



COMMENTARY

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FAILURE TO MEET THE NUCLEAR NON-PROLIFERATION CHALLENGE

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The 2005 Nuclear Non-Proliferation Treaty (NPT) Review Conference failed to produce a single point of agreement on one of the most urgent security challenges of the age – assuring the non-proliferation of nuclear weapons. It was an outcome as predictable as it is disturbing, for it reflects the accelerated erosion of global consensus on how best to manage the three primary elements of non-proliferation – keeping nuclear materials out of the hands of non-state groups, preventing the spread of nuclear weapons to hitherto non-nuclear weapon states (NNWS), and persuading nuclear

weapon states (NWS) to honour their disarmament obligations.

Nuclear non-proliferation depends on a commitment to three fundamental global norms that are enshrined in the NPT – *Abolition*: To prevent the spread of nuclear weapons, existing arsenals must also eventually be eliminated; *Universality*: For non-proliferation to be respected it must apply equally to all; and *Verification*: For Treaty commitments to be trusted they must be subject to inspection and verification. Unfortunately, it is not an overdramatization to say that current actions by NWS are undermining all three of these foundation principles.

To be sure, to lay blame so squarely at the feet of the NWS is an oversimplification. Those others bent on acquiring these destructive technologies, states as well as non-state groups, must also be held accountable. And, to be fair, the nuclear powers have been getting some things right. As the US and Russia are fond of reminding us, there have been significant reductions in their nuclear arsenals from a Cold War peak of close to 70,000 warheads worldwide. Current levels are down to less than half that at about 30,000, and of these less than half are actually deployed. In 2002 the US and Russia signed the Treaty on Strategic Offensive Reductions (known as the Moscow Treaty) to further reduce their strategic arsenals, each from about 4,000 to less than 2,200 warheads by 2012.

Blame for the current non-proliferation crisis accrues to the NWS, not so much due to the slow pace of reductions, but because those reductions come with policies, doctrines, and modernization programs that clearly signal a commitment to the indefinite retention of nuclear weapons, a selective approach to non-proliferation, and a disdain for inspection and monitoring arrangements.

Nuclear retentionism was on full display at the failed Review Conference. The United States led in the explicit denial of the disarmament commitments that all NWS accepted in 1995, when the Treaty was indefinitely extended, and in 2000, when all states parties to the NPT agreed on a comprehensive program of disarmament in the form of "13 practical steps" – step 6 of which is "an unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament to which all States parties are

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committed under Article VI." In 2000 that was a solemn commitment, but in 2005 not even a reference in the agenda to 2000 was accepted.

The context is even less encouraging. Ongoing and planned nuclear modernization in China and the United Kingdom, Russian testing of new strategic delivery vehicles, and of course US reassertions of nuclear use doctrines and its refusal to ratify the Comprehensive Test Ban Treaty all combine to make the commitment to the total elimination of nuclear arsenals rather more equivocal than was their 2000 statement on the topic. And in NATO – which brings it a little closer to home for Canadians – nuclear weapons continue to be characterized as "essential to preserve peace," meaning that "the Alliance will maintain for the foreseeable future an appropriate mix of nuclear and conventional forces based in Europe and kept up to date where necessary."

Just as the international community has lost confidence in Iran's commitment to the Treaty, given its clandestine pursuit of enrichment and reprocessing technologies and notwithstanding its repeated proclamations of unflinching fidelity to the Treaty, so too has the international community lost confidence in the NWS commitment to the Treaty, given their rejection of core disarmament principles and notwithstanding their repeated declarations of fealty to the Treaty.

Convincing the rest of the world that they are not on a retentionist trajectory but remain on board with the NPT's abolitionist norm will take more than another recitation of solemn commitments. Early action on at least the following four measures could go a long way to restoring confidence that NWS continue to respect the NPT bargain. Such actions would not meet all their obligations, but would demonstrate a shift away from nuclear retentionism:

- Reconfirm extension of the moratorium on warhead testing until the Comprehensive Test Ban Treaty (CTBT) becomes law (which in the US would mean cutting programs to re-establish underground test facilities);
- Start negotiations on the promised Treaty to ban any further production of fissionable material for weapons purposes and address the problem of existing stocks;
- Return to the principle of irreversibility in disarmament, as accepted in 2000, by setting plans for destroying warheads and delivery systems to be taken out of service under the Moscow Treaty; and
- Reduce the political/military role of nuclear weapons through doctrinal and deployment shifts, notably in NATO.

The failure to act on these measures will only place the nuclear abolitionist commitment of the NPT in further doubt, and thus further undermine the pursuit of its non-proliferation objectives.

The rejection of universality in favour of selective non-proliferation is inherent in the contrasting responses to Iran and Pakistan, for example. Joseph Cirincione of the Carnegie Endowment for International Peace traces the shift in US policy. While President Bill Clinton warned of the threat "posed by *the proliferation of nuclear, biological, and chemical weapons and the means of delivering such weapons*" (italics added), President George Bush warns that "the gravest danger facing America and the world is *out-law regimes that seek and possess nuclear, chemical, and biological weapons*" (italics added). No longer is it a problem of the

spread of such weapons, now it is a matter of problem states – concern that the wrong states may acquire such weapons. As Cirincione notes, "this corresponds to a strategy that seeks the elimination of regimes rather than weapons."

Thus Pakistan, Israel, and India are accepted, and even rewarded, as *de facto* nuclear weapon states. It's not that the White House welcomes the three *de facto* NWS; rather it believes that their acquisition of nuclear weapons is secondary to other strategic considerations regarding them – and, as we have seen, US self-defined strategic interests tend to trump multilateral commitments.

A significant factor in the failure of the Review Conference is therefore the fear that the Bush Administration no longer considers the NPT to be the primary or even a significant bulwark against proliferation. In addition to becoming more overt about its own nuclear retentionism, US non-proliferation strategy is now less about preventing the spread of nuclear weapons, period, than about keeping nuclear weapons out of the hands of certain states it regards as rogues.

In addition to pursuing a policy of selective non-proliferation, the United States has also shifted toward a focus on counter-proliferation – a strategy that combines the pursuit of defences against proliferators (including ballistic missile defence) with the threat of military action (including the threatened use of nuclear weapons) in response to suspected, and selected, proliferation activities. Counter-proliferation thus shifts the focus away from the pursuit of multilateral cooperation and agreements to prevent the spread of nuclear materials and technology.

A particular consequence of this shift is to undermine multilateral verification requirements and arrangements. While the US has been willing in principle to begin

negotiations on a fissile materials cutoff treaty (refusing, however, to allow such negotiations to proceed because it refuses to accept linked or parallel discussions on weapons in space and other nuclear disarmament issues), it has explicitly stated that it would not accept multilateral verification provisions.

Furthermore, in its most notable resort to the use of force in support, at least as initially declared, of non-proliferation, the US and the UK used force in Iraq not to strengthen multilateral verification efforts, but to sideline them.

In summary, states committed to retaining and refining their own nuclear arsenals, that practice selective non-proliferation, and that use of force to sideline rather than strengthen and support the global non-proliferation monitoring and inspection system, are not promising candidates for leading the international nuclear non-proliferation effort. The results are evident in the failure of the 2005 NPT Review Conference, but the full consequences could be rather more devastating. ■

The views expressed are those of the author, and do not necessarily reflect the views of the Institute or its members.