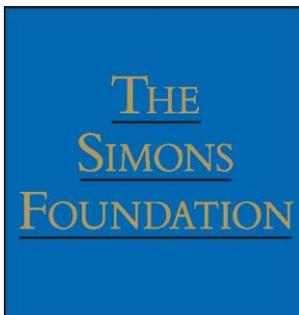


# 2011-2012 Graduate Research Awards *Debates on Disarmament, Arms Control and Non-Proliferation*

A joint programme of



And

The International Security Research  
and Outreach Programme (ISROP) of  
Foreign Affairs And International Trade Canada



**GRA DEBATES: Position Papers presented by recipients  
of the Graduate Research Awards in 2011-2012**

March 22, 2012

Foreign Affairs and International Trade Canada (DFAIT)

## Preface

The Graduate Research Awards for Disarmament, Arms Control and Non-proliferation (GRA) programme was initiated by Dr. Jennifer Allen Simons, President of The Simons Foundation, in partnership with the International Security Research and Outreach Programme (ISROP) of Foreign Affairs and International Trade Canada (DFAIT) in 2003. The primary objective of the Awards is to enhance Canadian graduate-level scholarship on non-proliferation, arms control and disarmament (NACD) issues.

Since its inception, the Graduate Research Awards programme has provided \$188,000.00 in scholarships to Canadian graduate students working on policy-relevant NACD issues and has helped to encourage a new generation of young scholars dedicated to further expanding their knowledge and expertise on these critical issues.

The original format of the programme offered three Doctoral Research Awards of \$5,000.00 and four Master's Research Awards of \$2,500.00 each year to support research, writing and fieldwork leading to the completion of a major research paper or dissertation proposal on an issue related to disarmament, arms control and non-proliferation. For the 2010-2011 GRA competition, The Simons Foundation doubled the funding available for the awards with the intention of doubling the number of students able to participate, which allowed ISROP to develop a new and innovative format for the GRA consultations held at DFAIT headquarters in Ottawa. Instead of having the successful GRA applicants make presentations to DFAIT officials on a NACD issue of their choosing, the programme was restructured to consist of a series of debates on timely issues. The debate format was applied again this year and candidates presented arguments in favour and against the following topics:

- Nuclear Disarmament: "Be it resolved that the provisions of Article VI of the Nuclear Non-Proliferation Treaty (NPT) have not been met."
- Nuclear safeguards verification: "Be it resolved that, in spite of limited resources, the IAEA should apply the same safeguards verification efforts in all countries, rather than focus its efforts on those known to be in non-compliance."
- Fissile Material Cut-Off Treaty (FMCT): "Be it resolved that to advance a negotiations process and build consensus on the terms of a future Fissile Material Cut-Off Treaty (FMCT), the FMCT should be negotiated outside the Conference on Disarmament (CD)."
- Space Security: "Be it resolved that the weaponization of space is inevitable. If yes, explain why; if not, how is it best avoided?"

Following an initial review of applications, 14 candidates were short-listed for further consideration and assigned one of the four debate topics. Applicants were then required to research and write, individually and independently, a 1,000 word position paper arguing their assigned position on the subject. The eight students who submitted the strongest position papers overall, as determined by the expert review panel, were selected to receive a Graduate Research Award of \$3,000.00 and were assigned a topic and position to debate in person at the GRA Consultations held at DFAIT headquarters in Ottawa on March 22, 2012. Additional monetary awards were also provided to the students deemed to have made the most effective arguments in support of their position at the debates in Ottawa.

The debates provided a unique opportunity for exchange among departmental officials, Canadian opinion-leaders and young leaders and the next generation of experts in the NACD field. At the GRA Debates in Ottawa, officials of the International Security Bureau of Foreign Affairs and International

Trade Canada (DFAIT) attended the sessions and DFAIT hosted a working lunch in honour of the GRA recipients.

We wish to recognize Jasmin Cheung-Gertler of DFAIT and Elaine Hynes of The Simons Foundation for their work to coordinate and execute the programme again this year.

We are pleased to acknowledge this year's Graduate Research Awards recipients who each received a cash award of \$3,000.00 from The Simons Foundation, and to further congratulate Adam Côté and Caroline Leprince who received additional cash prizes of \$2,000.00 for their exceptional performance at the GRA Debates in Ottawa.

- Anton Bezglasnyy, Political Science, University of British Columbia
- Vandana Bhatia, Political Science, University of Alberta
- Adam Côté, Political Science, University of Calgary
- Abbie Desloges, War Studies, Royal Military College of Canada
- Hristijan Ivanovski, Centre for Defence and Security Studies, University of Manitoba
- Susan Khzaeli, International Relations, University of Ottawa
- Caroline Leprince, science politique, Université du Québec à Montréal
- Simon Palamar, Norman Paterson School of International Affairs, Carleton University

The 2012-2013 Graduate Research Awards competition will be launched in Fall 2012. We look forward to welcoming the new recipients at the next round of GRA debates in Winter 2013.

**Jennifer Allen Simons, C.M., Ph.D., LL.D.**

**President**

**The Simons Foundation**

**Isabelle Roy**

**Director, Non-Proliferation and Disarmament Division**

**Foreign Affairs and International Trade Canada**

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## Opening Remarks

**Isabelle Roy**

**Director, Non-Proliferation and Disarmament Division  
Foreign Affairs and International Trade Canada**

*Isabelle Roy est directrice pour la non-prolifération et le désarmement au Ministère des Affaires étrangères et du Commerce international du Canada depuis septembre 2011. Elle était auparavant directrice des relations avec l'Afrique occidentale et centrale (2008-2011), et ambassadrice du Canada au Mali (2005-2008). Elle a aussi occupé des postes à l'ambassade du Canada au Cameroun (1991-1993) ainsi qu'en France (1995-2003). À Paris (France), elle a servi au sein de l'ambassade du Canada en France (1997-2001), à la Représentation permanente du Canada auprès de l'Organisation de coopération et de développements économiques (2001-2003), ainsi que dans le cadre d'un échange avec le ministère français des Affaires étrangères, après avoir été détachée à l'École nationale d'administration (ÉNA) à Paris (1995-1997). À l'Administration centrale, elle a travaillé au sein de la Direction des relations avec l'Afrique occidentale et centrale en tant que directrice adjointe, de la Direction de l'Europe de l'Ouest, de la Direction des relations économiques et financières et de la Direction des affaires\pard plain de la Francophonie. En 2001, M<sup>me</sup> Roy a été lauréate du Prix des agents du service extérieur canadiens. Avant de se joindre au service extérieur canadien, M<sup>me</sup> Roy a assumé les fonctions de consultante en économie pour la Banque mondiale (Washington), et de professeure de mathématiques au Gabon. Elle possède une maîtrise en économie et un baccalauréat en mathématique de l'Université de Montréal (Canada). Elle détient également un diplôme d'administration publique de l'ÉNA, à Paris (France).*

Au nom de la Direction de la non-prolifération et du désarmement et de la Direction des relations de sécurité et de défense, je vous souhaite la bienvenue au Ministère des Affaires étrangères et du Commerce international du Canada pour cette deuxième édition des Débats des lauréats des Bourses de recherche au niveau des études supérieures.

Nous sommes ravis de tous vous recevoir pour cet événement inédit, qui, comme mes collègues en conviendront, sera très certainement à la fois dynamique et informatif.

We are privileged to welcome to the department the recipients of the Graduate Research Awards for Disarmament, Arms Control and Non-Proliferation in 2011-2012.

Thank you for coming to participate in today's event, and I understand that this year's group is pursuing graduate studies at Canadian universities across Canada – from the University of British Columbia and the University of Alberta, Calgary and Manitoba, to – moving East – l'Université du Québec à Montréal (UQAM) and the Royal Military College of Canada in Kingston.

Thanks also to those who have joined us from Carleton University and The University of Ottawa. It is good to see the Ottawa academic community also well-represented this morning.

Our congratulations on your awards!

Your scholarship has been recognized as deserving special acknowledgement by the academic review panel for this year's competition.

As you may know, the GRA event is held annually to coincide with the Graduate Research Awards competition, which is an ongoing partnership between the Department's International Security Research and Outreach Programme (ISROP) and The Simons Foundation.

Le programme d'aujourd'hui mettra à l'honneur un format novateur pour discuter de ces importantes questions stratégiques dans le cadre de quatre débats.

This is the second year that this event has included a series of debates, a format that we first explored last year as a useful, and we hope innovative, way to delve deeper into the ideas and issues that define many of the current issues on the international Non-proliferation, Arms Control and Disarmament (NACD) agenda.

Each debate will be 35 minutes in duration, followed by 10 minutes of discussion.

The first two debates, on the Fissile Material Cut-off Treaty and nuclear disarmament provisions of the Nuclear Non-Proliferation Treaty (NPT) Regime will begin at 10:30am, immediately following this opening plenary.

The debate on whether a future FMCT should be negotiated outside the Conference on Disarmament is very timely. Just last week, our best hope for progress at the Conference on Disarmament since 2009 was lost when the proposed Programme of Work was rejected by Pakistan. Both here and in Geneva, Canada and like-minded states are considering how to advance FMCT negotiations should the Conference fail in 2012.

A debate on whether or not the five Nuclear Weapon States are meeting the disarmament provisions in Article VI of the NPT is also pertinent as we are a little more than a month away from the first of three NPT Preparatory Committee meetings leading toward the 2015 NPT Review Conference. We expect that many NPT States Parties will express their views on the fulfillment of nuclear disarmament commitments by the five Nuclear Weapon States next month.

After a short break for refreshments at 11:15, the second debate session will begin at 11:30, featuring our debaters on nuclear safeguards verification within the International Atomic Energy Agency (IAEA). Safeguards are the sets of measures by which the IAEA Secretariat independently verifies the correctness and the completeness of the declarations made by States about their nuclear material and activities. Safeguards are at the forefront of non-proliferation discussion, particularly as the world is seized with the issues of Iranian, Syrian and North Korean non-compliance with their safeguards agreements.

And the Space Security debate will again be held concurrently, in the Skelton Lobby outside this room. 2012 will be an important year for space security-related issues. New efforts at finding practical solutions to crucial issues such as mitigating space debris were launched earlier this year, through the work of the United Nations Committee on the Peaceful Uses of Outer Space – or COPUOS – Working Group on the Long-Term Sustainable Use of Outer Space. And momentum is growing on international discussions regarding Transparency and Confidence Building Measures in space, through both the renewed efforts to elaborate an International Code of Conduct for Outer Space and the UN Group of Government Experts which will begin work in July.

We will break at 12:15 and then reconvene here at 13:30 for the presentation of the Graduate Research Awards, and the announcement of the two additional winners of the morning's debates.

The program will close with remarks from my colleague Nadia Burger, Director of the Defence and Security Relations Division.

So that, in brief, is today's program.

As you can see, we will have a full day – so without any further ado, it is my privilege to introduce to you Dr. Jennifer Simons, who will deliver remarks.

Jennifer Allen Simons is the President of The Simons Foundation, based in Vancouver, Canada.

Through the Foundation's work, Dr. Simons has pioneered research, advocacy and action in advancing nuclear disarmament, peace, human rights and global co-operation.

In 2003, the Graduate Research Awards for Disarmament, Arms Control and Non-Proliferation was initiated by Dr. Simons, in partnership with the Department's International Security Research and Outreach Programme.

Since then, scholarships have been provided annually by The Foundation to Canadian post-graduate students pursuing Masters and Doctoral studies on arms control and disarmament issues.

Dr. Simons is a Member of the Order of Canada.

Sans plus tarder, il me fait plaisir de donner la parole au Dr. Simons.

## Keynote Address

**Jennifer Allen Simons, C.M., Ph.D., LL.D.**

**President**

**The Simons Foundation**

*Dr. Jennifer Allen Simons is the founder and President of The Simons Foundation, a private foundation located in Vancouver, Canada, with a mission to advance positive change through education in peace, disarmament, international law and human security. As an award-winning educator, thought leader and policy advisor, Dr. Simons and her foundation have supported major international initiatives, providing critical financial support, convening international leaders in policy dialogue, and driving academic research. Her partnerships with other NGOs, academic institutions, the Government of Canada, international governments, and the United Nations have made her an important and effective actor in the effort to address violence and war. Dr. Simons was appointed to the Order of Canada for her contributions to the promotion of peace and disarmament and, among her many other awards and acknowledgements, she received the Queen Elizabeth II Golden Jubilee Medal in 2002 and the Queen's Diamond Jubilee Medal in 2012.*



Good Morning,

It is a pleasure to be here to participate in the annual Graduate Research Awards seminar, a joint programme of the International Security Research and Outreach Programme of the Department of Foreign Affairs and International Trade, and The Simons Foundation – in our view a worthwhile contribution to Disarmament Education and as well, an invaluable agent for positive change in the world.

I would like to congratulate the recipients of this year's Awards. I am looking forward to lively debate; and because the debates are an extension of the Award process, I wish all you debaters every success. The Simons Foundation joined with the Department of Foreign Affairs in the Graduate Research Awards programme because we are interested in furthering disarmament education and building a community of disarmament scholars. The Department of Foreign Affairs shares this goal because of its need for a pool of specialist expertise to aid them in their formulation of Canadian foreign policy. As well, the programme contributes to the fulfillment of Canada's United Nations commitments to Disarmament Education. The programme provides the students with the opportunity to contribute to Canada's foreign policy, to benefit financially, and we feel that, perhaps, participation in this Awards programme opens avenues for future career choices.

The joint project was initiated eleven years ago, and the Seminar's debate format in its second year. Last year we found this an innovative and most useful way to engage, enlighten and educate us all and decided to build on the success of last year's event. I want to commend Jasmin Cheung-Gertler for her excellent organization again of this year's event. And though she is not present, I also commend Elaine Hynes from The Simons Foundation who, with Jasmin, develops, organizes and manages the total process annually.

Little attention is paid to disarmament in the public realm and to Disarmament Education in University Political Science Courses. The word “disarmament” tends to be tacked on to the end of course titles, that is to say, Arms Control, Non-Proliferation and Disarmament but not much focus is paid to the Disarmament aspect.

Disarmament has become increasingly important - something that is not taken seriously. Yet we are confronted with a situation in which the realistic destiny of civilization is nuclear genocide. We are not in danger of a deliberate war – at least at the moment! But we are at risk because of the continued existence of nuclear weapons on hair-trigger alert and targeted for immediate launch. We are at risk from nuclear accidents, from accidental or mistaken launch; from inadequate command/control and warning systems; from the risk of acquisition and use by non-state terrorists caused by inadequate securing of fissile materials and warheads; from the risk of environmental degradation and damage to health for current and future generations. Or again, our destiny could be the death of millions through accidental or malicious release of deathly biological agents.

We have not always lived in this militarized society and culture. The world changed dramatically after the development and use of the atomic bomb in 1945. The pre-war industrial society was transformed into a military industrial society, in which the military establishment and arms industry became the primary economic driving force.

Former U.S. President, Dwight Eisenhower, in his 1961 farewell speech to the nation, said that prior to World War II the United States had no armaments industry and – to quote him - “the total influence - economic, political, even spiritual – is felt in every city, every State house, every office of the Federal Government”<sup>1</sup> (end of quote) – a situation we now take for granted.

We are engaged in an ever-ascending upward spiral of research, development, manufacture and deployment of high tech weapons exceedingly dangerous to humanity. And we are so psychologically conditioned to accept the *status quo* that it is very difficult to imagine a safer world – a world not bristling with this dangerous weaponry.

We are so psychologically “determined” by our “technological representation of reality” that our solutions to critical situations “call for an even greater mobilization of our technology.”<sup>2</sup>

When a technology becomes a threat another technological device is created to counter the threat. An example of this - and an issue of serious contention between Russia, and the US and NATO, and a threat to the nuclear disarmament process and world peace - is the response to the failure to prevent proliferation of nuclear weapons and missile technology. This has resulted in the development of the United States Missile Defence system and the possibility of weapons in space, jeopardizing even further, the future of civilization.

The current US military budget - which stands at more than half the combined military budgets of the rest of the world – is higher than during the Cold War. Moreover, the United States nuclear weapons budget is twenty percent higher than in the 1980s – the Reagan era of massive build-up of nuclear arsenals.

We have seen, in the last few years, the nuclear weapons states - legally committed to elimination of their weapons - **upgrading** their arsenals. We have seen the proliferation of nuclear weapons and nuclear technology. The Biological Weapons Convention lacks transparency and verification measures.

Dangerous technologies are developed in defence laboratories and in corporate laboratories.

We have entered a new age of Cyber Warfare with the danger *of cyber attacks* and the danger of *cyber failure*. We are seeing growing community of internet hackers comprising of both individuals and states; and hackers – on a regular basis - attempt to penetrate the Pentagon and the nuclear weapons command and control systems, which is extremely frightening because the command and control system is highly automated.

Unfortunately, from the disarmament perspective, the power of the United Nations is vested in the victors of World War II - the five permanent members of the UN Security Council, the nuclear powers, with the largest military purses. Regrettably, they hold the world in nuclear hostage because they are unwilling to fulfill their disarmament commitments under Article VI of the Nuclear Non-Proliferation Treaty.

The U.S has not ratified the Comprehensive Test Ban Treaty. The powerful gun lobby has scuttled U.S. support for a small arms and light weapons convention. The United States, among other countries, has also refused to sign the landmine treaty because it still has use for landmines.

Pakistan - an extremely unstable state, struggling with Islamic terrorists, always on the edge of war with India, and possessing 60 nuclear weapons - is holding the Conference on Disarmament hostage and is currently hindering progress in agreeing on a programme of work thus making it impossible to begin negotiating the nuclear Fissile Material Cut-off Treaty.

All weapons - small arms and light weapons, nuclear weapons and other weapons of mass destruction continue to proliferate – both vertically and horizontally. The arms trade is thriving, and appears to be unaffected by the global financial crisis, with some European countries selling weapons to countries ruled by dictators and with authoritarian regimes, contrary to Europe's commitment to human rights. Research and development of new weapons systems continues including ballistic missile defence systems and space weapons.

These are just a few of the problems in this area we are facing.

However, there is some good news. The Obama administration is on record, and is demonstrating, - specifically in its relations with Iran and North Korea - that it has a preference for resolving conflict through a return to dialogue and diplomacy rather than the war-mongering policies of the previous Administration.

North Korea has announced that it will suspend its nuclear weapons tests and uranium enrichment, allow international inspectors to monitor activities at its main nuclear complex; United States, as part of the agreement, will restart nuclear negotiations.

Also President Obama appears to be following through on the commitment made in his Prague speech worldwide elimination of nuclear weapons. He is currently considering several options for reductions in deployed nuclear weapons with the low number being 300. Furthermore, he does not require Congressional approval to make these cuts.

However, even if he cut to this level there would be an equal number in reserve; and even if Russia cut equally, the remaining US and Russian weapons, plus those of the other nuclear weapons states still are enough to blow up the world.

In an age where a world war involving weapons of mass destruction could eliminate the entire human species, it is essential that we do not continue on this self-destructive path which began in recent history with the creation and of the atomic bomb.

There are a plethora of dangers, of problems seeking creative attention; there is the need for solutions requiring intellectual energy, diplomatic skills of dialogue and negotiation, which I believe should be engaging the minds and energies of a multitude of young people like you. And I am pleased to welcome you here and hope that you are considering this very important area to be the one in which you will undertake your life's work in order to create a less frightening, more peaceful twenty-first century.

Thank you very much.

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<sup>1</sup> [www.h-net.org/~hst306/documents/indust.html](http://www.h-net.org/~hst306/documents/indust.html)

<sup>2</sup> George Grant, *Technology & Justice*, Concord, 1986,16

## Master's Candidates Debate 1

### FISSILE MATERIAL CUT-OFF TREATY (FMCT)

***Be it resolved that to advance a negotiations process and build consensus on the terms of a future Fissile Material Cut-Off Treaty (FMCT), the FMCT should be negotiated outside of the Conference on disarmament.***

#### IN FAVOUR

##### Argument presented by Abbie Desloges

*Abbie Desloges is a civilian graduate student at the Royal Military College of Canada in Kingston, Ontario. She is currently completing her Master of Arts degree in War Studies. Her thesis research deals with the post-Cold War American nuclear weapons program and arms control. Abbie has a Bachelor of Arts (honours) degree in Political Studies from Queen's University. During her undergraduate career, Abbie studies in the United Kingdom and the People's Republic of China. Abbie's non-nuclear research interests include Canadian security concerns and foreign policy, especially as it relates to the People's Republic of China. Abbie is a native of Sudbury, Ontario, but now lives in Kingston, Ontario with her husband, Tom, and her cat, Loki. Abbie volunteers with youth in the Kingston community, and hopes to one day work as a policy analyst with the federal government.*



#### I. OPENING STATEMENT AND THESIS:

The Fissile Material Cut-Off Treaty (FMCT) is a proposed treaty that would prohibit or “cut-off” future production of fissile material for use in nuclear weapons and explosive devices. The definition of fissile material to be used in any future treaties has not been agreed upon, but it may include highly-enriched uranium and plutonium.<sup>1</sup> The Conference on Disarmament (CD) is currently the forum for FMCT negotiations. The CD was established by recommendation of the United Nations General Assembly in 1979 as the single, multilateral disarmament negotiation forum for the international community.<sup>2</sup> On 23 March 1995, the CD agreed to the “Shannon Report”, so-named for Canadian Ambassador Gerald Shannon. The report recommended the establishment of a committee within the CD to negotiate “a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices.”<sup>3</sup> The FMCT has been endorsed at the Non-Proliferation Treaty (NPT) Review Conferences of 1995, 2000, 2005, and 2010.<sup>4</sup> Unfortunately, the structure of the CD has hampered FMCT negotiations, and after over a decade it has proven itself incapable of acting as a forum for time-sensitive negotiations. The CD has not been able to agree upon the scope of a FMCT, the definition of “fissile material”, or verification measures. The Islamic Republic of Pakistan in particular has expressed concern about freezing asymmetries by cutting off future fissile material production but allowing existing stockpiles.<sup>5</sup> Because it is a consensus organization, negotiations have not even begun on the FMCT. Given the increased risk of proliferation and instability in the current international climate, such inaction is unacceptable. Because of the flawed structure of the CD, its history of inaction and its inability to reach decisions as a consensus organization with relatively large membership, this position paper will argue in favour of the following resolution:

"Be it resolved that to advance a negotiations process and build consensus on the terms of a future Fissile Material Cut-Off Treaty (FMCT), the FMCT should be negotiated outside of the Conference on Disarmament (CD)."

## II. MAIN ARGUMENTS:

First, negotiations on the FMCT should be held outside the CD because the structure and processes of the CD are hampering progress. The Plan of Work resets each year, and thus if quick resolutions are not made (and they have not been), all progress is lost.<sup>6</sup> Such a structure does not lend itself well to long-term, difficult negotiations such as those on fissile material cut-offs. In addition, the consensus rule in the CD is too strict, as it requires consensus on even the smallest procedural decisions.<sup>7</sup> One state therefore can prevent even preliminary negotiations, as has been done by the Islamic Republic of Pakistan.<sup>8</sup> For these reasons, the CD has been unable to agree on definitions, scope, or verification measures for the proposed treaty. The inflexibility of CD machinery is widely recognized. Ray Acheson, Program Director of *Reaching Critical Will*, calls the working methods of the CD "archaic and antique",<sup>9</sup> and in 2010 UN Secretary General Ban Ki-Moon warned the CD against irrelevance and obsolescence by allowing form to rule over function.<sup>10</sup> Norwegian Ambassador Hilde Skorpen remarked in 2010 that "It is particularly frustrating that, at a time when the momentum on disarmament has rarely been stronger, the machinery itself has become an obstacle to capitalize on this momentum".<sup>11</sup> As consensus is "here to stay",<sup>12</sup> states serious about making progress on a FMCT must look to another forum for negotiation.

Second, given the inability of the CD to make progress on a FMCT, negotiations must be moved outside the CD. The success of a forum should be based on its results, and the CD must not be allowed to continue to hold FMCT negotiations hostage if it is incapable of making progress. Other options exist that may be more conducive to successful negotiation. Ernie Regehr, Executive Director of Project Ploughshares, recommends pressure to bring negotiations out of the CD.<sup>13</sup> For example, many authors recommend beginning with the P5 (Permanent Security Council States, all of which possess nuclear weapons capabilities).<sup>14</sup> Canadian Ambassador Paul Meyer recommends using perhaps the NPT or IAEA as venues for negotiations.<sup>15</sup> At the First Committee in 2010 the United States, Japan, Liechtenstein, and Australia announced support for moving to another forum.<sup>16</sup> Given the limitations of the CD, there is no reason for it to remain the sole forum for nuclear negotiations if there is such support for moving talks elsewhere.

Third, the need for a FMCT is too great to allow it to fester in the CD. Michael Krepon, co-founder of the Stimson Center, argues that the continued lack of a FMCT and the production of fissile materials undercut norms regarding proliferation and disarmament.<sup>17</sup> Proliferation cannot occur without fissile materials. In the current international climate, where states such as Iran are on the brink of acquiring nuclear weapons capabilities and radically affecting the international security situation, a FMCT is more crucial than ever. The CD has demonstrated its inability to act as a forum for such important negotiations. As such, the international community must look elsewhere. Christopher Ford of the Hudson Institute remarks that the CD can remain the forum for negotiations only so long as it remains "necessary or helpful".<sup>18</sup> Such a time has passed. As Daryl Kimball, Executive Director of the Arms Control Association, remarked, "there is no reason to wait".<sup>19</sup>

## III. COUNTER-ARGUMENTS AND REBUTTALS:

Two critiques of moving negotiations out of the CD include a disbelief that progress is possible outside a rigid structure, and a conviction that the CD can be amended. First, a possible criticism of moving FMCT

negotiations out of the CD is that a less formal system will not allow for success and talks will continue to flounder. However, significant gains have already (and exclusively) been made outside of the CD. The United States, United Kingdom, and France have all unilaterally and separately ceased production, and it is rumoured that Russia and China have done the same.<sup>20</sup> The United States, United Kingdom, and France have also released fissile material production information to increase transparency as a display of good faith.<sup>21</sup> Nine states have signed the 1997 plutonium management agreement,<sup>22</sup> and cooperation between the United States, Russia, and the IAEA continues to improve.<sup>23</sup> Several states have acted unilaterally and multilaterally to demonstrate their commitment to fissile material cut-offs.

Second, one could argue that instead of removing FMCT negotiations from the CD, the CD could be amended to facilitate discussions. The 1999 Tokyo Forum concluded that it should be suspended until it can be revised and updated, and capable of purposeful work.<sup>24</sup> However, given the track record of the CD, this is extremely unlikely. It is especially unlikely that states with a specific interest in blocking progress of a FMCT would allow for such amendments to be made to the CD structure. As such, it is favourable to remove negotiations from the CD altogether, to another venue capable of producing timely results, uninhibited by strict consensus requirements and rigid rules of procedure.

#### IV. CONCLUSION:

In conclusion, in order to make progress of a FMCT, it must be moved outside of the CD. The structure of the CD has made beginning negotiations impossible. The structure of the CD, with regard to its consensus requirements and short-term Program of Work, has proven an insurmountable barrier to a FMCT. There is unfortunately no way to overcome these institutional roadblocks, and many senior officials and experienced academics have recommended looking elsewhere. Serious proposals have been made for moving negotiations outside the CD. It is time for the international community to assess these options. States committed to limiting fissile materials have already begun work outside the CD, and must not be constrained by single states that prohibit even preliminary negotiation. The risk of proliferation is simply too great to continue without a binding FMCT, and willing states must not be forced to continue within an unhelpful and prohibitive framework.

#### V. ADDITIONAL REBUTTAL POINTS:

One could argue that the CD has been making progress toward beginning negotiations on the FMCT and that negotiation may safely remain there. However, in over a decade, no progress has been made. Disagreements are severe but, as Meyer reminds, “resolving differences is the point of negotiation”.<sup>25</sup>

Another possible rebuttal could be that, if the FMCT is not negotiated through a consensus-based organization, it will never achieve universal acceptance. However, no progress has been made on the FMCT, and none will if nothing is changed. The only option is to remove the FMCT from the CD and attempt work elsewhere.

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<sup>1</sup> Reaching Critical Will, “Fissile Material Cut-Off Treaty”, Reaching Critical Will, 2012, 4 April 2012  
<<http://www.reachingcriticalwill.org/resources/fact-sheets/critical-issues/4737-fissile-material-cut-off-treaty>>.

<sup>2</sup> United Nations Office at Geneva, “Disarmament,” United Nations Office at Geneva, 4 April 2012  
<<http://www.unog.ch/80256EE600585943/%28httpHomepages%29/6A03113D1857348E80256F04006755F6>>.

<sup>3</sup> Federation of American Scientists, “FMCT: Chronology”, Federation of American Scientists, 2011, 4 April 2012  
<<http://www.fas.org/programs/ssp/nukes/armscontrol/fmctchron.html>>.

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- <sup>4</sup> Reaching Critical Will, "Fissile Material Cut-Off Treaty", Reaching Critical Will, 2012, 4 April 2012 <<http://www.reachingcriticalwill.org/resources/fact-sheets/critical-issues/4737-fissile-material-cut-off-treaty>>.
- <sup>5</sup> Peter Crail, "Pakistan's Nuclear Buildup Vexes FMCT Talks", Arms Control, March 2011, 4 April 2012 <[http://www.armscontrol.org/act/2011\\_03/Pakistan](http://www.armscontrol.org/act/2011_03/Pakistan)>.
- <sup>6</sup> Reaching Critical Will, "Fissile Material Cut-Off Treaty", Reaching Critical Will, 2012, 4 April 2012 <<http://www.reachingcriticalwill.org/resources/fact-sheets/critical-issues/4737-fissile-material-cut-off-treaty>>.
- <sup>7</sup> Paul Meyer, "Free the Fissile Material Cut-off Treaty: Functionality over Forum", Bulletin of the Atomic Scientists, 19 September 2011, 4 April 2012 <<http://www.thebulletin.org/web-edition/op-eds/free-the-fissile-material-cut-treaty-functionality-over-forum>>.
- <sup>8</sup> Reaching Critical Will, "Fissile Material Cut-Off Treaty", Reaching Critical Will, 2012, 4 April 2012 <<http://www.reachingcriticalwill.org/resources/fact-sheets/critical-issues/4737-fissile-material-cut-off-treaty>>.
- <sup>9</sup> Ray Acheson, "Engaging civil society for progress", Reaching Critical Will 2009, 4 April 2012 <<http://www.reachingcriticalwill.org/disarmament-fora/cd/2009/reports/766-engaging-civil-society-for-progress>>.
- <sup>10</sup> Ban Ki-moon, "Secretary-General Cites 'Growing Crisis of Confidence' In Remarks to General Assembly Follow-Up To 2010 High-Level Multilateral Disarmament Meeting", United Nations Department of Public Information, 27 July 2010, 4 April 2012 <<http://www.un.org/News/Press/docs/2011/sgsm13723.doc.htm>>.
- <sup>11</sup> Peter Crail, "UN Tackles Disarmament Machinery," Arms Control Association, December 2010, 4 April 2012 <<http://www.armscontrol.org/print/4600>>.
- <sup>12</sup> United Nations Institute for Disarmament Research, "The Conference on Disarmament: Breaking the Ice", United Nations Institute for Disarmament Research, December 2010, 4 April 2012 <<http://unidir.org/pdf/activities/pdf3-act563.pdf>>.
- <sup>13</sup> Ernie Regehr, "Canadian uranium and China's nuclear weapons arsenal", Disarming Conflict 12 February 2012, 4 April 2012 <<http://disarmingconflict.ca/2012/02/17/canadian-uranium-and-chinas-nuclear-weapons-arsenal/>>.
- <sup>14</sup> See: Paul Meyer, "Free the Fissile Material Cut-off Treaty: Functionality over Forum", Bulletin of the Atomic Scientists, 19 September 2011, 4 April 2012 <<http://www.thebulletin.org/web-edition/op-eds/free-the-fissile-material-cut-treaty-functionality-over-forum>>; Paul Meyer, "Is there any Fizz Left in the Fissban? Prospects for a Fissile Material Cutoff Treaty", Arms Control Today, December 2007, 4 April 2012 <[http://www.armscontrol.org/act/2007\\_12/Meyer](http://www.armscontrol.org/act/2007_12/Meyer)>; Daryl G. Kimball "Time for Leadership on the Fissile Cutoff" Arms Control Today, October 2010, 4 April 2012 <<http://www.armscontrol.org/print/4455>>.
- <sup>15</sup> Paul Meyer, "Free the Fissile Material Cut-off Treaty: Functionality over Forum", Bulletin of the Atomic Scientists, 19 September 2011, 4 April 2012 <<http://www.thebulletin.org/web-edition/op-eds/free-the-fissile-material-cut-treaty-functionality-over-forum>>.
- <sup>16</sup> Reaching Critical Will, "Fissile Material Cut-Off Treaty", Reaching Critical Will, 2012, 4 April 2012 <<http://www.reachingcriticalwill.org/resources/fact-sheets/critical-issues/4737-fissile-material-cut-off-treaty>>.
- <sup>17</sup> Michael Krepon, "The Conference on Disarmament: Means of Rejuvenation", Arms Control Today, December 2006, 4 April 2012 <[http://www.armscontrol.org/act/2006\\_12/Krepon](http://www.armscontrol.org/act/2006_12/Krepon)>.
- <sup>18</sup> Christopher A. Ford, "Five Plus Three: How to Have a Meaningful and Helpful Fissile Material Cutoff Treaty", Arms Control Association March 2009, 4 April 2012 <[http://www.armscontrol.org/act/2009\\_03/Ford](http://www.armscontrol.org/act/2009_03/Ford)>.
- <sup>19</sup> Daryl G. Kimball "Time for Leadership on the Fissile Cutoff" Arms Control Today, October 2010, 4 April 2012 <<http://www.armscontrol.org/print/4455>>.
- <sup>20</sup> Tariq Rauf, "Fissile Material Treaty: Negotiating Approaches", Federation of American Scientists, 1999, 4 April 2012 <<http://www.fas.org/nuke/control/fmct/2e-rauf.pdf>>.
- <sup>21</sup> Ibid.
- <sup>22</sup> Ibid.
- <sup>23</sup> Ibid.
- <sup>24</sup> Michael Krepon, "The Conference on Disarmament: Means of Rejuvenation", Arms Control Today, December 2006, 4 April 2012 <[http://www.armscontrol.org/act/2006\\_12/Krepon](http://www.armscontrol.org/act/2006_12/Krepon)>.
- <sup>25</sup> Paul Meyer, "Free the Fissile Material Cut-off Treaty: Functionality over Forum", Bulletin of the Atomic Scientists, 19 September 2011, 4 April 2012 <<http://www.thebulletin.org/web-edition/op-eds/free-the-fissile-material-cut-treaty-functionality-over-forum>>.

## Master's Candidates Debate 1

### FISSILE MATERIAL CUT-OFF TREATY

***Be it resolved that to advance a negotiations process and build consensus on the terms of a future Fissile Material Cut-Off Treaty (FMCT), the FMCT should be negotiated outside of the Conference on disarmament.***

#### AGAINST

##### Argument presented by Caroline Leprince

*Caroline Leprince is a Master's candidate in political science at the University of Quebec in Montreal (UQÀM). Her thesis studies the implementation of the Canadian whole-of-government approach in Afghanistan. Her research interests focuses on civil-military relations and defence security issues. She has also been a member of the Canadian Forces' Reserves for 9 years. During her graduate studies, Caroline has been the grateful recipient of past grants from the Department of National Defence Security Defence Forum 2010/2011, UQÀM's Foundation 2010/2011 and the Simons Foundation/Department of Foreign Affairs Graduate Research Awards 2011/2012. She previously completed a Bachelor of Arts degree in international relations and international law at UQÀM. Caroline has gained international experience working and completing humanitarian work in Haiti, Cambodia and Afghanistan.*



#### 1. OPENING STATEMENT

In his address to the Conference on Disarmament (CD) in 2011, the Secretary General of the United Nations, Ban Ki-Moon, openly criticized the stalemate faced by the Conference and its absence of achievements.<sup>1</sup> Since March 1995, the CD has approved a mandate to negotiate the ban of “production of fissile material for nuclear weapons or other nuclear explosive devices”, under the Shannon Mandate.<sup>2</sup> An Ad Hoc Committee was then created in August of 1998, unfortunately however, negotiations stalled when consensus fell apart, ensuing in a 10 year deadlock.<sup>3</sup>

With the election of the Obama administration, the United States finally adopted a favourable position on the verification of fissile material, creating a promising momentum for change.<sup>4</sup> Exerting unprecedented pressure for action, the CD successfully adopted in May of 2009 a programme of work (CD/1864) with a mandate to negotiate a treaty banning the production of fissile material. Unfortunately, this breakthrough was short-lived; the CD had been unable to reach a consensus before the end of the 2009 session.<sup>5</sup> Since then, the CD is deadlocked again, primarily due to the reservations of the Pakistani delegation.<sup>6</sup>

The recurrent stalemate of the CD has led some to suggest negotiating the FMCT outside of the disarmament forum. This paper will argue that this would be a mistake. To overcome the current difficulties faced by the CD, it is imperative to find innovative ways to end the procedural gridlock and resume work towards disarmament. The stakes to negotiate a successful FMCT are high, as it would exercise a compelling influence on the behaviour of all states possessing nuclear fissile material<sup>7</sup>; but

this success can only be attained through multilateral and consensus-based negotiations made within the CD.

## II. MAIN ARGUMENTS

As the “single multilateral disarmament negotiating forum”<sup>8</sup>, the CD serves an invaluable role in diplomatic spheres. While some delegations have been proposing alternate venues to shortcut the CD’s deadlock, the 65-nation body remains the best forum for negotiations on a nuclear treaty, because its rules of procedures are based on broad consensus. For many, the legitimacy granted to the treaties concluded in the CD surpass those of any other instances, as they are able to reach universal endorsement. For example, the Non-Proliferation Treaty (NPT) and the Chemical Weapons Convention (CWC)<sup>9</sup>, both concluded within the CD, have been ratified by more than 185 countries. The global support those treaties enjoy show the vital importance of consensus to encompass the universal views of all state parties.<sup>10</sup> This is why it is so important for states to patiently seek mutually acceptable solutions within the CD.

In order to ensure that a FMCT is successful, we need a “good treaty” obtained through “good negotiations”.<sup>11</sup> First, to ensure a “good treaty” it needs to bring all relevant countries on board. Consequently, the interest in keeping the negotiations within the CD is that it reaches all of the significant key players, the five recognized nuclear-weapon states (P5) and the nuclear-weapon possessing states outside the NPT. In August of 2011, the P5 met in Geneva to discuss ways to break the logjam at the CD. Although the United States is in favour of initiating negotiations outside the CD, both Russia and China made clear their desire to keep the talks within the CD and do not support other venues, in which the consensus rule might not apply.<sup>12</sup> In which case, it raises the question of what would be the relevance of a treaty reached outside the CD in the absence of the participation of the key countries with the capability of producing fissile materials?<sup>13</sup> Moreover, a non-discriminatory FMCT negotiated within the CD has the potential to reinforce the NPT’s implementation, as it will bring the nuclear-weapon states in line with the International Atomic Energy Agency (IAEA) safeguards system, and nuclear-weapon states not part of the NPT may have an opportunity to collaborate more closely with NPT state parties.<sup>14</sup>

Furthermore, the success of a FMCT relies on “good negotiations” made on the basis of the rules of procedures of the Conference, in order to gain the multilateral legitimacy it needs to reach universal ratification. By preferring alternative venues outside the Conference, states also decide to short-cut the reaching of an acceptable agreement by all concerned parties. This will have the effect of isolating Pakistan in the process, and not recognize its security interests as legitimate. In the eventuality that negotiations move to the General Assembly, the conclusion of a treaty in its body will undeniably be discriminatory to some states. By going outside the Conference, there is a high risk that either the P5 nations dominate global nuclear policy, and the concerns of small states are not heard; or that the treaty will be adopted without taking into account the consideration of the nuclear possessing states, with the effect of diminishing the value of the treaty in the process.<sup>15</sup> Either way, this may well decrease the faith of the international community towards disarmament and non-proliferation issues. This concern was shared by the Russian foreign minister, he expressed that by seeking “an easy way out by launching ‘parallel’ negotiation processes outside the Conference on Disarmament”, this may well lead to the “degradation of the whole multilateral system.”<sup>16</sup>

## III. COUNTER-ARGUMENTS AND REBUTTALS

Often, the adherents of moving the FMCT negotiations outside the CD use the examples of the Ottawa landmines treaty and the Oslo process that produced a ban on cluster munitions.<sup>17</sup> They argue that both cases demonstrate that ad hoc diplomatic conferences can produce positive outcomes when the multilateral forum falls short of consensus.<sup>18</sup> For the majority of governments however, the CD ultimately remains the central multilateral body responsible for negotiations held on disarmament issues.<sup>19</sup> In fact, criticisms towards alternative venues to the CD are their inability to reach a broad consensus. When compared with the CWC, the Ottawa Convention's ratification has not been universal. In fact, its flaw is significant, since the 35 UN countries that have not signed the Treaty are landmine producers.<sup>20</sup> With regards to FMCT negotiations, the stakes are too high not to have all the key players involved.

Furthermore, most criticisms addressed to the CD are inherent to its internal procedures – the rule of consensus and the programme of work. Intrinsicly embedded in the functioning of the CD, the rule of consensus has the adverse effect of allowing one state to successfully halt all negotiation processes. Rather than criticizing this rule, an understanding may be developed that the use of the consensus rule would be confined to occasions of demonstrable interests, ultimately restricting its use to substantive work.<sup>21</sup> Therefore, members could not oppose a decision, like the adoption of a programme of work, unless they can manifestly demonstrate that the decision in question will compromise their national interests. The other “monkey” on the CD's back is the programme of work. Yet, rule 28 does not prescribe a format except that the work programme must contain a schedule of activities. The previous decade's deadlock seems to have resulted from an assumption that the CD's programme of work must contain mandates.<sup>22</sup> Then again, the multi-mandate enclosed in the CD/1864 may explain why its implementation was blocked. Consequently, if the CD decided to acknowledge that rule 28 equates to the notion of a programme of work with an aboveboard mechanism to set out activities for the year, it may help resume work at the CD.<sup>23</sup>

#### IV. CONCLUSION

To reiterate, the key for a successful FMCT relies on a “good treaty” with all significant players obtained through “good negotiations” made on the basis of the rules of procedures of the CD. To short-cut the reach of consensus within the Conference, because it is ostensibly lengthy in time, is not the answer. It only shows that some states refuse to address other countries' national security concerns. Moreover, this will inevitably lead to the conclusion of a discriminatory treaty that will not be enforced. By focusing solely on short-term imperatives, the international community risks to adopt a treaty that equates to an empty shell. In conclusion, although a consensus-based approach may reveal to be an arduous and frustrating process, it is a necessary evil to gain the multilateral legitimacy it needs to reach a universal ratification. Only then, will it be possible to effectively limit materials available for manufacturing nuclear weapons and ensure an irreversible reduction in nuclear weapons.

#### V. ADDITIONAL REBUTTAL POINTS

It is also of note to consider the last time a treaty was moved from the CD to the General Assembly. This occurred in 1996 with the Comprehensive Test Ban Treaty (CTBT). Unable to reach a consensus in the Conference, the treaty was presented as a draft resolution to the General Assembly in 1997, where it was adopted by the two-thirds.<sup>24</sup> Since then, the CTBT has been waiting for nine nuclear technology states to accede to the treaty.<sup>25</sup> The reason why this treaty was unable to come into force is because no consensus was reached before it had been put to a vote. This goes to show that the consensus rule is what makes treaties adoptable by major powers and therefore more effective.

## Works cited

- Atwood, David. "Why the Conference on Disarmament Still Matters: What NGOs Need To Do", May 2004. Available at: <http://www.reachingcriticalwill.org/political/cd/atwood.html> (accessed on 7 March, 2012).
- . "The 'Pursuit of a Win-Win Situation' at the Conference on Disarmament: Questions and Answers With Wang Qun.", *Arms control today*, June 2011. Available at: [http://www.armscontrol.org/act/2011\\_06/Wang](http://www.armscontrol.org/act/2011_06/Wang) (accessed on March 15, 2012).
- Caughley, Tim. *The Conference on Disarmament: Breaking the Ice*. New York: UNIDIR. December 2010. Available at: <http://unidir.org/pdf/ouvrages/pdf-1-92-9045-010-l-en.pdf> (accessed on 28 February, 2012).
- Collina, Tom Z. "P5 Struggles to Unblock FMCT Talks", *Arms Control Today*, October 2011: Available at: [http://www.armscontrol.org/act/2011\\_10/P5\\_Struggles\\_to\\_Unblock\\_FMCT\\_Talks](http://www.armscontrol.org/act/2011_10/P5_Struggles_to_Unblock_FMCT_Talks) (accessed on 28 February, 2012).
- Conference on Disarmament. *Report of Ambassador Gerald E. Shannon of Canada on consultations on the most appropriate arrangements to negotiate a treaty banning the production of fissile material for nuclear weapons or other nuclear devices*, document CD/1229, 24 March 1995.
- Davis, Julian. "The Campaign to Ban Landmines : Public Diplomacy, Middle Power Leadership and an Unconventional Negotiating Process." *The Journal of Humanitarian Assistance*. 15 May 2004. Available at: <http://sites.tufts.edu/jha/archives/836> (accessed on 16 March, 2012).
- International Panel on Fissile Materials. 2012. *Global Fissile Material Report 2011: Nuclear Weapon and Fissile Material Stockpiles and Production*. Princeton: IPFM. Available at: <http://fissilematerials.org/library/gfmr11.pdf> (accessed on 16 March, 2012).
- Ki-Moon, Ban. *Secretary-General warns Conference on Disarmament that decade-long deadlock puts its credibility at risk*. Address presented at the Conference on Disarmament, SG/SM/13367, 26 January 2011. Available at: <http://www.un.org/News/Press/docs/2011/sgsm13367.doc.htm> (accessed on 17 March, 2012).
- Lavrov, Sergey. *Statement by H.E. Mr. Sergey Lavrov Minister of Foreign Affairs of the Russian Federation at the Plenary Meeting of the Conference on Disarmament*. 1 March 2011 : 4. Available at : [http://www.reachingcriticalwill.org/images/documents/Disarmament-fora/cd/2011/statements/part1/1March\\_Russia.pdf](http://www.reachingcriticalwill.org/images/documents/Disarmament-fora/cd/2011/statements/part1/1March_Russia.pdf) (accessed on 19 March, 2012).
- Meyer, Paul. "Free the Fissile Material Cut-Off Treaty: Functionality over forum", *Bulletin of the Atomic Scientists*, 19 September 2011. Available at: <http://www.thebulletin.org/web-edition/op-eds/free-the-fissile-material-cut-treaty-functionality-over-forum> (accessed on 28 February, 2012).
- Reaching Critical Will. "Fissile Materials Cut-Off Treaty (FMCT)". Available at: <http://www.reachingcriticalwill.org/resources/fact-sheets/critical-issues/4737-fissile-material-cut-off-treaty> (accessed on 28 February, 2012).
- Vestergaard, Cindy. "Why the Conference on Disarmament still matters", *Bulletin of the Atomic Scientists*, 30 November 2011. Available at : <http://www.thebulletin.org/web-edition/columnists/fissile-materials-working-group/why-the-conference-disarmament-still-matters> (accessed on 17 March, 2012).
- UNIDIR. "Getting the Conference on Disarmament back to substantive work : food for thought." *Disarmament Forum*, no 2, 2009: 9 -18. Available at: [http://unidir.org/bdd/fiche-article.php?ref\\_article=2859](http://unidir.org/bdd/fiche-article.php?ref_article=2859) (accessed on 28 February, 2012).
- UNIDIR. *Fissile Material Negotiations in the Conference on Disarmament (Version 2)*. New York: United Nations. February 2011. Available at: <http://unidir.org/pdf/ouvrages/pdf-1-92-9045-010-H-en.pdf> (accessed on 28 February, 2012).
- United Nations. *Resolution adopted on the report of the Ad Hoc Committee of the tenth Special Session S-10/2*, 30 June 1978. New York: United Nations General Assembly. Available at:

<http://daccess-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/107/51/IMG/NR010751.pdf?OpenElement> (accessed on 26 March, 2012).

<sup>1</sup> See, Ki-Moon, Ban. Secretary-General warns Conference on Disarmament that decade-long deadlock puts its credibility at risk. Address presented at the Conference on Disarmament, SG/SM/13367, 26 January 2011. Available at: <http://www.un.org/News/Press/docs/2011/sgsm13367.doc.htm> (accessed on 17 March, 2012).

<sup>2</sup> The Canadian Ambassador Gerald E. Shannon was appointed by the CD as the Special Coordinator on fissile material for 1994-1995. See, Conference on Disarmament. Report of Ambassador Gerald E. Shannon of Canada on consultations on the most appropriate arrangements to negotiate a treaty banning the production of fissile material for nuclear weapons or other nuclear devices, document CD/1229, 24 March 1995.

<sup>3</sup> See, UNIDIR. "Getting the Conference on Disarmament back to substantive work : food for thought." Disarmament Forum, no 2, 2009: 9. Available at: [http://unidir.org/bdd/fiche-article.php?ref\\_article=2859](http://unidir.org/bdd/fiche-article.php?ref_article=2859) (accessed on 28 February, 2012); see also, Vestergaard, Cindy. "Why the Conference on Disarmament still matters", Bulletin of the Atomic Scientists, 30 November 2011. Available at : <http://www.thebulletin.org/web-edition/columnists/fissile-materials-working-group/why-the-conference-disarmament-still-matters> (accessed on 17 March, 2012).

<sup>4</sup> In fact, the deadlock in the CD was largely attributable to the US administration's deliberate actions. In 2006, the United States claimed that it could not support a treaty negotiated under the parameters of the Shannon Mandate, due to its inadequacy to achieve effective verification, and tabled a treaty proposal (CD/1776) that did not include verification all-together. In so doing, the United States' position effectively stalled further progress in the CD on matters of fissile material for the following years. See, UNIDIR. Fissile Material Negotiations in the Conference on Disarmament (Version 2). New York: United Nations. February 2011: 6-7. Available at: <http://unidir.org/pdf/ouvrages/pdf-1-92-9045-010-H-en.pdf> (accessed on 28 February, 2012).

<sup>5</sup> Several delegations expressed concerns, e.g. Pakistan demanded "equal treatment and priority to all agenda items of the Conference" which would have the effect to undercut the CD/1864. Despite significant efforts by the Presidents of the CD to meet their requirements, leading to a proposed draft decision CD/1870/Rev.1, the CD ran out of time to implement CD/1864. Because the Conference's programme of work does not automatically carry over to the following year, the CD had to begin the whole process anew and failed to produce a new programme of work the ensuing year. See, UNIDIR, 2011:10; see also, Reaching Critical Will. "Fissile Materials Cut-Off Treaty (FMCT)". Available at: <http://www.reachingcriticalwill.org/resources/fact-sheets/critical-issues/4737-fissile-material-cut-off-treaty> (accessed on 28 February, 2012).

<sup>6</sup> Pakistan's reaction is directly linked to the decision in 2008 by the Nuclear Suppliers Group (NSG) to exempt India in the global trade of nuclear technology. In the meantime, Pakistan does not want the Conference to proceed with fissile material negotiations; unless it receives a similar deal as India, or that a new treaty addresses Pakistan's fissile disparity with India. See, UNIDIR, 2011:10; see also, Vestergaard, 2011.

<sup>7</sup> See, Meyer, Paul. "Free the Fissile Material Cut-Off Treaty: Functionality over forum", Bulletin of the Atomic Scientists, 19 September 2011. Available at: <http://www.thebulletin.org/web-edition/op-eds/free-the-fissile-material-cut-treaty-functionality-over-forum> (accessed on 28 February, 2012).

<sup>8</sup> The CD stems from a decision of the United Nations General Assembly in 1978 during the Special Session devoted to disarmament. United Nations. Resolution adopted on the report of the Ad Hoc Committee of the tenth Special Session S-10/2, 30 June 1978. New York: United Nations General Assembly: 14. Available at: <http://daccess-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/107/51/IMG/NR010751.pdf?OpenElement> (accessed on 26 March, 2012).

<sup>9</sup> It is of note that the CWC took almost 24 years to complete; the consensus took time, but the universal ratification of the treaty by all the UN Member states made it worth the wait. As we speak, the world is almost free of chemical weapons and no chemicals have been used in conflict since 1988. See, Vestergaard, 2011.

<sup>10</sup> ———. "The 'Pursuit of a Win-Win Situation' at the Conference on Disarmament: Questions and Answers With Wang Qun.", Arms control today, June 2011. Available at: [http://www.armscontrol.org/act/2011\\_06/Wang](http://www.armscontrol.org/act/2011_06/Wang) (accessed on March 15, 2012).

<sup>11</sup> As said by the Chinese ambassador extraordinary and plenipotentiary for disarmament affairs and permanent representative to the CD, a position he has held since 2007. See, Arms control today, 2011.

<sup>12</sup> See, Collina, Tom Z. "P5 Struggles to Unblock FMCT Talks", Arms Control Today, October 2011: Available at: [http://www.armscontrol.org/act/2011\\_10/P5\\_Struggles\\_to\\_Unblock\\_FMCT\\_Talks](http://www.armscontrol.org/act/2011_10/P5_Struggles_to_Unblock_FMCT_Talks) (accessed on 28 February, 2012).

<sup>13</sup> The nuclear weapon states that possess the most nuclear-weapon stockpiles are the P5: the United States has an estimate of about 8500; Russia 10,000; France fewer than 300; United Kingdom fewer than 225; China about 240; Israel between 100-200; Pakistan between 90-110; India between 80-100; and North Korea fewer than 5. See, International Panel on Fissile Materials. 2012. Global Fissile Material Report 2011: Nuclear Weapon and Fissile Material Stockpiles and Production. Princeton: IPFM: 4. Available at: <http://fissilematerials.org/library/gfmr11.pdf> (accessed on 16 March, 2012).

<sup>14</sup> See, UNIDIR, 2011: 25.

<sup>15</sup> See, Vestergaard, 2011.

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<sup>16</sup> See, Lavrov, Sergey. Statement by H.E. Mr. Sergey Lavrov Minister of Foreign Affairs of the Russian Federation at the Plenary Meeting of the Conference on Disarmament, 1 March 2011 : 4. Available at : [http://www.reachingcriticalwill.org/images/documents/Disarmament-fora/cd/2011/statements/part1/1March\\_Russia.pdf](http://www.reachingcriticalwill.org/images/documents/Disarmament-fora/cd/2011/statements/part1/1March_Russia.pdf) (accessed on 19 March, 2012).

<sup>17</sup> See, Davis, Julian. "The Campaign to Ban Landmines : Public Diplomacy, Middle Power Leadership and an Unconventional Negotiating Process." The Journal of Humanitarian Assistance. 15 May 2004. Available at: <http://sites.tufts.edu/jha/archives/836> (accessed on 16 March, 2012).

<sup>18</sup> See, Meyer, 2011.

<sup>19</sup> See, Atwood, David. "Why the Conference on Disarmament Still Matters: What NGOs Need To Do", May 2004. Available at: <http://www.reachingcriticalwill.org/political/cd/atwood.html> (accessed on 7 March, 2012).

<sup>20</sup> Amongst the 35 non-signatories states, some are particularly high profile, like Russia, the United States, China, India, Israel, Iraq, Somalia, and the United Arab Emirates.

<sup>21</sup> See, Caughley, Tim. The Conference on Disarmament: Breaking the Ice. New York: UNIDIR. December 2010: 3. Available at: <http://unidir.org/pdf/ouvrages/pdf-1-92-9045-010-I-en.pdf> (accessed on 28 February, 2012).

<sup>22</sup> In 2000, CD President Ambassador Amorim of Brazil proposed a programme of work that called for the establishment of four separate Ad Hoc Committees within the CD, each with a separate mandate to pursue the important goals of the CD. This became a prototype for future programme of work proposals. See, UNIDIR, 2011: 6-7.

<sup>23</sup> See, Caughley, 2010 : 4-5.

<sup>24</sup> See, Vestergaard, 2011.

<sup>25</sup> Amongst them are important players like China, the United States, India, Pakistan, Israel, and Iran. In addition, this did not stop several nations from testing nuclear weapons. See, Vestergaard, 2011.

## Master's Candidates Debate 2

### NUCLEAR DISARMAMENT

***Be it resolved that the provisions of Article VI of the Nuclear Non-Proliferation Treaty (NPT) have not been met.***

#### IN FAVOUR

##### Argument presented by Hristijan Ivanovski

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In a world likely to remain hostage to thousands of nuclear warheads over the long term, in which ancient realism - or as some wrongly refer to it as Cold-War thinking - appears to be an unbreakable psychological barrier even for those who thoroughly understand the nuclear “threat of pain and extinction (Schelling 23),”<sup>1</sup> meeting Article VI (disarmament) of the Nuclear Non-Proliferation Treaty (NPT) is quite a challenge. Current concerns relative to proliferation tendencies among non-compliant regimes as well as the potential implications of the still uncertain nuclear renaissance - which, if realized, would disseminate sensitive (dual-use) nuclear technology among numerous untrustworthy actors - further the disarmament challenge. As a result, all the states parties to the NPT, not to mention those beyond the nonproliferation regime, have failed to make sufficient efforts within their different nuclear roles and responsibilities towards meeting the NPT disarmament clause, with many of them exhausting themselves in a cacophonous debate on who is required to do what under NPT Articles III (non-proliferation safeguards), IV (peaceful use of the atom) and VI.

The entire debate revolving around the interpretation of NPT in general and Article VI in particular is of little help, if not trivial, in a world seeking to escape from nuclear weapons. Idealist legal interpretations and realist diplomatic games aside, nuclear disarmament is affected by and contingent on other NPT commitments. It is hard to ignore the fact that disarmament and non-proliferation have become functions of one another. While nuclear-weapon states' efforts towards meeting Article VI are already based on considerations about current and future implementation of Articles II, III, and IV of the NPT,

the future of non-proliferation largely depends on how seriously Article VI has been and will be taken by all NPT parties and beyond (the nine nuclear-armed states in particular).<sup>2</sup>

Nuclear disarmament has been largely considered an imperative, moral and legal.<sup>3</sup> Unfortunately, the world has a long way to go if it is to satisfy not only the crystal-clear purpose of the NPT disarmament clause,<sup>4</sup> but also the many superficial requirements of Article VI as deliberately and understandably formulated back in 1968.<sup>5</sup>

Before one is able to look around and say “we have met Article VI to a satisfactory extent,” at least three challenges have to be addressed: the psychological barrier of realist thinking; individual failures of the most responsible - the nine nuclear-armed states plus Iran<sup>6</sup> - as well as collective failures of all NPT parties to consistently comply with the definition and spirit (purpose) of Article VI; and the tricky elements of diplomatic efforts and their legal products that have unnecessarily raised doubts about the relevance of recent nuclear weapons reductions.

### The Psychological Burden of Realism

In the moment of truth formerly fringe abolitionism is rendezvousing with ancient realism which strongly favours a world “with (some) nuclear weapons (Schelling 2009).” “We used to live without the bomb” but we never truly lived without realism.<sup>7</sup> Moreover, the latter became the supreme theory and organizing principle as soon as the Manhattan Project delivered the supreme deterrent against the dangers derived from the anarchical structure of international politics. Strategists could now forget about frustrations in their eternal quest for a decisive battle, as they were finally in possession of what appeared to be a decisive weapon, at least for maintaining general peace (rather than winning wars). Ever since, the relative peace dividend conceived of as an absence of a major war has spoken for itself. Even the most hard-core pacifist who exclaims “Ban the bomb!” is a bit of realist. One cannot be exactly sure of all the possible implications of a nuclear-weapons free world. Realist thinking remains embedded in all power hubs from Tehran to Washington.

The psychological barrier inherent to such thinking in the context of abolishing nuclear weapons is not so much sheer skepticism or “loss aversion,” as referred to by Perkovich and Acton (2009a, 22),” but rather the well substantiated strategic dilemma if a future nuclear-weapons free world could possibly be “superior” (safer) to a variant of the seven-decade old nuclear deterrence world with a reasonable number of nuclear warheads (Schelling 2009, 125). With academia and strategic community currently unable to spell out with mathematical precision which of the two worlds prevails,<sup>8</sup> most power centers and political leaders will stick (as they have done so far) to their rigid realist calculations most of the time and to the detriment of Article VI of the NPT. This familiar scenario affects the NPT disarmament clause in two ways, by encouraging tendentious (mis-)interpretations and official evasion of Article VI (see Rademaker 2005a; 2005b; United States Bureau of Arms Control; Ford 2007a; quoted in Sagan 207; Ford 2007b; Tertrais 182; quoted in Perkovich and Acton 2009b, 310; Wulf) and questioning the feasibility of the Global Zero project.

This is not to suggest that realism should be simply eschewed. That is neither possible, nor desirable. Rather, the world needs a hybrid (eclectic) approach to avoid restrictive interpretation of Article VI, pool knowledge, and generate enough curiosity to explore abolitionist ideas and enable phased progress towards zero.

## Concrete Failures

In spite of dully registered disarmament progress particularly by the P5 (United States; Russia; China; United Kingdom; and France), there have been serious failures within and beyond the NPT community relative to every aspect of the definition of Article VI.

Though mindful that “Each of the Parties to the Treaty undertakes to...” actively contribute to the implementation of Article VI (UN), the NPT community has failed to demonstrate consistent multilateral action towards the elimination of global nuclear arsenals. Instead, since 1968 disarmament as a whole has been reduced to a mix of occasional symptoms of unilateral (US) or bilateral (US-Russia) leadership, a “waiting room” for recognized nuclear-weapon states with “minimum deterrent” (China, France, UK), “untouchables” (Israel, India and Pakistan), “part-time” motivators (Canada, Germany), “full-time” onlookers (the majority of the NPT community), as well as potential or proven proliferators (North Korea, Iran, Syria). Moreover, while the world’s only multilateral negotiating forum on disarmament (the Conference of Disarmament) is declared “moribund (Perkovich and Acton 2009a, 14),” it is uncertain if the alternative, think tank-based mechanism for multilateral disarmament coordination (“a high-level unofficial panel of experts”) suggested by dedicated abolitionists as the first step towards remobilizing the disarmament process would be useful (Ibid. 16, 133).

None of 11 select nuclear actors (the nine nuclear-armed states, plus Iran and Syria) merit an overall “A” grade for their recent disarmament and non-proliferation efforts; five of them have gained below average grades (“C-” and lower) with North Korea deserving no more than F (ACA; Crail et al.). Before President Obama reminded the world of the need for distinct leadership in the nuclear realm, realist calculations urged the Bush administration to shun “negotiations in good faith” and show no “...faithfulness to an agreed [disarmament]...purpose and consistency with the justified expectations...” of the NPT community (Sagan 204-208). It is that same type of calculations that continues to prevent the Senate from ratifying the Comprehensive Test Ban Treaty (CTBT) as well as other relevant treaties. The same drives Republicans to oppose further reductions in nuclear arsenals and discourages the White House to revive the Anti-Ballistic Missile Treaty (ABMT) by conceding to Russian demands.

One should perhaps forget about Article VI as the nine nuclear-armed states are set to spend over a trillion US\$ on nuclear weapons and systems modernization in the coming decade (Blair and Brown).<sup>9</sup> Except for the US, which is nonetheless said to be undergoing the greatest nuclear sector modernization since the Reagan era (Ibid.10, see United States Department of Defence), no nuclear-armed state has yet officially announced a stop to modernizing their existing nuclear warheads and developing new ones.<sup>10</sup> Moreover, consistent with realist concerns relative to strategic readiness (see Schelling 2009, 127-8), a number of nuclear-armed states still maintain a Cold War type of high alert postures and/or limited “no-first-use” policies.<sup>11</sup> While some nuclear actors have problem with their anachronistic attitude towards what Article VI is all about, sweet talkers like India largely fail to uphold their constructive declarations.<sup>12</sup> As the world remains absurdly tolerant to vertical proliferation (see Fergusson and McDonough 253-4), an unstable Pakistan with a recently doubled nuclear weapons stockpile (110-125 warheads) seeks to triple its current holdings (to 350 warheads) including through blocking the Fissile Material Cut-Off Treaty (FMCT).

## “Concealed” Compromises

Article VI implicitly requires a conclusion to disarmament negotiations in the form of “effective measures” (UN). The effectiveness of recent disarmament measures is somewhat debatable, and

Michael Gorbachev is being too courteous when saying that Obama and Medvedev “do serious business” instead of just talking. Of course, one should not ignore significant reductions in existing nuclear arsenals, and the growing political marginalization of nuclear strategy in the post-Cold War world. But, are recent reductionist steps so much better than “Reykjavik” as to be admired or even deemed an award-winning practice?<sup>13</sup>

Recent cuts in global nuclear arsenals have been (roughly once in a decade) neither as frequent as usually perceived, nor as deep as those mandated on some Cold-War occasions. The two steepest falls in the number of US nuclear warheads happened between 1967 and 1971 (elimination of 5000 warheads) following the Eisenhower era, and from 1987 to 1994 (a cut by 50% from initial 23000 warheads) due to the 1987 INF, the 1991 START (the largest cut in history eventually completed by 2001), and subsequent unilateral cuts by President Bush Senior (see Blair and Brown 3, Figure 1). If the 2002 Strategic Offensive Reductions Treaty (SORT) lacked verification provisions, the so much praised New START is problematic in terms of both nominal and real reduction. Nominally, the New START is about to eliminate only a few hundred deployed warheads on both sides, with the US decreasing the number of its deployed strategic warheads from a near-2000 level and Russia already below the new limit (1550). In real terms however, the number of deployed warheads could theoretically grow up to 3000 on each side due to the “hidden” rule “one bomber, one bomb.”<sup>14</sup> Also, NATO’s New Strategic Concept 2010 entails no hint about the prospect of eliminating the 180 US B61 gravity bombs still deployed in Europe. Though the Alliance is likely to seek “adaptation” of its nuclear posture within the ongoing review process ahead of the Chicago Summit in May 2012, its yet-to-be-completed Defence and Deterrence Review “is not [meant to be] a disarmament review (Zajac 1).” As the Global Zero campaign legitimately pushes for “expedited removal” of all tactical nuclear weapons from Europe and their substantial reduction under a comprehensive US-Russia disarmament treaty to be negotiated as of 2012-3, one legitimately asks how effective future disarmament steps could be rendered in the Putin era, and with an outgoing Obama ready for concessions (even if the latter alleviates Russian concerns regarding ABMT; see Krauthammer). If one is serious about hitting the road to zero, disarmament measures should be much more than symbolic bargains between former superpowers which enjoy meeting in castles in order to preserve old threads of their prestige.

Have We Met Article VI?

Claims that meeting Article VI is a time-consuming process (Obama), though truthful, sound like a courteous diplomatic excuse, particularly when judged against a time span of four or five decades since the obligation was imposed. Nonetheless, the treatment of the full implementation of Article VI as “a question of time (Bezglasnyy),” while encouraging, might eventually prove to have been optimism in vain given the multi-phase complexity of the whole issue of nuclear disarmament faced by a myriad of inter-related political, strategic, and technical challenges (see Rotblat, Steinberger, and [Udkaongar](#); Canberra Commission; Rotblat; Schell; Perkovich and Acton 2008; 2009c; Mattis; Schelling 2009). What is important in these claims is that they implicitly recognize that Article VI is yet to be met.

Unfortunate claims that the NPT disarmament clause has been completely met either lack vision in attempting to defend established diplomatic patterns or represent ephemeral actions designed to score political points. These claims heavily rely on restrictive interpretation of Article VI, decreasing numbers in nuclear weapon stockpiles, and select disarmament steps. As such, they never tell the complete truth.

## Conclusion

Since 1968 NPT parties as well as non-NPT nuclear-armed states have failed to make sufficient efforts within their different nuclear roles and responsibilities towards meeting Article VI of the Non-Proliferation Treaty, with many of them exhausting themselves in a cacophonous debate on the genuine meaning of the NPT disarmament clause. Given the perpetuating realist treatment of the nuclear issue and politics in general, as well as the familiar failures, breakouts, and diplomatic games likely to challenge even a future multilateral disarmament process, it is unclear when and if one would be able to prudently say: “we have met Article VI to a satisfactory extent.” Opposite claims either implicitly recognize that Article VI has not been met or simply defy the truth by various forms of restrictive (mis-)interpretations of the NPT disarmament clause, nominal approach, and presenting select disarmament achievements. Hence, to facilitate the road to zero, policymakers should remain open to hybrid thinking, admit the sin, set aside the increasingly irrelevant debate regarding the meaning of Article VI, accept the latter’s ultimate purpose(s) as an axiom with full legal, political, and moral implications, and focus on implementing the well-known set of concrete disarmament and non-proliferation steps defined in the past two decades.<sup>15</sup> After each step toward the lower totals of nuclear warheads, new abolitionist inspiration could be sought in presumably safer constellations.

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<sup>1</sup> Many of those who thoroughly understand the unique nature of the nuclear threat as laconically described by Thomas Schelling almost half a century ago nevertheless remain consistently realistic, convinced in the proven stability of present nuclear-deterrence world, and opposed to complete nuclear disarmament. Even Schelling himself, provoked by the “hasty” Global Zero movement, questions the idea of abolishing nuclear weapons, considering it a prelude to a very “nervous” world of virtual nuclear arsenals in which not least “former nuclear powers” would be able and tempted, particularly in times of crises and war, to quickly (re)build their physical arsenals and pursue pre-emptive scenarios (125-127).

<sup>2</sup> Concerning the palpable link between the two NPT pillars, George Perkovich and James Acton write: “What appears to have motivated much of this [disarmament] interest is the belief that it will be impossible to curtail nuclear-weapons proliferation without serious progress towards nuclear disarmament. In the absence of sufficient action on disarmament by the nuclear-weapons states, leaders of many non-nuclear-weapons states are increasingly resistant to efforts to strengthen the International Atomic Energy Agency (IAEA) system of nuclear safeguards...Fear of nuclear proliferation is motivating some nuclear-weapons states to take nuclear disarmament more seriously, but neither non-proliferation nor the abolition of nuclear weapons can be achieved without the active cooperation of non-nuclear-weapon states (2008; 2009a 13-14).” In parsing the mutual dependence relationship between non-proliferation and disarmament, Perkovich and Acton recognize the need for the world “to move on both fronts simultaneously (2008; *Ibid.* 19, 131).”

<sup>3</sup> As explicitly sanctioned in Article VI, nuclear disarmament is one of the high goals towards which NPT parties are required to work effectively. The 1996 International Court of Justice (ICJ) Advisory Opinion on the Threat or Use of Nuclear Weapons not only reaffirmed the “stand-alone” obligation of all NPT parties to effectively work towards a nuclear weapons-free world (Zaluar 189; see ICJ 263 [41] - 265 [43]; quoted in Perkovich and Acton 2009b, 310), but also reinforced the said obligation by broadly articulating the spirit of the NPT disarmament clause. Namely, in spite of the superficial content of Article VI and the familiar “no-deadline” issue, the Court unanimously advised that NPT parties are obliged to “bring to a conclusion negotiations leading to nuclear disarmament in all its aspects... (267 [45]; quoted in Zaluar 189 and Mian 302). As far as the Court is concerned, nuclear disarmament is a *legal imperative* consecutively reaffirmed by legally binding (UN Security Council Resolutions) and declaratory acts (UN General Assembly Resolutions, the final documents of the NPT Review Conferences) since the very first session of the UN General Assembly (London, January 24, 1946). It “remains a twofold obligation to pursue and to conclude negotiations...a universal goal [and]...without any doubt an objective of vital importance to the whole of the international community today (264-65 [42-3]).”

<sup>4</sup> The triple ultimate goal set out in Article VI is not “...negotiations in good faith...” *per se* but the “...cessation of the nuclear arms race at an early date and...nuclear disarmament, and...general and complete disarmament under strict and effective international control (UN).” “...negotiations in good faith (*Ibid.*)...” though prominent part of the legal formulation, is only the means to reach the said goal(s) at a certain, indefinite point in the future. Thus, *the only prudent and widely acceptable way to interpret Article VI in general and NPT parties’ obligations thereof is to think of disarmament in the light of these clear and separate goals*. Only the first goal – namely, the (nuclear) arms race – has been achieved so far thanks to the historical momentum and the end of the Cold War. Any opposition to this stance should first consult the eloquent explanation contained

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in the 1996 International Court of Justice Advisory Opinion on the Threat or Use of Nuclear Weapons: “The legal import of that [nuclear disarmament] obligation goes *beyond that of a mere obligation of conduct* [negotiations]; the obligation involved here [in Article VI] is *an obligation to achieve a precise result - nuclear disarmament in all its aspects* - by adopting a particular course of conduct, namely, the pursuit of negotiations on the matter in good faith (264[42]).”

Given all this, it is amazing how sometimes even largely unrestrictive interpretations of the NPT disarmament clause and prudent positions regarding the latter’s (non) implementation de-prioritize nuclear disarmament and, by avoiding asserting it as a precise, legally sanctioned goal, alter the meaning of Article VI. Could “...negotiations in good faith...” possibly be a goal in itself? For instance, before delivering a near-perfect explanation of the meaning and implications of “good faith” - namely, the most elusive element of Article VI and “one of those excruciatingly ambiguous terms in the lawyer’s vocabulary (Koplow 367; quoted in Sagan 205)” - Scott Sagan develops his critique of Perkovich’s and Acton’s *Abolishing Nuclear Weapons* stating that “Under Article VI, the nuclear weapon states did not commit themselves to *achieve* complete nuclear disarmament...” but only “*to pursue negotiations in good faith* (203)...” While there is some merit in this interpretation, particularly when seen from a genuine nuclear-weapon states’ perspective, in his search for precision and technically correct interpretation Sagan misses to stress that, according to the brief text of Article VI, the only thing nuclear-weapon states did not commit to is specifics regarding time and ways for achieving complete nuclear disarmament. As a result, the NPT disarmament clause contains no specifics at all. In this context, even though Sagan’s interpretation could earn a recognition when seen from a certain angle – for instance, when identified with the original intentions of nuclear-weapon states relative to the NPT, or when confronted with “radical” perspectives deriving from non-nuclear-weapon states - it is still narrow given the high purpose of Article VI as well as anachronistic for a world willing to break free from the nuclear chains.

<sup>5</sup> The most generalized and ambiguous part of Article VI is its beginning: “[Each of the Parties to the Treaty] undertakes to pursue negotiations in good faith on effective measures (UN)...” Though analysts and observers are mainly puzzled by the legal concept of “good faith,” much of the content of Article VI lacks precision and concreteness. The reason for composing such a broadly interpretable text during the NPT negotiations in the 1960s is simple: first, nuclear weapon-states were normally disinterested to attach disarmament to the NPT project and treat it as an equally important pillar of the future non-proliferation regime; and second, once they were forced to a compromise, they remained realistic of the world’s capacity to respond to the disarmament need and thus unwilling to impose upon themselves more constraining commitments linked to specific procedures and exact deadlines. Hence, even though “Article VI was conceived and drafted in a legal and political milieu that strongly associated it to the test ban proposals (Koplow 334; 334n139),” its final text mirrors the *predominance of proliferation as a concern and a policy over disarmament within the social context of the 1960s as well as later when the same attitude became known as “traditionalist” non-proliferation thinking, often mistakenly attributed to the US officialdom or the Bush Junior administration alone* (see Joyner). This “traditionalist” thinking has been entertained more or less by the political centers of all nuclear-weapon states since the earliest phase of NPT negotiations, and justifiably so. During the Cold War, nonproliferation was among the top US political and strategic priorities. The US government had devised and promoted an elaborate nonproliferation agenda immediately after the failure of the 1946 Baruch Plan. At the Senate Committee on Foreign Affairs hearings of July 1968, when asked to provide more detailed information on the recently concluded NPT, former US state secretary Dean Rusk preferred to introduce the NPT to senators by first explaining the US government nonproliferation policy (see United States Cong. Senate, 3-4). William Foster, the then Director of the US Arms Control and Disarmament Agency, who testified before the Senate on the same occasion (see US Cong. Senate 8-13), “...saw the NPT as only an intermediate objective....‘not an end in itself (Ford 2007a, 405)...” Therefore, as noted by Ford, Foster failed to qualify Article VI of the NPT as one requiring the conclusion of disarmament negotiations (2007a, 425n.16).

<sup>6</sup> Apart from both pretentious legalist interpretation of Article VI as *ius cogens erga omnes* and realist perspectives stressing the state’s sovereign right either to stay out of the NPT or withdraw from it (see UN, Article X), this analysis assumes the responsibility of the four non-NPT nuclear-armed states to contribute towards the implementation of Article VI. The NPT disarmament clause will never be met unless the Nuclear Non-Proliferation Treaty, or at least nuclear disarmament, becomes truly universal. One cannot reasonably expect the four nuclear-armed states beyond the NPT regime (Israel, India, Pakistan, and North Korea) to be somewhat exempted from participating in the disarmament process. These states have a huge role to play in the implementation of Article VI. At present, their status weakens both the non-proliferation regime and the disarmament tempo displayed by the five recognized nuclear-weapon states. Once the US and Russia have approached such level of reductions in their nuclear arsenals that may be sufficient for other nuclear-weapon states (China in the first place) to decide to join multilateral disarmament negotiations, the pressure on the four “outsiders” to (re-)join the NPT, or at least adhere to Article VI and follow in good faith subsequent disarmament steps, will increase.

<sup>7</sup> In the frantic search for a new strategic direction, global audiences are now reminded too often by nuclear abolitionists that “we used to live without ‘the bomb.’” In response, realists do not forget to mention: “Yes we did, but how? Life was highly affected by the implications of anarchy in international politics, and in the first half of the 20<sup>th</sup> century it was twice utterly annihilated.”

<sup>8</sup> From present perspective, the superior-world dilemma posed by Schelling is hardly solvable through intensified theoretical engagement. Any scientific and research effort in this direction would largely rely on speculation rather than empirical content.

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Such content presently remains beyond the analyst's perception because every world is an evolving dynamics with its own variables. Thus, Strategic Studies, whether abolitionist or realist, are unlikely to produce a highly reliable assessment of the strategic (dis-) advantages of a nuclear-weapons free world until such world is approached and actually experienced. For now, strategists are only able to conclude with some precision two things: first, just as abolitionists are unable to prove the strategic stability of the world without nuclear weapons (see Schelling 2009), realists cannot guarantee that nuclear deterrence will not fail one day despite the post-1945 experience hitherto (see Perkovich and Acton 2009a, 22); and second, a major conventional war in what is to be considered a nuclear weapons-free world would be less disastrous in terms of casualties, material damage, and post-conflict repercussions than a certain nuclear exchange or full-scale MAD in the wake of a failed nuclear deterrence.

<sup>9</sup> According to Blair's and Brown's technical report on nuclear weapons spending, each year the nine nuclear armed-states are going to allocate for nuclear weapons and systems on average 10% of their total annual military spending. This estimate might be deemed an exaggeration by many analysts, particularly those who still hold the old view of nuclear weapons as a relatively cheap deterrent. In that sense, it is worth to note that Blair's and Brown's financial assessment takes into account considerable indirect costs such as environmental and health costs, ABM systems, and other.

<sup>10</sup> The United States is currently the only nuclear-armed state to have officially undertaken not to pursue further modernization (upgrade) of its nuclear warheads as well as development of new nuclear weapons (only refurbishment of the units left in the decreasing stockpile to nearly original specifications and yield under existing designs; delivery systems excluded). As reiterated in the 2010 Nuclear Posture Review Report, "The United States will not develop new nuclear warheads. Life Extension Programs (LEPs) will use only nuclear components based on previously tested designs, and will not support new military missions or provide for new military capabilities... and it will be structured so as not to require nuclear testing (United States Department of Defense xiv, 37, 39-40)."

<sup>11</sup> Unlike, for instance, India and China, which are believed to keep their nuclear warheads away from strategic delivery means, the US and Russia are still greatly influenced by the Cold War doctrine of strategic readiness. The ready-to-launch intercontinental ballistic missiles (ICBMs) and short presidential warning and response times on both sides are like a double-bladed sword conducive to wrong usage, miscalculations, and accidents. While unilaterally committing to avoid the use of nuclear weapons against non-nuclear weapon states, all nuclear-weapon states (except China) "attach the reservation item 'except in the case of attack in association or alliance with a nuclear-weapon state (Eiichi 126-28)'" Declarations aside, this negative security assurance is further conditioned on other circumstances. For instance, it does not generally apply to and is little likely to be upheld in all cases where the opponent appears to be an eligible state (*de jure* non-nuclear weapon state, unaligned with nuclear powers, NPT compliant) but somehow manages to use non-nuclear weapons of mass destruction (WMD) or conventional destructive force with far-reaching effects against a nuclear weapon state. For instance, mindful of its conventional and WMD defence capabilities, under 2010 Nuclear Posture Review Report (NPR) the US made a big step forward, dedicating its nuclear deterrent to direct or indirect nuclear threats almost exclusively. Nonetheless, "Given the catastrophic potential of biological weapons and the rapid pace of bio-technology development, the United States reserves the right to make any adjustment in the assurance" not to use nuclear weapons against biological threats (United States Department of Defence, viii, 16). With an open-ended rationale for wielding nuclear weapons (Perkovich and Acton 2009a, 26), France remains ready to deliver nuclear response against any aggression on vital French interests. Similarly, the UK does not commit to a "no-first-use" policy and reserves the right to rely on its independent deterrent against non-nuclear (chemical and biological) threats (Ibid. 27). While China makes it clear it will not use nuclear weapons first and India reiterates merely the political importance of its own nuclear capability, other nuclear-armed states do not exclude an offensive (first-strike) use of their nuclear deterrent.

<sup>12</sup> India is often deemed culturally compatible with the non-use of nuclear weapons for purposes other than self-defence. Indeed, though in the past there have been senior Indian officials with more aggressive attitude towards the use of nuclear weapons, the general Indian view of the role (political symbolism) of nuclear weapons seems to reflect the great Indian spirituality. Furthermore, being one of the three regions of the world (the other two are the US/Canada and the UK) which lead the disarmament debate, India leaves an impression as if it will be the first country to disarm as soon as necessary conditions are created. Prime Minister Manmohan Singh is among the world leaders who expressly stand for nuclear weapons abolition (see Perkovich and Acton 13). Regardless, situated in a compelling regional context, India has been intensively working to modernize, enlarge and diversify its nuclear weapons and systems (see Norris and Kristensen).

<sup>13</sup> The 1986 Gorbachev-Nixon "meeting" in Reykjavik has been declared a failure time after time, even by its main actors. Nevertheless, there has been little doubt about the importance of this event often considered the first official abolitionist event ever. In a recent article, Thomas Blanton and Svetlana Savranskaya convey the true value of what has later become a notion of Summit: "They [Mikhail Gorbachev and Richard Nixon] embraced 50 percent cuts, including the huge Soviet advantage in heavy missiles, dropped British and French forces from proposed INF Treaty limits, excluded the short-range forward-based U.S. systems from the definition of "strategic," moved toward Reagan's July 25 proposal of nonwithdrawal from the ABM Treaty for seven and a half years (the original Soviet position was 15 years, then 10), and dropped the demand for a ban on SDI research, as long as testing was limited to laboratories. Then, *during their last session, the two leaders agreed to cut all U.S. and Soviet strategic offensive weapons (not just ballistic missiles) by 50 percent within five years and eliminate all nuclear explosive*

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devices, including bombs, battlefield systems, cruise missiles, submarine weapons, and intermediate-range systems, by 1996. Reagan even suggested “getting together in Iceland in 1996 to destroy the last Soviet and American missiles under triumphant circumstances (48).”

<sup>14</sup> The New START treaty reads as follows: “Article II...(b) 1550, for warheads on deployed ICBMs, warheads on deployed SLBMs, and nuclear warheads counted for deployed heavy bombers;...Article III... (b) One nuclear warhead shall be counted for each deployed heavy bomber...(The United States and Russia, 3-4)” Under such rules, theoretically, the US and Russia can each have over a thousand deployed warheads above the New START limit (1550) since each heavy bomber, namely capable of carrying and deploying up to 20 strategic warheads, counts one bomb. Thus, by treating 77 heavy members as no more than 77 nuclear warheads instead of taking into account about 850 warheads from Russia’s active arsenal (2700 warheads in total) intended to be delivered by those bombers, Russia is able to “reduce” its deployed strategic arsenal without actually reducing anything. The same Fata Morgana effect applies to the US whose 94 pre-New START heavy bombers can now count as 94 nuclear warheads despite the fact that each US bomber normally carries three to four strategic warheads or 316 in aggregate. As a result, the US and Russia could theoretically pursue maximum strategic weapons load on their heavy bombers and each could legally retain over a thousand deployed nuclear warheads above the New START limit (1550). Having already announced its plans to retain no more than 60 heavy bombers, the US would be theoretically able to link a maximum of 1200 (60x20) operational warheads only to its air-born delivery means. On the other hand, if kept its current 77 bombers, Russia would be able to retain and deploy up to 1540 (77x20) nuclear warheads only via air platforms (see [Collina](#) 31-2). Hence, despite the familiar limitations of heavy bombers in the context of first-strike and second-strike capability, the potential retention of so many nuclear warheads unnecessarily questions the relevance of recent disarmament measures.

<sup>15</sup> Politicians, “Lawyers, diplomats and military commanders may debate the relevance and precise meaning of Article VI of the NPT. But it is clear that states would not have agreed to extend the treaty indefinitely, as they did in 1995, if the nuclear-weapons states had tried to claim that they were not obliged to pursue nuclear disarmament (Perkovich and Acton 2009a, 16).” There is so much substance in this message. As long as the world avoids heeding it, there will be no real progress in the fields of nuclear disarmament and non-proliferation.

## Works Cited

- ACA (Arms Control Association). “Assessing Progress on Nuclear Non-Proliferation and Disarmament: 2009-2010 Report Card.” Arms Control Association. Oct. 2010. Web. 2 Mar. 2012. < <http://www.armscontrol.org/reports/2009to2010ReportCard> >.
- Bezglasnyy, Anton. Debate on the Implementation of Article VI of the NPT. Department of Foreign Affairs and International Trade, Ottawa, Canada. 22 Mar. 2012. Debate Position.
- Blair, Bruce G. and Matthew A. Brown. Global Zero Technical Report. “World Spending on Nuclear Weapons Surpasses \$1 Trillion per Decade.” Washington, DC. Jun. 2011. Print.
- Blanton, Thomas, and Svetlana Savranskaya. “Looking Back: Reykjavik: When Abolition Was in Reach.” *Arms Control Today* 41.8 (2011): 46-51. Web. 3 Jan. 2012. < [http://www.armscontrol.org/act/2011\\_10/Reykjavik\\_When\\_Abolition\\_Was\\_Within\\_Reach](http://www.armscontrol.org/act/2011_10/Reykjavik_When_Abolition_Was_Within_Reach) >
- Canberra Commission on the Elimination of Nuclear Weapons. *Report of the Canberra Commission on the Elimination of Nuclear Weapons*. Canberra: Department of Foreign Affairs and Trade, 1996. Web. < [http://www.dfat.gov.au/publications/security/canberra-commission-report/cc\\_report1.html](http://www.dfat.gov.au/publications/security/canberra-commission-report/cc_report1.html) >.
- [Collina](#), Tom Z. “U.S. Reveals Nuclear Force Plan, Arsenal Levels.” *Arms Control Today* 40.5 (2010): 31-2. Web. 26 Oct. 2011. < [http://www.armscontrol.org/act/2010\\_06/USArsenal](http://www.armscontrol.org/act/2010_06/USArsenal) >.
- Eiichi, Sugie. “Measures for Nuclear Weapons Abolition.” *Peace Research* 35. 2 (2003): 124-129. Web. CBCA Complete. 2 Mar. 2012.
- Fergusson, James, and David S. McDonough. “WMD Proliferation, Missile Defence and Outer Space: A Canadian Perspective.” *Canada’s National Security Policy in the Post – 9/11 World: Strategy, Interests, Threats*. Ed. David S. McDonough. Toronto: University of Toronto Press, 2012. 253-268. Print.
- Ford, Christopher. “Debating Disarmament: Interpreting Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons.” *Nonproliferation Review* 14.3 (2007a): 401–28. Print. *Taylor and Francis Online*. Web. 17 Mar. 2012. < <http://dx.doi.org/10.1080/10736700701611720> >.

- — — . “The 2010 Review Cycle So Far: A View from the United States of America.” Wilton Park, UK. 20 Dec. 2007b. Presentation. Web. 2 Mar. 2012. < <http://merln.ndu.edu/archivepdf/wmd/State/98382.pdf> >.
- Gorbachev, Mikhail. Interview. *Countdown to Zero*. Dir. Lucy Walker. New York: Magnolia Pictures, 2010. DVD.
- International Court of Justice. Advisory Opinion. “Threat or Use of Nuclear Weapons.” Hague. 8 Jul. 1996. Web. 17 Mar. 2012 < <http://www.icj-cij.org/docket/files/95/7495.pdf> >.
- Joyner, Daniel H. Letter. “The Meaning of the NPT.” *Arms Control Today* Oct. 2011: 52. Web. 12 Mar. 2011. < [http://www.armscontrol.org/act/2011\\_10/The\\_Meaning\\_of\\_the\\_NPT](http://www.armscontrol.org/act/2011_10/The_Meaning_of_the_NPT) >.
- Koplow, David. “Parsing Good Faith: Has the United States Violated Article VI of the Nuclear Non-Proliferation Treaty?” *Wisconsin Law Review* 301.2 (1993): 301-94. *Hein Online*. Web. 14 Mar. 2012.
- Krauthammer, Charles. “Obama’s ‘Flexibility’ Offer to Russians is Frightening.” *USA Today*, 3 Apr. 2012. Web. < [http://www.usatoday.com/USCP/PNI/Editorial/2012-04-03-PNI0403opi-krauthammerPNI0403opi-ST\\_U.htm](http://www.usatoday.com/USCP/PNI/Editorial/2012-04-03-PNI0403opi-krauthammerPNI0403opi-ST_U.htm) >.
- Mattis, Frederick N. *Banning Weapons of Mass Destruction*. Santa Barbara, CA: ABC CLIO Praeger, 2009. *Ebrary*. Web. Mar 17, 2012.
- Mian, Zia. “Beyond the Security Debate: The Moral and Legal Dimensions of Abolition.” *Abolishing Nuclear Weapons: A Debate*. Ed. George Perkovich and James M. Acton. Washington: Carnegie Endowment for International Peace, 2009. 295-305. Print.
- Norris, Robert S., and Hans M. Kristensen. “India’s Nuclear Forces, 2007.” *Bulletin of the Atomic Scientists* 63.4 (2007): 74–8. Web. *Sagepub*. DOI: 10.2968/063004024.
- Obama, Barack. Hradčany Square, Prague, Czech Republic. 5 Apr. 2009. Remarks (Transcript, Embassy of the United States in the Czech Republic). Web. 19 Mar. 2012. < <http://prague.usembassy.gov/obama.html> >.
- Perkovich, George, and James M. Acton. *Abolishing Nuclear Weapons*. Adelphi Paper 396. London: International Institute for Strategic Studies, 2008. Print.
- — —. “Abolishing Nuclear Weapons.” *Abolishing Nuclear Weapons: A Debate*. Ed. George Perkovich and James M. Acton. Washington: Carnegie Endowment for International Peace, 2009a. 9-138. Print.
- — —. “What’s Next?” *Abolishing Nuclear Weapons: A Debate*. Ed. George Perkovich and James M. Acton. Washington: Carnegie Endowment for International Peace, 2009b. 307-328. Print.
- — — eds. *Abolishing Nuclear Weapons: A Debate*. Washington: Carnegie Endowment for International Peace, 2009c. Print.
- Rademaker, Stephen G. “U.S. Statement at the 2005 NPT Review Conference.” New York. 2 May 2005a. Web. 12 Mar. 2012. < [http://www.nuclearfiles.org/menu/key-issues/nuclear-weapons/issues/policies/us-nuclear-policy/nti\\_dos050205.pdf](http://www.nuclearfiles.org/menu/key-issues/nuclear-weapons/issues/policies/us-nuclear-policy/nti_dos050205.pdf) >.
- — —. “Zeroing in on Non-Compliance.” *Arms Control Today* 35.4 (2005b): n.pag. Web. 12 Mar. 2012. < [http://www.armscontrol.org/act/2005\\_05/Rademake](http://www.armscontrol.org/act/2005_05/Rademake) >.
- Rotblat, Joseph. *Nuclear Weapons: The Road to Zero*. Boulder, CO: Westview Press, 1998. Print.
- — —, Jack Steinberger, and [Bhalchandra Udkaongar](#), eds. *A Nuclear-Weapon-Free World: Desirable? Feasible?* Boulder, CO: Westview Press, 1993. Print.
- Schell, Jonathan. *The Gift of Time: The Case for Abolishing Nuclear Weapons Now*. New York: Macmillan Metropolitan Books, 1998.
- Schelling, Thomas C. *Arms and Influence*. New Haven: Yale University Press, 1963. Print.
- — —. “A World without Nuclear Weapons?” *Daedalus* 138.4 (2009): 124-29, 171. *ProQuest Aquatic Science Collection*. Web. 15 Mar. 2012.

- 
- Tertrais, Bruno. "Advancing the Disarmament Debate: Common Ground and Open Questions." *Abolishing Nuclear Weapons: A Debate*. Ed. George Perkovich and James M. Acton. Washington: Carnegie Endowment for International Peace, 2009. 179-86. Print.
- The United States and Russia. Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms. Prague. 8 Apr. 2010. Web. 4 Mar. 2012. < <http://www.state.gov/documents/organization/140035.pdf> >.
- UN (United Nations). Treaty on the Nonproliferation of Nuclear Weapons. Washington, London, and Moscow. 1 Jul. 1968. Web. 4 Mar. 2011. < <http://www.iaea.org/Publications/Documents/Infcircs/Others/infcirc140.pdf> >.
- United States Bureau of Arms Control. "2005 Non-Proliferation Treaty (NPT) Review Conference: U.S. Objectives." Washington D.C. 21 Apr. 2005. Web. 12 Mar. 2012. [http://www.nuclearfiles.org/menu/key-issues/nuclear-weapons/issues/policies/us-nuclear-policy/nti\\_dos022105.pdf](http://www.nuclearfiles.org/menu/key-issues/nuclear-weapons/issues/policies/us-nuclear-policy/nti_dos022105.pdf) >.
- United States Congress. Senate. Committee on Foreign Policy. *Nonproliferation Treaty: Hearings Before the Committee on Foreign Relations of the United States Senate, July 10, 11, 12, and 17, 1968*, 90<sup>th</sup> Cong., 2<sup>nd</sup> sess. Washington: US Government Printing Office, 1968. *Hathi Trust*. Web. < [http://hdl.handle.net/2027/uc1.\\$b643615](http://hdl.handle.net/2027/uc1.$b643615) >.
- United States Department of Defense. *Nuclear Posture Review Report 2010*. Washington: Department of Defence, 2010. Web. < <http://www.defense.gov/npr/docs/2010%20nuclear%20posture%20review%20report.pdf> >.
- Zaluar, Achilles. "A Realistic Approach to Nuclear Disarmament." *Abolishing Nuclear Weapons: A Debate*. Ed. George Perkovich and James M. Acton. Washington: Carnegie Endowment for International Peace, 2009. 187-201. Print.
- Wulf, Norman A. "Misinterpreting the NPT." Rev. of *Misinterpreting the NPT: Interpreting the Nuclear Non-Proliferation Treaty*, by Daniel H. Joyner, *Arms Control Today* 41.7 (2011): 41-5. Web. 2 Mar. 2012. < [http://www.armscontrol.org/2011\\_09/Misinterpreting\\_the\\_NPT](http://www.armscontrol.org/2011_09/Misinterpreting_the_NPT) >.
- Zajac, Paul. "NATO's Defense and Deterrence Posture Review: A French Perspective on Nuclear Issues." Nuclear Policy Paper No. 7. Apr. 2011. Web. 3 Mar. 2012. < [http://tacticalnuclearweapons.ifsh.de/pdf/Nuclear\\_Policy\\_Paper\\_No7.pdf](http://tacticalnuclearweapons.ifsh.de/pdf/Nuclear_Policy_Paper_No7.pdf) >.

## Master's Candidates Debate 2

### NUCLEAR DISARMAMENT

***Be it resolved that the provisions of Article VI of the Nuclear Non-Proliferation Treaty (NPT) have not been met.***

#### AGAINST

**Argument presented by Anton Bezglasnyy**

*Anton Bezglasnyy is a graduate student specializing in international relations at the Department of Political Science, University of British Columbia. His research interests are international peace and security as well as Canadian foreign and defence policy. In 2011 he interned with the Department of Foreign Affairs at the Canadian Embassy in Washington, DC as well as at the Hudson Institute's Center for Political-Military Analysis.*



NPT Article VI: Each of the Parties to the Treaty undertakes 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.

#### I. OPENING STATEMENT AND THESIS

The Nuclear Non-Proliferation Treaty (NPT), first signed in 1970 and extended indefinitely in 1995, sits at the epicentre of the global nuclear non-proliferation regime. Under the NPT 'grand bargain' non-nuclear armed states have agreed to not acquire nuclear weapons, while in exchange, the five nuclear weapons states have pledged to take steps towards 'general and complete disarmament.'<sup>1</sup> The purpose of this paper is to argue that the provisions of Article VI of the NPT are in the long term process of being met. *General and complete disarmament is occurring, albeit in the long run, due to (1) the declining political and security utility of nuclear weapons and (2) the reinvigoration of the nuclear disarmament agenda, at the national, bilateral, multilateral and civil society levels.*

Although general and complete disarmament is not the case today, the international community of states is moving closer towards a world free of nuclear weapons. In measuring the progress en route to 'global zero,' a decades-long timeframe must be adopted, due to a plethora of challenging but surmountable political, military and economic hurdles. For example, with nuclear disarmament being a politically charged process, domestic political elites require time to legitimate the disarmament agenda to both domestic and international audiences. National militaries need time to adjust strategic postures, force structures and corresponding capabilities to a reduced reliance on nuclear weapons, all without exposing significant gaps in national security priorities. The economics of disarmament are also a lengthy process, with states having to absorb significant costs associated with the technical/scientific issues surrounding disarmament.

## II. MAIN ARGUMENTS

1. The political value of nuclear weapons is decreasing. Since the end of the Cold War, the possession of nuclear weapons has gradually become less important as a symbol of great power status for major states. Economic prowess is an increasingly more significant measure of national power and capability, with countries like Brazil, India and China rising to prominence in the international community *without* a corresponding build-up of nuclear arsenals. This is reflective of a robust international norm favouring disarmament, which exists under the NPT. Global stigmatization of nuclear-armed states encourages disarmament and renders weapons arsenals nearly unusable in the 21<sup>st</sup> century. With 189 states parties, nearly all of the world's sovereign nations are members of the NPT regime, and the overwhelming majority of these are fully compliant with the Treaty's provisions.<sup>2</sup>

Recognizing their declining political utility, states are voluntarily choosing not to possess nuclear weapons. Civilian research reactors exist in a total of 56 states and 20 countries utilize commercial nuclear power, yet only 8 to 10 have chosen to pursue nuclear weapons programs.<sup>3</sup> Fewer still, have chosen to do so outside of the NPT regime. Such outliers include India, Pakistan, Israel, North Korea and Iran. Juxtaposing these, are over 90 nation-states belong to Nuclear Weapons Free Zones (NWFZ), which cover large parts of Latin America, Africa and the South-Pacific.<sup>4</sup> In addition, at least 7 states including Argentina, Ukraine and South Africa have voluntarily ended their nuclear weapons programs.<sup>5</sup> All of these developments signify a two-decades long downward trend in the political value of nuclear weapons.

2. The security utility of nuclear weapons is declining. Interstate war has been decreasing since the early 1990s and despite public rhetoric to the contrary, few states face existential threats that warrant the possession of large nuclear arsenals.<sup>6</sup> Recognizing this reality, even the world's military superpower, the United States, acknowledges that 'deterrence goals can be achieved with a smaller nuclear force.'<sup>7</sup> Furthermore, nuclear weapons and the deterrence they deliver is futile against the plethora of emerging non-traditional security threats and non-state actors. Transnational criminal and terrorist organizations, climate change as well as energy and water insecurity present a new spectrum of threats to nation-states and their populations in the 21<sup>st</sup> century. National security priorities have been shifting accordingly, with NPT nuclear weapons states such as China, France and the United Kingdom moving towards minimum credible deterrence postures, by limiting total deployed strategic and tactical warheads to between 150 and 300.<sup>8</sup>

3. The 2010 NPT Review Conference Final Document renews the disarmament agenda and demonstrates the robust nature of the NPT norm, as well as the international legitimacy surrounding the NPT regime. For the first time, the Document explicitly articulates 'a world without nuclear weapons' as the eventual goal of nuclear disarmament, thereby invigorating the NPT regime with a renewed sense of purpose.<sup>9</sup> The Final Document also highlights the NPT nuclear weapons states' commitment to cooperate in accelerating the process of disarmament and to report on their disarmament activities at the 2014 NPT Preparatory Meeting.<sup>10</sup> With 189 states parties, the universalization of the NPT is nearly complete demonstrating the regime's international legitimacy. With this in mind, the Final Document outlines the next logical steps in moving forward with the nuclear non-proliferation agenda, by advancing the Fissile Material Cut-off Treaty negotiations and ratifying the Comprehensive Nuclear Test Ban Treaty.

4. Disarmament is occurring at national, bilateral and civil society levels. On a national level, reports regarding the Obama Administration's forthcoming Force Structure Review suggest that the United

States may build on the 2010 Nuclear Posture Review and unilaterally reduce the role of nuclear weapons in American security policy.<sup>11</sup> If for nothing else besides budgetary constraints, the Russian Federation is likely to follow such an initiative with reciprocal reductions. Bilateral disarmament efforts such as the signing of the New START in 2010 are highly significant because Russia and the United States collectively possess more than 90 percent of the global nuclear arsenal. The New START increases strategic stability by implementing a comprehensive monitoring and verification regime.<sup>12</sup> It also demonstrates that nuclear disarmament issues are not ‘untouchable’ and that large-scale reductions are possible in the current geopolitical context. Civil society, including NGOs and think tanks such as the Simons Foundation, Project Ploughshares and the Carnegie Endowment continue to advance a networked approach to disarmament, reinvigorating norms associated with the NPT regime, conducting research and informing voting publics.

### III. COUNTER-ARGUMENTS AND REBUTTALS

Counter-Argument for Main Arguments 1 and 2: The political and security value of nuclear weapons is not decreasing, as demonstrated by the weaponization programs currently underway in Iran and North Korea. The proliferation activities in these states demonstrate that nuclear weapons continue to serve the national security and international political interests of certain states.

Rebuttal: Nuclear disarmament does not exist in a vacuum, it is a function of the perceived level of threat in the international system. Judging from the actions of the majority of the world’s nation states, the security and political utility of nuclear weapons is declining, but *insecure* states may continue to rely on these weapons due to distorted threat perceptions. North Korea and Iran, which consider nuclear capabilities to be valuable for political and security reasons, can be juxtaposed with the 189 states parties to the NPT, which have committed to the Article VI mandate for ‘general and complete disarmament.’

Further evidence supporting the argument that the overwhelming majority of states in the international community deem nuclear weapons as having a diminishing political and security function includes: (i) Nuclear Weapons Free Zones; (ii) No First Use policies; (iii) movement towards minimal deterrence postures; (iv) voluntary cessation of weapons programs and (v) possible unilateral cuts in the near future.

### IV. CONCLUSION

This paper has argued that the provisions of Article VI of the NPT are in the long term process of being met. General and complete disarmament is occurring, albeit in the long run, due to (1) the declining political and security utility of nuclear weapons and (2) the reinvigoration of the nuclear disarmament agenda, at the national, bilateral, multilateral and civil society levels.

Moving forward, a networked approach to nuclear non-proliferation and disarmament could be beneficial, by incorporating both state and non-state actors as relevant stakeholders of NPT regime.

### WORKS CITED

Choubey, Deepti. 2010. “Understanding the 2010 NPT Review Conference.” *Carnegie Endowment for International Peace*. Accessed March 25, 2012.

<http://carnegieendowment.org/2010/06/03/understanding-2010-npt-review-conference/4rcg>

Cunningham, David. Gates, Scott. 2010. "The Impact of International Intervention on Conflict Trends." Presentation at the American Political Science Association. Washington, DC.

Graham Jr., Thomas. 2004. *Commonsense on Weapons of Mass Destruction*. Vancouver: UBC Press.

Kerr, Paul. Nikitin, Mary Beth. Woolf, Amy. Medalia, Jonathan. 2010. *2010 Non-Proliferation Treaty Review Conference: Key Issues and Implications*. United States Congressional Research Service. Washington, DC.

Kimball, Daryl. Crail Peter. Collina, Tom. 2012. "Nuclear Weapons: Who Has What at a Glance." Arms Control Association. Accessed March 25, 2012. <http://www.armscontrol.org/factsheets/Nuclearweaponswhohaswhat>

Nuclear Threat Initiative. 2011. "Civilian Uses of HEU." Accessed on 2 April, 2012. <http://www.nti.org/analysis/articles/civilian-uses-heu/>

Pifer, Steven. "President Obama, Deterrence and Nuclear Weapons." *Brookings Institution*. Accessed 25 March 2012. [http://www.brookings.edu/opinions/2012/0216\\_arms\\_control\\_pifer.aspx](http://www.brookings.edu/opinions/2012/0216_arms_control_pifer.aspx)

United Nations. 2010a. "Background." 2010 Review Conference of the States Parties to the Treaty on Non-Proliferation of Nuclear Weapons. Accessed March 25, 2012. <http://www.un.org/en/conf/npt/2010/background.shtml>

United Nations. 2010b. *Final Document of the 2010 NPT Review Conference*. Accessed 25 March, 2012. <http://www.un.org/en/conf/npt/2010/>

United Nations. 2012. *The Treaty on the Non-Proliferation of Nuclear Weapons*. Accessed 18 January, 2012. <http://www.un.org/en/conf/npt/2005/npttreaty.html>

United States. 2010. "New START Treaty Factsheet." Department of State. Accessed 25 March, 2012. <http://www.state.gov/t/avc/rls/139906.htm>

United States. 2012. *Sustaining U.S. Global Leadership: Priorities for 21<sup>st</sup> Century Defense*. Department of Defense. Accessed 25 March, 2012. [http://www.defense.gov/news/Defense\\_Strategic\\_Guidance.pdf](http://www.defense.gov/news/Defense_Strategic_Guidance.pdf)

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<sup>1</sup> United Nations 2012.

<sup>2</sup> United Nations 2010a.

<sup>3</sup> Nuclear Threat Initiative 2011.

<sup>4</sup> Graham Jr. 2004.

<sup>5</sup> Kerr, Nikitin et. al 2010.

<sup>6</sup> Cunningham and Gates 2010.

<sup>7</sup> United States 2012.

<sup>8</sup> Kimball, Crail, Collina 2012.

<sup>9</sup> United Nations 2010b.

<sup>10</sup> Choubey 2010.

<sup>11</sup> Pifer 2012.

<sup>12</sup> United States 2010.

## Doctoral Candidates Debate 1

### NUCLEAR SAFEGUARDS VERIFICATION

***Be it resolved that, in spite of limited resources, the IAEA should apply the same safeguards verification efforts in all countries, rather than focus its efforts on those known to be in non-compliance.***

#### IN FAVOUR

##### Argument presented by Vandana Bhatia

*Vandana Bhatia is a PhD candidate in Political Science at the University of Alberta. Her research focuses on the nuclear nonproliferation regime, nuclear weapons issues in South Asia, especially India, and nonproliferation policies of states, such the US, Canada and India. Her PhD dissertation, grounded in regime theory, analyses the change in the US nonproliferation policy toward India, and explores the rationale for the controversial 2005 US-India nuclear cooperation agreement. She has won several academic and research awards. She was awarded the prestigious Junior Research Fellowship, in International Relations including Defence and Strategic Studies, by the University Grants Commission, Government of India. Bhatia completed her BA (Honours), M.A. and M.Phil in Political Science, at the University of Delhi, India. Prior to commencing her PhD, she was an Assistant Professor at the University of Delhi and has worked as a research assistant at the University of Alberta.*

#### OPENING STATEMENT

In the absence of any inherent monitoring agency, the Nuclear Nonproliferation Treaty assigns the International Atomic Energy Agency (IAEA), established in 1957, to ensure the peaceful uses of energy by the non-nuclear weapon states. Trevor Findlay remarks, the IAEA is “the principal organisation embodiment of the nuclear nonproliferation regime.”<sup>1</sup> The IAEA through a system of nuclear safeguards ensures that peaceful nuclear materials are not diverted to military purposes. In accordance with Article III of the NPT, each nonnuclear weapon state (NNWS) is obliged to accept comprehensive (or full-scope) safeguards on its nuclear facilities. In this respect, NNWS sign individual agreements with the IAEA and declare their nuclear facilities and inventories of nuclear materials.<sup>2</sup> The classical safeguards employed a quantitative approach, especially focused on accountancy and control of nuclear materials, to assess the compliance of the states to non-diversion of peaceful nuclear materials to military purposes.<sup>3</sup> Nonetheless, in 1990s the cases of Iraq and North Korea highlighted the shortcomings of the classical safeguards system. With the entire focus of the IAEA on assessing the correctness of the state’s declarations of its nuclear facilities and materials, the inspections neglected searching for undeclared nuclear facilities and materials in possession of the state.<sup>4</sup> The IAEA has strengthened the nuclear safeguards as well as developed an Additional Protocol whereby the states are mandated to provide broader information including “all aspects of their nuclear fuel cycle-related activities, including research and development and uranium mining.”<sup>5</sup> In its attempt to ensure comprehensive coverage of the state’s nuclear activities, the strengthened safeguards have marked shift from quantitative to a qualitative approach—including remote monitoring, environmental sampling, and information from open sources—to assess the intentions of the states.<sup>6</sup> Moreover, facing a paucity of the resources, the IAEA has also developed a state-level approach. If states accept intrusive safeguards and IAEA verifies the correctness and completeness of the states’ nuclear activities, then the intensity of inspections can be decreased.<sup>7</sup>

Although, this measure is aimed at achieving IAEA objectives with minimal resources, so that the IAEA can focus on states with “perceived proliferation risk,”<sup>8</sup> but it has also generated substantial concerns.

## MAIN ARGUMENTS

**Perpetuates Discrimination:** The differentiation and flexibility, embedded in the State level approach (SLA), would perpetuate discrimination among the non-nuclear weapon states. The SLA has the potential to accord privileged status to some states, even though they may possess large civilian nuclear complexes. Similarly, the differentiation enshrined in the NPT, between nuclear weapon states and the non-nuclear weapon states, has generated a lop-sided global nuclear order—curtailing only the horizontal spread of nuclear technology. For instance, in accordance with the NPT, the NNWS are bound to accept full-scope nuclear safeguards while the NWS are privileged to accept voluntary IAEA safeguards on facilities of their choice. The privileged status accorded to the NWS, has resulted in large inventory of about 19,000 nuclear weapons, with 95% of these in possession of the U.S. and Russia.<sup>9</sup> Similarly, the global fissile material amounts to approximately 1440 tons with about 98 percent in the possession of the nuclear weapon states.<sup>10</sup>

**Need for Universalization of Safeguards:** The integrated safeguards—proposing to direct the verification efforts toward states with proliferation risk—can impinge on the credibility of the IAEA as well as the safeguards system as an attempt to promote Western interests. As Kenneth Boutin remarks, “Singling out individual states may be perceived as unfair discrimination and create a backlash, especially among non-aligned nations that already suspect the motives of the Western states that have been pressing them to accept strengthened safeguards.”<sup>11</sup> Already, there exists a “multi-tiered safeguards system.”<sup>12</sup> On the basis of nuclear verification procedures, states can be classified into several categories: NNWS that have adopted full-scope safeguards; NNWS that have adopted Additional Protocol and those that have not; NWS that have voluntary agreements; States with small nuclear programmes adhering to Small States Quantities Protocol (SSQP);<sup>13</sup> and finally, the defacto nuclear weapon state such as India, which remains outside the purview of the NPT, yet, signed a tailor made safeguards agreement with IAEA in 2008. Rather the need is for universalization of nuclear safeguards.<sup>14</sup> Several non-aligned states insist on an equitable balance of obligations and oppose the move to make Additional Protocol mandatory under Article III of the NPT.<sup>15</sup> These states resist the imposition of additional verification measures while the NWS are “immune from inspections with no obligation to reduce their levels of nuclear armaments or halt the ‘vertical escalation’ of their arms race.”<sup>16</sup> Thus, the need of the hour is for universalization of nuclear safeguards rather than selective and target country-based nuclear safeguards. In the absence of fulfilment of disarmament obligations, the resistance is building among the states against adoption of additional verification measures.<sup>17</sup>

**Compliance narrowly defined:** The question can be raised that the basic purpose of safeguards is to detect clandestine activities involving diversion of nuclear materials and technology from the peaceful to military uses. The NWS are “overt possessors of nuclear weapons under the NPT,”<sup>18</sup> therefore, it is argued that the concept of nuclear safeguards is inapplicable.<sup>19</sup> This is so because non-compliance has been defined narrowly focusing merely on diversion of the nuclear material or technology within the NNWS. Rather than enforcing compliance to Article IV alone, the need is to broaden the scope to include the pledge of nuclear disarmament enshrined in the NPT enshrined in Article VI.<sup>20</sup> The NWS were not deemed to enjoy the privileged status in perpetuity, instead, they have obligation towards nuclear disarmament, this entails making them accountable—through implementation of safeguards to ensure the gradual reduction of nuclear weapons as well as bringing the fissile materials, released from the dismantlement, under the IAEA safeguards.<sup>21</sup> As William Walker argues, “the regulatory situation in

all countries, including the NWS, should be approached as if the world is preparing for total nuclear disarmament, whether or not that is a desirable or realistic prospect.”<sup>22</sup>

## COUNTER ARGUMENTS

It is argued that the traditional verification measures, applied in proportion to the quantity of nuclear materials and size of the civilian nuclear programmes of the NNWS, entail intensive focus on monitoring states such as Canada and Australia, which do not pose any proliferation risk. This deflects attention from states with relatively smaller nuclear programmes but with high proliferation risk. In this context, it is argued that the IAEA has limited financial resources, therefore, an efficient allocation of resources requires reduction of verification measures on states considered as low risk and vice-versa. Such an approach is inherently flawed: First, if the main issue is paucity of IAEA resources, then adoption of inequitable measures, such as reduction of verification measures in some NNWS, neither seems to be a viable solution nor provides a credible justification. Rather, a logical solution would be to focus on enhancing financial resources as well as technical capacity of the IAEA. On the contrary, adoption of equitable measures, would lead to generation of support for the IAEA amongst the NNWS, which will strengthen its credibility. Second, ascertaining intention of the states, based on subjective factors, could create scope for political manoeuvrings as well as discrimination. Third, there is no guarantee that the so-considered low proliferation risk states, would stick to renunciation of nuclear weapons, and even in future, would never cross the threshold. Under Article X of the NPT, any state can withdraw with a six months’ notice, yet, remain in possession of all the nuclear materials and technology. The narrowing down of the verification measures could miss this change in intention. Finally, in addition to the NWS, the SLA would create another set of privileged states, including Canada and Australia, which accept the nuclear umbrella of their allies—thus, their military and political security concerns taken care of—with reduced verification burdens. On the contrary, the onus would be borne by the NNWS, without any nuclear umbrella, and additional verification measures to prove eternally their compliance to objectives of nuclear proliferation and disarmament.

## CONCLUSION

The differentiation approach embedded in the integrated safeguards, would lead to further discriminatory approach and create potential for singling out certain states for perceived proliferation risk. The creation of different categories of nuclear safeguards, for “good” and “bad” states would generate resistance amongst the NNWS and impinge on the credibility of the nuclear safeguards system. If the compliance is redefined in terms of nuclear disarmament obligations, the NWS would emerge as the biggest defaulters of the NPT. In the absence of equitable obligations and universal nuclear safeguards, the nuclear arsenals of the privileged few would remain secure and continue to make a mockery of the objective of achieving a nuclear weapons free world. If the world has to make a real progress toward disarmament it is important to bring the NWS also under the purview of IAEA safeguards, rather than burdening the NNWS with additional verification measures.

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<sup>1</sup> Trevor Findlay, Nuclear Energy and Global Governance: Ensuring Safety, Security and Non-Proliferation, (London and New York: Routledge, Global Security Series, 2011) 143.

<sup>2</sup> Kenneth Boutin, “93+10: Strengthened Nuclear Safeguards a Decade On,” Vertic Brief no. 2 (April 2004):2; Also see, “Integrated Safeguards in the Non-Nuclear Weapon States of the European Union,” Technical Sheets, ESARDA Bulletin, no. 41 (June 2009):83.

<sup>3</sup> Boutin, “93+10,” 2.

<sup>4</sup> ESARDA Bulletin, “Integrated Safeguards,” 83.

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<sup>5</sup> Ibid., 83.

<sup>6</sup> Oliver Meier, Fulfilling the NPT: Strengthened Nuclear Safeguards, VERTIC Briefing Paper, 00/2, (April 2000): 9.

<sup>7</sup> Ibid., 8-9.

<sup>8</sup> Victor Bragin, John Carlson and Russell Leslie, Integrated Safeguards: Status and Trends, The Nonproliferation Review (Summer 2001):108.

<sup>9</sup> Executive Summary, Global Fissile Material Report, 2011: Nuclear Weapons and Fissile Material Stockpiles and Production, Sixth Annual Report of the International Panel on Fissile Materials (IPFM: International Panel on Fissile Materials, 2011): 2. "In 2011, the global nuclear stockpile is estimated at over 19,000 weapons, including operational warheads and warheads awaiting dismantlement with the U.S. and Russia together holding over 18,000 of these weapons and other seven nuclear weapon states holding a combined total of about 1,000 weapons."(2)

<sup>10</sup> Ibid. "In 2011, the global nuclear stockpile is estimated at over 19,000 weapons, including operational warheads and warheads awaiting dismantlement with the U.S. and Russia together holding over 18,000 of these weapons and other seven nuclear weapon states holding a combined total of about 1,000 weapons."

<sup>11</sup> Boutin, "93+10," 6.

<sup>12</sup> Bragin, et al, "Integrated Safeguards," 108.

<sup>13</sup> Boutin, "93+10," 6.

<sup>14</sup> Annette Schaper, Viewpoint: The Case for Universal Full-Scope Safeguards on Nuclear Material, The Nonproliferation Review, (Winter 1998):73

<sup>15</sup> William Potter and Gaukhar Mukhatzhanova, Nuclear Politics and the Non-aligned Movement, Adelphi Paper 51:427 (2012) 106.

<sup>16</sup> Arnold Kramish, The Watched and the Unwatched: Inspection in the Non-proliferation Treaty, Adelphi Papers 7:36 (1967)1.

<sup>17</sup> George Perkovich and James M. Acton (ed.) Abolishing Nuclear Weapons: A Debate, (Washington D.C.: Carnegie Endowment for International Peace, 2009)14.

<sup>18</sup> Meier, "Fulfilling the NPT," 8-9.

<sup>19</sup> See, Caroline Jorant, International Safeguards in Nuclear Weapon States and a Look at the Future, Journal of Nuclear Materials Management, 38:3 (Spring 2010). "In short, the idea here would be to recognize that there would be no purpose for NWS that are allowed to produce nuclear material for their military program, to try to divert small or large quantities of materials that would not be equivalent in quality to what they have been using to build up their arsenals and stocks of materials... Hence the objective of safeguarding sensitive nuclear facilities in NWS would be to verify that the facilities as such are not used to produce direct weapons use materials." (112)

<sup>20</sup> Potter and Mukhatzhanova, "Nuclear Politics and the Non-aligned Movement," 106.

<sup>21</sup> Meier, "Fulfilling the NPT," 8-11; Also see, Schaper, "Viewpoint,"69-71.

<sup>22</sup> As quoted in Schaper, "Viewpoint,"78.

## Doctoral Candidates Debate 1

### NUCLEAR SAFEGUARDS VERIFICATION

***Be it resolved that, in spite of limited resources, the IAEA should apply the same safeguards verification efforts in all countries, rather than focus its efforts on those known to be in non-compliance.***

#### AGAINST

##### Argument presented by Adam Côté

*Adam Côté is a Ph.D candidate in the Political Science department at the University of Calgary, researching issues in international relations related to threat perception, decision-making and cooperation. He is particularly interested in issues related to outer space conflict and has engaged in research concerning the applicability of security theory to outer space issues and creating the conditions for outer space cooperation. He has published and presented on space security issues, including potential verification mechanisms for a space security treaty. Previously, he was employed as a Researcher with the Library of Parliament in 2010 and at the Canadian Department of Foreign Affairs and International Trade in 2009, where he worked on outer space security and remote sensing policy. He completed his BA in Human Rights and Law as well as his MA in International Relations at Carleton University in 2007 and 2010.*



#### I. OPENING STATEMENT AND THESIS

In 1968, given the destructive capacity of nuclear weapons, states adopted the NPT<sup>1</sup> with the objective of preventing their further dissemination.<sup>2</sup> In order to achieve this objective, the IAEA<sup>3</sup> was chosen as the organization responsible for verifying the *accuracy* of declarations made by signatories to the IAEA, negotiated under CSAs.<sup>4</sup> With the discovery of a clandestine nuclear weapons program in Iraq, the IAEA strengthened its verification efforts, seeking to verify both *accuracy* and *completeness* under the AP.<sup>5</sup>

This increased verification responsibility demanded extra resources from the IAEA, which were not available.<sup>6</sup> As a solution, the IAEA moved to Integrated Safeguards (IS), a state-level approach which attempts to create a holistic assessment of a state's nuclear program<sup>7</sup>, combining CAS and AP requirements into "an optimized combination of all safeguards measures available...to maximize effectiveness and efficiency within available resources."<sup>8</sup> The benefit of this is that, as the IAEA gains confidence in its ability to detect undeclared nuclear activity, it can refine its verification procedures, freeing resources for the inspection of non-compliant states.<sup>9</sup>

Potential increased scrutiny stemming from this reallocation of resources raises questions concerning the balance between scrutiny and fairness. Should the IAEA be able to reallocate resources in order to focus its verification efforts on non-compliant, perceived high-risk states while potentially decreasing scrutiny of perceived low-risk states? I will argue that the IAEA must focus its attention on countries known to be in non-compliance in order to press for compliance, provide assurance to the international

community that any compliance efforts are genuine, and achieve the objective of preventing proliferation.

My argument is based on three points. First, focusing on non-compliance is a proper allocation of resources designed to achieve the objectives of the NPT and IAEA safeguards. Second, the IAEA is one part of a larger verification regime and need not spread itself thin in order to accomplish what can be done through other facets of this regime. Finally, pursuing an approach of political fairness may actually undermine the work of the IAEA by decreasing member's trust in the verification regime.

## II. MAIN ARGUMENTS

Allocating verification resources without a consideration of proliferation risk is misallocation and an ineffective verification approach. This approach, found in traditional safeguard methods, allocates verification resources proportionally to the amount of nuclear material a state possesses. Therefore, significant resources are devoted to states at a low risk of proliferation, such as Canada, at the expense efforts directed towards high-risk states, such as Iran. This fails to focus attention on the problem – proliferation – and is a significant weakness of traditional safeguards.<sup>10</sup>

New approaches, such as IS, have been shown to reduce the burden on the IAEA and strengthen its ability to carry out verification missions while reducing the amount of resources required to achieve an adequate level of verification. Australia is a good example of this approach.<sup>11</sup> The use of IS allows the IAEA to get a holistic picture of a country's nuclear program, minimising verification efforts while allowing the IAEA to be confident that a state does not pose a proliferation risk. This is achieved by, for example, not verifying already verified material.<sup>12</sup> Given this, it seems inefficient to continue to allocate resources based on nuclear material and not proliferation risk. Diverting resources to efforts in states known to be in non-compliance and at a higher risk of proliferation provides the IAEA with flexibility and dynamism in its endeavour to prevent proliferation.

In addition, it is also important to note that IAEA safeguard verification is part of a larger non-proliferation regime. Other organizations and techniques supplement and aid the IAEA and represent what Robert Keohane has called a "regime complex."<sup>13</sup>

Thus, IAEA safeguard verification efforts need not be solely responsible for all aspects of non-proliferation, allowing the IAEA to focus its efforts on states known to be in non-compliance. Any decrease in scrutiny that may occur as a result of resource diversion can be supplemented by other aspects of the larger non-proliferation regime, leading to roughly the same scrutiny of low-risk states and increased scrutiny of high-risk states. Examples of this larger regime include the national technical means (NTM) of member states, which the IAEA regularly has access to<sup>14</sup>, commercial satellite imagery<sup>15</sup> (CSI) and UN Security Council enforcement mechanisms.

Lastly, choosing political fairness over proliferation risk may undermine the credibility of the IAEA, leading to undesired consequences. During the signing of the INF treat, Ronald Regan employed the slogan "Trust, but verify." Implicit in this saying is a trust *in* verification - a confidence that the efforts and approaches chosen to verify treaty obligations are trustworthy and credible, generally referred to as "adequate verification."<sup>16</sup>

Continuing to allocate resources without a consideration of proliferation risk, particularly when approaches such as IS and tools such as complementary access<sup>17</sup> exist and can potentially increase the

credibility of IAEA findings, is an inadequate verification strategy and can have potentially detrimental consequences. States may decrease their funding to the IAEA due to its perceived inadequacy; they may choose not to believe IAEA assurances, and may pursue economic or military sanctions against perceived proliferators in the face of IAEA reports to the contrary; or states may pull out of the NPT altogether, citing an inability to adequately ensure that potential adversaries are not pursuing nuclear weapons, thus potentially increasing proliferation. What is the price of complacency and inadequate verification in the name of political fairness? I would argue that the price is too high and the solution too simple: the IAEA should, and feasibly can, focus its safeguard verification efforts on states known to be in non-compliance and perceived to be a high proliferation risk.

### III. Counter-Arguments and Rebuttals

*Argument 1: Declaring a state to be in non-compliance is a political decision and focusing on states known to be in non-compliance amounts to political discrimination against particular states.*

Diverting resources to increase scrutiny and verification efforts towards states with an unfavorable standing in the international community is indeed a form of political discrimination. However, this is not the issue. The IAEA can maintain adequate verification of states consistently found to be in compliance. Innovation in verification approaches and the streamlining of verification procedures allows adequate verification while saving resources. Nothing in the IS approach or the AP prejudices one state over another. It is the actions of states that determine their fate. If a country typically in good standing with the international community, such as Australia, was found to be in non-compliance with IAEA safeguard requirements, additional resources would then be devoted to inspecting the Australian nuclear program. Therefore, the decision to shift resources from verification efforts in one state to another is not political, but is a result of previous verification efforts and is, in essence, a technical decision.

*Argument 2: The IAEA does not have the technical capability to adequately “baseline” a country under the IS approach. Therefore, the diversion of resources amounts to a decreased scrutiny capacity.*

Sacrificing scrutiny for cost savings is a potential problem and should not be ignored by the IAEA. However, this argument assumes that a decrease in IAEA scrutiny equals a significant decrease in overall scrutiny. This is misleading for two reasons. First, evidence has shown that the IS approach has actually strengthened the IAEA’s ability to carry out its efforts.<sup>18</sup> Eliminating inefficient inspection procedures is not decreased scrutiny, but efficient scrutiny. Second, this argument neglects the fact that the IAEA is part of a larger regime and has access to other significant verification tools. Even if there is decreased scrutiny through IAEA safeguards, this does not mean that low-risk states are not subject to any verification efforts. Instead, IAEA resources are diverted to potential problems while the larger regime, in combination with the IAEA, maintains adequate verification of low-risk states.

### IV. Conclusion

Based on this analysis, I contend that the IAEA should focus its verification efforts on states known to be in non-compliance instead of spreading its resources thin and seeking the same level and type of verification for all states. This contention is based on three arguments. First, a failure to do so is a misallocation of resources as new approaches and techniques exist to adequately verify low-risk states at a decreased cost, freeing up resources for more intense verification of high-risk states. Second, because the IAEA is only one piece in larger regime, any decreased scrutiny resulting from a reallocation of resources will be minimal compared to the benefits gained. Finally, in order to remain credible, the

IAEA must be able to be flexible in its response to potential proliferators. Having this flexibility allows IAEA verification efforts to focus on the problem they were intended to – proliferation.

## V. Additional Rebuttal Points

- Politics is inherent to international relations. Why should we expect compliance decisions to be non-political? Striving for “fairness” in decision-making attempts to de-politicize the international relations process. This is impractical and potentially undesirable.
- Though the IAEA has some police powers, it is not designed to be an agency that catches cheaters. This job is done more effectively by other parts of the regime, including NTM and the PSI.<sup>19</sup>
- While some states may avoid a non-compliance finding for political reasons, the IAEA should not be hamstrung when non-compliance is found. Two wrongs do not make a right.

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<sup>1</sup> The Treaty on the Non-Proliferation of Nuclear Weapons, also called the Non-Proliferation Treaty (NPT)

<sup>2</sup> “The Treaty on the Non-Proliferation of Nuclear Weapons,” (NPT) signed at London, Moscow and Washington, DC, 1 July 1968.

<sup>3</sup> International Atomic Energy Agency (IAEA), see NPT, Article III and Roland Timerbaev & Susan Welsh, “The IAEA’s Role in Nuclear Arms Control: Its Evolution and Future Prospects,” *The Non-Proliferation Review*, 1 no. 3 Spring/Summer 1994: 20-21.

<sup>4</sup> Comprehensive Safeguard Agreements. See David Fischer, *History of the International Atomic Energy Agency: The First Forty Years*, Vienna: IAEA Division of Publications, 1997, 296.

<sup>5</sup> Model Additional Protocol. See Fischer, 296.

<sup>6</sup> Jack Boureston and Yana Feldman, “Integrated Nuclear Safeguards: Development, Implementation, Future Challenges,” *Compliance Chronicles* 4, January 2007, 9.

<sup>7</sup> Boureston and Feldman, 10.

<sup>8</sup> “The Safeguards of the International Atomic Energy Agency,” IAEA Website, [http://www.iaea.org/OurWork/SV/Safeguards/documents/safeg\\_system.pdf](http://www.iaea.org/OurWork/SV/Safeguards/documents/safeg_system.pdf) (accessed March 16, 2012).

<sup>9</sup> Boureston and Feldman, 11.

<sup>10</sup> Kenneth Boutin, “93+10: Strengthened Safeguards a Decade On,” *VERTIC Brief* no. 2, April 2004, 3.

<sup>11</sup> Boureston and Feldman, 11, 16 & 19.

<sup>12</sup> Boutin, 5.

<sup>13</sup> Robert O. Keohane and David G. Victor, “The Regime Complex for Climate Change,” *Harvard Project on International Climate Agreements Discussion Paper* 10-33, January 2010, 4.

<sup>14</sup> Suzanna van Moyland, “The IAEA’s Programme ‘93+2’,” *Verification Matters* 10, 1997, 10.

<sup>15</sup> J.F. Keeley & J.K. Cameron, “The Need to Know: Commercial Satellite Imagery and IAEA Safeguards,” in Peter Gizewski (ed.), *Non-Proliferation, Arms Control and Disarmament: Enhancing Existing Regimes and Exploring New Dimensions*, Toronto, ON: York University, 1998.

<sup>16</sup> Michael Krepon, “The Politics of Treaty Verification and Compliance,” in Kosta Tsipis, David W. Hafemeister and Penny Janeway(eds.) *Arms Control Verification: The Technologies that Make it Possible*, Elmsford, NY: Pergamon-Brassey’s International Defense Publishers, 1986, 20-21.

<sup>17</sup> Theodore Hirsch, “The IAEA Additional Protocol: What It Is and Why It Matters,” *The Non-Proliferation Review* 11 no. 3, Fall/Winter 2004, 147-152.

<sup>18</sup> Boureston and Feldman, 19.

<sup>19</sup> “Proliferation Security Initiative,” US State Department Website, <http://www.state.gov/t/isn/c10390.htm> (accessed March 20, 2012).

## Doctoral Candidates Debate 2

### SPACE SECURITY

***Be it resolved that the weaponization of space is inevitable. If yes, explain why; if not, how is it best avoided?***

#### IN FAVOUR

##### Argument presented by Simon Palamar

*Simon Palamar is a PhD candidate in International Affairs at Carleton University's Norman Paterson School of International Affairs. His research interests include mediation and negotiation theory, nuclear non-proliferation and disarmament, patterns of armed conflict, empirical research methods, and international economic policy. His dissertation examines the role of diplomacy, security guarantees, and coercion in nuclear weapon program termination. He holds a BA (Joint Honours) in History and Peace and Conflict Studies and a MA in Global Governance, both from the University of Waterloo. He received several scholarships and awards during his graduate studies and interned at Project Ploughshares in 2008, where he worked on the non-proliferation, disarmament, and space security portfolios.*



#### OPENING STATEMENT

This paper will use a narrow definition of “weaponization,” to argue that yes, the weaponization of space is inevitable. I define “weaponization” as states deploying weapons such as anti-satellite (ASAT) weapons, or orbital bombardment systems, in orbit, and actively conducting military missions to gain some control over outer space.<sup>1</sup> This is different than militarization, which refers to states using space to support military operations on earth. I argue that the weaponization of space is inevitable for three reasons. First, other than technology, there is little to prevent states from putting arms in space. While this is not sufficient to cause countries to weaponize space, it is necessary. Second, since states use space-based assets to support terrestrial military operations, other states have an incentive to deploy arms in space to neutralize these support systems. Third, sending munitions into space and striking space-based assets with earth-based arms is well established by state practice. This has created an implicit understanding that space is a legitimate environment for military operations.

One caveat is necessary though: even if weaponization is inevitable, arms racing and large-scale armed conflict in space is not. Interstate violence has become very rare, despite states arming themselves. Conflict in space can still be avoided via deterrence, clear communication, and the codification of informal rules of conduct. However, to repeat my main message, the weaponization of space is inevitable. The conditions for it are right, there are incentives for it, and momentum - in the form of state behaviour - is moving towards weaponization.

#### THREE REASONS WHY THE WEAPONIZATION OF SPACE IS INEVITABLE

First, the weaponization of outer space is inevitable because there is nothing to prevent it. Specifically, there is no international body that can credibly prevent states from sending weapons into orbit. Nine countries are independently capable of putting objects in orbit.<sup>2</sup> Existing international law does not forbid it.<sup>3</sup> There is also no state that has a large enough technological and economic advantage that they could prevent any other state from introducing weapons into space (i.e. there is no “space hegemon”).<sup>4</sup> Technology is also mature enough to allow states to introduce weapon systems into orbit and control them from earth. This last point is particularly salient because of the invention of microsatellites that can be controlled from earth and maneuvered into close proximity of other satellites.<sup>5</sup> This is an example of the classic dual-use problem, and means that latent ASAT weapons are already in orbit. Given these permissive conditions, any number of “triggers” may prove sufficient to cause weaponization.

More importantly, there are self-interested reasons for states to weaponize space. For example, the US uses its Global Positioning Satellite (GPS) system to support military operations with navigation, and targeting data for smart munitions. Other satellite systems provide militaries with communications and reconnaissance. GPS is indispensable to the US and contributes to its military dominance. An illustrative example is that 40% of all the precision munitions (and 27% of all munitions) used by the US Air Force in the Second Gulf War used a GPS targeting system.<sup>6</sup> States that foresee potential armed conflict with the US thus have an incentive to be able to neutralize and/or destroy US space-based military assets. For a state like China, which is at a large military disadvantage to the US, the ability to strike US space assets helps level the strategic playing field.<sup>7</sup> While ground-based ASATs exist, a space-based system would reduce reaction times and allow states to hit satellites in orbits that their ground-based systems cannot reach.<sup>8</sup> States have made outer space a strategic asset that enhances their military capabilities. This makes taking steps to counter those abilities a necessity.

Finally, state practice, which has normalized space as a legitimate environment for military operations, makes weaponization inevitable. The US, China, and Russia have all demonstrated that land-based ASAT systems are viable and effective, and no state has objected to their legality.<sup>9</sup> Furthermore, as noted, states have militarized space by using satellites to provide support their military operations. Intercontinental ballistic missiles typically use extra-atmospheric trajectories to deliver their payloads. The US has placed highly maneuverable microsatellites (MiTEx) in orbit as a test bed for various military applications.<sup>10</sup> These microsatellites are not dedicated weapons, but as noted, their maneuverability and sensing capabilities make them ideal ASATs. States have already crossed the Rubicon: space is considered a legitimate environment for military operations. Basing weapons in space is a simple continuation of existing practice. The longer this trend of militarization goes on, the harder it will be to unwind with treaty-based arms control measures. Once state practice is established, it becomes harder to convince states to curb their sovereignty and stop behaviour that they believe benefits them.

## COUNTER-ARGUMENTS AND REBUTTALS

First, it is *not* in the interest of states to weaponize outer space. Achieving dominance in space-based weapons is impossible in the long run, as other states will counter one state’s weapon deployment with their own arms.<sup>11</sup> There is no “last move,” in an arms competition, making weaponizing space an irrational waste of resources.

This argument is incorrect, as even if there is no “last move,” there is first-mover advantage. If one state refrains from deploying orbital weapons, nothing prevents another state from doing so and gaining a temporary advantage. Furthermore, states rarely if ever achieve dominance in arms races (see nuclear

and naval arms races for examples), so simply because space dominance is unachievable in the long term does not mean states will not introduce arms there.

Secondly, treaties and customary international law (CIL) restrain states from placing nuclear weapons in orbit, prohibit military aggression, and prohibit some types of weapons. Thus, a comprehensive anti-space weapon treaty could stop the weaponization of outer space.

Unfortunately, this argument is flawed. Regrettably, states rarely but routinely violate treaties they've signed. An anti-space weapon treaty would not stop states that want to deploy weapons in space, since they would not sign it (see India, Israel, and Pakistan for a nuclear weapons analogy). The dual-use nature of satellites would make any treaty unverifiable, leading few states to trust in such a treaty, and making it unlikely.<sup>12</sup> Finally, as noted earlier, using space for military purposes is part of established state practice, and state practice fundamentally informs the content of CIL.<sup>13</sup>

## CONCLUSION

Basic logic dictates that states will introduce weapons into space. There is no legal regime or sufficiently dominant state that can prevent it – this means the permissive conditions needed for space weaponization to occur are present. Space is also a strategic asset that confers great military advantages to the US (the world's sole superpower). Weaponizing space offers other states a route to reduce the US' military preponderance. Finally, since the 1960s, states have developed and tested weapons that use extra-terrestrial trajectories and used earth-based ASATs to destroy satellites. In other words, state practice has established space as a legitimate environment for military operations and for transiting weapons.

## ADDITIONAL REBUTTALS

Arguing that weaponization is not inevitable means asserting that it will not happen on any scale, or under any circumstances. Thus, any argument that weaponization is not inevitable must demonstrate why *no* weapons will ever be introduced into space.

Arguing that weaponization will not occur also means one must demonstrate why space is a special case. States have weapons on earth, where the risks of use or misuse are much greater. So why not deploy weapons in space? There are advantages to doing so, and the human risks (especially when space-based weapons largely target satellites) are potentially smaller.

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<sup>1</sup> This definition is influenced by Joan Johnson-Freese, *Space as a Strategic Asset* (New York: Columbia University Press, 2007), 106-7, and Karl P. Mueller, "Totem and Taboo: Depolarizing the Space Weaponization Debate," *Astropolitics* 1.1 (2003): 4-28.

<sup>2</sup> Cesar Jaramillio, ed., *Space Security 2011* (Kitchener, ON: Pandora Press, 2011), 78; these are, the United States, Russia, China, the United Kingdom, France, Japan, India, Israel, and Iran.

<sup>3</sup> Nancy Gallagher and John D. Steinbruner, *Reconsidering the Rules for Space Security* (Cambridge, MA: American Academy of Arts and Sciences, 2008); Johnson-Freese; the 1967 *Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies* is quite unambiguous on this issue. Art. IV expressly prohibits states from orbiting weapons of mass destruction and basing military hardware on celestial bodies (i.e. asteroids, or the moon, for example), but conspicuously does not prohibit orbiting conventional arms; for more details see Michel Bourbonnière and Ricky J. Lee, "Legality of the Deployment of Conventional Weapons in Earth Orbit: Balancing Space Law and the Law of Armed Conflict," *European Journal of International Law* 18.5 (2008): 873-901.

<sup>4</sup> Gallagher and Steinbruner, 33, stress that no country – including the United States – has the capability to practice a "space denial" policy whereby they could prevent other states from orbiting weapon systems.

<sup>5</sup> Michael A. Levi and Michael E. O'Hanlon, *The Future of Arms Control* (Washington, D.C.: Brookings Institution Press, 2005), 40.

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<sup>6</sup> This statistic was calculated by the author using data from Robert S. Dudley, "The Gulf War II Air Campaign, by the Numbers," *Air Force Magazine* (July 2003): 36-42.

<sup>7</sup> Ashley J. Tellis, "Punching the U.S. Military's 'Soft Ribs': China's Antisatellite Weapon Test in Strategic Perspective," *Carnegie Endowment for International Peace*, Policy Brief 51 (2007).

<sup>8</sup> David Wright, Laura Grego, and Lisbeth Gronlund, *The Physics of Space Security* (Cambridge, MA: American Academy of Arts and Sciences, 2005), 156-158.

<sup>9</sup> Michael Krepon, "Lost in Space," *Foreign Affairs* 80.3 (2001): 2-8; Tellis, 1; India's Communication-Centric Intelligence Satellite, scheduled to be launched in 2014, will allegedly include experimental anti-satellite capabilities, see Neelam Matthews, "India Aims High With Satellite Technology," *Aviation Week* (November 10 2010)

[http://www.aviationweek.com/aw/generic/story\\_generic.jsp?channel=space&id=news/dti/2010/11/01/DT\\_11\\_01\\_2010\\_p24-262518.xml&headline=India%20Aims%20High%20With%20Satellite%20Technology&next=0](http://www.aviationweek.com/aw/generic/story_generic.jsp?channel=space&id=news/dti/2010/11/01/DT_11_01_2010_p24-262518.xml&headline=India%20Aims%20High%20With%20Satellite%20Technology&next=0)

<sup>10</sup> Jaramillo, ed., 159.

<sup>11</sup> Gallagher and Steinbruner, 33, argue that space dominance is beyond the capability of any single state.

<sup>12</sup> See James Fearon, "Bargaining, Enforcement, and International Cooperation," *International Organization* 52.2 (1998): 296-305 for a detailed discussion of why verifiability increases the likelihood of states concluding treaties.

<sup>13</sup> Jack L. Goldsmith and Eric A. Posner, *The Limits of International Law* (New York: Oxford University Press, 2005), 23-43; George Norman and Joel P. Trachtman, "The Customary International Law Game," *American Journal of International Law* 99.3 (2005): 541-580.

## Doctoral Candidates Debate 2

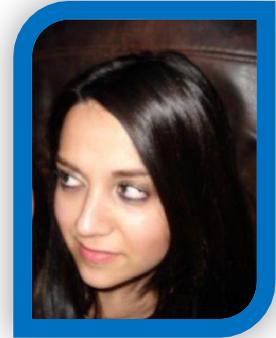
### SPACE SECURITY

***Be it resolved that the weaponization of space is inevitable. If yes, explain why; if not, how is it best avoided?***

#### AGAINST

##### Argument presented by Susan Khazaeli

*Susan Khazaeli holds a B.A. and M.A. in political science from the University of Toronto and the University of Windsor, respectively, and is currently a Ph.D. candidate in the School of Political Studies at the University of Ottawa. Her research is primarily concerned with negotiation and diplomatic culture, especially on issues related to nuclear (non) proliferation and disarmament.*



#### I. OPENING STATEMENT AND THESIS:

The weaponization of space is not inevitable, as both the empirical and normative record would attest. In fact, even as the US and the USSR competed for dominance in outer space in the early days of the cold war, the two took steps in order to prevent the use of space weapons.<sup>1</sup> This agreement resulted in the establishment of the Outer Space Treaty (OST) in 1967,<sup>2</sup> which outlawed space weapons.<sup>3</sup> For nearly 45 years, countries have respected the restrictions of the OST.

Despite the enduring commitment to the OST demonstrated by all spacefaring nations, the treaty is not entirely satisfactory. Specifically, the treaty does not place restrictions on the stationing of conventional weapons in orbit.<sup>4</sup> This omission has led some to believe in the inevitability of weaponization. Yet, technological advances do not happen by accident but through human action.

Given that the weaponization of space is not an unavoidable or unmanaged process, states should engage in multilateral negotiations to establish a framework with provisions for verification. At present, most states support the existing ban on space weapons.<sup>5</sup> In order to foster further agreement, negotiations must ensure that party states can access space for peaceful purposes, which includes exploration, scientific research, and even the deployment of non-weapons systems. The US – a key obstacle to negotiations – has indicated access to be a paramount concern.<sup>6</sup>

Because weaponization would undercut international stability, states must vow not to take action that would undermine the objectives of the Prevention of an Arms Race in Outer Space (PAROS) initiative. Instead, states must be persuaded to take confidence-building actions to attain PAROS. For example, negotiations could aim to clarify the legal framework, especially on the difficult issue of dual-use technology.<sup>7</sup> Measures such as this should be accompanied by other transparency and confidence building measures (TCBMs).<sup>8</sup>

One concrete way to strengthen the current non-proliferation regime is to extend the ban. Such a measure would help prevent the possible weaponization of space. It would require getting states to

agree to treat all classes of weapons, including nuclear and conventional weapons, in the same manner.

## II. MAIN ARGUMENTS:

The terms 'militarization' and 'weaponization' are used interchangeably. However, while the former refers to a range of activities in space, including the deployment and development of military technology, the latter refers to the stationing of actual weapons.<sup>9</sup> Often those who view weaponization as inevitable conflate the two terms. There is no evidence of weaponization, though militarization has been underway since the Soviets launched Sputnik-1 in 1957. States have likely eschewed weaponization because they appreciate the risks of not doing so.

Most states are opposed to the weaponization of space.<sup>10</sup> The OST has been respected for close to 5 decades, and there is diplomatic movement underway to build upon that existing framework.<sup>11</sup> It is therefore rather unexpected that weaponization is so frequently presented as a necessary eventuality. For instance, there is wide support for the creation of a committee within the Conference of Disarmament (CD) to discuss the prevention of space weaponization.<sup>12</sup>

One of the limitations of the current treaty is that it does not ban conventional weapons. It also lacks clarity on satellites and other devices with dual capabilities. However, China and Russia have recently advocated the expansion of the OST to include all kinds of weapons.<sup>13</sup> Given that China and Russia are key spacefaring nations, this should be seen as promising. It must also be understood as a concerted response to US policy.<sup>14</sup> In 2001, the US announced plans to expand military capabilities into space and unilaterally withdrew from the ABM.<sup>15</sup> This provocation undermined the core of the non-proliferation and disarmament regime.<sup>16</sup> It also threatened the stability of international security by prompting concerns about a possible arms race. Experts generally agree that weaponization would heighten security concerns for all states.<sup>17</sup>

Outer space must be limited to strictly peaceful purposes that are beneficial to all. Although the US has softened its stance under Obama, it still appears to want to – at minimum, reserve the weaponization option.<sup>18</sup> As a result, the US has consistently hamstrung negotiations on the establishment of any kind of legal regime that would restrict its access to space.<sup>19</sup> Despite the strong norm against weaponization, significant talks cannot move forward without the support of the US.

Weaponization must not be seen as the 'next' in sequence to American refractoriness. Such a view treats interests and identities as fixed. It neglects that states determine their environment by evaluating their interactions with other states. One way to improve security – and more specifically, increase support for revisiting the OST is to adopt TCBMs. Information exchanges and verification mechanisms can lessen uncertainty by making behaviour more predictable.<sup>20</sup> Requiring states to report all space activities or exercises is a concrete action that reduces fear and suspicion.<sup>21</sup> Such was the case in the cold war. Gorbachev changed US threat perceptions by changing behaviour (i.e. developing weapons only for defensive use), and the US eventually reciprocated. Thus, as states' perception of threat changes so will their interests, and CBMs should be seen as integral to the transformative process.

There are other measures that can prevent the weaponization of space. A multilateral ban on anti-satellite weapons (ASATs) could be a useful starting point both in terms of building confidence and in diverting a possible arms race. In addition, there needs to be a clear framework for monitoring and verification, such as mechanisms for dealing with non-compliance. Monitoring, observation, and information techniques are essential for a truly enforceable treaty.<sup>22</sup> States should move with urgency

to accomplish an agreement, as it is far easier to foster an agreement to prevent weapons in space than to remove them after they have been placed.

### III. COUNTER-ARGUMENTS AND REBUTTALS:

Counterarguments highlight the potential for reconnaissance. Since satellite surveillance allow for the monitoring of compliance with disarmament or arms reduction treaties, those who advocate weaponization may present it as a verification tool. This, however, confuses weaponization and militarization.<sup>23</sup>

Others have argued that weaponization is inevitable as there is nothing in place to prevent it from happening. Such thinking seems to imply that weapons manifest without the influence of individual decision-makers. Those who rationalize the supposed inevitability are unable to demonstrate why this *must* be so. A lack of assurances should not keep states from pursuing preventative measures. Rather, lessening the opportunities for armed conflict should motivate states.

That operational weapons have yet to be placed in space is no accident. It is the outcome of specific (in)action. Technology does not happen independent of other factors.<sup>24</sup> There needs to be both willingness and initiative to develop weapons. Given the high costs, states would require an incentive to invest weapons technology. In the absence of a persistent demand, it is uncertain why countries would want to do this.

One can only be certain that weapons are required for war. Although their presence is not a sufficient condition, it is a necessary one. States have strong incentives to prevent weaponization, particularly in view of the historic intractability of disarmament processes.

A case for weaponization, particularly by those who believe that the world would be safer and more secure under American leadership, continues to be made.<sup>25</sup> Weaponization by the US is a justified precaution to the possible threat of some potentially hostile (i.e. non-western) state doing so first. This camp acknowledges that weaponization by one state may lead others to follow and yet advocates reproducing the conditions of Mutually Assured Destruction (MAD). It (mis)places a great deal of confidence in American rationality and intentions.<sup>26</sup>

### IV. CONCLUSION:

Weaponization does not appear to be inevitable, but requires cooperation on the part of all states. The way to avoid weaponization and to prevent a destabilizing potential arms race is for all states to explicitly denounce weapons. Canada has encouraged states to “pledge” not to station weapons in space.<sup>27</sup> The possible consequences of weaponization should encourage states to work toward establishing a significant treaty that prohibits all classes of weapons.<sup>28</sup>

Negotiations should aim to establish a shared code of space conduct.<sup>29</sup> Some modest TCBMs could involve issuing alerts on orbital changes and re-entries, scheduled exercises and drills, and the exchange of information. Although these are not a replacement for a non-weaponization treaty, TCBMs must be seen as a graduated step toward the ultimate goal of attaining a mandatory legal and truly verifiable regime. Given that even the US has signalled openness, the time for diplomatic efforts is at hand.

## V. ADDITIONAL REBUTTAL POINTS:

Diplomatic negotiations are seen to be fruitless. First, it is said that countries are unwilling to compromise their security interests. In support of this is evidence of US obstinacy. However, states can be persuaded to support a non-weaponization treaty once they are convinced that doing so improves their security. Weaponization undercuts the security of all.

Second, skeptics point out that even if diplomacy resulted in a legally binding treaty, parties could always withdraw. This is a possibility, but not inevitability. States must come to appreciate what is meant by weaponization and the risks involved. If space were to become weaponized, then disarmament would be insurmountable. Why? Presumably one reason is that their owners envision their use.

## VI. BIBLIOGRAPHY:

"Understanding the Treaty," Institute for Security and Cooperation in Outer Space.

<http://www.peaceinspace.com/the-treaty>.

"Weaponization of Space," Nuclear Files: Project of the Nuclear Age Peace Foundation. Santa Barbara. Updated 2012. <<http://www.nuclearfiles.org/menu/key-issues/space-weapons/basics/introduction-weaponization-space.htm>>

Abbey, George and Neal Lane. "United States Space Policy Challenges and Opportunities." Cambridge: American Academy of Arts and Sciences, 2005.

Abbey, George and Neal Lane. "United States Space Policy: Challenges and Opportunities Gone Astray." Cambridge: American Academy of Arts and Sciences, 2009.

**Estabrooks, Sarah. "Preventing the Weaponization of Space: Options for moving forward." *Space Security*. Briefing 03-3. 31 March 2003. <http://www.ploughshares.ca/content/preventing-weaponization-space-options-moving-forward>.**

Gallagher, Nancy and John Steinbruner. *Reconsidering Rules for Space Security*. American Academy of Arts and Sciences, 2008. Available at <<http://www.cissm.umd.edu/papers/display.php?id=325>>.

Hitchens, Theresa. "Rushing to Weaponize the Final Frontier." *Arms Control Today*. September 2001.

Hitchens, Theresa. "Weapons in Space: Silver Bullet or Russian Roulette?: The Policy Implications of US Pursuit of Space-Based Weapons." CDI. Washington. 18 April 2002. <http://www.cdi.org/missile-defense/spaceweapons.cfm>.

ISROP Research. "Space Security." <http://www.international.gc.ca/armsarmes/isrop-prisi/research-recherche/space-espace/index.aspx?lang=en&view=d>.

Jaramillo, Cesar (Ed.). "Space Security 2011." Project Ploughshares. Waterloo: May 2011

Johnson-Freese, Joan. *Space as a Strategic Asset*. New York: Columbia University Press, 2007.

Meyer, Paul. "Diplomatic Options for Reinforcing Outer Space Security." The Simons Foundation. Vancouver. 19 May 2011. <http://www.thesimonsfoundation.ca/resources-priority/3>.

Mueller, Karl P. "Totem and Taboo: Depolarizing the Space Weaponization Debate." *Astropolitics: The International Journal of Space Politics & Policy*. Vol.1, No.1 (2003): 4-28.

Pavelec, Sterling Michael. "The Inevitability of the Weaponization of Space: Technological Constructivism Versus Determinism." *Astropolitics: The International Journal of Space Politics & Policy*. Vol. 10, No. 1 (2012): 39-48.

Podvig, Pavel and Hui Zhang. "Russian and Chinese Responses to U.S. Military Plans in Space." *American Academy of Arts and Sciences*. Cambridge: Cambridge University Press, 2008.

Selinger, Marc. "U.S. space dominance faces growing threat, officials say." *Aerospace Daily*. March 20, 2002.

Shah, Anup. "Militarization and Weaponization of Outer Space." *Global Issues*. 21 Jan. 2007. <<http://www.globalissues.org/article/69/militarization-and-weaponization-of-outer-space>>.

Space Security Resources. The Simons Foundation. Vancouver. <http://www.thesimonsfoundation.ca/resources-priority/3>.

The Simons Foundation. "Security in Space: The Next Generation," Conference Report, The Simons Foundation. Vancouver. 1 April 2008. <http://www.thesimonsfoundation.ca/resources/security-space-next-generation>.

Unclassified National Space Policy. Office of Science and Technology Policy. Executive Office of the US President. Washington. 6 October 2006.

United Nations. "General Assembly Adopts 49 Disarmament," International Security Texts on Recommendation of its First Committee, Press Release GA/9829. New York. 20 November 2000. <http://www.un.org/News/Press/docs/2000/20001120.ga9829.doc.html>.

United Nations. "Prevention of an Arms Race in Outer Space." United Nations General Assembly Resolution. A/RES/55/32. January 2001.

United Nations. "Resolution adopted by the General Assembly: on the report of the Special Political and Decolonization Committee." Fourth Committee A/66/425, United Nations Sixty-sixth Session Agenda item 51, (Vienna), 12 January 2012.

United Nations. "Security in Space: The Next Generation." United Nations Institute for Disarmament Research. Geneva. 1 April 2008. [http://unidir.org/bdd/fiche-activite.php?ref\\_activite=363](http://unidir.org/bdd/fiche-activite.php?ref_activite=363).

United Nations. "Space Security 2010: From Foundations to Negotiations." Conference Report, United Nations Institute for Disarmament Research. Geneva. 30 March 2010.

United Nations. "Space Security Conference 2011: Building on the Past, Stepping towards the Future." United Nations Institute for Disarmament Research. Geneva. 5 April 2011. [http://www.unidir.org/bdd/fiche-activite.php?ref\\_activite=599](http://www.unidir.org/bdd/fiche-activite.php?ref_activite=599).

United Nations. "Space Security: Next Steps in TCBMs." United Nations Institute for Disarmament Research. Geneva. 14 October 2010. [http://unidir.org/bdd/fiche-activite.php?ref\\_activite=555](http://unidir.org/bdd/fiche-activite.php?ref_activite=555).

United Nations. United Nations Office for Outer Space Affairs. Vienna. <<http://www.oosa.unvienna.org/>>.

Watson, Rob. "China test Sparks Space Arms Fears." BBC News. London. 19 January 2007. <http://news.bbc.co.uk/2/hi/asia-pacific/6278867.stm>.

Weiner, Tim. "Air Force Seeks Bush's Approval for Space Weapons Programs." *The New York Times*. New York. 18 May 2005.

Wright David, Grego Laura, and Lisbeth Gronlund, *The Physics of Space Security: A Reference Manual*, Cambridge: American Academy of Arts and Sciences, 2005. <http://www.cissm.umd.edu/papers/display.php?id=328>.

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<sup>1</sup> Even at the height of the Cold War, the US and the Soviet Union avoided the development of offensive space weapons. Despite experimentation with laser and nuclear explosives technologies as well as anti-satellite weapons, the rival powers signed the Anti-Ballistic Missile (ABM) Treaty in 1972, which banned either side from interfering with the other's spy satellites.

<sup>2</sup> The full name of the OST is Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies

<sup>3</sup> The OST bans the use of moon and other celestial bodies for the testing of any kind of weapon, the establishing of any kind of military installation or base, and the conducting of military exercise. United Nations, "General Assembly Adopts 49 Disarmament," International Security Texts on Recommendation of its First Committee, Press Release GA/9829, United Nations (New York), 20 November 2000. <<http://www.un.org/News/Press/docs/2000/20001120.ga9829.doc.html>>

<sup>4</sup> Tim Weiner, "Air Force Seeks Bush's Approval for Space Weapons Programs," *The New York Times*, (New York), 18 May 2005.

<[http://www.nytimes.com/2005/05/18/business/18space.html?\\_r=1&pagewanted=all](http://www.nytimes.com/2005/05/18/business/18space.html?_r=1&pagewanted=all)>

<sup>5</sup> United Nations, "General Assembly Adopts 49 Disarmament."

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<sup>6</sup> With the exception of the US and to a lesser degree Israel, the PAROS resolution enjoys nearly universal support. Many UN member states have expressed support for a Chinese proposal to renegotiate the outdated OST in order to prevent an avoidable arms race. See Paul Meyer, "Diplomatic Options for Reinforcing Outer Space Security," The Simons Foundation, Vancouver, 19 May 2011. <<http://www.thesimonsfoundation.ca/resources-priority/3>>

<sup>7</sup> For instance, it must also prohibit the use of land-based weapons intended for space. "Understanding the Treaty," Institute for Security and Cooperation in Outer Space, <<http://www.peaceinspace.com/the-treaty>>.

<sup>8</sup> Theresa Hitchens, "Weapons in Space: Silver Bullet or Russian Roulette?: The Policy Implications of US Pursuit of Space-Based Weapons," CDI (Washington), 18 April 2002. <<http://www.cdi.org/missile-defense/spaceweapons.cfm>>

<sup>9</sup> Cesar Jaramillo, (ed.). "Space Security 2011," Project Ploughshares. Waterloo: May 2011.

<sup>10</sup> Military use of space has been limited to communications and reconnaissance and, more recently, scientific and commercial pursuits. It is premised on the "high ground" principle that the positioning of weapons and technology in outer space gives a decisive advantage during peacetime and war operations due to intelligence, surveillance, and reconnaissance (ISR). See Hitchens, Theresa, "Weapons in Space: Silver Bullet or Russian Roulette?: The Policy Implications of US Pursuit of Space-Based Weapons."

<sup>11</sup> In late 2000, the UN General Assembly adopted a resolution on the "Prevention of Outer Space Arms Race." It received wide support. See "General Assembly Adopts 49 Disarmament, International Security Texts on Recommendation of its First Committee."

<sup>12</sup> "Weaponization of Space," Nuclear Files: Project of the Nuclear Age Peace Foundation, (Santa Barbara), Updated 2012. <<http://www.nuclearfiles.org/menu/key-issues/space-weapons/basics/introduction-weaponization-space.htm>>. However, since the CD operates on the basis of consensus, negotiations have been stifled by the US, which maintains that negotiations are premature.

<sup>13</sup> Sponsored by China and Russia, the Prevention of Placement of Space Weapons Treaty (or PPWT) is presently a draft treaty under review in the CD. Some delegations have criticized the draft's lack of meaningful verification provisions. One way forward would be hold significant discussions on the treaty. See "Security in Space: The Next Generation," Conference Report, The Simons Foundation, (Vancouver), 1 April 2008.

<<http://www.thesimonsfoundation.ca/resources/security-space-next-generation>>. For more on the Sino-Russian security dilemma, see Pavel Podvig and Hui Zhang, "Russian and Chinese Responses to U.S. Military Plans in Space," American Academy of Arts and Sciences, Cambridge, 2008.

<sup>14</sup> China destructed one of its own ageing weather satellites in space – entering an area previously occupied by the US and Russia. Many interpreted this as China expressing disapproval for US space policy. However, it also had the unintended consequence of solidifying the case for those cajoling US-led space weaponization. For more details, see Rob Watson, "China test Sparks Space Arms Fears," BBC News (London), 19 January 2007. <http://news.bbc.co.uk/2/hi/asia-pacific/6278867.stm>. See also Theresa Hitchens, "Weapons in Space."

<sup>15</sup> American concerns about its declining superiority has led to ominous future threat assessments despite the absence of concrete evidence any adversary has the technological capacity to threaten American interests. See Marc Selinger, "U.S. space dominance faces growing threat, officials say," Aerospace Daily, March 20, 2002. See also Theresa Hitchens, "Weapons in Space."

<sup>16</sup> Anup Shah, "Militarization and Weaponization of Outer Space." Global Issues. 21 Jan. 2007. <<http://www.globalissues.org/article/69/militarization-and-weaponization-of-outer-space>>.

<sup>17</sup> United Nations. "Prevention of an Arms Race in Outer Space," United Nations General Assembly Resolution, A/RES/55/32, January 2001.

<sup>18</sup> More recently in 2011, a Russian-led initiative attempted to generate support for TCBMs. This resolution passed unanimously with 1 abstention (US). American abstention should be seen as an improvement over the previous administration's vocal opposition. The Obama administration's National Space Policy signals a willingness to consider TCBMs.

<sup>19</sup> The US is keenly concerned with space control. It wants to ensure its access to space while denying enemy states the same. Unclassified National Space Policy, Office of Science and Technology Policy, Executive Office of the US President, (Washington), 6 October 2006. <http://www.whitehouse.gov/administration/eop/ostp>. For the possible implications of this strategy, see Theresa Hitchens, "Weapons in Space." See also see Theresa Hitchens, "Rushing to Weaponize the Final Frontier," Arms Control Today, September 2001.

<sup>20</sup> The Simon Foundation, "Space Security 2010: From Foundations to Negotiations."

<sup>21</sup> Ibid.

<sup>22</sup> United Nations, "Space Security Conference 2011: Building on the Past, Stepping towards the Future."

<sup>23</sup> Space systems are dual use technologies. For instance, the Global Positioning System (GPS) is widely used by commercial enterprises and ordinary citizens. It relies on satellite constellations that pinpoint locations with accuracy. However, the technology was developed for military command and control. For further discussion, see "Weaponization of Space," Nuclear Files: Project of the Nuclear Age Peace Foundation.

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<sup>24</sup> Pavel Podvig and Hui Zhang.

<sup>25</sup> For a position in favour of weaponization, see Sterling Michael Pavelec, "The Inevitability of the Weaponization of Space: Technological Constructivism Versus Determinism," *Astropolitics: The International Journal of Space Politics & Policy*, Vol. 10, No.1 (2012): 39-48.

<sup>26</sup> It is often assumed that American leadership will always be preferable because the US is rational and therefore capable of dispassionately assessing any situation. A close examination of US decision making during the Cuban Missile Crisis however quickly dispels such a notion.

<sup>27</sup> Paul Meyer.

<sup>28</sup> Pavel Podvig and Hui Zhang.

<sup>29</sup> As are outlined in the EU Code of Conduct.

## Closing Remarks

**Nadia Burger**

**Director, Defence and Security Relations Division  
Foreign Affairs and International Trade Canada**

*Nadia Burger is Director of the Defence and Security Relations Division at the Department of Foreign Affairs and International Trade. Over the course of her career in the Department and Canadian foreign service, she has had various assignments at Embassies abroad, including in Hanoi, Paris, and Beijing. At Headquarters her more recent assignments include Director of the South East and Oceania Division, Director of the Cabinet and Parliamentary Affairs Division, and Senior Departmental Advisor to the Minister of Foreign Affairs. Nadia Burger has a BA (Honours) in Political Science from McGill University and a MA in International Relations from the Graduate Institute of International Studies in Geneva.*

Chers collègues,

Après cette journée bien remplie, il me fait plaisir de conclure les débats avec le mot de la fin. Je voudrais tout d'abord féliciter chaleureusement les gagnants des débats et de remercier tous les participants.

The presentations today were very impressive and produced high quality debates on the four disarmament, arms control and non-proliferation themes.

It reconfirms the value that comes from these kinds of unique discussions among officials and expert communities on key policy issues. In today's world, it is often about choosing what policy instruments are most effective, and how we can best advance Canadian peace and security goals when national interests may differ. Advocating and finding common ground with other international players, especially those who possess capabilities which could threaten our peace and security interests, are part of the diplomatic instruments at our disposal.

Your contributions today on nuclear disarmament, nuclear safeguards verification, space security and the Fissile Material Cut-off Treaty are making a difference as they serve to inform the current development of Canada's policy on these non-proliferation priorities. And I want to thank you for that.

I hope that you also found the program a dynamic and useful one.

We are looking forward to hearing your thoughts on today's format so that we can continue to develop events like this one, bringing together post-graduate scholars and officials to discuss issues of common interest.

The Graduate Research Awards Program is a long-standing partnership of the Department's ISROP unit and The Simons Foundation.

Since 2003, the Graduate Research Awards Program has been an important part of the Department's research and outreach activities through the International Security Research and Outreach Programme (ISROP).

L'objectif de ces bourses est de former la prochaine génération de chercheurs canadiens sur des enjeux liés à la sécurité internationale, notamment le désarmement, le contrôle des armements et la non-prolifération.

We are proud of the Department's continuing role and partnership with The Simons Foundation to promote education in Canada in areas related to disarmament, non-proliferation and arms control.

We are also very grateful to The Simons Foundation for the continuing support to the program.

Therefore, let me convey our sincere gratitude to Dr. Jennifer Simons, whose commitment and energy is central to the Program's continuing success.

En posant un regard autour de la salle aujourd'hui, il est clair que le programme a atteint son objectif: promouvoir la recherche au Canada dans le domaine du désarmement et de la non-prolifération.

You should all be proud of what you have accomplished today! Once again congratulations to all participants and to our debate winners.

Thank you. Merci.

## Expert Review Panel

**Nancy Gallagher** is the Associate Director for Research at the Center for International and Security Studies at Maryland (CISSM) and a Senior Research Scholar at the University of Maryland's School of Public Policy. She co-directs the Advanced Methods of Cooperative Security Program, an interdisciplinary effort to address the security implications of globalization by developing more refined rules to regulate powerful, multipurpose technologies. Her current research projects assess different strategic logics for arms control, evaluate how to reduce risks associated with global nuclear energy use, and examine the relationship between American's religious beliefs and their attitudes towards nuclear weapons, climate change, and global poverty.



Before coming to the University of Maryland, Dr. Gallagher was the Executive Director of the Clinton administration's Comprehensive Test Ban Treaty Task Force. She worked with the Special Advisor to the President and the Secretary of State on recommendations to build bipartisan support for U.S. ratification.



**David Mutimer** is Director of the York Centre for International and Security Studies (YCISS) and Associate Professor of Political Science at YorkUniversity. His research considers issues of contemporary international security through lenses provided by critical social theory, as well as inquiring into the reproduction of security in and through popular culture. Much of that work has focused on weapons proliferation as a reconfigured security concern in the post-cold war era, and has tried to open possibilities for alternative means of thinking about the security problems related to arms more generally. In the past few years this programme of research has concentrated on small arms and light weapons. More recently he has turned his attention to

the politics of the global war on terror, and of the regional wars around the world presently being fought by Canada and its allies.

Jean-François Rioux is an Associate Professor in the Conflict Studies Program at Saint Paul University. His research addresses peacebuilding processes; the analysis of violent conflict; disarmament and arms control; the ethics of armed intervention; and the history of conflict resolution. He holds a Ph.D. in Political Science from Carleton University.

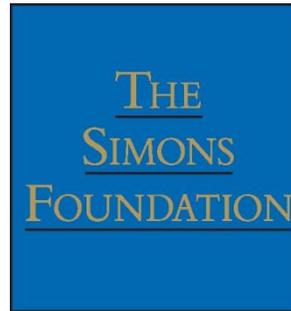


## Annex I

### Agenda for The Debates

*en français suivra*

**ISROP** **PRISI**  
INTERNATIONAL PROGRAMME  
SECURITY RESEARCH DE RECHERCHE  
AND OUTREACH ET D'INFORMATION  
PROGRAMME DANS LE DOMAINE  
DE LA SÉCURITÉ  
INTERNATIONALE



## Graduate Research Awards (GRA) for Disarmament, Arms Control and Non-Proliferation, 2011-2012 Competition

### The Debates

Foreign Affairs and International Trade Canada, 22 March 2012

#### 10:00 Opening Plenary

Robertson Room

**Isabelle Roy**, Director, Non-Proliferation and Disarmament Division, DFAIT

**Remarks by Dr. Jennifer Allen Simons**, President of The Simons Foundation

#### 10:30 Masters Candidates Concurrent Debates (with Q&A)

##### ***Fissile Material Cut-Off Treaty (FMCT)***

Robertson Room

Mira Chatt, Non-Proliferation and Disarmament Division,  
DFAIT (Chair)

##### **Debate Question:**

*Be it resolved that to advance a negotiations process and build consensus on the terms of a future Fissile Material Cut-Off Treaty (FMCT), the FMCT should be negotiated outside of the Conference on Disarmament (CD).*

##### **Abbie Desloges / In Favour**

Royal Military College of Canada

##### **Caroline Leprince / Against**

Université du Québec à Montréal

##### ***Nuclear Disarmament***

Skelton Lobby

Chris Grout, Non-Proliferation and Disarmament  
Division, DFAIT (Chair)

##### **Debate Question:**

*Be it resolved that the provisions of Article VI of the Nuclear Non-Proliferation Treaty (NPT) have not been met.*

##### **Hristijan Ivanovski / In Favour**

University of Manitoba

##### **Anton Bezglasnyy / Against**

University of British Columbia

#### 11:15 Coffee/Tea Break

Skelton Lobby

**11:30 PhD Candidates Concurrent Debates (with Q&A)**

***Nuclear safeguards verification***

Robertson Room

Ryan Hewer, Non-Proliferation and Disarmament Division, DFAIT (Chair)

**Debate Question:**

*Be it resolved that, in spite of limited resources, the IAEA should apply the same safeguards verification efforts in all countries, rather than focus its efforts on those known to be in non-compliance.*

**Vandana Bhatia / In Favour**

University of Alberta

**Adam Cote / Against**

University of Calgary

***Space Security***

Skelton Lobby

Julie Crôteau, Non-Proliferation and Disarmament Division, DFAIT (Chair)

**Debate Question:**

*Be it resolved that the weaponization of space is inevitable. If yes, explain why; if not, how is it best avoided?*

**Simon Palamar / In Favour**

Carleton University

**Susan Khazaeli / Against**

University of Ottawa

**13:30 Closing Remarks and Announcement of GRA Debate Winners**

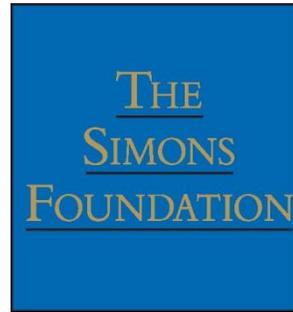
Skelton Lobby

**Dr. Jennifer Allen Simons**, President, The Simons Foundation  
(presentation of awards)

**Nadia Burger**, Director, Defence and Security Relations Division, DFAIT

**ISROP**  
INTERNATIONAL  
SECURITY RESEARCH  
AND OUTREACH  
PROGRAMME

**PRISI**  
PROGRAMME  
DE RECHERCHE  
ET D'INFORMATION  
DANS LE DOMAINE  
DE LA SÉCURITÉ  
INTERNATIONALE



## Bourses de recherche au niveau des études supérieures pour le désarmement, le contrôle des armements et la non-prolifération, compétition 2011-2012

### Les débats

Affaires étrangères et Commerce international Canada, 22 mars 2012

**10h** Séance plénière d'ouverture  
Salle Robertson

**Isabelle Roy**, directrice, Direction de la non-prolifération et du désarmement, MAECI  
**Dr. Jennifer Allen Simons**, présidente, The Simons Foundation

**10h30** Débats simultanés des candidats à la maîtrise (avec questions et réponses)

***Traité sur l'arrêt de la production de matières fissiles (FMCT)***

Salle Robertson Mira Chatt, Direction de la non-prolifération et du désarmement, MAECI (présidente)

**Question du débat:**

*Il est entendu que, pour faire progresser le processus de négociation et dégager un consensus sur les dispositions d'un futur Traité sur l'arrêt de la production de matières fissiles (FMCT), ce dernier doit être négocié en dehors du cadre de la CD.*

**Abbie Desloges / pour**

Royal Military College of Canada

**Caroline Leprince / contre**

Université du Québec à Montréal

***Désarmement nucléaire***

Salon Skelton Chris Grout, Direction de la non-prolifération et du désarmement, MAECI (président)

**Question du débat:**

*Il est entendu que les dispositions de l'article VI du Traité sur la non-prolifération des armes nucléaires (TNP) n'ont pas été respectées.*

**Hristijan Ivanovski / pour**

University of Manitoba

**Anton Bezglasnyy /contre**

University of British Columbia

**11h15** Pause-café/thé  
Salon Skelton

**11h30 Débats simultanés des candidats au doctorat (avec questions et réponses)**

**Vérification des matières nucléaires (Garanties)**

Salle Robertson

Ryan Hewer, Direction de la non-prolifération et du désarmement, MAECI (président)

**Question du débat:**

*Il est entendu que, malgré ses ressources limitées, l'Agence internationale de l'énergie atomique (AIEA) doit réaliser les mêmes activités de vérification des garanties dans tous les pays, au lieu de se concentrer sur les pays dont le non-respect est notoire.*

**Vandana Bhatia / pour**

University of Alberta

**Adam Cote / contre**

University of Calgary

**Sécurité spatiale**

Salon Skelton

Julie Crêteau, Direction de la non-prolifération et du désarmement, MAECI (présidente)

**Question du débat:**

*Il est entendu que l'arsenalisation de l'espace est inévitable. Si oui, expliquez pourquoi; sinon, comment peut-on l'éviter?*

**Simon Palamar / pour**

Carleton University

**Susan Khazaeli / contre**

University of Ottawa

**13h30 Mot de la fin et annonce des gagnants des débats des BRES**

Salon Skelton

**Dr. Jennifer Allen Simons**, présidente, The Simons Foundation  
(presentation of awards)

**Nadia Burger**, directrice, Direction des relations de défense et de sécurité, MAECI

## Annex II

### Application Information

#### 2011-2012 Graduate Research Awards in Disarmament, Arms Control and Non-Proliferation *en français suivra*

## GRADUATE RESEARCH AWARDS *for Disarmament, Arms Control and Non-Proliferation* 2011-2012

### Competition Details

*Graduate Research Awards for Disarmament, Arms Control and Non-Proliferation 2011-2012* are offered by The Simons Foundation and The International Security Research and Outreach Programme (ISROP) of the Foreign Affairs and International Trade Canada (DFAIT).

***The primary objective of the Graduate Research Awards is to enhance Canadian graduate level scholarship on disarmament, arms control and non-proliferation issues.***

A total of eight (8) awards of Cdn\$3,000 will be available to Masters and/or Doctoral students to support the research and writing of short position papers that will be presented in a debate format at the Graduate Research Awards (GRA) Debates in Ottawa hosted by Foreign Affairs and International Trade Canada (DFAIT). Awards include travel support to Ottawa (domestic transportation, accommodation, and meals) where successful candidates will be required to present their completed position papers in the form of a one-to-one debate during a special event at DFAIT in March 2012.

<b>Deadline for applications:</b>	<b>November 30, 2011</b>
<b>Selection of 16 short-list candidates:</b>	<b>December 21, 2011</b>
<b>Deadline for position papers:</b>	<b>January 20, 2012</b>
<b>Selection of 8 award recipients:</b>	<b>February 17, 2012</b>

### **HOW TO APPLY:**

Applications should be sent to Elaine Hynes at The Simons Foundation by email to: [elaine\\_hynes@sfu.ca](mailto:elaine_hynes@sfu.ca) by the close of business (PST) on November 30, 2011. Hard copies of official transcripts and other documents may be sent to follow by mail.

Your application must include:

- An introductory letter of interest that supports your candidacy for the GRA programme
- A writing sample (up to 1,000 words) that addresses non-proliferation, arms control and disarmament (NACD) issues
- Your resume, including proof of citizenship status
- A complete, official transcript of your grades
- A letter of reference from your supervisor
- A second letter of reference

## **ELIGIBILITY:**

Canadian citizens and Canadian permanent residents/landed immigrants are eligible to apply. Previous recipients of a Graduate Research Award are eligible to apply, but priority will be given to students who have not already participated in the programme in order to expand the community of Canadian scholars working on NACD issues.

## **SELECTION PROCESS:**

Following the initial review of applications, 16 candidates will be short-listed for further consideration. Applicants will be advised by December 21, 2011 if they have been selected as one of the 16 short-listed candidates. Each of the 16 short-listed candidates will be assigned one of the four pre-determined debate topics (see below) and will be required to research and write, individually and independently, a 1,000 word position paper arguing in favour or against, as instructed. Reading lists for each topic will be provided, along with a position paper template. Position papers must be submitted by January 20, 2012. The 8 students whose position paper is deemed to make the strongest argument for their assigned position will be notified by February 17, 2012 and will each receive a cash award of Cdn\$3,000.

## **GRA DEBATES:**

Award winners will be required to debate their positions at the GRA Debates hosted by DFAIT in Ottawa in March 2012. At the debates, additional monetary awards of \$2,000 will be presented to the 2 students who make the most effective arguments in support of their positions. The debates will be subject to Chatham House Rule and a report of the GRA Debates, including the position papers presented, will be published online by The Simons Foundation.

***Please note that attendance at the GRA Debates is a mandatory requirement of the award.***

*Domestic travel, accommodation and meal expenses will be provided by ISROP,  
in accordance with Government of Canada Treasury Board Guidelines.*

## **2011-2012 GRA DEBATE TOPICS<sup>1</sup>**

### **1. Nuclear Disarmament**

Arguments *in Favour* and *Against*: "Be it resolved that the provisions of Article VI of the Nuclear Non-Proliferation Treaty (NPT) have not been met."

### **2. Nuclear Safeguards Verification**

Arguments *in Favour* and *Against*: "Be it resolved that, in spite of limited resources, the IAEA should apply the same safeguards verification efforts in all countries, rather than focus its efforts on those known to be in non-compliance."

### **3. Fissile Material Cut-Off Treaty (FMCT)**

Arguments *in Favour* and *Against*: "Be it resolved that to advance a negotiations process and build consensus on the terms of a future Fissile Material Cut-Off Treaty (FMCT), the FMCT should be negotiated outside of the Conference on Disarmament (CD)."

### **4. Space Security**

Arguments *in Favour* and *Against*: "Be it resolved that the weaponization of space is inevitable. If yes, explain why; if not, how is it best avoided?"

Disclaimer: The views and positions expressed through the GRA programme are intended to stimulate academic debates as part of an annual youth education partnership jointly organized by The Simons Foundation and ISROP; the themes do not necessarily reflect the views of The Simons Foundation, Foreign Affairs and International Trade Canada or the Government of Canada.

<sup>1</sup> positions will be assigned to the short-listed candidates

# **GRADUATE RESEARCH AWARDS** ***for Disarmament, Arms Control and Non-Proliferation*** **2011-2012**

## ***Détails du concours***

Les **bourses de recherche au niveau des études supérieures (BRES) de 2011-2012 pour le désarmement, le contrôle des armements et la non-prolifération** sont offertes par la Simons Foundation et le Programme de recherche et d'information dans le domaine de la sécurité internationale (PRISI) du ministère des Affaires étrangères et du Commerce international (MAECI).

***L'objectif principal du programme de BRES est de promouvoir, au sein de la communauté étudiante de cycle supérieur du Canada, les connaissances sur les enjeux entourant le désarmement, le contrôle des armements et la non-prolifération.***

Huit bourses d'une valeur de 3 000 \$CAN sont offertes aux étudiants à **la maîtrise ou au doctorat** afin d'appuyer la rédaction de courts exposés de position et les recherches afférentes. Ces exposés seront présentés sous forme de débat au cours de consultations relatives aux BRES organisées par le ministère des Affaires étrangères et du Commerce international. Les bourses couvrent les frais de voyage à Ottawa (transport intérieur, hébergement et repas), où les candidats sélectionnés **devront** présenter leur exposé de position dans le cadre d'un débat de type face-à-face à l'occasion d'un événement spéciale qui se tiendra au MAECI en mars 2012.

<b>Date limite de présentation des candidatures :</b>	30 novembre 2011
<b>Présélection de 16 candidats :</b>	21 décembre 2011
<b>Date limite de remise des exposés de position :</b>	20 janvier 2012
<b>Sélection des 8 récipiendaires de la bourse :</b>	17 février 2012

### **PRÉSENTATION DES CANDIDATURES**

**Les dossiers de candidature doivent comprendre :**

- Une lettre d'intérêt appuyant votre candidature au programme de bourses de recherche;
- Un texte écrit de 1 000 mots traitant des enjeux liés à la non-prolifération, au contrôle des armements et au désarmement;
- Un curriculum vitae comportant votre statut de citoyen;
- Un relevé de notes officiel et complet;
- Une lettre de recommandation de votre superviseur;
- Une deuxième lettre de référence.

**Les dossiers de candidature doivent être soumis dans leur intégralité avant la fermeture des bureaux le 30 novembre 2011. Ils peuvent être acheminés à M<sup>me</sup> Elaine Hynes, de la Simons Foundation : [elaine\\_hynes@sfu.ca](mailto:elaine_hynes@sfu.ca)**

### **CRITÈRES D'ADMISSIBILITÉ**

Les citoyens canadiens, résidents permanents/immigrants reçus du Canada sont admissibles au programme. Les lauréats précédents du Prix de recherche des diplômés sont admissibles, mais la priorité sera donnée aux étudiants qui n'ont pas déjà participé au programme en vue d'élargir la communauté des chercheurs canadiens travaillant sur les questions de NCAD.

## **PROCESSUS DE SÉLECTION**

Une fois les candidatures passées en revue, 16 candidats seront présélectionnés. Nous communiquerons avec ceux-ci d'ici le 21 décembre 2011.

Chacun de ces 16 candidats se verra assigner l'un des quatre sujets de débat (voir plus bas). Il devra se documenter et rédiger, personnellement et de façon indépendante, un exposé de position de 1 000 mots faisant valoir des arguments pour ou contre, selon les directives reçues. Il disposera d'une liste de lectures de référence de même que d'un modèle d'exposé de position. L'exposé de position doit être remis avant le 20 janvier 2012. Les étudiants dont les exposés de position auront mis de l'avant les arguments jugés les plus solides pour et contre chacun des quatre sujets de débat recevront une bourse de 3 000 \$CAN. La sélection des huit lauréats se fera d'ici le 17 février 2012.

## **DÉBAT**

Les lauréats devront défendre leur position à l'occasion d'un évènement qui sera organisée par le MAECI à Ottawa en mars 2012. À l'issue de ces débats, les deux étudiants qui auront avancé les arguments les plus convaincants en faveur de leur position recevront des bourses supplémentaires de 2 000 \$. La règle de Chatham House s'appliquera au débat, dont la Simons Foundation publiera en ligne un compte rendu, qui comprendra les exposés de position présentés.

***Veillez prendre note que l'obtention de la bourse est conditionnelle à la participation aux consultations relatives aux BRES.***

Les frais de transport intérieur, d'hébergement et de repas seront pris en charge par le PRISI conformément aux lignes directrices du Conseil du Trésor du gouvernement du Canada.

Les récipiendaires des bourses seront avisés de leur sélection d'ici le 17 février 2012.

## ***SUJETS DU DÉBAT 2011-2012<sup>1</sup>***

### **1. Désarmement nucléaire**

Arguments pour et contre : « Il est résolu que les dispositions de l'article VI du Traité sur la non-prolifération des armes nucléaires (TNP) n'ont pas été respectées. »

### **2. Vérification des matières nucléaires (Garanties)**

Arguments pour et contre : « Il est résolu que, malgré ses ressources limitées, l'Agence internationale de l'énergie atomique (AIEA) devrait réaliser les mêmes activités de vérification des garanties dans tous les pays, plutôt que concentrer ses efforts sur les pays dont le non-respect est notoire. »

### **3. Traité sur l'interdiction de la production de matières fissiles (FMCT)**

Arguments pour et contre: « Il est résolu que, pour faire progresser le processus de négociation et établir un consensus sur les dispositions d'un futur Traité sur l'interdiction de la production de matières fissiles (FMCT), ce dernier devrait être négocié à l'extérieur du cadre de la Conférence du désarmement (CD). »

### **4. Sécurité spatiale**

Arguments pour et contre : « Il est résolu que l'armement de l'espace est inévitable. Si oui, expliquez pourquoi; si non, quels sont les meilleurs moyens de l'éviter? »

Avertissement : Les opinions et positions exprimées dans le programme de BRES ont uniquement pour but de stimuler un débat universitaire dans le cadre d'une activité éducative annuelle organisée en partenariat par la Simons Foundation et le PRISI; les thèmes retenus ne représentent pas nécessairement l'avis de la Simons Foundation, d'Affaires étrangères et Commerce international Canada ou du gouvernement du Canada.

<sup>1</sup> les positions seront assignées aux candidats présélectionnés