and Turkey. These states are from the north or south and may be NATO or non-NATO allies of the United States. Some have the protection of the U.S. nuclear umbrella, some have a stake in preventing a regional nuclear conflict, and some may be members of the Non-Aligned Movement or an otherwise active voice in the nonproliferation regime. Although these discussions revealed that there are no automatic or immediate bargains to be had in the near term, several significant themes emerged for the United States to incorporate into its understanding of the non-nuclear-weapon state landscape. These themes range from optics to substantive quarrels and should be instructive for how the United States shapes its own nuclear policies and understands the impact that U.S. policies have on other states.

## PERCEPTIONS MATTER

As noted above, mistrust is a key concern, but it is also matched with a desire for new leadership on the part of the United States and other nuclear-weapon states. Nuclear-weapon states' urgency and aggressiveness in pushing nonproliferation initiatives is another source of resentment for non-nuclear-weapon states. Non-nuclear-weapon states face one-sided demands for nonproliferation initiatives, whereas nuclear-weapon states do not offer commensurate measures in the area of nuclear disarmament. New nonproliferation measures related to export controls, fuel-cycle initiatives, safeguards, and even the withdrawal clause of the NPT have been met with stiff resistance. One other optic for nuclear-weapon states and their allies to be aware of is that a few of the new nonproliferation proposals make some non-nuclear-weapon states feel they are being treated as if they might be "another Iran." Non-nuclear-weapon states have no appetite for any proposals that would further constrict their rights. There is certainly a link between disarmament and nonproliferation and perhaps an opportunity for bargaining with non-nuclear-weapon states in the future. Although the nonproliferation and disarmament agenda should, in general, advance in concert and not at the expense of one another, the current level of frustration among non-nuclear-weapon states requires that nuclear-weapon states send strong disarmament signals first and soon.

One area of disagreement in worldview has to do with the relative weight accorded to the nonproliferation, disarmament, and peaceful uses of nuclear



energy goals enshrined within the NPT. The United States is perceived as emphasizing nonproliferation over the other two goals. Meanwhile, representatives of almost all of the non-nuclear-weapon states interviewed talked about the goals as being the "three pillars" of the nonproliferation regime and having equal weight. According to an Indonesian official, the ultimate frustration for Indonesia and other NAM states is the "unequal implementation of obligations."<sup>38</sup> It may behoove U.S. officials to rebalance the weight they accord to the three pillars.

For the United States, some relief from this tension may come from greater demands being placed on other nuclear-weapon states, such as Russia and China. Officials were asked to what extent nuclear-weapon states engaged them on nonproliferation and disarmament issues. The United States holds mostly consultative meetings and, as one Argentine official put it, "They come with their shopping list of nonproliferation items."<sup>39</sup> The Russians were described by a Brazilian diplomat as "uninquisitive,"<sup>40</sup> and an Iranian official stated that although China holds bilateral discussions at the director general level with Iran, these meetings are more for sharing information than coordinating positions.<sup>41</sup>

Perhaps consistent with this unequal level of engagement on the part of various nuclear-weapon states, there are greater expectations placed on the United States than other nuclear-weapon states. Former assistant secretary of state Stephen Rademaker in declaiming the current nonproliferation regime is correct to complain that critics of Bush administration disarmament policies are "not similarly exercised by the failure of all other NPT states to satisfy their Article VI obligations. In particular, they need to explain why the United States must do more to comply with Article VI disarmament provisions, in the absence of even token steps by anyone else to comply with that Article's general and complete disarmament requirements."<sup>42</sup> In the lead-up to the 2010 Review Conference, more should be done to encourage non-nuclear-weapon states to make greater demands on other nuclear-weapon states. One place to start is to raise the serious questions they have for the British and the French about their modernization programs. As a Canadian diplomat cogently questioned, "Why do they have them at all? It sends the wrong message."<sup>43</sup> Non-nuclear-weapon states, however, should also focus on China and Russia. Doing so could address security concerns that make U.S. officials reluctant to push for greater disarmament measures at home.

## **PRINCIPLES AND PRAGMATISM**

The clearest divide among the non-nuclear-weapon states surveyed is between those that described their government as having a principled approach to

nuclear issues and those with a pragmatic one. Officials in developed countries, including NATO and non-NATO allies, described themselves as pragmatists who recognize the ideological debates but are eager to move past them. Developing countries, particularly members of the NAM, ardently describe their principles-based approach and the vital importance of being a voice to hold other states accountable to their obligations. This fissure plays out on critical issues, such as how to move forward with the 13 Steps committed to at the 2000 NPT Review Conference. All states confirmed that the 13 Steps are still the benchmarks for disarmament. Most officials conceded that some steps need to be updated or are now irrelevant. Noting their more practical, rather than principled, approach, a Canadian diplomat stated that they wanted to see “continued progress on the 13 Steps, but they need to be repackaged for today’s relevance.”<sup>44</sup> A German diplomat concurred and asserted that they are “still relevant as the 13 Steps are part of a negotiated settlement ... some steps have become obsolete, but nuclear-weapon states should still try to do those that are feasible.”<sup>45</sup> A Turkish official vigorously stated that they “could not be negotiated again.”<sup>46</sup> Echoing that sentiment, a Brazilian diplomat said that steps like the early entry into force of the Comprehensive Test Ban Treaty (CTBT) have been “paid for three times” and non-nuclear-weapon states will not pay again.<sup>47</sup>

The process by which nuclear-weapon states pursue their goals is another point of contention, particularly for NAM states. For some, the use of the UN Security Council (UNSC) represents the compromising of principles for pragmatic reasons. Although it has become commonplace in Western debates to deride the relevance of the UN Security Council, one diplomat took pains to describe how it is seen by many NAM countries as an important enforcement mechanism underpinning the current international system.<sup>48</sup> As such, they do not want to see it misused, even in the name of nonproliferation. For example, this diplomat described the methods used to pass UN Security Council Resolution 1540 as a misuse of that apparatus. In this view, the UNSC was essentially used to legislate new rules for all member states while circumventing existing NPT mechanisms. Whether one agrees with this interpretation or not, it is another example of the perceptions gap between nuclear-weapon states and even their non-nuclear weapon-state allies and the NAM.

This anecdote also underscores the importance other states put on various aspects of the NPT apparatus. “The disarmament and nonproliferation machinery is getting cranky,” said one Brazilian diplomat, referring to the “bad taste” left by the current state of the CTBT.<sup>49</sup> The UN General Assembly, the UN First Committee, the UN Disarmament Commission, the Conference on Disarmament, and the various PrepComs and Review Conferences are important, but they work only as well as UN member states want them to. In recent years, the PrepComs

and Review Conferences have fallen short of the vision that they would lead incrementally to substantive progress. As a result of that and the moribund status of the Conference on Disarmament, there is no framework in place that enables real negotiation. There is, however, a “uniform demand from both NAM nations and NATO countries to open up the Conference on Disarmament for work on a variety of issues, but that requires new momentum.”<sup>50</sup> The United States can help provide that momentum and create the opening for a constructive dialogue with NAM states by acknowledging the importance of certain processes in principle and indicating that the United States is open to exploring elements of the UN’s disarmament machinery as a forum to discuss disarmament issues. Such actions may be a first step in response to the call for the West to “effectively engage the majority of the world’s population in global decision-making.”<sup>51</sup> If the United States proceeds down this path, it should also enlist the support of allies and more moderate voices in Asia and Latin America to better ensure a constructive discussion.

## THE FIRST STEP

How the United States addresses the 13 Steps agreed to at the 2000 Review Conference is the foundation for any dialogue that may occur with other states. Some non-nuclear-weapon states believe that the Bush administration has walked away from the 13 Steps, citing the abrogation of the Anti-Ballistic Missile Treaty (ABM Treaty) and slow to no progress on other steps (although, by some counts, progress has been made on four of the 13 steps). Each representative from the non-nuclear-weapon states surveyed for this analysis stated that the 13 Steps are still the benchmarks for progress on disarmament, but there are varying positions on what should be done going forward and in light of some steps that have been overtaken by events (e.g., the ABM Treaty). One Norwegian diplomat also suggested that “there could be other benchmarks.”<sup>52</sup>

When reviewing the 13 Steps and affirming their overall importance, A South Korean diplomat described a few of them as either premature, unrealistic, less relevant, overtaken by events, or dead, but surmised that for those steps, “the end goal is still important.”<sup>53</sup> A Japanese official agreed that the 13 Steps are “still important, but we need to review them,”<sup>54</sup> and a Canadian diplomat added that they “will have to be eventually updated.”<sup>55</sup> Other pragmatic views included statements such as, “They are too ambitious right now, but we will have to deal with each separately, as it is difficult to approach it as a whole.”<sup>56</sup> States such as Turkey are open to updating them, but firmly state that they cannot be renegotiated.<sup>57</sup> A more inflexible view was provided by an Iranian official, who stressed that “We have agreed to them, and there should be no detraction at all.”<sup>58</sup>

Sweden and South Africa presented alternative approaches for managing this challenge. Offering a more conceptual approach, a Swedish diplomat argued that what is needed is “a new grand bargain for 2010 rather than opening up old issues, but this new bargain cannot be less than today’s bargain.”<sup>59</sup> Taking this idea a step forward, a South African official suggested that the “United States should come prepared with new multilaterally agreed-to positions.”<sup>60</sup> A comment by an Australian diplomat underscores the value of this suggestion; the Australian argued for an outcome from the next Review Conference and described the “sense of apathy” that has been generated from a lack of outcomes from the Conference on Disarmament, the UN Disarmament Commission, and the last Review Conference.

The last eight years and the foreign policy challenges facing a new U.S. administration make it unlikely that the United States can bilaterally or in an ad hoc manner negotiate additional support for its nonproliferation agenda. Working toward an outcome from the next Review Conference and reinvigorating some of the other multilateral forums are in the interest of the United States. Acknowledging the U.S. commitment to the “unequivocal undertaking . . . to accomplish the total elimination of their nuclear arsenals” is a first step toward setting the scene for a more constructive dialogue with critical non-nuclear-weapon states. “A slight modification in language and tone would achieve so much,” urged a Norwegian diplomat.<sup>61</sup> Since the official U.S. position has yet to go as far as repudiating the 13 Steps, acknowledging the U.S. commitment to them should be a relatively easy “concession” to make.

## SERIOUS SIGNALS

After acknowledging previous commitments, the United States has several additional options for demonstrating its seriousness about disarmament. When asked what would be the top three steps nuclear-weapon states could take to demonstrate their commitment to disarmament, a consensus emerged across states with the Comprehensive Test Ban Treaty and Fissile Material Cutoff Treaty (FMCT) rising to the top.

A diverse selection of countries, including Argentina, Australia, Brazil, Canada, Indonesia, Iran, Ireland, Japan, Norway, South Africa, South Korea, Sweden, and Turkey, stated that ratification of the CTBT by the United States and other states would send a very strong signal. Argentina, Australia, Canada, Japan, Indonesia, Ireland, Norway, South Africa, and Sweden called for immediate negotiations on an FMCT (some specified that should happen within the Conference on Disarmament). In 2003, China and Russia agreed to move forward with FMCT negotiations based on the Shannon Mandate rather than on insisting the FMCT

negotiations be linked to commencing work on the Prevention of an Arms Race in Outer Space treaty.<sup>62</sup> The current U.S. and Pakistani positions on the FMCT remain obstacles to moving forward.

On the topic of CTBT ratification, a South Korean diplomat suggested that “either the U.S. and/or China should go first ... doing so will not only contribute to the reinforcement of the NPT regime, but will also benefit themselves.”<sup>63</sup> The entry into force of the CTBT is not easy, since it requires ratification by states not party to the NPT such as India, Israel, and Pakistan as well as North Korea. When asked whether it was wise to link the CTBT so strongly to the health of the NPT when the CTBT requires action by parties outside of the NPT, most diplomats, such as one from Indonesia, acknowledged that they “haven’t thought through the problem.” For Indonesia, it is enough for now to focus on countries of concern outside of the NAM rather than the problems in its own house.<sup>64</sup> Ratification of the CTBT by the nuclear-weapon states recognized by the NPT (China, France, Russia, the United States, and United Kingdom) and not those outside of the NPT, “could enhance the credibility of the regime and create progress,” suggested a Brazilian diplomat.<sup>65</sup> Other non-nuclear-weapon states (listed in Annex II of the CTBT) required to sign and ratify the CTBT for it to enter into force include Egypt, Indonesia, and Iran.<sup>66</sup> “Ratification by China and the United States would send a strong message to other Annex II states and further consolidate the norm against testing,” concluded a Norwegian diplomat.<sup>67</sup>

Ratification of the CTBT by the United States is politically complicated as it involves the U.S. Senate. A new U.S. president would have to demonstrate serious political will to engage the Senate and make the case for ratification, particularly to Republican senators who oppose it. A new U.S. administration will be hard-pressed to ratify the CTBT ahead of the 2010 Review Conference and should set the expectation of non-nuclear-weapon states accordingly. The administration should, however, communicate clearly about its intentions and likely timeline. If the United States is interested in repositioning itself on this issue, it should cease procedurally blocking resolutions and proposals within the UN that affirm the value of the CTBT. Some diplomats were puzzled by the behavior of the United States in financially supporting the Comprehensive Test Ban Treaty Organization, while insisting on shutting down UN First Committee resolutions and proposed agendas for the Review Conference that refer to the CTBT. “The U.S. should take the time it needs to seek ratification,” said one official, “but it should move away from obstructing other progress on the CTBT.”<sup>68</sup> If a new U.S. administration decides to support CTBT ratification, it will have to reconcile its behavior with its policies.

After the CTBT and FMCT, the measure that garnered the most support was further stockpile reductions. Interestingly, all of the states supporting this are

U.S. allies, including Australia, Canada, Ireland, Japan, Norway, and Sweden. A range of additional actions also had considerable support: devaluing the currency of nuclear weapons, increasing transparency among nuclear-weapon states, creating a disarmament forum within the Conference on Disarmament, and ensuring that stockpile reductions are irreversible. Still other recommendations had only a smattering of support: offering negative security assurances to non-nuclear-weapon states, not improving existing nuclear weapons, universalizing the NPT, creating a Nuclear Weapons Free Zone (NWFZ) in the Middle East, and having Israel accept safeguards and inspections on its facilities. The last three items were all offered by an Egyptian diplomat, who maintained that “a nuclear weapons free zone is the basis of peace in the Middle East and is linked to the universality of the NPT.”<sup>69</sup> A German official offered some context for these positions, saying that the Egyptians “need something for home consumption.”<sup>70</sup> However, it could also be argued that Egypt holds these positions due to a real sense of injustice.

## WHAT NEXT?

If the United States acknowledges previous commitments and takes steps to move forward with the CTBT, FMCT, or other disarmament measures, what benefits can it expect? Across a range of NATO countries and other allies, the uniform message is that progress on disarmament could lead to goodwill and would get the United States “out of the hole to have a real conversation.”<sup>71</sup> Allies resoundingly stated that such actions would make it easier for them to work on the U.S.’s behalf when interacting with other states, particularly the Non-Aligned Movement. One Canadian diplomat surmised that “countries like Canada can then go to the NAM and ask for more progress on nonproliferation.”<sup>72</sup> The Japanese agreed that disarmament gains would “make NAM countries more constructive.”<sup>73</sup> Revealing some of the distrust among non-nuclear-weapon states themselves and referring to the resistance of some of these states to adopting the Additional Protocol and more stringent export-control policies, a German diplomat asserted that the right steps by nuclear-weapon states would “take away the fig leaf behind which they hide.”<sup>74</sup> Alluding to the current environment, one diplomat acknowledged that disarmament progress would provide allies with “more ammunition, where as right now, we have nothing.”<sup>75</sup>

More pessimistically, an Australian diplomat flatly stated that the United States would “get nothing for the CTBT,”<sup>76</sup> whereas a Canadian official hoped that the quid pro quo for ratification would be more goodwill, but cautioned that “[ratification] has been so delayed that it is uncertain that the United States will get even that.”<sup>77</sup> A Brazilian diplomat warned that ratification “would

not neutralize opponents,” but also stated, “If there is progress, we can sit with good faith and credibility to discuss supply assurances on a more even basis.”<sup>78</sup> Another Australian diplomat concurred, predicting that disarmament progress “clears the decks to work on other proposals, such as sensitive nuclear technology transfers, renewed efforts on Iran and North Korea, etc.”<sup>79</sup> The status of the CTBT seems to be strongly linked to the credibility of the nonproliferation regime in the minds of many non–nuclear-weapon state officials. “Ratifying the CTBT would send the right message and make the prospect of disarmament negotiations more credible,” predicted one diplomat.<sup>80</sup> An Iranian official underscored the importance of restoring credibility when he said, “Non-nuclear-weapon states should believe there will be one day where we can live in a world without nuclear weapons.”<sup>81</sup> Whether new U.S. action on disarmament yields any benefits, it would at least “send a signal to skeptics”<sup>82</sup> and that may be an important move towards more constructive dialogue with countries highly critical of the existing state of affairs.

## FINE TUNING

Diplomats and officials interviewed for this analysis were asked their opinions about fuel-cycle initiatives, such as voluntarily foregoing enrichment and reprocessing capabilities; fuel supply assurances; and other nonproliferation proposals, such as making the Additional Protocol a condition of supply and clarifying and strengthening the NPT’s withdrawal clause (Article X). The strongest reactions were to the fuel-cycle–related proposals and to making the Additional Protocol a condition of supply. Recalling the recommendations of the “world free of nuclear weapons” agenda promoted by Shultz et al., reforming the fuel-cycle was deemed the second step to take after further stockpile reductions. If the United States pursues any of these proposals, a better understanding of how fuel-cycle initiatives are perceived by non–nuclear-weapon states will be beneficial.

States such as Sweden, Australia, South Korea, and Egypt were open to the idea of proposals aimed at persuading states to voluntarily forego enrichment and reprocessing capabilities. “The key is the voluntary nature of these proposals, otherwise, they will be seen to restrict rights and that’s backtracking on the grand bargain,” remarked a Swedish official.<sup>83</sup> An Egyptian diplomat agreed, stating that these proposals are “okay if rights are intact.”<sup>84</sup> An Indonesian diplomat affirmed the interpretation that enrichment and reprocessing capabilities are not excluded from Article IV of the NPT, but on the issue of forgoing national enrichment or reprocessing capabilities, stated that Indonesia is “open to considering the proposals.”<sup>85</sup> The strongest response came from a Brazilian diplomat who declared:

Article IV of the Non-Proliferation Treaty is more important than Article VI. If the cost of implementing Article VI is weakening Article IV, that is no good. Non-nuclear-weapon states are being asked to give up something that is concrete, tangible, prestigious, and matters for energy security.<sup>86</sup>

This commentary reveals deep concerns on the part of non–nuclear-weapon states about the current raft of fuel-cycle proposals. The United States and other states that care about reforming the fuel-cycle will have to take this perspective into account and better communicate their intentions and goals to skeptical states. This will be a hard challenge, since the United States will have to combat the perception from the NAM that “they have a right as long as they don’t use it.”<sup>87</sup>

The assortment of fuel supply assurance proposals elicited interest and skepticism from a range of states. South Korea, as the “sixth largest nuclear energy power,”<sup>88</sup> showed its clear interest, but Canada, Sweden, and Japan took a more cautious approach, saying that more detail was necessary. A Swedish official cautioned that although Sweden was interested in discussing various proposals, proponents “shouldn’t mix this debate with what is happening with Iran.”<sup>89</sup> Perceptions that fuel supply proposals have been sparked by concerns about the Iranian enrichment program undermine the potential case for fuel supply assurances on the basis of nonproliferation risks more generally.

Capturing this tension is the current debate about whether the proposals would lead states to forgo national enrichment or reprocessing facilities. An Egyptian diplomat stated that fuel supply assurances are a “nice idea, but not at the expense of states developing the fuel-cycle themselves.”<sup>90</sup> These responses can be interpreted as either showing the level of support for the proposals or, at a higher level, as an indication of the current lack of appetite for discussing additional nonproliferation measures in the absence of continued progress on disarmament. Either way, states advocating these various proposals would do well to better reach out to the supposed “end users” or buyers of the new services and explain why states should consider these proposals seriously.

Making the Additional Protocol a condition of supply is another area where non–nuclear-weapon states’ reactions are instructive for the United States. States strongly in favor of the proposal, such as Norway, South Korea, Sweden, and Japan, are friendly to the United States. One Norwegian diplomat explained Norway’s “dogmatic” support for universalizing the Additional Protocol by saying, “A world free of nuclear weapons implies a more robust nonproliferation regime than we have today.”<sup>91</sup> Other states were either skeptical or flatly against the



idea. The Indonesian position was described as “not being in favor of making conditions on issues that are voluntary . . . don’t change the rules in the middle of the game.”<sup>92</sup> The Egyptians also opposed the idea, but for different reasons, “We have accepted other commitments, and there are still no positive steps on the universalization of the NPT and a nuclear weapons free zone in the Middle East.”<sup>93</sup> This statement is a clear indication of the link made by some non–nuclear-weapon states between additional nonproliferation commitments and nuclear-weapon states making good on previous disarmament commitments. It is clear that the onus lies on nuclear-weapon states. An alternative interpretation of why certain states resist comes from a South African official, who argues that since these additional nonproliferation commitments were not created out of the NPT process, this “allows them to throw rocks in all directions.”<sup>94</sup>

## NEXT STEPS FOR THE UNITED STATES

The preceding sections are meant to provide U.S. officials with a “reality check” about the external environment in which they seek to advance their nonproliferation agenda. By better understanding this environment, the United States has a chance to shape its interactions with non–nuclear-weapon states more proactively and thereby reframe polarized debates. The best way to change its approach to these issues would be for the United States to indicate its seriousness in step-by-step fashion. The United States and other states that are proponents of nonproliferation should signal to frustrated states that constructive behavior on their part will be met by further measures to justify faith in the process.

The next U.S. administration should:

- Acknowledge and reconfirm previous disarmament commitments. Set expectations about re-engaging aspects of the disarmament machinery, a timeline for action, and the roles and responsibilities of all states.
- Suggest an action plan for addressing previous commitments in today’s environment.
- Reconcile its CTBT policies with procedural actions that U.S. delegations take within UN forums.
- Enable partners to call on other nuclear-armed states to be responsible stakeholders on disarmament issues.
- Explore crafting with other nuclear-weapon states proposals to address any of the 13 Steps that are either outdated or overtaken by events. Discuss proposals at the next NPT Review Conference.
- Set the bar for transparency measures (on arsenals, material stocks, and security measures) for other NPT nuclear-weapon states to meet.

- Signal seriousness about negotiating a fissile material cutoff treaty.
- Engage ostensible “end users” of fuel-supply assurance proposals and other fuel-cycle initiatives about their needs, preferences, and concerns.
- Communicate properly to other states the implications of the next Nuclear Posture Review and National Security Strategy document, particularly if it continues to de-emphasize the role of nuclear weapons in U.S. national security policy.
- Update NATO nuclear doctrine for today’s threats and reconcile with nonproliferation and disarmament goals.
- Send a senior-level team to the 2009 NPT PrepCom and 2010 NPT Review Conference.

It is time for the United States to set a new agenda for the world that affirms the U.S.’s commitment to disarmament, renews efforts for interim steps, and sets a leading example for others. Such an effort could result in the United States reclaiming its leadership of the nonproliferation regime and increasing global security.

## **NEXT STEPS FOR NON-NUCLEAR-WEAPON STATES**

If the next U.S. administration changes tack and more seriously addresses disarmament, the window of opportunity for non-nuclear-weapon states to maximize their agenda and respond to positive signals from the United States will be limited. Making the most of it will require non-nuclear-weapon states to:

- Acknowledge the real difficulties that nuclear and non-nuclear-weapon states will encounter in fully disarming global arsenals.
- Ensure a more equitable focus on other nuclear-armed states making progress on disarmament.
- Prioritize their demands to focus on issues where there is enough common ground between nuclear and non-nuclear-weapon states to make early progress.
- Strategize with groups such as the Seven Nation Initiative and New Agenda Coalition that can help bridge divides among non-nuclear-weapon states.
- Resolve internal inconsistencies within and across bureaucracies and policies—this is particularly relevant for NATO countries where some foreign and defense ministries have different positions on the utility of NATO’s nuclear umbrella.
- Weigh in on U.S. nuclear posture debates (allies protected by the U.S. nuclear umbrella should articulate their comfort with different sizes of the U.S. nuclear arsenal over time).

If the United States adopts a new approach, bridge-building groups such as the Seven Nation Initiative and the New Agenda Coalition will be vital in facilitating the above activities. Without leadership from non–nuclear-weapon states that can engage important countries across regions and blocs, meaningful progress on disarmament as well as newer nonproliferation efforts are likely to be delayed for a long time to come.

## THE NAYSAYERS

Critics of the recommendations of this analysis will assert that U.S. nuclear policy does not cause proliferation. This is a popular, but misguided narrative. Rademaker claims that U.S. nuclear policy has no impact on the nuclear decision making of other countries.<sup>95</sup> This line of reasoning focuses narrowly on what influence the United States directly has on the decision making of a government considering proliferation. It fails to include a key to successful nonproliferation strategy, which is the behavior of other nations to shape the context in which states embarking on proliferation deal with pressures to desist and, moreover, on the willingness of other states to join in enforcement. Rademaker ignores signals from non–nuclear-weapon states (friends and foes alike) that suggest that every day that goes by with nuclear-weapon states holding more tightly to their weapons, coupled with cases of states in noncompliance, is another day for non–nuclear-weapon states to reconsider the bargain they made 40 years ago. With that chain of logic, U.S. policy matters greatly not only for the signal Washington can send, but also for the effect it can trigger in other states. Whether Rademaker is correct or not, there would be little cost to the United States in pursuing a strategy that may yield the support of others and possibly burnish its own reputation.

A final challenge to this strategy comes from the critique that questions how the United States can get others to join its lead, given a perceived decline in U.S. leverage and legitimacy abroad. The nonproliferation regime may be a place where the United States has declined in legitimacy in recent years, but its disproportionate influence, as a nation that can do the most to change the political landscape and reclaim its leadership position, remains intact.

## CONCLUSION

Progress on disarmament may not result in any immediate or automatic bargains on nonproliferation, but the political landscape among non–nuclear-weapon states reveals an opportunity to influence the conditions for such discussions. By incorporating the views of non–nuclear-weapon states and understanding areas of agreement and divergence among them, the United States, more so

than other nuclear-weapon states, can advance its national security interests and rehabilitate its reputation. This analysis has identified near-term actions to take before the next NPT Review Conference for a reason. 2010 will mark nearly fifteen years of frustration and disappointment from non–nuclear-weapon states. It is unlikely that the United States will receive another chance to rehabilitate its reputation and reclaim its standing in the world.

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