

Executive Summary

OR COOPERATIVE SECURITY?

Section 1.1: Treaty Regimes and International Law

Global norms and treaty regimes play an indispensable role in controlling and eliminating nuclear, biological, and chemical (NBC) weapons. The possession and use of biological and chemical weapons is prohibited by the Biological Weapons Convention and Chemical Weapons Convention. For almost all states, the possession of nuclear weapons is prohibited by the Nuclear Non-Proliferation Treaty (NPT), and their use is at least generally prohibited by international law as set forth by the International Court of Justice. The regimes give institutional life to the norms through regular meetings of states in review processes, and through implementing agencies engaged in monitoring compliance. As the WMD Commission explains, states around the world participate in these processes, monitoring systems, and organizations and thus commit in-depth to the rules on non-use and non-possession of NBC weapons. Reliance on treaty regimes and global norms—on international law—should be greatly bolstered by the fact that treaty-based law is, as the U.S. Constitution says, part of the “law of the land.”

However, over the last decade the United States has undermined existing regimes and opposed new agreements. The Bush administration in 2001 disrupted nearly completed negotiations on an agreement to verify compliance with the existing ban on biological weapons; rejects ratification of the Comprehensive Test Ban Treaty (CTBT); and violates other disarmament commitments made in the NPT context. In other security-related areas, the record has been similar: the administration announced that the United States will not join the treaty banning landmines, the Kyoto Protocol on global warming, or the International Criminal Court. The United States instead relies on other modes of exerting power and influence, among them the doctrine of preventive war against states seeking NBC weapons, the formation of an ad hoc group of states prepared to interdict shipments of NBC weapons-related items, and the enactment through the UN Security Council of global legislation aimed at preventing acquisition of such items by terrorists and other non-state actors.

The turn away from treaty regimes and international law is unjustified. They are means for working with other nations in a cooperative, problem-solving approach that benefits all nations. The WMD Commission observes that most states accept the need for law, and honor their obligations concerning NBC weapons and want to be seen as doing so. States seek to avoid international condemnation, and sanctions can be applied when necessary. The UN Security Council in particular has the power to mandate a broad range of measures, including inspections, economic sanctions, and military action.

Section 1.2: The Nuclear Non-Proliferation Treaty

The Nuclear Non-Proliferation Treaty has two classes of members: states acknowledged to possess nuclear weapons and states barred from acquiring them. One hundred and eighty-eight states are members. Four countries are outside the regime, all with nuclear weapons: India, Pakistan, Israel, and North Korea. The NPT strikes a bargain between non-nuclear weapon states, which are prohibited from acquiring nuclear arms and are guaranteed access to peaceful nuclear technology, and nuclear weapons states, which are obligated to negotiate disarmament. The International Atomic Energy Agency (IAEA) monitors operation of nuclear facilities by non-nuclear weapon states to prevent diversion of fissile materials to nuclear weapons. In Article VI, states parties agree 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.” Implementation of the disarmament obligation has been dismal. So far as preventing the spread of nuclear weapons, the NPT’s record has been reasonably good. Serious efforts to acquire nuclear weapons in violation of the treaty are known to have occurred only in a handful of cases: Iraq, Libya, and North Korea. In addition, in the past Iran violated safeguards reporting requirements and is pursuing a uranium enrichment capability that would enable it to fuel nuclear reactors or, if it so chose, to produce materials for nuclear weapons. The vast majority of states have complied with the obligation of non-acquisition. However, if North Korea becomes a permanent nuclear weapon-possessing state, or if Iran acquires nuclear weapons, their respective regions may experience additional proliferation.

In the post-Cold War era, the disarmament obligation has been elaborated. In 1995, in connection with a decision to make the NPT permanent, states parties committed to negotiate a CTBT by 1996; to negotiate a treaty banning production of fissile materials for nuclear weapons; and to “determined pursuit by the nuclear weapon States of systematic and progressive efforts to reduce nuclear weapons globally.” In 1996, the International Court of Justice, the judicial branch of the United Nations, rendered an advisory opinion on the legality of the threat or use of nuclear weapons. The Court held that the threat or use of nuclear weapons is “generally” contrary to international law regulating the conduct of warfare, notably the rule forbidding the infliction of indiscriminate harm. The Court also held that there “exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.” The 2000 NPT Review Conference, with U.S. approval, agreed on 13 practical steps for the implementation of Article VI, among them an unequivocal undertaking to eliminate nuclear arsenals; entry into force of the CTBT; verified, irreversible reductions; reducing the operational status of nuclear forces; and diminishing the role of nuclear weapons in security policies. The Bush administration subsequently violated many of those commitments. Largely due to its refusal to allow reference to past commitments, the 2005

NPT Review Conference failed to reach any substantive agreement.

The most important means of revitalizing the NPT is good-faith implementation of the disarmament obligation. Crises in the Middle East and Northeast Asia must also be successfully resolved, to prevent unraveling of the regime in those regions. To promote implementation of both non-proliferation and disarmament obligations, a stronger NPT institutional capability is needed. As the WMD Commission recommends, a secretariat and a mechanism for holding meetings of states parties on short notice are needed. Also desirable is an executive council.

Section 1.3: The Role of the UN Security Council

By virtue of the UN Charter, the UN Security Council has broad powers to enforce disarmament and non-proliferation requirements, including the imposition of economic sanctions and authorization of military action. However, the five veto-wielding permanent members of the Council—the United States, Britain, France, Russia, and China—all have nuclear arsenals that they are showing no operational signs of intending to eliminate. This means that Council decisions regarding compliance with nuclear non-proliferation requirements are automatically suspect in the eyes of much of the world. Also, dominated as it is by the five World War II victors, the Council is conspicuously not representative of today's world. Further, the Council by design is a political body that acts on an ad hoc and sometimes inconsistent basis. In light of the Security Council's legitimacy and accountability deficits, it is crucial to strengthen mechanisms to induce or compel compliance short of Council action, for example by strengthening NPT governance. Further, the Council should strive to develop less confrontational and more flexible techniques for authoritatively addressing compliance issues, avoiding when possible any implication of resort to military action. The Council should also dramatically boost its legitimacy in preventing proliferation and undertake a mission crucial to global security by fulfilling a long-ignored responsibility assigned to it by the UN Charter, formulating plans for the "establishment of a system for the regulation of armaments."

In April 2004 the Security Council adopted resolution 1540, which seeks to prevent non-state actor acquisition of, or trafficking in, NBC weapons-related equipment, materials, and delivery systems. The Council required every state in the world to adopt appropriate measures—national criminal laws, export controls, border controls, physical security and materials accounting techniques—to achieve those objectives. In so doing, the Council assumed a new role of global legislator. The UN Charter makes no provision for the Council to engage in global law-making, and the imposition of such obligations runs counter to the principle that international law is based on the consent of states. When there is an urgent need, and when the Council acts within the bounds of a general consensus, states may accept the Council taking

this role. But legislation by Security Council resolution is not the optimal way to strengthen and create law-based global regimes that engender compliance through reciprocity and participatory decision-making. The emphasis going forward should be on making the existing NBC weapons regimes more effective, and on negotiating new multilateral treaties as needed.

Section 1.4: The Breakdown of Disarmament Machinery

The Geneva-based Conference on Disarmament (CD) is the standing UN body responsible for negotiating disarmament treaties. It has not been able to conclude a treaty for the past decade because its members disagree over what to negotiate, and how to do so. There are four topics within the CD on matters related to nuclear weapons: a Fissile Materials Cut-off Treaty (FMCT), Prevention of a Arms Race in Outer Space (PAROS), nuclear disarmament (meaning elimination of nuclear weapons), and negative security assurances (guarantees of non-use of nuclear weapons against states not possessing them). While in the past the United States has been unwilling to agree to work on any issue other than an FMCT, it has shifted its position. Recent resistance to proposals intended to break the impasse has come from other members who want more attention paid to other issues. Agreement on an agenda is necessary to bring the CD out of its current deadlock.

Because of the blockage in the CD, governments have been unable to begin negotiations on a treaty banning the production of fissile materials for nuclear weapons. In recent years, a new problem has emerged: governments no longer agree on the scope of an FMCT and, therefore, the mandate for negotiations. At a 2006 CD session, the United States introduced a draft FMCT and a draft mandate for its negotiation, but without previously agreed language that such a treaty be “internationally and effectively verifiable.” Many states are hopeful that the United States will eventually return to supporting verification of an FMCT when faced with facts regarding the verifiability of the treaty, or after a new administration is in place.

Weapons of mass destruction are banned from outer space by the 1967 Outer Space Treaty, but conventional weapons are not. Because the world relies extensively on space technology, all states have a vested interest in protecting space, not least the United States, which has the largest number of space assets. There are not yet any known weapons in space, but based on developments over the past decade there is ample reason to be concerned that the United States is headed toward deploying them. A legal regime to prevent weaponization of space could be created by a protocol to the Outer Space Treaty, as the WMD Commission suggests, or by a new stand-alone international agreement.

In recent years the international community has become increasingly divided on revitalizing disarmament and strengthening non-proliferation efforts. A World Summit on disarmament, non-proliferation, and terrorist use

of NBC weapons, as proposed by the WMD Commission, and a fourth General Assembly Special Session on Disarmament (SSODIV) each have their advantages. Regardless of which approach is ultimately taken, both a World Summit and an SSODIV would help catalyze governmental action on disarmament, and assist greatly in turning latent support into political pressure for disarmament.

Section 2.1: Article VI Non-Compliance

The United States claims to be in compliance with the NPT Article VI obligation of negotiating disarmament in good faith largely based on the reduction of the size of its arsenal from the Cold War era. The total number of U.S. warheads has declined from its peak of about 30,000 in 1967 to about 10,000 in 2007, and will further decline to an estimated 6,000 in 2012. Given that one bomb can devastate a city, and dozens a society, this reduction is essentially meaningless. Further, under current plans the United States intends to rely on large, modernized nuclear forces for decades to come as a central component of its security posture. The United States also is not in compliance with the Article VI obligation of negotiating cessation of the nuclear arms race. Its Reliable Replacement Warhead (RRW) program aims at replacing most warhead types by 2030, and will enable research on improvement of military capabilities. Under the current “lifetime extension program,” warheads for submarine-launched missiles are being given a capacity to destroy “hard targets.”

The United States is also violating commitments to implement Article VI made at the 1995 and 2000 NPT Review Conferences:

- 1) The Bush administration opposes ratification of the CTBT.
- 2) It opposes negotiation of a verified FMCT, supporting only a non-verified ban on production of fissile materials for nuclear weapons. However, a verification system could initially focus on declared enrichment and reprocessing facilities in nuclear weapon possessing states. They could be monitored just as the same kinds of facilities are monitored through IAEA safeguards in non-weapon countries Brazil, Germany, the Netherlands, and Japan. Later stages of verification could focus on the more difficult task of confirming the absence of clandestine activities.
- 3) The Bush administration has abandoned the principles of verification, transparency, and irreversibility in U.S.-Russian bilateral nuclear arms reductions. The 2002 Strategic Offensive Reductions Treaty (SORT) requires only that at a single point in time, December 31, 2012, deployed strategic warheads not exceed 2,200 on each side. SORT does not require verified destruction of delivery systems or dismantlement of warheads. The two countries should negotiate a new treaty that would further cut

strategic forces and also provide for verified dismantlement of warheads withdrawn under SORT.

- 4) The United States continues to deploy as many as 400 B61 non-strategic nuclear bombs in Europe. It is the only country to maintain nuclear weapons on foreign territory. Pursuant to commitments to both unilateral and negotiated reductions, the United States should end that practice, and with Russia finalize and verify the process initiated in 1991 of withdrawing non-strategic nuclear weapons. The two countries should also commence negotiations on reduction and elimination of such weapons.
- 5) Contrary to the commitment to reduction of operational status of nuclear forces, the United States and Russia maintain many hundreds of nuclear warheads ready for immediate use, as they did during the Cold War. They should defuse the standoff through separation of warheads from delivery systems and other measures that lengthen the time required for a nuclear launch. De-alerting would reduce the risks of accidental or unauthorized launch.
- 6) The Bush administration's increased emphasis on first use of nuclear weapons in a wide range of circumstances, including against biological and chemical weapon capabilities and in response to "surprising military developments," is contrary to the commitment to a diminishing role of nuclear weapons in security policies. The United States should move to a posture of no first use on the way to a renunciation of use of nuclear weapons in any circumstance.

Section 2.2: Preventive War and Counterproliferation

In its September 2002 National Security Strategy, the White House announced a doctrine of war against "emerging threats" arising from possession or development of NBC weapons by states with links to terrorism, "even if uncertainty remains as to the time and place of the enemy's attack." The doctrine was a primary rationale for the United States invasion of Iraq, based on wholly false premises regarding Iraqi NBC weapons programs. It is fundamentally contrary to UN Charter rules on use of force. Under the Charter, military action is permissible only when authorized by the Security Council in order to maintain international peace and security, or in individual or collective self-defense "if an armed attack occurs," until the Security Council has taken appropriate measures.

The WMD Commission rightly condemns the U.S. policy of preventive war against alleged threats posed by NBC weapons or capabilities. What receives less attention from the Commission is the way that the identification of a category of "weapons of mass destruction" has stimulated and accompanied the development of that policy. Also, by elevating chemical and biologi-

cal weapons to the status of “weapons on mass destruction,” U.S. “counterproliferation” policy has significantly lowered the threshold for nuclear use, including by preemptive attack.

It was largely during the post-Cold War Clinton years that the use of nuclear weapons to threaten nations suspected of possessing nuclear, biological, or chemical weapons became a central part of U.S. counterproliferation policy. That policy was codified in a Presidential Decision Directive signed by President Clinton in 1997. The Bush administration’s 2001 Nuclear Posture Review (NPR) built upon and went beyond the Clinton policy. Nuclear weapons “could be employed against targets able to withstand nonnuclear attack,” or in retaliation for the use of nuclear, biological, or chemical weapons, or “in the event of surprising military developments.” Culminating this trend, the 2002 National Strategy to Combat Weapons of Mass Destruction states that the U.S. “reserves the right to respond with overwhelming force—including through resort to *all of our options*—to the use of WMD against the United States, our forces abroad, and friends and allies.” “All of our options” includes both “conventional and *nuclear* response and defense capabilities.” In line with the NPR, Strategic Command’s role, previously limited to nuclear weapons, was expanded to encompass all aspects of assessing and responding to nuclear, biological, and chemical weapons worldwide. In the run up to the March 2003 U.S. invasion, a “Theater Nuclear Planning Document” was drawn up for Iraq. Again, in the spring and summer of 2006, there were credible media reports that, until the Joint Chiefs of Staff insisted on their removal, U.S. civilian officials at the highest level wanted to keep nuclear use options in plans for counterproliferation strikes on Iran.

The consequences of the U.S. policy of preventive war and counterproliferation strikes, not excluding nuclear strikes, and the policy of nuclear response to chemical and biological attacks, are extremely negative. They undermine the UN Charter, spur acquisition of nuclear weapons by other states, and increase the chance of nuclear conflict. They have also served as a primary rationale for continued U.S. research and development of nuclear weapons and intensive modernization and improvement of delivery systems with both nuclear and non-nuclear payloads.

Section 2.3: Nuclear Weapons Research and Development

The WMD Commission emphasizes the importance of the Comprehensive Test Ban Treaty, but fails to examine how the U.S. approach to the CTBT laid the groundwork for a revitalized nuclear weapons research and development infrastructure. Today, the Livermore and Los Alamos National Laboratories—the *direct descendants of the Manhattan Project*—are engaged in a new arms race with each other to develop a new generation of hydrogen bombs, euphemistically called “Reliable Replacement Warheads.” The Department of Energy’s (DOE) National Nuclear Security Administra-

tion (NNSA) has given the green light to the Livermore Lab to proceed with development of a replacement for the 100-kiloton W76 warhead. Government documents forecast that the U.S. will eventually develop as many as 4 types of RRWs for “next-generation delivery systems.” The RRW Program is identified as a principal element of “Complex 2030,” the NNSA’s plan to modernize its nuclear weapons research and production complex in order to ensure the long-term viability of the U.S. nuclear stockpile and maintain the capability to design new nuclear weapons.

Under the existing Stockpile Stewardship program, “Life Extension Programs” (LEP) to render warhead types reliable for decades to come are underway. RRW or LEP warheads are not supposed to require full-scale explosive testing, but the Nevada Test Site is being maintained in a state of 24-month readiness. The NNSA plans in 2008 to begin manufacturing replacement pits for the 475 kiloton W88 Trident warhead at Los Alamos. Complex 2030 plans include establishing a baseline manufacturing capacity of 125 pits per year. The DOE has requested \$6.5 billion for nuclear weapons activities in 2008. Accounting for inflation, this is more than one-third higher than the average annual spending on nuclear weapons during the Cold War. It does not include tens of billions more for delivery systems and command and control technology in the Department of Defense budget. Nor does it include the classified “black” budget. Conservative cost estimates for modernization of the nuclear weapons complex over the next 25 years range from \$155 billion to \$175 billion.

The CTBT deal brokered with the nuclear weapons labs flew in the face of the NPT bargain of disarmament for non-proliferation. In 1995, President Clinton strongly endorsed the nuclear weapons labs’ “Science Based Stockpile Stewardship” program, with advanced computer capabilities and new experimental facilities, as a means of maintaining the U.S. “nuclear deterrent” without nuclear testing. This trade-off reprised the deal struck in 1963, when the Partial Test Ban Treaty allowed underground testing, failed to end the nuclear arms race, and strengthened the weapons labs. The claim supported by large sectors of the arms control and scientific communities that Stockpile Stewardship was necessary to achieve a CTBT was a baseless assumption, and it proved to be wrong. In the end, the Lab Directors raised questions about whether Stockpile Stewardship would “work” and the Senate voted down the CTBT. In early 2007, it was reported that a *new* deal might be in the making, with some Democrats in Congress linking support for the RRW program with ratification of the CTBT and reductions in the overall nuclear arsenal.

One of the most troubling aspects of the revitalized nuclear weapons infrastructure is its aggressive pursuit of young scientists and engineers. Only by working with, and taking guidance from, the people asking the right questions, will scientists be able to make a unique and invaluable contribution to a world without nuclear weapons and war. At an event celebrating the conclusion of CTBT negotiations in 1996, Ted Taylor, a former nuclear

weapons designer turned nuclear abolitionist warned: “The signing of this treaty must not cause the relaxation or postponement of worldwide actions to rid the world of these terrible weapons that have moved the human capacity for destruction clear off the human scale.”

Section 2.4: Delivery Systems

The Commission’s recommendations concerning delivery systems are weak, calling neither for missile disarmament nor even for universal measures for meaningful control of further missile development. Its meager prescription reflects the limits of existing initiatives for the control of missiles and other strategically capable delivery systems.

Prospects will remain dim for reducing missile threats so long as those states that already possess sophisticated missile capabilities continue to improve them. The U.S. has begun development of a next generation of long-range delivery systems, from intercontinental ballistic missiles to new kinds of reentry vehicles deliverable by missile or perhaps in the future from re-useable launch vehicles. Although some of these systems are envisioned as exploiting advances in accuracy to deliver conventional weapons by missile at heretofore impracticable distances, they may also be capable of delivering nuclear weapons should a decision be made to do so. The development of conventional weapons with global reach also would give the United States a capability to inflict devastation from afar that few states can match. This would make the elimination of nuclear weapons and other weapons of mass destruction—viewed by many as a relatively attainable equalizer for superior conventional power—yet more difficult. Compounding all of this is the U.S. policy and practice of preventive war.

The Commission’s recommendations on missile defenses are similarly limited and hardly could be otherwise given its lack of strong recommendations regarding missiles. The states capable of developing missile defenses already have sophisticated missile programs. It is unlikely that states who see themselves as potential targets of countries with both advanced missile capabilities and missile defense programs will be willing to forego their own missile programs in the absence of equitable, universal disarmament measures. The Commission’s recommendations at best are a reiteration of appeals to sustain “stability,” despite the fact that the world’s most powerful state has abandoned even the pretense of “stability” in pursuit of global military dominance. A world where major nuclear powers exchange data and “build mutual confidence,” while accepting the integration of missile defenses with powerful conventional expeditionary forces operating beneath the “umbrella” of increasingly capable nuclear and conventional missiles and other long-range delivery systems, risks turning the rest of the planet into a free fire zone.

The Commission’s recommendations are strong regarding weapons in space, calling for their prohibition. This is a relatively easy goal to advocate,

since so far as is known no state currently deploys weapons in space, and most military missions can be accomplished more easily and cheaply with weapons based on earth, even if in some cases traveling to or through space.

However, increased use of space technologies by terrestrial military forces, additional sensing and targeting demands from evolving missile defenses, and the ability of powerful defense contractors to garner particularly large profits from high-end military space technologies are likely to drive continued military space development. All of this increases the potential for the development of space-based weapons of some kind. Hence a prohibition on weapons in space remains a worthwhile goal.

Section 2.5: Understanding U.S. Policy

Why is the United States, as the WMD Commission says, “less interested in global approaches and treaty making than it was in the Cold War era”? That question must be answered if U.S. policy is to be set on a new course. While not seeking to provide a full explanation, the WMD Commission suggests that NPT violations by Iraq, Libya, and North Korea contributed to skepticism of treaty regimes. However, the U.S. obsession with the problem of “rogue” states seeking WMD is in large measure an ideology of the military and the nuclear weapons establishment. After the disintegration of the Soviet Union, these mammoth institutions had to construct new enemies to justify their continued existence on a huge scale. We must look to other factors underlying present U.S. policy, the rise of nationalism and “fundamentalist” religious identities, and the demise of the Cold War international system.

As to the first factor, nationalism and religious fundamentalism are by their nature incompatible with, or at least inhospitable to, the universalism and rationalism inherent in the effort to build and sustain global regimes founded upon an acceptance of a diverse and pluralistic world order. Nationalism and fundamentalism have been dominant elements in U.S. politics over the last 15 years. As to the second, during the Cold War, the extreme dangers of nuclear “deterrence” as practiced between the Soviet Union and United States gave rise to a corresponding need to develop structures of stability. They included bilateral arms control to manage a rivalry between superpowers capable of destroying each other, and multilateral agreements, notably the NPT aimed at preventing the spread of nuclear weapons. Bilateral talks in the early 1960s about a non-proliferation agreement initially sought to prevent acquisition of nuclear weapons by states including Germany, Japan, Israel, China, and India; in the event, the last three states were not captured by the effort. Now the United States is facing a new strategic context, with China and India emerging as major powers. U.S. planners appear to have concluded that the United States should not build up a relationship of “deterrence,” stability, and arms control with China, but rather should maintain military superiority vis-à-vis China and build a strategic partnership with India. That

is an exceedingly dangerous path; the United States should work instead to develop a multi-polar international system managed through norms and regimes. It is profoundly unwise to assume that the current environment of relative stability and cooperation among major powers will last indefinitely. It may depend on conditions subject to change, including a growing global economy and relatively moderate competition over resources like oil, natural gas, and water.

Section 3.1: Climate Change and Nuclear Power

Scientists have compiled alarming and incontrovertible data projecting a drastic global increase in the atmospheric concentration of carbon dioxide and other greenhouse gases by the end of this century, caused by human activities. As a result, over this same time period the average global temperature is expected to rise between 1.4 and 5.8°C. The intergovernmental International Panel on Climate Change anticipates this change in global climate will threaten human health and society in a variety of direct and indirect ways, disproportionately affecting those in developing states and poor populations in all countries.

At the broadest level, the problems of climate change share similarities with the problems posed by nuclear, biological, and chemical weapons. Both problems are global in nature, requiring a shift to an inclusive conception of global security, and have global frameworks intended to address them that have suffered setbacks due to the intransigence of the United States. The promotion of nuclear power as a solution intended to curb carbon-emitting sources of energy establishes a direct link between the global problems posed by climate change and the problems posed by nuclear weapons.

In response to the looming human and ecological catastrophes posed by human-induced climate change, nuclear power is expected to undergo a renaissance. The WMD Commission recognizes that the anticipated widespread growth of nuclear energy raises a number of serious concerns, most notably the threat of nuclear proliferation due to the spread of nuclear fuel-cycle technologies. The spread of such technology greatly increases the risk that such facilities might be misused and nuclear material diverted to use in weapons or into the hands of terrorists, or that the knowledge gained from operating such facilities might be employed in a clandestine nuclear bomb program. However, as further detailed in Section 3.2, the Commission's recommendations are limited only to controls on the nuclear fuel-cycle, and even then are much weaker than its disarmament focused prescriptions. Due to these and other largely intractable problems that accompany nuclear energy, and the availability of alternative solutions in the mid- and long term, the wisest course would be to phase out support for nuclear power and to cease its promotion as a means to combat climate change.

Section 3.2: Iran and the Nuclear Fuel-cycle

Iran's standoff with the West over its uranium enrichment program has brought the risks associated with the nuclear fuel-cycle to the forefront of the international agenda. Iran asserts that its program falls within its rights under international law. Article IV of the NPT recognizes the inalienable right of non-nuclear weapon states to develop nuclear energy for peaceful purposes, provided they do not violate their obligation not to manufacture nuclear weapons. Attempts of the international community to make these rights contingent on compliance with IAEA safeguards have been undermined by the United States through its repudiation of agreements reached at previous meetings of NPT states parties.

Verification and enforcement of non-proliferation objectives are limited, in part to maintain the balance of rights and obligations of NPT states parties, but also due to the treaty's institutional deficits and the limitations of the UN Security Council's mandate. NPT safeguards, administered by the International Atomic Energy Agency (IAEA), are limited to verifying that no nuclear material in each non-weapon state has been diverted to weapons or unknown use. These safeguards allow for the IAEA to report a case of non-compliance to the UN Security Council only if nuclear material is found to have been diverted. Under a traditional view, the authority of the UN Security Council to adopt binding resolutions backed by sanctions or military action is limited to cases that have been found to constitute a threat to international peace and security. The lack of a standing secretariat for the NPT and the infrequent meetings of states parties also inhibit compliance enforcement.

Despite Iran's 18 year history of safeguards violations, the IAEA Board's September 2005 finding of non-compliance and subsequent report (referral) to the Security Council rests on dubious legal grounds and contradicts the findings of inspectors. The Western states pressing the case against Iran have become fixated on the non-urgent issue of Iran's suspension of nuclear fuel-cycle activities as a precondition for further negotiation. The escalation of the situation into a crisis is premature, as it will take Iran years to complete its planned uranium enrichment facilities. Further, there is still opportunity for a grand bargain between the United States and Iran addressing a wide range of issues, precluding Iran's acquisition of nuclear weapons, and leading to the return of normalized relations between the two states.

Beyond the issue of Iran, interest in nuclear power and the nuclear fuel-cycle continues to grow globally. The WMD Commission offers only a limited range of suggestions intended to mitigate the inherent risk in the unchecked spread of proliferation sensitive nuclear fuel-cycle technology. But while it fails to acknowledge that the only truly proliferation-proof solution would be the global phase-out of nuclear power, it rightly notes that a variety of proposals exist to mitigate this risk and must be explored. However, any initiative calling for the retention of the means for producing nuclear weapons by some, but prohibiting their development by others, is

doomed to fail. Absent demonstrable progress on the elimination of existing nuclear arsenals, it is unlikely the majority of developing states will accept additional constraints on the right to develop nuclear energy.

Section 3.3: Toward Nuclear Abolition

For more than a decade, civil society groups have advocated for a comprehensive approach to the abolition of nuclear weapons. In the mid-1990s, a group of NGOs and experts drafted a model convention for the prohibition and elimination of nuclear weapons that was subsequently circulated in the United Nations. The WMD Commission report is likewise unequivocal about the aim of prohibiting nuclear weapons. It calls for acceptance of “the principle that nuclear weapons should be outlawed,” and states that “a nuclear disarmament treaty is achievable.”

Abolition of nuclear weapons could be accomplished through a convention, a single, comprehensive global agreement, exemplified by the Chemical Weapons Convention. Or it could take the form of a framework tying together agreements and institutions that now exist, notably the NPT and the IAEA, with ones yet to be created, such as the FMCT and agreements on reductions of arsenals among the states possessing nuclear weapons.

Many tools exist for effective monitoring and verification of reduction and elimination of nuclear weapons, especially with respect to declared facilities, warheads, and fissile materials. However, achieving confidence remains challenging, principally due to the possibility of hidden stocks of materials, warheads, or capabilities. Confidence would increase based on monitoring programs undertaken on an ongoing, long-term basis in an atmosphere of transparency and cooperation. The implication is that verification and transparency measures need to be implemented beginning now, above all regarding U.S. and Russian stocks and reductions.

Comprehensive demilitarization and implementation of conflict prevention techniques would create an environment more conducive to the enduring elimination of nuclear weapons, and ensure that reliance on such weapons is not replaced by other forms of militarism. However, achievements in these areas must not be identified as preconditions for the abolition of nuclear weapons.

Section 4.1: The Word as Arrow

The more dangerous a subject is, the more circumscribed it is likely to be by words that mesmerize and deceive.

Disarmament: The second definition in the Random House Dictionary is “the reduction or limitation of the size, equipment, armament etc. of the army, navy or air force.” That is the sense in which the United States claims to be complying with its nuclear disarmament obligation: by going down

from about 30,000 nuclear warheads in 1967 to about 10,000 today. But a medium-sized warhead can kill millions of people, depending on the target. That is why it is important to be clear that the aim must be elimination—abolition—of every single nuclear weapon.

Deterrence: Advocates of nuclear arsenals say that they are “only for deterrence.” There is no need to worry about nuclear weapons actually being used, since their only function is to deter an enemy from using its weapons of mass destruction or engaging in other military activities calling for an overwhelming response. The fallacy of this approach that its effectiveness depends on credibility: If the deterring party is not prepared to use nuclear weapons in this or that situation, deterrence cannot work.

Security: We now have torture and preventive war in the name of security. A different concept of security, which goes by the name of “human security,” transcends military boundaries and envisions a world in which security dispenses with nuclear weapons but includes social, economic, environmental, and human rights dimensions. Human security also requires a commitment to the absolutely essential role that women must play in bringing about a just and secure world.

Ultimate: Spokespersons for nuclear weapon states protest that they are for the “ultimate” elimination of such weapons. But the first definition in the Random House Dictionary reads “last; furthest or farthest; ending a process or series,” and the synonyms given are “extreme, remotest, uttermost.” So the elimination of nuclear weapons is put off to the uttermost point in time, perhaps to coincide with the last judgment.

Section 4.2: A Gender Perspective

The Women’s International League for Peace and Freedom (WILPF) challenged the WMD Commission to acknowledge the relevance of gender to the science and politics of weapons of terror. The Commission responded by recognizing that indeed, misguided ideas about masculinity and strength *are* an obstacle to disarmament. Gender stereotypes affect the ways in which WMD, particularly nuclear weapons, are culturally associated with strength, power, and masculinity. Such ways of thinking in turn limit and distort policy debate—the way diplomats and governmental officials interact, behave, and negotiate. Gender analysis provides tools to address why NBC weapons are valued, why additional states seek them, and why leaders resort to dominance and the use of force to obtain policy objectives. We should use the tool of gender analysis to understand and improve how we think, talk, and act about weapons, war, and militarism.

The association of weapons with masculinity, power, prestige, and technical prowess has a particular effect on policy decisions and negotiations, because they occur within a gendered international context of “realist” power-optimization. Gender analysis illustrates that our culture absurdly and

dangerously has come to value the attainment of destructive power as the highest goal and order of politics. However, when the goal of international relations is peaceful coexistence rather than weaponized power optimization, disarmament becomes feasible, desirable, and politically palatable.

Associations between nuclear weapons possession and powerful masculinity are getting in the way of disarmament, diplomacy, and cooperative security. We need a gender perspective to dismantle the current arguments in favor of nuclear weapons possession, domination, and militarism. We must use the same tools to create the arguments for abolishing nuclear weapons and for promoting an international order based on cooperation and disarmament.

Section 4.3: Redefining Security in Human Terms

When the Cold War abruptly ended with the dissolution of the Soviet Union, anti-nuclear activists and ordinary people everywhere collectively breathed a huge sigh of relief, hoping and believing that they had walked away from a nuclear holocaust, and putting nuclear weapons out of their minds. During the 1990s, nuclear weapons—especially U.S. nuclear weapons—disappeared from the public’s radar screen. Questions of nuclear arms control, non-proliferation, and disarmament became increasingly isolated from issues of concern to most ordinary people—including issues of war and peace—and increasingly relegated to elite policy circles inside the Washington, DC beltway. To make matters worse, as the decade wore on, funding for NGOs working for both arms control and disarmament began to dry up. Those funders still in the field increasingly withdrew support for independent local and regional groups advocating for the abolition of nuclear weapons in a broader context. There have been countervailing efforts: the 1995 formation of the Abolition 2000 Global Network to Eliminate Nuclear Weapons, now with more than 2000 groups in over 90 countries; and in recent years, intensive education about U.S. nuclear weapons and the imperative of global disarmament within an anti-Iraq war movement that as a whole knew little about the issues.

This experience has demonstrated that to make headway on nuclear disarmament, a radically new definition of security, based on profoundly different values, is needed. In 1994, Muhibub Ul Haq eloquently called for “the security of people, not just of territory; the security of individuals, not just of nations; security through development, not through arms; security of all the people everywhere—in their homes, in their jobs, in their streets, in the communities and in their environment.” This new kind of security—human security—cannot be brought about through nuclear weapons and military might, in contrast to the current U.S. strategy, illustrated by the fact that its proposed military spending for 2008 is larger than military spending by all other nations combined. It can only be ensured through the equitable distribution of

adequate food, shelter, clean water and air, health care, education, and even the arts. And, if funding was shifted from armaments to fulfilling these basic human needs, some of the root causes of violence—namely poverty and injustice—would at the same time be addressed, thus reducing the “need” for military action or other expressions of violence. The staggering disparity between military spending and spending on human needs would be ended. For example, a 2005 UN report states that for every dollar invested in development assistance, another \$10 is spent on military budgets.

Accordingly, the advocacy of disarmament NGOs should be linked to movements and campaigns promoting social justice, environmental protection, democratization, economic development, respect for human rights, conflict resolution, and comprehensive disarmament. A reevaluation of the typical approach in which specific weapons programs are narrowly targeted and in which critiques are generally limited to technical issues (“it won’t work”) and economic issues (“it’s too expensive”) is urgently needed and long overdue. If we do not challenge the definition of “security” that assumes that the United States has both the need and the right to deploy overwhelming force anywhere in the world within a short period of time, then the only answer to “it won’t work” is to find something that will, and the only answer to “it’s too expensive” is that national security is worth any price. Success will require placing the demand for elimination of nuclear weapons within the framework of a new concept of *global* (not “national”) and *human* security based not on the threat of horrific annihilation, but on human needs and ecological values.