

[SE2-OR-2] Nuclear Weapons States v. Non-Nuclear Weapons States

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Full Summary

Session Two of the first Asan Plenum brought together three experts to discuss the competing interests of Nuclear Weapons States (NWS) and Non-Nuclear Weapons States (NNWS): the two core groups represented in the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). The panel was moderated by Dr. Lee Jung Hoon, who currently serves as the Dean of International Education and Exchange at Yonsei University. He used his experience in international security and North Korea's nuclear program to highlight those issues which stand between the parties. Dr. Etel Solingen, the Chancellor's Professor at UC Irvine, drew on her book — *Nuclear Logics: Contrasting Paths in East Asia and the Middle East* — to highlight the different behaviors of NWS and NNWS. Mr. Henry Sokolski, Executive Director of the Nonproliferation Education Center (NPEC), followed with a discussion of his review of ten years of NPT history to highlight the ways in which the positions of both groups have evolved. Dr. James Walsh, a research associate with MIT's Security Studies Program, closed the session with his thoughts on ways NWS and NNWS can focus on areas of cooperation to ease the deadlock of contentious issues.

As moderator, Lee Jung Hoon laid a foundation for the discussion by defining and crystalizing the topic. While the title of the session focused on parties to the NPT, he cautioned that those outside the NPT should not be neglected. He gave an overview of the wide array of issues that set NWS apart from NNWS, ranging from the perspective of the Non-Aligned Movement to the prospects for a Middle East Nuclear Free Weapon Zone to the NPT at low numbers. He especially drew attention to NNWS' arguments that their right to the peaceful use of nuclear energy is being undermined, and their belief that NWS are not meeting their obligation to disarm as the most contentious of the divisions.

Etel Solingen opened the discussion by examining why some states choose to seek a nuclear weapons program. She saw two dimensions to the issue: a demand side and a supply side. To ameliorate some of the demand issues, she advised NWS to make major moves in the direction of disarmament, because states seeking nuclear weapons programs often use it as a

pretext for their own programs. Additionally, NWS should consider how their decisions affect the thinking of NNWS. She also recommended focusing on domestic political economy measures, which she found to have an impact on nuclear choices. She proffered that internationalizing states seeking favorable entry into the global economy are less likely to seek weapons, while inward looking states are more prone to do so. She referenced North Korea as an example of a classic inward looking state with its *Juche* philosophy that sees nuclear weapons as a tool of regime stability and a deterrent against external threat. She found that over-concentration on external threats and security imperatives was misleading for states, and could in fact become a self-fulfilling prophecy as is the case with Iran.

On the supply side, Solingen examined the use of sanctions and inducements as a means to counter nuclear breakout. On this point, she found it important to highlight the significant divisions among and within NWS and NNWS. As an example, she noted earlier calls from conference participants for China to do more to comply with sanctions. However despite its vacillations, Solingen found China's position to be greatly evolved from that of decades ago. She also commented on the difficulty to organize and implement sanctions with consensus of all the relevant parties in a timely fashion when states such as Iran and North Korea can adapt at a quicker rate.

According to Solingen, both NWS and NNWS face a dilemma: autocratic inward looking states account for most of the cases of noncompliance, but they are also least susceptible to a remedy by sanctions or inducements. Despite the fact that sanctions are tailored specifically to the model of an inward looking state, their vary alienation makes them more resistant to any sticks or carrots the international community might offer. Additionally, both parties face what Solingen deems a "Goldilocks Dilemma," where designing sanctions which are too strong can have as dire an effect as those which are too weak, and thus can cause more divisiveness amongst and between both NWS and NNWS. Solingen also noted that violators of the NPT can share other attributes such as human rights abuses and narcotics trafficking. She questioned whether linkages between the different compliance issues could or should be formed, asking whether there was a potential hierarchy of compliance. While states often refer to an external security threat as a justification for seeking a nuclear weapons program, in fact internal political dynamics are the main driver of these choices. She suggested the extension of negative security assurances as a way to combat the ease with which regimes employ the "rally around the flag" rhetoric of external security threats.

Solingen ended her talk by examining if it is possible to change an inward looking state into an internationalizing state. On the one hand she saw a great deal of promise in promoting Chinese-style economic reforms to North Korea, however found that Kim Jong-il remained reluctant. She questioned whether this reluctance was well-founded, suggesting that the

absence of such reforms could prove more dangerous to his regime as news spreads of the prosperity across its borders. In terms of the use of sanctions and inducements, Soligen argued that despite the imperfections of such tactics, the use of sticks and carrots was better than no action at all, and that states should not make perfect the enemy of good. While sanctions have a mixed track record, there is evidence to suggest they were successful in ending the nuclear programs of Libya and Iraq. She also found room to improve the sanctions on Iran to include oil exports, without enfeebling the global economic recovery.

Henry Sokolski reviewed years of NPT documents and negotiations after he ended his government service to better understand the evolution of the opinions held by both NWS and NNWS. While he found that the two points of contention that Dr. Lee highlighted were deeply held today, they also represented a strong diversion from the original intent of the treaty. Neither the belief that NNWS had an “inalienable” right to nuclear energy, nor the opinion that if NWS did not disarm, the NPT became meaningless are optimal in his mind. Rather he found that these current positions, if taken to their logical conclusion, would lead to unintended side effects that would undermine the treaty. For example, as Etel Solingen previously mentioned, states who sought to opt out of their obligations under the NPT were using the inertia on disarmament as a pretext to seek their own weapons programs. Similarly, if NNWS continued to demand their *per se* right to any form of nuclear energy so long as it was declared “for peaceful purposes” and only monitored occasionally by weak international institutions, the risks of another North Korea or Iran become apparent. Instead, Sokolski hoped that if there was a way to rediscover the original intent of the NPT, it may lead NWS and NNWS out of their current stalemate.

Sokolski asserts that when Irish Foreign Minister Frank Aiken first introduced the concept of a nuclear nonproliferation treaty, the slant on these contentious issues was entirely different. Aiken found that the value of stemming proliferation of nuclear weapons was greater for NNWS than NWS. To continue, since states with nuclear weapons had already “spooked” each other into a kind of balance, it was up to NNWS to prevent further horizontal proliferation and its related danger. Thus, in Sokolski’s mind, Aiken saw ending horizontal proliferation as a kind of prerequisite to vertical disarmament. If one assumes that as nuclear energy technology spreads so does the potential of nuclear weapons programs, Sokolski argues that NNWS should welcome intrusive inspections of their facilities. In fact, they should advocate it, if only to demonstrate the feasibility of verification models in a world completely disarmed of nuclear weapons.

Sokolski then tackled the question of turning back the clock on states’ current assumptions about the NPT. He pointed out that Article V of the NPT has already been reinterpreted. When the NPT was first drafted, states believed that peaceful nuclear explosions had

thousands of applications like building canals, but in the end it turned out far too costly. Instead, countries like India performed “peaceful nuclear explosions” as a prelude to a weapons program. Thus, in Sokolski’s opinion if the article was already reinterpreted, there is no reason it could not be reinterpreted once again. Similarly, he has two rebuttal propositions for Article IV’s peaceful use interpretation. First, that if states could not guarantee that their material would not be diverted, then maybe it should not be considered peaceful at all. Second, that peaceful use is not inalienable, but rather conditioned on compliance of Articles II and III. He cautioned that he was not crazy enough to actually think such a reinterpretation was possible with these two arguments, but rather wished to highlight that when one talks about “rights” you enter a diplomatic no man’s land.

Next, Sokolski examined ways in which NNWS could potentially be dissuaded from their unqualified desire for nuclear energy. He suggested that an attempt to quantify the total cost of a civilian nuclear program — including power, medical isotopes, and agricultural applications — be made to show that the costs outweighs the benefits. Using the G20 or other international forums to measure the full expense of such programs, including government subsidies and time requirements, may change their minds. He also lobbied for states to be more open about what nuclear activities and resources the International Atomic Energy Agency (IAEA) should safeguard under Article III of the NPT. He wishes to both optimize the timely detection of diverted materials and make sure the criteria are tough enough. He commented that in his personal view they were not stringent enough, but welcomed the debate.

Sokolski closed by taking a final look at Article VI of the NPT on disarmament. While he recognized that there was unanimity that NWS needed to do more, he lamented the timing overlapping with India and Pakistan — non-signatories to the NPT — who were building up their nuclear arsenals. He also noted that more states were seeking civilian nuclear energy programs such as Turkey and Saudi Arabia, and predicted that there was too much hedging at this time to make headway.

James Walsh began his talk by drawing attention to the use of “versus” in the title of the session. He characterized the crux of the debate between NWS and NNWS as a bargain wherein NNWS pledge to forgo nuclear weapons in exchange for access to civilian nuclear technology and NWS’ pledge to disarm. While the bargain is at the very core of the NPT, it is also its greatest point of contention. Walsh feels that NWS states attach greater value to nonproliferation than disarmament, while NNWS fear their access to promised nuclear technology is being undermined. This debate creates a stalemate between NWS and NNWS. However, Walsh recommends that rather than focus entirely on the “versus” aspect of the relationship, states should look for areas of commonality to find a way out of the deadlock.

Walsh describes the NPT conflict as both inherently international and political, and thus requires a multilateral and political solution. Like Solingen, he does not find nuclear breakout related to either technical or security arguments, but rather one related to internal politics. He argues that in order to move forward, the states will have to strike a new political bargain wherein each party gives up something to gain a new benefit. However, according to him states have yet to realize this and instead are stuck in deadlocks such as the one over the Fissile Material Cut-off Treaty and use NPT Review Conferences (RevCons) as venues for NNWS to vent their frustration at NWS. Walsh believes that the election of American President Barack Obama brought a fresh face to the debate and may have spurred some progress at the 2010 RevCon, however when the members return to the next RevCon Obama's newness will have worn off and participants will return to their political games. He predicted an ongoing stalemate in part because of the loopholes he sees in the NPT. One such example is that enrichment and reprocessing technology — a major risk factor for proliferation — are not covered by the NPT and member states each treat it differently according to their strategic needs. Additionally, he saw the potential for loss of momentum as states turned their attention to safety issues after the accident at the Fukushima Daiichi Nuclear Power Plant in Japan.

Walsh recommended that there might be some benefit gained from refurbishing the nuclear bargain of the NPT. In the past, it has always been thought of as “nuclear for nuclear” exchange, however if NNWS’ end goal is truly for an economic or technological benefit, why not suggest an alternative energy or cash equivalent? Additionally, he felt that states could reassess the benefits of their participation in the NPT. He argued that through this examination process, states might discover that they have far more in common than in contention. He suggested that all states could agree that terrorists should not have nuclear weapons programs, that nuclear power plants should be safe, and perhaps that the concept of a peaceful nuclear explosion is no longer appropriate. Additionally, new issues have entered the arena since the original drafting of the NPT such as climate change. In Walsh’s opinion, if these issues are tackled first, the debate between NWS and NNWS can be redefined. In the meantime, Wash called on states to continue to build institutions — he reminded the audience that the IAEA was once inconceivable — and expand norms and understanding until a point when the conflict can be resolved.

Dr. Lee thanked the participants for their contributions, and closed the session by reiterating some of the overlapping similarities in their views. He then called on audience members for questions.

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