

Nuclear Disarmament and Nonproliferation: Looking to the Future

RAJIV SIKRI

It is evident that there has been for a very long time a growing global movement for disarmament. The quest for a world without nuclear weapons began as soon as nuclear weapons made their appearance. The UN General Assembly (UNGA) has been very active in this regard. It is noteworthy that the very first UNGA resolution, adopted on January 24, 1946, deals with the problems raised by the discovery of atomic energy and seeks the elimination of nuclear weapons and other weapons of mass destruction. The UNGA has gone on to hold three Special Sessions on Disarmament (SSOD) in 1978, 1982, and 1988. Regrettably, only the first SSOD had an outcome document, but it was a significant one. For it is the final document of the SSOD-I of 1978 that laid out the basic terms of reference for the work of the Conference on Disarmament, the sole negotiating body for disarmament. Since 1995, the UNGA has been calling for a Fourth Special Session on Disarmament, unsuccessfully so far, even though an open-ended working group was established in 2007 to consider the objectives and agenda of such a session. In September 2000, the UNGA adopted the UN Millennium Declaration that pledged the members' resolve to strive for the elimination of weapons of mass destruction, particularly nuclear weapons, and to keep all options open for achieving this aim, including the possibility of convening an international conference to identify ways of eliminating nuclear dangers.

Apart from the comity of nations as a whole as represented in the UN, influential voices in the non-Western world have been continually pleading for universal and general nuclear disarmament. The Non-Aligned Movement, with a current membership of 118, has traditionally been very vocal on this issue and has been calling for commencement of negotiations leading to a Nuclear Weapons Convention. The leaders of India and

the Soviet Union signed in 1986 the Delhi Declaration on Principles for a Nuclear Weapon-Free and Non-Violent World. Between 1984 and 1988, the leaders of Argentina, Greece, India, Mexico, Sweden, and Tanzania pursued the “Six-Nation Initiative” for disarmament, resulting in the Stockholm declaration of January 1988. In 1996, the International Court of Justice (ICJ) unanimously determined that the threat or use of nuclear weapons is illegal, and that there exists an obligation to pursue and conclude negotiations leading to complete nuclear disarmament.

It is only over the last few years that influential voices supporting a nuclear weapon-free world are now being raised in the United States and the West as well. The articles by Henry Kissinger, Sam Nunn, William Perry, and George Shultz in January 2007 and January 2008 started a welcome debate on this issue in the West in general and the United States in particular. Then there is the Global Zero initiative by influential personalities from around the world. This issue has come into much sharper focus after Barack Obama was elected US president. President Obama shares the vision of earlier generations of world leaders to create a nuclear weapon-free world. His Prague speech of April 5, 2009, was followed by his personal push for the adoption of UN Security Council Resolution 1887 of September 24, 2009. In awarding him the 2009 Nobel Peace Prize, the Norwegian Nobel Committee “attached special importance to Obama’s vision of and work for a world without nuclear weapons.” The pressure is now on Obama to show some tangible results on the disarmament front.

The experience of the last 64 years has shown that nuclear weapons are not usable weapons of war. Nuclear weapons have been used only twice—by the United States against Japan in August 1945. Their effects were so horrendous that all powers have come to the prudent conclusion, at least implicitly, that these weapons of mass destruction are not usable weapons. Radiation leaks from nuclear reactors (e.g. Chernobyl and Three Mile Island), and the lingering effects of atmospheric testing (e.g. Semipalatinsk) have periodically served as reminders that the human costs—which would be global and not merely local—of using nuclear weapons would far outweigh any pyrrhic military victory. Reagan and Gorbachev soberly recognized this reality at Reykjavik in 1986. “Nuclear war,” they stated, “cannot be won and should never be waged.” This rational conclusion, endorsed by President Obama, has not altered national security doctrines so far. Nor, despite a growing global movement, has there been any meaningful progress toward nuclear disarmament. What has gone wrong?

The NPT regime, the centerpiece of which is the Nuclear Non-Proliferation Treaty, is widely regarded as the unshakeable and unquestioned mantra

for all issues connected with nuclear disarmament and nonproliferation. Yet this approach has not worked. President Obama could not have put it better or more pithily in his Prague speech. “In a strange turn of history,” he said, “the threat of global nuclear war has gone down, but the risk of a nuclear attack has gone up. More nations have acquired these weapons. Testing has continued. Black market trade in nuclear secrets and nuclear materials abound. The technology to build a bomb has spread. Terrorists are determined to buy, build, or steal one. Our efforts to contain these dangers are centered on a global nonproliferation regime, but as more people and nations break the rules, we could reach the point where the center cannot hold.”

Seeing that the NPT regime has hardly been a spectacular success, why is there a persistent attempt to lock it down in perpetuity? The NPT was conceived in the context of the perceived security threats and the strategic situation that developed after the end of World War II. It is not coincidental that the NPT gives special rights to just those five countries that are also veto-wielding permanent members of the UN Security Council. Over the last 40 years, the world has greatly changed. The fulcrum of world politics has shifted from Europe and the North Atlantic to Asia. It is in Asia that one sees the greatest fault lines, the greatest security threats, and the greatest foreign military presence. It is in this part of the world that the four nuclear weapon states outside the NPT (Israel, Pakistan, India, and North Korea) are located, as are all the countries that are widely believed to have the capability and the degree of political will to acquire nuclear weapons (Iran, Turkey, Saudi Arabia, Egypt, Japan, South Korea, and Taiwan). If the changed nature of the global political, economic, and military balance has compelled the initiation of a debate on the reform of institutions set up at the end of World War II like the UN, the International Monetary Fund, and the World Bank, and if even the G7/G8 is having to cede some space to the G20, why should the NPT regime be “untouchable”? The danger is that the longer the world takes to recognize that it is essential to get out of the sterile rut of the NPT regime, the more complicated and dangerous the situation is likely to become. Nonproliferation is an important and legitimate global concern. However it should not be equated with the NPT.

The problem is rooted in the very nature of the NPT regime and in the “rules” referred to by President Obama, which contain serious flaws, both in theory and in actual practice for over four decades. To illustrate:

- The NPT seeks to limit only horizontal proliferation and has no checks on vertical proliferation or on measures by nuclear weapon states to miniaturize and improve the accuracy of nuclear weapons;

- Even with respect to horizontal proliferation, NPT signatory nuclear weapon states have knowingly violated the NPT provisions “not to transfer to any recipient whatsoever” nuclear weapons or nuclear weapons technology and “not in any way to assist” a non-nuclear weapon state to manufacture or acquire nuclear weapons;
- Nuclear weapon states have ignored their solemn commitment “to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control.” Their focus has been on nonproliferation, not disarmament;
- Contrary to the “inalienable right” that NPT signatories have to develop research, production, and use of nuclear technology for peaceful purposes, and the promise to share scientific and technological knowledge with non-nuclear weapon states, particularly developing countries, in practice these rights are thought to be greatly restricted;
- The NPT is seen as an end in itself, not necessarily as a means for creating a safer world;
- The NPT regime deals only with the security concerns of the nuclear weapon states (according to the NPT’s arbitrary definition) and those under the nuclear umbrella of the nuclear weapon states, without factoring in how this may increase the insecurity of other states, including their threat perceptions from the nuclear weapon states;
- The NPT does not address the ambiguous position of states that may not themselves possess nuclear weapons but on whose territory nuclear weapons have been deployed;
- There is no provision in the NPT for negative security assurances, i.e., non-use against non-nuclear weapon states;
- Above all, the NPT regime is a discriminatory regime that legitimizes in perpetuity the possession of nuclear weapons by only five countries and gives them special rights and privileges, while countries that legitimately exercise their right to withdraw from the treaty are subjected to coercion.

The point about the legitimacy of nuclear weapons is a critical and central one. President Obama’s argument is that “if we believe that the spread of nuclear weapons is inevitable, then in some way we are admitting to ourselves that the use of nuclear weapons is inevitable.” Perhaps it would be more accurate to say that if we believe that nuclear weapons are legitimate in the hands of some countries, then in some way we are admitting to ourselves that the proliferation of nuclear weapons is inevitable.

Were all countries to commit themselves to work toward concluding a universal, nondiscriminatory, verifiable Nuclear Weapons Convention along the lines of similar conventions relating to other weapons of mass destruction such as the Biological Weapons Convention and the Chemical Weapons Convention, this would constitute a major step toward creating a favorable political climate for eventually delegitimizing the use of nuclear weapons.

It would be instructive to briefly examine why the NPT-recognized nuclear weapon powers want to continue to have the right to possess nuclear weapons into the indefinite future.

- Nuclear weapons play a central role in US strategic thinking. President Obama admits that his long-term goal of a nuclear weapon-free world might not be achieved in his lifetime—Hillary Clinton thinks it may not happen in successive lifetimes. Meanwhile, the United States will maintain a safe, secure, and effective arsenal to deter any adversary and guarantee that defense to its allies. It is widely believed that the United States is working on its nuclear weapons to make them more “usable.”
- Russia considers nuclear weapons to be the main foundation of its national security, the principal equalizer vis-à-vis the United States to compensate for its strategic weakness, especially after US withdrawal from the Anti-Ballistic Missile (ABM) Treaty, as well as its inferiority in conventional weapons and advanced technologies. It is also a symbol of its great power status, for if the United States still considers Russia as a serious geopolitical rival, it is only because the latter has the unparalleled capacity to physically annihilate the United States.
- Possessing a significantly smaller and weaker nuclear arsenal than either the United States or Russia, China follows a policy of “minimum deterrence” against potential threats from the nuclear superpowers and has articulated a policy of “no-first-use.” At the same time, nuclear weapons are now also seen as a natural attribute of China’s rising global clout.
- Although NATO members France and Britain have the safety of the US nuclear umbrella, they have chosen not to give up their independent nuclear arsenals. Britain holds onto its nuclear weapons in order to guard against future uncertainties and to obviate threats of nuclear blackmail. France thinks that its possession of nuclear weapons deters state sponsors of terrorism and guarantees France’s strategic supplies of natural resources!

Deterrence is the key concept underlying the nuclear postures of these five nuclear weapon powers. They feel safer because they have nuclear

weapons. So do their allies, who enjoy the protection of the nuclear umbrella. Similar considerations led to non-NPT signatories acquiring nuclear weapons. Nuclear weapons make India feel safer in relation to threats from the land and the sea from the larger nuclear weapon powers, Pakistan feel safer in relation to India, Israel in relation to the Arabs and Iran, and North Korea in relation to the United States. Historical evidence convincingly shows that deterrence works. Through all the confrontations of the Cold War, the armed skirmishes between China and the Soviet Union, the India-Pakistan wars, and India-China tensions, nuclear weapons have effectively prevented escalation of tensions and conflicts. A legitimate question arises: if the concept of nuclear deterrence is acceptable for the security of the nuclear weapon states, is there any logical reason why it should not be valid for the security of all countries? By what criteria should some states be considered “responsible” and others not so? A dispassionate analysis may lead to some very awkward conclusions.

What can be done to take meaningful steps toward nuclear disarmament? Let us examine the Indian perspective on nuclear disarmament. India has been in the forefront of the movement for disarmament since the 1950s. Prime Minister Nehru’s activism is well known and documented. His successors followed the same policy toward nuclear disarmament. India supported the commencement of negotiations on a nuclear non-proliferation treaty in 1965, but was obliged to stand aside as it emerged in 1967–1968. A significant landmark in India’s position on nuclear disarmament was Prime Minister Rajiv Gandhi’s comprehensive Action Plan for Ushering in a Nuclear-Weapon-Free and Non-Violent World Order tabled at the third special session of the UNGA devoted to disarmament in 1988. Nothing came of that. But India has not given up its quest for nuclear disarmament even after India became a nuclear weapons power. In 2006, in continuation of the initiative of Rajiv Gandhi, India presented a working paper on nuclear disarmament in the First Committee of the UNGA that proposed concrete measures that would, through a step-by-step negotiated process, lead to universal, nondiscriminatory nuclear disarmament. The proposed stages in the path toward the ultimate goal of a nuclear weapons convention are:

- A commitment by all nuclear weapon states to the goal of complete elimination of nuclear weapons;
- Reduction of the importance of nuclear weapons in security doctrines;
- Measures by nuclear weapon states to reduce nuclear danger, including the risks of accidental nuclear war;

- A global agreement among nuclear weapon states on the “no-first-use” of nuclear weapons;
- A universal and legally binding agreement that nuclear weapons would not be used against non-nuclear weapon states;
- A convention on the complete prohibition of the use and threat of use of nuclear weapons;
- A nuclear weapons convention that prohibits the development, production, stockpiling, and use of nuclear weapons and envisages their destruction, leading to the global, nondiscriminatory, and verifiable elimination of nuclear weapons within a specified timeframe.

The first step is relatively easy. Now that the United States and Russia are theoretically committed to this goal, it should be easier to persuade other nuclear weapon states that may still have hesitations on this point to formally affirm that they too seek a nuclear weapons-free world.

The next four steps are crucial since they deal with measures for delegitimizing nuclear weapons. The lead here has to be taken by the United States, which has the largest nuclear arsenal. President Obama has an opportunity, in the imminent US Nuclear Posture Review, to actually take some concrete steps toward bringing about his vision of a nuclear weapons-free world. He has promised to reduce the role of nuclear weapons in US national security strategy. That may not be enough. What is required is a fundamental change in perspective, whereby the United States implicitly gives up its quest for overarching military superiority and absolute security, since this tends to increase the insecurity of other states. This includes Russia, whose cooperation is critical for any success of a nuclear weapon-free world. For example, the US abandonment of the ABM Treaty has enhanced Russia's perceived vulnerability and concomitantly its reluctance to take any step that is likely to increase its insecurity. The United States should also be persuaded to support measures, for which there is overwhelming global support, to prevent an arms race in outer space. Finally, in a change from its existing position, the United States—and other Western countries—could support the UNGA resolutions sponsored by Non-Aligned Movement supporting the ICJ ruling and for starting negotiations on a Nuclear Weapons Convention.

Without a change in the US position on these key aspects, it would be difficult to persuade the other, relatively weaker, nuclear weapon states to review their respective nuclear postures. As Russian President Medvedev has pointed out, the level of distrust among nations is very high. Of course, it is welcome that the United States and Russia are trying to reduce the levels of their strategic weaponry. At the same time, the United States' aggressive

posturing in Central and Eastern Europe as well as toward countries that were part of the former Soviet Union has increased Russia's insecurity. Given Russia's overall weakness vis-à-vis the West and NATO, including in the conventional military sphere, Russia has responded by hinting at a more aggressive nuclear doctrine that is likely to be formalized by the end of 2009.

It is essential that the United States and Russian nuclear and conventional military doctrines undergo a change before other declared and aspiring nuclear weapon states can be meaningfully co-opted into the nuclear disarmament process. Weaker states generally regard nuclear weapons as the ultimate asymmetric security guarantee and insurance policy that would enable them to balance and deter adversaries that are stronger both in conventional and nuclear weapons.

A word about the role of non-nuclear weapon states would be in order. While the prime responsibility remains that of the nuclear weapon states, non-nuclear weapon states can also make a contribution by stating their intention to come out from under the nuclear umbrella they currently enjoy.

A definitive change in the respective nuclear doctrines of the United States and Russia over the next few months would give weight to the proposed Global Zero summit in February 2010 and prepare the ground for a meaningful outcome of the Global Nuclear Security Summit that President Obama will host in April 2010. Another important step that could be taken toward delegitimizing nuclear weapons is for all nuclear weapon states to collectively affirm that any use of nuclear weapons would trigger a multilateral response. Currently, the five nuclear weapon states under the NPT have provided negative security assurances to the non-nuclear weapon states. This agreement should be broadened into a multilateral security guarantee by all states, whether nuclear or non-nuclear, that would deter the use of nuclear weapons by any country, not just the non-nuclear weapon states. In this way, any country that irresponsibly attempts nuclear coercion or blackmail would have to factor in not merely the likely response of the country against which it uses nuclear weapons but the unpredictable response of other nuclear weapon states. An agreement on this issue, as well as a decision to convene the Fourth UNGA Special Session on Disarmament, could be considered as possible deliverables for the Global Nuclear Security Summit.

President Obama has called the threat of terrorists acquiring nuclear weapons as the most immediate and extreme threat to global security. Acquiring increasing urgency as the situation deteriorates in the Af-Pak

region, the issue of nuclear terrorism will undoubtedly figure high in the Global Nuclear Security Summit. However, terrorists and other nonstate actors who may get their hands on nuclear weapons are hardly likely to be Taliban fighters wandering across the barren, mountainous landscape of the Af-Pak region with guns slung over the shoulder and grenades strapped around the belt. It requires top-notch scientists and technologists, supported by many other technically qualified people, and access to a fairly sophisticated infrastructure to handle nuclear weapons. Actually, the world has had a close brush with nuclear terrorism in the shape of A. Q. Khan and his so-called network. Although there is no evidence that A. Q. Khan had dealings with al-Qaeda or the Taliban, the very fact that he was selling nuclear weapons and technology for so long with impunity is indeed deeply troubling. It has been made out that A. Q. Khan was somehow a kind of free-lance peddler of nuclear wares. This raises more questions than it answers. If indeed he was acting on his own, this carries disturbing implications for the levels of security exercised by the Pakistan government. If, on the other hand, as is more likely, Pakistan was involved in A. Q. Khan's activities, the conclusions are equally grim. As he has been gagged—though considerable material revealing the true story of A. Q. Khan is now available in the public domain—and Pakistan has not given any outside agency access to him, no one can be sure whether this kind of proliferation activity has ended. There is a strong evidence to support the view that the A. Q. Khan affair is being deliberately brushed under the carpet because it would bring out the role played by official and non-official personalities and institutions in many countries in abetting A. Q. Khan's nefarious activities. Surely, if there is a genuine commitment to nonproliferation, a concerted attempt should be made by the international community to get to the bottom of the so-called A. Q. Khan network.

Instead, the world's attention is currently focused only on a beneficiary of nuclear proliferation, namely Iran, not on the guilty proliferating parties. There can be no doubt that, as a signatory to the NPT, Iran does not have the right to develop nuclear weapons. Although Iran has not been fully transparent about its nuclear program, even after so many years of investigation and scrutiny there is no clinching evidence so far that Iran is indeed developing nuclear weapons. Any judgment on Iran's culpability in this matter would have to factor in the ground situation and an objective assessment of Iran's intentions. Iran should never be under the impression that the world will simply stand by if it tries to get out of its obligations under the NPT. At the same time, it has to be kept in mind that the Iranians are an intelligent people with sophisticated minds, tremendous bargaining

skills honed over centuries, and a self-perception, perhaps exalted, of Iran's rightful place in the region and the world. There is no alternative to engaging Iran as is being done right now.

One must also dig deeper and try to understand Iran's possible threat perceptions. If the United States thinks that nuclear weapons in Iran's hands would pose a threat to it, Iran may well believe that it faces a threat from the United States—and others in its neighborhood who have nuclear weapons—and needs nuclear weapons as a deterrent. We do not know. Over the last decade or so, many countries around the world, including possibly Iran, have become frightened by the muscle flexing and brazen violations of state sovereignty that have taken place under various pretexts. After all, Iran's neighbors, Iraq and Afghanistan, have been invaded, and there is likely to be a permanent foreign military presence there. Besides, the United States has a large number of bases and troops in the Persian Gulf region, considers Iran as a member of the "axis of evil," and has in the past undertaken a coup in Iran. Its influential and hawkish regional ally, Israel, is currently Iran's implacable foe and is fiercely determined to ensure that it continues to enjoy its nuclear weapons monopoly, albeit deliberately undeclared, in the region. Threats to destroy Israel, thoroughly irresponsible as they are, may be reflective more of Iran's insecurity than of implacable hatred. Iran's leaders are hardly likely to be prone to suicidal tendencies. Living in a tough neighborhood, Iran may well have drawn lessons from the treatment meted out to Iraq compared to the restraint shown against a nuclear North Korea. That is why the Iran nuclear imbroglio is unlikely to be resolved unless Iran's overall security concerns are addressed, and Israel gives up its policy of "strategic ambiguity."

Rajiv Sikri served in a series of high-ranking posts in India's Ministry of External Affairs, including as secretary and as ambassador to Kazakhstan.