

# Time for Nuclear States to Recall Their Obligations

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The forthcoming Non-Proliferation Treaty (NPT) Review Conference in New York is devoted to discuss and find ways how to strengthen the non-proliferation regime, how to preclude the appearance of new *de facto* nuclear states and how to prevent nuclear weapons from falling into the hands of terrorists. Unfortunately, a sequence of recent events called into question the effectiveness of the Treaty. The most notable developments were the withdrawal of the Democratic People's Republic of Korea (DPRK) from the NPT and its announcement of possession of nuclear weapons. Besides that, a network of 'black market' technologies and materials for nuclear weapons production was uncovered. The network was coordinated by Dr A.Q. Khan, the father of the Pakistani nuclear bomb. On the other hand, the difference in the US approach in dealing with Iraq and the DPRK clearly demonstrated the advantages of possession of nuclear weapons to those states that are not considered friendly with the United States.

The future of the NPT largely depends on how existing contradictions between its States parties will be resolved, and the main responsibility for the preservation of the Treaty regime will undoubtedly fall on nuclear states. Thus, adherence of nuclear states to fulfillment of their NPT obligations, particularly to those outlined in Article VI, and compliance of their actual nuclear policies with their declarations are of great importance.

It is not news that NPT States parties have serious complaints against the official five nuclear weapons states. In particular, Ambassador Hussein Haniff, a representative of the Non-Aligned States, reprimanded the P5 (permanent five members of the UN Security Council) at the 3rd Preparatory Committee meeting for the NPT Review Conference in April 2004.<sup>1</sup> His presentation pointed out the lack of progress towards achieving the total

elimination of nuclear weapons despite announcements of bilateral and unilateral reductions. It underscored that, although the Strategic Offensive Reduction Treaty (SORT) was signed in May 2002, reductions in deployment and in the operational status cannot substitute for irreversible cuts in nuclear weapons. According to the Non-Aligned States, the non-entry into force of START II is a setback to the 13 practical steps toward nuclear disarmament adopted at the 2000 NPT Review Conference. Amb. Haniff also criticized the development of new types of nuclear weapons and the lack of progress to bring the Comprehensive Test Ban Treaty (CTBT) into force. The Non-Aligned States also emphasized the tendency of growing roles for nuclear weapons in military doctrines of nuclear states. They expressed concern that abrogation of the Anti-Ballistic Missile (ABM) Treaty and deployment of strategic defensive systems may trigger a new nuclear arm race and lead to deployment of weapons in outer space.

The presentation of the Non-Aligned States representative did not specify the nuclear states that had failed to carry out their NPT commitments. However, it is quite clear that the criticism is directed mainly at the United States and Russia, who still possess the largest nuclear arsenals in the world. Sadly, the listed accusations are in general fair.

One of the main reasons for the current state of affairs is that the United States and Russia continue to be in a mutual nuclear deterrence relationship in spite of the end of the Cold War and repeated declaratory statements from both parties about entirely new partnership relations. Objectively the nature of mutual nuclear deterrence is such, that, if one side undertakes any measures that may be regarded by the other side as breaking the existing balance of strategic capabilities, the other side is forced to re-

act. At the same time, it does not matter that the first side declares its measures as not directed against the second side. It matters that the second side perceives that measures as a potential danger to its interests.

In particular, in 2002, the United States unilaterally abandoned the ABM Treaty. Russia responded by withdrawing from the START II Treaty and taking a decision to prolong the service life of its land-based intercontinental ballistic missiles (ICBMs) with multiple independently targetable re-entry vehicles (MIRV) until 2020-2030,<sup>2</sup> although previous plans assumed elimination of these missiles by 2008 in accordance with the Helsinki agreements of 1997. Frequently repeated statements of Russian officials on future "unique systems, that no other country possesses"<sup>3</sup> may also be regarded as a reaction to US abrogation of the ABM Treaty. The Russian response will likely also follow in the case that US ballistic missile interceptors are deployed on the territory of new NATO members, as Russian officials warn.<sup>4</sup>

Another example can be given: The future of the CTBT is obviously in question because of the current attitude of the United States. Although the US keep the moratorium of on nuclear tests which are forbidden by this Treaty, the readiness of the test site in Nevada is maintained at an appropriate level. Unlike the US, Russia has ratified the Treaty, but also keeps its range at Novaya Zemlya ready for resumption of full-scale nuclear tests, referring to similar US practice and to their development programs for new types of nuclear weapons.<sup>5</sup>

The deadlock on negotiations on further reductions of strategic offensive arms certainly represents the central problem in the bilateral US-Russian dialog on nuclear issues. In spite of optimistic statements of both parties with respect to the SORT agreement, this treaty is at most is declaration of

good will. It is not a document like SALT, SALT II, START and START II that contained clear mechanisms for reductions and their objective verification.<sup>6</sup> As many experts foresaw, the parties interpret the SORT provisions on reductions entirely differently. The US side proposes to replace reductions by decreasing the alert status of strategic systems. The Russian side continues to insist on strict coordination of the reductions with elimination of delivery systems, which would better ensure the irreversibility of strategic offensive arms cuts. Overcoming the existing differences in the two countries' approaches seems very problematic, not to speak of concrete steps for further reductions of strategic arms.<sup>7</sup> To some extent, the situation is eased while START is still in force. The parties regularly exchange data on their strategic forces and verify the nuclear cuts in accordance with START provisions. However, START run out after December 2009, and prospects for its prolongation are vague. Thus, in five years, indeed, a legal vacuum may occur, which was a major fear of the Russian side when it insisted on signing SORT.

Another problem is the reduction of non-strategic nuclear arms. US and Russia never made progress with regard to reductions of weapons of this type since the US and Soviet Presidents pledged unilateral obligations in 1991. Moreover, in fact, the US recently blamed Russia for failing to fulfill its part.<sup>8</sup> Most likely, the cause was related to a delay in the elimination of nuclear weapons of Russian Ground Forces. A number of publications in recent years suggest that Russia reconsidered its previous plans to eliminate all nuclear weapons of the Ground Forces,<sup>9</sup> and these weapons continue to be viewed as promising payloads for tactical missiles of the 'Tochka' (SS-21) and 'Iskander' (SS-26) type.<sup>10</sup>

Russia's concerns about US nuclear weapons deployed in Europe are even better grounded. According to an expert from the Natural Resource Defense Council (NRDC), about 480 nuclear bombs are currently deployed on the territories of US European allies, so that NATO tactical aircraft can be armed with these weapons.<sup>11</sup>

Russia considers these weapons as strategic, because most of the European part of Russia falls within reach of NATO tactical aircraft. The urgency of this problem inevitably grows as NATO expands and therefore the zone of US influence covers more former Soviet Union states in Central Asia, Caucasus and Eastern Europe.

Russian non-governmental arms control experts express deep concern on the state of affairs and propose a set of measures in order to transform the mutual nuclear deterrence relationship between Russia and the United States.<sup>12</sup> Suggestions of the Russian experts may provoke arguments about the pros and cons, but the key problem is a lack of political will both in the United States and Russia to come back to the bilateral dialog.

In the context of the NPT, the situation looks even more illogical. On one hand, nuclear states toughen requirements with respect to obligations of non-nuclear weapon states (IAEA Additional Protocol, an attempt to close the club of states that possess uranium enrichment and plutonium separation facilities, etc.). On the other hand, they lower the burden of their own NPT obligations, causing criticism from non-nuclear weapons states and losing legitimate power in punishing the states that breach the Treaty. Growing imbalance in the rights and obligations between nuclear and non-nuclear weapon states may destroy the NPT regime, which is likely not in the interest of either the US or Russia. Therefore, the sooner the politicians of the two countries begin substantive negotiations on bilateral nuclear cuts, the better the chances for delaying proliferation of nuclear weapons in the world.

1 Statement by H.E. Ambassador Hussein Haniff, Permanent Representative of Malaysia to the United States in Vienna, On Behalf of the Non-Aligned States Parties to the Treaty of Non-Proliferation of Nuclear Weapons, New York, April 30, 2004; <http://disarmament2.un.org/wmd/npt/2005/PC3-listofdocs.html>.

2 *Nadyozhny I Dostatochny (Reliable and Sufficient)*, an interview with Colonel-General Nikolay Solovtsov, Commander in Chief of the Russian Strategic Rocket Forces, *Krasnaya Zvezda*, December 17, 2004; Gennady Miranovich, *Kozel'skii Redut (Kozel'sk Redoubt)*, *Krasnaya Zvezda*,

December 17, 2004.

3 Aleksandr Babakin, Vladislav Kramar and Igor Plugtaryov, *Ministr Grozit Nesuschestvuyuschim Oruzhiem (Minister Threatens With A Non-Existent Weapon)*, *Nezavisimaya Gazeta*, February 14, 2005.

4 See, for example, Presentation of Russian Minister of Defense Sergei Ivanov at the *Conference The World in the 21st Century: Addressing New Threats and Challenges*, Council for Foreign Relations, New York, January 13, 2005; [www.cfr.org/](http://www.cfr.org/).

5 Alexandr Orlov, *Vozrozhdeniye Yadernogo Poligona (Rebirth of the Nuclear Test Range)*, *Voyenno-Promyshlennyy Curier*, November 17-23, 2004.

6 Anatoly Diakov, Timur Kadyshchev, Eugene Miasnikov, Pavel Podvig, *Ratificirovat' Nel'zya Otklonit'. Chto Delat' s Dogovorom o Strategicheskikh Nastupatel'nykh Potencialah Rossii i SSbA? (What to Do with the Treaty on Strategic Offensive Reductions?)*, *Nezavisimoye Voennoye Obozrenie*, September 20, 2002.

7 Wade Boese, *US-Russian Nuclear Rivalry Lingers*, *Arms Control Today*, January-February 2005; [www.armscontrol.org/act/2005\\_01-02/NA\\_US\\_Russia.asp](http://www.armscontrol.org/act/2005_01-02/NA_US_Russia.asp).

8 Wade Boese, *US, Russia, Debate Tactical Nuclear Arms*, *Arms Control Today*, November 2004; [www.armscontrol.org/act/2004\\_11/Tactical\\_Nukes.asp](http://www.armscontrol.org/act/2004_11/Tactical_Nukes.asp).

9 In particular, this fact was mentioned in the presentation of A.I. Antonov, Chief of the Russian delegation at the 3rd Preparatory Committee Meeting for the NPT Review Conference, April 28, 2004; [www.mid.ru](http://www.mid.ru).

10 Anatoli Diakov, Eugene Miasnikov, and Timur Kadyshchev, *Non-strategic Nuclear Weapons. Problems of Control and Reduction*, Center for Arms Control, Energy and Environmental Studies at MIPT, Dolgoprudny, May 2004; [www.armscontrol.ru/pubs/en/nsnw0406.htm](http://www.armscontrol.ru/pubs/en/nsnw0406.htm).

11 Hans M. Kristensen, *US Nuclear Weapons in Europe*, Natural Resources Defense Council, February 2005; [www.nrdc.org/nuclear/euro/contents.asp](http://www.nrdc.org/nuclear/euro/contents.asp).

12 See, in particular: Anatoli Diakov et al., 2004; *Eksperty Predlagayut Kompleks Mer Doveriya Po Strategicheskim Vooruzheniyam (Experts Propose a Set of Confidence Building Measures On Strategic Arms)*, *Nezavisimoye Voennoye Obozreniye*, July 2, 2004; Alexei Arbatov, *Superseding US-Russian Nuclear Deterrence*, *Arms Control Today*, January-February 2005; [www.armscontrol.org/act/2005\\_01-02/Arbatov.asp](http://www.armscontrol.org/act/2005_01-02/Arbatov.asp).

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