



MEMORANDUM

Date: June 6, 2006

Re: *Weapons of Terror: Freeing the World of Nuclear, Biological and Chemical Arms*; implications of the Blix Commission report for United States nuclear weapons policy

"Before us lie two very divergent courses. One path can take us to a world, in which the proliferation of nuclear weapons is restricted and reversed, through trust, dialogue and negotiated agreement.... The other path leads to a world, in which a rapidly growing numbers of States feel obliged to arm themselves with nuclear weapons, and in which non-State actors acquire the means to carry out nuclear terrorism. *The international community seems almost to be sleepwalking down the latter path -- not by conscious choice, but rather through miscalculation, sterile debate and the paralysis of multilateral mechanisms for confidence-building and conflict-resolution.*"

- United Nations Secretary-General Kofi Annan, May 18, 2006

www.un.org/News/Press/docs/2006/sgsm10466.doc.htm

Hans Blix cited this warning in remarks to diplomats and non-governmental organizations following his presentation of *Weapons of Terror: Freeing the World of Nuclear, Biological and Chemical Arms* to Mr. Annan at the United Nations on June 1. The report is a wake-up call. It identifies the dangers, especially those posed by nuclear weapons, and outlines the solutions, steps leading towards the total prohibition and elimination of nuclear as well as chemical and biological weapons. The findings and recommendations of this high-level international panel reinforce many of the points civil society groups have been making for more than a decade. The report does not shy away from holding the nuclear weapon states - including the United States and Israel - accountable for creating conditions under which other countries may feel that their security is threatened. These conditions may serve as incentives to those countries to seek weapons of mass destruction of their own.

At the heart of the Commission's findings: *"So long as any state has nuclear weapons, others will want them. So long as any such weapons remain, there is a risk that they will one day be used, by design or accident. And any such use would be catastrophic.... The Commission rejects the suggestion that nuclear weapons in the hands of some pose no threat, while in the hands of others they place the world in mortal jeopardy. Governments possessing nuclear weapons can act responsibly or recklessly. Governments may also change over time. Twenty-seven thousand nuclear weapons are not an abstract theory. They exist in today's world.... The question of how to reduce the threat and the number of existing nuclear weapons must be addressed with no less vigour than the question of the threat from additional weapons, whether in the hands of existing nuclear weapon states, proliferating states or terrorists."* (pp. 60 - 61)

At the core of its recommendations: *"Disarmament and non-proliferation are best pursued through a cooperative rule-based international order, applied and enforced through effective multilateral institutions.... Accept the principle that nuclear weapons should be outlawed, as are biological and chemical weapons, and explore the political, legal, technical and procedural options for achieving this within a reasonable time."* (pp. 18 - 19)

The WMDC report and Blix's UN press briefing is available at www.wmdcommission.org

See also: Warren Hoge, *Lack of U.S. Leadership Slows Nuclear Disarmament, Report Says*, **New York Times**, June 1, 2006 at www.nytimes.com/2006/06/02/world/02nations.html

Additional independent analysis is available at www.wmdreport.org

The Blix Commission Report: Background

The release of *Weapons of Terror*, the report of the WMD Commission, follows one of the most damaging years in memory for the international disarmament and non-proliferation regime, a year in which the Nuclear Non-Proliferation Treaty Review Conference was unable to reach any agreements and the UN World Summit failed to include a single sentence about the regime in its final document. The Commission's 60 recommendations aim to find a way out of the stalemate. To begin this process, the Commission calls for a World Summit to address disarmament, non-proliferation and terrorist acquisition of nuclear, biological and chemical weapons. (p. 18)

Three Waves of Nuclear Proliferation

The report identifies three waves of nuclear proliferation: first, the United States, Soviet Union/Russia, Britain, France, and China; second, India, Pakistan, and Israel; and third Iraq, Libya, North Korea, and possibly Iran. While nuclear weapons programs have been reversed in Iraq and Libya, the report conveys that the "third wave" is sending an ominous signal. The Commission observes that effective use of international institutions can help contain the spread of nuclear and other weapons. The report says that while international inspectors rely on national intelligence, national governments should also pay attention to the findings of international inspectors. They were, after all, proved right in the case of Iraq. The United States should take this lesson to heart with respect to Iran, where the IAEA has extensive on the ground experience and so far has not concluded that there is a nuclear weapons program. But fundamentally, the Commission holds, the best way to prevent the proliferation or use of nuclear weapons is to eliminate them globally. It concentrates on the short and medium term steps on this road: strengthening the NPT, dealing effectively and impartially with non-compliance, delegitimizing nuclear weapons, controlling existing nuclear weapons and nuclear material, and undertaking verifiable and irreversible reductions on the way to elimination.

The Nuclear Non-Proliferation Treaty

The Nuclear Non-Proliferation Treaty (NPT) is the cornerstone of the disarmament and non-proliferation regime. To strengthen the NPT, the Commission recommends that all parties: 1) "*revert to the fundamental and balanced non-proliferation and disarmament commitments that were made under that treaty and confirmed in 1995 when the treaty was extended indefinitely;*" 2) reaffirm and implement the consensus outcomes of the 1995 and 2000 Review Conferences, including the resolution on the Middle East as a zone free of nuclear and all other weapons of mass destruction, adopted in 1995, and "the thirteen practical steps" for nuclear disarmament that were adopted in 2000; 3) adopt strengthened International Atomic Energy Agency safeguards (the Additional Protocol) as the new norm; and 4) create a standing Secretariat for the Treaty. (pp. 65 - 66) Throughout the report the Commission makes clear that in order to revive the regime, the initial and fundamental balance between disarmament and nonproliferation must be restored. The report largely blames the failure of the United States, Russia, Britain, France and China to "seriously" abide by their NPT commitments to nuclear disarmament for the current crisis of confidence. While Israel, India and Pakistan and not parties to the treaty, "they, too, have a duty to contribute to the nuclear disarmament process." (p. 95)

The Middle East

With regard to non-compliance and what the Commission calls the third wave of proliferation, the report recommends firm action based on verified international evidence. It calls for suspension of Iran's uranium enrichment program, and to induce Iran to agree, recommends assurances against regime change and other security incentives. The Commission also calls on all states in the region, including nuclear-armed Israel, to suspend fuel cycle activities as a step towards a regional zone free of WMD. (pp. 69 - 72)

The Korean Peninsula

The report calls for negotiations with North Korea aimed at making the Korean peninsula a zone free of weapons of mass destruction. A verifiable agreement should include North Korea's adherence to the Additional Protocol as well as a revival and legal confirmation of the commitments made in the 1992 Joint Declaration on the

Denuclearization of the Korean peninsula, notably, that neither North Korea nor South Korea should have nuclear weapons or nuclear reprocessing or uranium enrichment facilities. (p. 69) Security assurances from the United States would be a vital part of a settlement.

The U.S. - India Deal

With respect to the U.S.- India nuclear cooperation arrangement currently under consideration, the report calls for the two countries to promote and participate "without delay" in a "verifiable" treaty stopping all production of fissile materials for weapons. *"Their adherence to such a treaty would dispel any fear that the agreement could facilitate an increased production of nuclear weapons in India and risk fueling an arms race in Asia."* The report goes on to call for both countries to ratify the Comprehensive Test Ban Treaty, thus signaling their intention to not pursue nuclear weapons development. (p. 83)

Moving to Elimination

The Commission recognizes that nuclear weapons have a perverse and powerful prestige in international politics that inhibits disarmament and propels proliferation. Therefore, it recommends delegitimizing the weapons and the incentives for acquiring them. States possessing them should reduce the role of nuclear weapons in security doctrines and provide assurances of non-use to states that have decided not to acquire them. The Commission observes that nuclear doctrines affect other states' security assessments and decisions, and *"explanations by the nuclear-haves that the weapons are indispensable to defend their sovereignty are not the best way to convince other sovereign states to renounce the option."* (p. 61)

The Commission recommends reductions of nuclear weapons leading to their elimination. First, the United States and Russia should renew disarmament negotiations and at least halve the numbers allowed under the 2002 Strategic Offensive Reductions Treaty (SORT). SORT allows each side to retain 1,700 - 2,000 strategic deployed weapons by 2012, but does not require the destruction of a single warhead, and has no verification mechanisms. *"Under SORT, deployments change but the weapons remain."* The new treaty should include a legally binding commitment to irreversibly dismantle the weapons withdrawn under SORT. It should also include transparent counting rules, schedules and procedures for dismantling the weapons, and reciprocal verification measures. (p. 93) The United States, Russia and the other nuclear weapon states should publish their nuclear weapons holdings as a baseline for future disarmament efforts, and should commit to provisions in future disarmament agreements regarding transparency, irreversibility, verification, and physical destruction of nuclear warheads. (p. 94) The Commission calls on all nuclear weapon states to remove nuclear weapons from foreign soil, taking note of the more than 400 U.S. nuclear weapons authorized for deployment at eight U.S. air bases in six NATO countries. (p. 96) While reducing nuclear weapons, nuclear weapon states should not make weapons with new military capabilities, and to demonstrate their commitment not to do so, should sign and ratify the CTBT.

Controlling Existing Capabilities

In the meantime, the world should take measures to control the nuclear weapons and materials it now has. The Commission recommends that all nuclear weapon states categorically renounce the first use of nuclear weapons. Only China has done this so far; the United States, Russia, France and the United Kingdom have reserved the option of using nuclear weapons first in response to an attack with biological or chemical weapons, and in some cases, to prevent such an attack. The Commission also recommends that the United States and Russia work together to take nuclear weapons off hair-trigger alert. Right now, weapons can be targeted and fired within minutes. (p. 92)

Greater control of the fissile materials used to make nuclear weapons will help control nuclear weapons production by states and prevent its acquisition by non-state actors. Fully effective accounting and control of fissile materials is necessary (p. 84), and the Commission also recommends ending the use of highly enriched uranium in research reactors and other measures to accomplish a "global clean-out of fissile materials." (p. 78) It calls on the Conference on Disarmament to begin negotiating a treaty verifiably banning future production of fissile materials for nuclear weapons. (p. 105) The United States introduced a proposal for a Fissile Material Cut-off Treaty - without verification - in the Conference on May 18, 2006.

Delivery Systems

The report points to the frequently overlooked but pressing need to regulate ballistic missiles, cruise missiles, and other means of delivery. (pp. 140 - 144) These systems can carry conventional or nuclear, biological, and chemical warheads, as dramatically illustrated by recent reports of the Pentagon's interest in the destabilizing substitution of conventionally-armed ballistic missiles for nuclear-armed ones on four Trident submarines. While the Commission does not go so far as to propose a ban on flight testing of ballistic missiles or other steps towards a global missile disarmament regime, advocated by this project, the Civil Society Review, it does say that states should not deploy missile defenses without first attempting to negotiate the removal of missile threats. (p. 146)

"Peaceful Nuclear Energy"

The Commission explores options for controlling uranium enrichment and plutonium separation activities in order to minimize the risks of proliferation associated with those activities. But they fail to even mention the possibility of phasing out nuclear energy. (pp. 73 - 77) The Commission is clear that nuclear fuel cycle technologies are inherently dual-use. It notes that non-nuclear weapons states including Brazil, Germany, Japan and the Netherlands have extensive civilian uranium enrichment capabilities, and that Japan has a massive reprocessing operation to produce plutonium, all operating successfully under IAEA safeguards. These countries are not currently viewed as threats by the United States or its allies. Nonetheless, as the report notes elsewhere, a "threat" is a combination of capability and intent, which may change over time. (p. 35) The report also notes, in reference to Iran's right to peaceful nuclear energy production, that "a right to do something does not necessarily mean that this right must be exercised." (p. 71) In the view of the Civil Society Review, in order to truly address the inherent potential for diversion of nuclear materials for weapons, as well as the environmental risks and unresolved disposition issues associated with "peaceful" nuclear activities, nuclear power must in the long term be phased out. In addition, sustainable energy alternatives should be funded and promoted at both the national and international levels.

Redefining Security

The Commission calls on all states to start planning for security without nuclear weapons. (p. 109) Moreover, because the primary barrier to proliferation is political, the report recognizes that the regime will be strongest and most sustainable when nations make the decision not to acquire nuclear, biological or chemical weapons because they do not feel a need for them. *"Promoting peace is the prime means of avoiding both the acquisition and the retention of WMD (as well as other weapons... progress is arms control and disarmament will often help to promote peaceful relations. Action against terrorism is similarly in vital need of a political, social dimension..."* (p. 44) The Civil Society Review believes that this presents an opportunity to challenge the state-centric notion of national security based on the threat and use of force, and to call instead for an international system based on collective and human security, with resolution of international conflicts through multilateral institutions and nonviolent mechanisms, and the promise of adequate food, shelter, health care, education, clean water and air for all people everywhere.

The Role of NGOs

The report acknowledges the important role played by non-governmental organizations in "conveying views and proposals about WMD from the grassroots to governments and international institutions," and in influencing official decisions in the direction of eliminating WMD. The Commission gives special recognition to women's organizations. *"Women have rightly observed that armament policies and the use of armed force have often been influenced by misguided ideas about masculinity and strength. An understanding of and emancipation from this traditional perspective might help to remove some of the hurdles on the road to disarmament and nonproliferation."* (p. 160) The organizations forming The Civil Society Review heartily agree with the Commission's recommendation that *"foundation's should substantially increase their support for [non-governmental] organizations that are working to eliminate global weapons of mass destruction threats."* (p. 161)