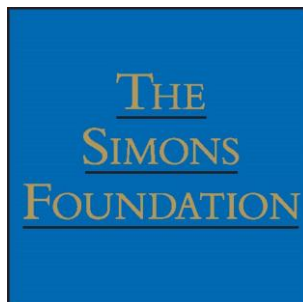


**Graduate Research Awards
for Disarmament, Arms Control and Non-Proliferation
2013 – 2014 DEBATES**



A Joint programme of



and

**The International Security Research and Outreach Programme (ISROP)
of Foreign Affairs, Trade and Development Canada (DFATD)**

**POSITION PAPERS PRESENTED BY RECIPIENTS OF THE 2013-2014
GRADUATE RESEARCH AWARDS FOR DISARMAMENT, ARMS CONTROL AND NON-PROLIFERATION**

February 21, 2014

Foreign Affairs, Trade and Development Canada (DFATD)
Lester B. Pearson Building, Ottawa, Canada

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 in 2003 (now known as Foreign Affairs, Trade and Development Canada). 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 over \$240,000.00 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 and four Master's Research Awards 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 offered to increase the funds available for the awards to allow a greater number of students to participate in the programme. This led ISROP to develop a new and innovative format for the GRA consultations held at DFATD headquarters in Ottawa which now consist of a series of live debates on timely issues.

This year, candidates presented arguments in favour and against the following topics:

Humanitarian Dimensions of Nuclear Weapons: “Be it resolved that the participation of Nuclear Weapon States in negotiations towards a legally-binding instrument banning the possession and/or use of nuclear weapons is a prerequisite for the establishment of an international norm ‘delegitimizing’ and recognizing the severe humanitarian consequences of nuclear weapons.”

Middle East WMD Free Zone and the NPT: “Be it resolved that the 2010 decision to convene a conference to establish a Weapons of Mass Destruction Free Zone in the Middle East (MEWMDFZ) should be implemented prior to the 2015 NPT Review Conference, irrespective of whether the prerequisites of peace and security in the region and the attendance of all regional partners can be achieved.”

Australia Group Membership: “Be it resolved that the prevention of the development of chemical and/or biological weapons, and/or their diversion to illicit networks and non-state actors, would be significantly improved by expanded membership in the Australia Group export control regime.”

Counter-Proliferation and Iran: “Be it resolved that the Nuclear Suppliers Group and the Proliferation Security Initiative are essential instruments, beyond the activities of the UNSC and IAEA, for preventing Iran from acquiring a nuclear weapons capability.”

Following an initial review of applications, 16 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 to 1,500 word position paper addressing both sides of the argument (“in favour” and “against”). 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 specific position to defend in person at the GRA Debates held at Foreign Affairs, Trade and Development (DFATD) headquarters in Ottawa on February 21, 2014. 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.

The GRA Debates provided a unique opportunity for exchange among departmental officials, Canadian opinion-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, Trade and Development Canada (DFATD) attended the sessions and DFATD hosted a working lunch in honour of the GRA recipients following the debates.

We wish to recognize Jasmin Cheung-Gertler of DFATD 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 further congratulate Michael Kelly, Alexandre Léger, Sarah Scott, David Torre, and Samuel Wollenberg who each received an additional cash prize of \$1,000.00 for their exceptional performance at the GRA Debates in Ottawa.

- Olivia Cimo - Public Policy and Administration, Ryerson University
- Michael Kelly - Political Science, Memorial University of Newfoundland
- Alexandre Léger - Public Policy and Administration, Concordia University
- Trevor Persi - International Affairs, Carleton University
- Timothy Sayle - Department of History, Temple University
- Sarah Scott - Public and International Affairs, University of Ottawa
- David Torre - Political Science, University of Calgary
- Samuel Wollenberg - Global Security & Conflict Resolution, University of Toronto

The 2014-2015 Graduate Research Awards competition will be launched in fall 2014. We look forward to welcoming the next round of award winners at the GRA Debates in winter 2015.

Jennifer Allen Simons, C.M., Ph.D., LL.D.
Founder and President
The Simons Foundation

Isabelle Roy
Director, Non-Proliferation and Disarmament Division
Foreign Affairs, Trade and Development Canada (DFATD)

Cover photo from left to right: Jasmin Cheung-Gertler of DFATD with some of the 2013-2014 Graduate Research Award recipients - Michael Kelly, Olivia Cimo, Sarah Scott, Trevor Persi, Alexandre Léger, Timothy Sayle, David Torrie (not pictured: Samuel Wollenberg).

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Opening Remarks

Isabelle Roy

**Director, Non-Proliferation and Disarmament Division
Foreign Affairs, Trade and Development Canada (DFATD)**

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 développement 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, Mme Roy a été lauréate du Prix des agents du service extérieur canadiens. Avant de se joindre au service extérieur canadien, Mme 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, je vous souhaite la bienvenue aux Ministère des Affaires étrangères, Commerce et Développement du Canada pour cette quatrième édition des Débats des lauréats des Bourses de recherche au niveau des études supérieures.

In particular, I would like to welcome the eight recipients of the 2013-2014 Graduate Research Awards for Non-Proliferation, Arms Control, and Disarmament.

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

This year's recipients are representing universities from across Canada and, as well, the United States. We would like to congratulate you on your awards.

I would also like to thank Dr. Jennifer Simons for her continued leadership on these issues and for the Simons Foundations' continued support of the Graduate Research Award program.

We would also like to recognize our colleagues at DFATD's International Security Research and Outreach Programme for their work in organizing today's event.

This is the fourth year that the Graduate Research Award Program will feature a series of debates. Today's debates come at a time when non-proliferation, arms control, and disarmament issues are at the top of international community's agenda.

Over the past year, WMD challenges in Iran and Syria have remained prominent. The implementation of the P5+1 interim nuclear agreement with Iran, the newly-begun negotiations on a P5+1/Iran comprehensive final nuclear agreement, and the international community's efforts to destroy Syria's chemical weapons are ongoing.

Countries will gather later this year for the third Preparatory Committee meeting for the 2015 Review Conference of the Nuclear Non-Proliferation Treaty. Intense discussions are expected as countries seek to ensure that all NPT States Parties are working to fulfill their non-proliferation and disarmament commitments.

The Group of Governmental Experts on a Fissile Material Cut-off Treaty will begin its work next month. Created by Canada's 2012 UN General Assembly Resolution, this Group will bring together 25 experts discuss the aspects of a future treaty banning the production of fissile materials.

In the past three years, our debates covered some of these NACD issues that we deal with on a daily basis. We believe that today's questions address some long-standing and emerging issues of particular interest.

Today's debates will be 35 minutes long, followed by 10 minutes for questions and discussion. We will operate under Chatham House rules, meaning discussions will not be attributable.

Following Dr. Simons remarks, the first debates will begin at 9:30. The first debate in the Skelton Lobby will address the humanitarian impact of nuclear weapons.

This topic is timely given that last week 146 countries attended a conference in Mexico to discuss the humanitarian impact of a nuclear weapon detonation. These discussions are viewed by some States and civil society groups as an opportunity to establish a humanitarian imperative to ban nuclear weapons.

Today's debate will consider whether the participation of the five Nuclear Weapons States in negotiations of an instrument to ban nuclear weapons would be necessary for such an instrument to effectively establish an international norm that would delegitimize nuclear weapons use.

Meanwhile in this room, the second debate will explore the Middle East Weapons of Mass Destruction (WMD) Free Zone and the NPT.

The commitment to host a conference to discuss a WMD Free Zone in the Middle East was included in the Action Plan agreed to at the 2010 NPT Review Conference. Many believe that a failure to convene such a conference would present a major challenge to a successful 2015 NPT Review Conference.

Today's debate will look specifically at whether interested parties should convene a conference to discuss the Middle East WMD Free Zone prior to the 2015 NPT Review Conference, even if pre-requisites, such as regional peace and stability and the participation of all key players, are not met.

The third debate in the Skelton Lobby will focus on the Australia Group.

The 42-member Australia Group is an export control regime that aims to prevent the proliferation of sensitive chemical and biological materials and technologies. As many developing countries expand their biological and chemical industries, questions remain as to whether a broader export controls are needed to prevent proliferation.

Today's question asks whether expanded membership in the Australia Group would enhance global efforts to prevent both the development of biological and chemical weapons and the illicit trafficking of these weapons or related materials.

Here in this room, the fourth debate will examine counter-proliferation efforts in the context of Iran.

With ongoing international concerns about the possible military dimensions of Iran's nuclear program, many countries are working to prevent the movement of nuclear weapons-relevant materials, technology, and knowledge into Iran.

Beyond the efforts of the UN Security Council and the IAEA, countries are also engaging in several voluntary counter-proliferation initiatives, such as the Proliferation Security Initiative and the Nuclear Suppliers Group, with a view to working together to control the movement of sensitive materials.

Today's question examines whether these voluntary initiatives are essential instruments in preventing Iran from developing a nuclear weapons capability.

We sincerely believe that today's debates will feature thought-provoking discussions on each of these topics.

After our two sets of debates, we will take a short break and a group of us will have the difficult job of selecting the four individual winners of our debates.. Our winners will be announced during our closing session. I encourage you all to return to the Robertson Room at this time to offer our congratulations to this year's Graduate Research Award recipients and debate winners.

I will conclude with the privilege of introducing to you, Dr. Jennifer Simons.

Dr. Jennifer Allen Simons is the President of The Simons Foundation, based in Vancouver. Through the Foundation's work, Dr. Simons has been a leader in research, advocacy, and action to advance several important issues including nuclear disarmament, peace, human rights, and global cooperation.

In 2003, Dr. Simons created the Graduate Research Awards for Disarmament, Arms Control, and Non-Proliferation, along with the Department's International Security Research and Outreach Programme. Since 2003, the Simons Foundation has continued to provide scholarships annually to Canadian students pursuing Masters and Phd. studies on arms control and disarmament issues.

Dr. Simons, the floor is yours.

Opening Remarks

Jennifer Allen Simons, C.M., Ph.D., LL.D.
Founder and 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, participating again, with Madame Isabelle Roy and her colleagues in the annual Graduate Research Awards seminar, a joint programme of the International Security Research and Outreach Programme of Foreign Affairs, Trade and Development Canada, and The Simons Foundation.

We have now enjoyed a twelve-year partnership in a programme that I believe is a worthwhile contribution in the development of specialist expertise on Canadian Foreign Policy in Disarmament in universities across Canada.

I am sure I can speak for both the Foreign Affairs and The Simons Foundation to say we are pleased to provide students, in this field, with the opportunity to contribute to Canada's foreign policy, to benefit financially, and to a possible path for future career choice.

The programme is organized and managed expertly and efficiently by Jasmin Cheung-Gertler, of the Department, and Elaine Hynes from The Simons Foundation. They are to be congratulated for their continuing excellent organization of this event.

Congratulations also to the recipients of this year's Awards. I am looking forward to the Debates on the Humanitarian Dimensions of Nuclear Weapons; on the Middle East Weapons of Mass Destruction Free Zone free of Weapons and the NPT; Counter Proliferation and Iran; and on an enlargement of membership in the Australia Group export control regime. These subjects are among the critical issues of the time and I wish all debaters much success and look forward to the outcome.

The question on the Humanitarian Dimensions of Nuclear Weapons is timely because just last week the Second Conference on the Humanitarian Impact of Nuclear Weapons, hosted by the Government of Mexico, took place. Canada was well-represented with a three-member Canadian Government Delegation, four members of Canada's academic and NGO community, and by Canadian citizen and Hiroshima survivor, Setsuko Thurlow, who gave a most moving presentation.

The number of states represented grew by nineteen from the first conference in Oslo, bringing the total to 146. Before the event, the Government of Austria announced that Austria would convene a third conference before the end of this year. I understand that South Africa and New Zealand will also host further conferences.

It was disappointing, but not unexpected, that the nuclear weapons NPT member states did not participate. Though the momentum is certainly growing to prohibit nuclear weapons on the grounds that they are a threat to humanity and contrary to International Humanitarian Law, is difficult to know if these conferences will move the issue of nuclear disarmament forward. Until the NPT nuclear weapons states engage progress will be difficult.

A few months ago, I heard that the United States regretted not participating in the Oslo Conference and planned to be present in Mexico. However, - and this may be just gossip - I was told at the conference that the list of conditions they wished to impose was unacceptable.

The Center for Strategic and International Studies, a Washington organization, concerned that some NATO "governments are supporting and encouraging opposition to NATO's policy of nuclear deterrence," encouraged the three NATO nuclear states to participate in order to make the case for deterrence, and argued that these conferences on the Humanitarian Impact of Nuclear Weapons will tilt "the balance between disarmament and non-proliferation in the NPT regime" ¹ - in effect treating the NPT as a static entity, rather than - in essence - a Treaty for the non-proliferation and elimination of nuclear weapons.

The Simons Foundation's work on nuclear disarmament is primarily carried out through Global Zero of which I am Founding Partner. Interest was expressed in the Global Zero Action Plan. Bruce Blair, the Co-Founder of Global Zero, and a panellist at this conference, was approached by several of the official delegates including the Austrian Ambassador all of whom expressed interest in the Global Zero Action Plan.

The Global Zero Action Plan is a step-by-step plan for the phased, verifiable, multilateral elimination of all nuclear weapons by 2030, accompanied by a legally binding accord which would be negotiated in Phase III of the plan - 2019-2023 - a plan consistent with Point One of UN Secretary-General Ban Ki-Moon's 5-point Proposal for nuclear disarmament: *a framework of separate, mutually reinforcing instruments*.

Here last year, I presented my thoughts on the prospects for nuclear disarmament following the re-election of President Obama. I was overly optimistic and did not take into consideration the possible outcome of Mr. Putin's return to the Presidency. President Obama, in his speech in Berlin *did* announce that he would "seek negotiated cuts with Russia" to the nuclear arsenals -

and his intention was to seek cuts to 1000 – the number consistent with the Global Zero Action Plan. And, as well, to “seek **bold** reductions in U.S. and Russian tactical weapons in Europe.”

Following the Berlin speech, President Obama wrote a letter to President Putin which was not answered for months, partly because Edward Snowden came on the scene, and the moment was lost. President Putin has now added space security to the previously named existing obstacles to further reductions – (missile defence, CFE and conventional weapons.)

I **have** heard that the United States believes there is a possibility for success in negotiating the removal of tactical weapons from Europe. There is the pressure of economic issues, US budget, cost of the B-21 upgrade; and in Europe, political and budget issues around the purchase of necessary replacement aircraft. It is commonly agreed that in NATO “everything depends on where the United States stands.”² Article 5 of the NATO document states that elimination of tactical nuclear weapons from Europe requires reciprocity from Russia. So if President Obama is serious, the approach for the US would be to have the reciprocity condition removed from the NATO document; or, alternately for the US to unilaterally repatriate its tactical nuclear weapons.

President Obama does have the power under the US Constitution to act unilaterally, to make unilateral cuts to the nuclear arsenals. He does not require the approval of Congress. And he **has** announced that he intends to use this power in order to achieve some portions of his agenda.

Two years ago, at the Munich Security Conference, Global Zero presented its NATO-Russia Commission Report on Removing *U.S. and Russian Tactical Nuclear Weapons from European Combat Bases*. [I do have 2 copies of this Report with me]

Global Zero has now has partnered with the Chicago Council on Global Affairs on a Task Force on *Removing Nuclear Weapons in Europe*. The President of the Chicago Council on Global Affairs is Ivo Daalder, Former U.S. Permanent Representative to NATO, an Obama appointee.

The Task Force, co-Chaired by former US Secretary of State, Madeline Albright and Sir Malcolm Rifkind, the current Chair of Intelligence and Security Committee in the British Parliament, will develop recommendations for a pathway “for reducing nuclear threats facing Europe and improving alliance deterrence of common threats.” The first meeting was held on the sidelines of this year’s Munich Security Conference and the next will be in London on March 10th.

I am going to stray from my comments and say that I was disappointed that there was no representation from Canada at the Munich Security Conference, the key global security conference with representation from the highest level of governments.

My perception from the conference was that a rhetorical Cold War – hopefully only rhetorical - was taking place with an aggressive anti-Russian statement from NATO Secretary-General, Anders Fogg Rasmussen; followed by a rebuke from Russian Foreign Minister Sergey Lavrov, who said that he had met with Mr. Fogg Rasmussen and none of this was mentioned; and that it would be more appropriate to present these views to the NATO-Russian Council rather than to an audience.

Lavrov's comments were essentially directed at East-West divisions with reference to the early "hope for a common European home" the more relevant "space" provided by the OSCE, "the goal to create a common European, European Atlantic and Eurasian security community." He talked of "collective successes" such as Syria and Iran. He was critical of "the plan to create the European segment of the US Anti-ballistic Missile" which he referred to as adding "a 'nuclear-missile shield' to the 'nuclear sword'".³

Mr. Lavrov was asked about, and declined to comment on, the possible violation of the Intermediate-Range Nuclear Forces (INF) Treaty and I believe that the Obama Administration, having "not formally confirmed" the "alleged breach" is in a quandary over how to address it.⁴

U.S. Secretary of State, John Kerry, focussed on US-European relations, mentioned the help of Russia, but only along with several other states, in removing chemical weapons from Syria; and in reaching agreement with Iran on rolling back its nuclear programme.

There was mutual sniping on interference in the Ukraine etc.

And generally, it appeared that the earlier *reset* of US-Russia relations has become an *upset*. So the prospects for reciprocal major cuts to the U.S. and Russian arsenals looks exceedingly bleak – at least from the Russian side. The United States may decide to repatriate its nuclear weapons.

In order to maintain the momentum of nuclear reductions and disarmament, and to maintain relations, or overcome the current stalemate, with Russia, it is wise to seek [explore?] other avenues which hopefully would lead back to the main road. The opening of Iran may lead to this route.

Global Zero - in partnership with the Russian International Affairs Council (RIAC) - is creating a task force on the Middle East Weapons of Mass Destruction Free Zone. The task force is co-chaired by Igor Ivanoff, Former Russian Minister of Foreign Affairs and Tom Pickering, former U.S. Ambassador, with strong involvement from Nabil Fahmy, the current Egyptian Foreign Minister and with support from the King Faisal for Research and Islamic Studies. It will be a Track one-and-a-half event bringing together 30-40 current and former senior government officials from key countries in the Middle East – including Israel (Israel has agreed to participate) and the United States, Russia and Europe. The task is to develop a politically and technically actionable framework for governments to establish a verifiable WMD-free zone in the Middle East. The first meeting of the group will be in Rome in June of this year.

All of this is relevant to today's debates and I have gone on long enough! So I will now reiterate my deep interest in your subjects, and again, I wish you all well in the debates.

Thank you!

¹ “CSIS European Trilateral Nuclear Dialogue 2013 Consensus Statement 24 January 2014” www.CSIS.ORG

² Oliver Meier and Simon Lunn, “Trapped: NATO, Russia, and the Problem of Tactical Nuclear Weapons” www.armscontrol.org. January/February 2014

³ www.mid.ru/brp_4.nsf/0/90C4D89F4BF2B54344257C76002ACE67, 05/02/2014

⁴ “Russia-U.S. Arms Control Malaise, *Basic* 10/02/14

Debate 1

HUMANITARIAN DIMENSIONS OF NUCLEAR WEAPONS

“Be it resolved that the participation of Nuclear Weapon States in negotiations towards a legally-binding instrument banning the possession and/or use of nuclear weapons is a prerequisite for the establishment of an international norm “delegitimizing” and recognizing the severe humanitarian consequences of nuclear weapons.”

IN FAVOUR

Argument presented by Trevor Persi

Trevor Persi currently works with Foreign Affairs, Trade and Development Canada in the physical security abroad division and with the SecDev Group as an open source analyst. He holds a B.A. (Hons) in criminology and sociology from the University of Toronto (2012) where he graduated with distinction. He is currently finishing his M.A. in international affairs at the Norman Paterson School of International Affairs, Carleton University (2014) where he specializes in the field of international security. He can be reached at trevor.persi@alum.utoronto.ca.

I. BACKGROUND

Informed by the “sheer horror” in Hiroshima and Nagasaki, the idea of eliminating nuclear weapons has existed since 1945, and was enshrined in the first ever resolution in the UN General Assembly (UNGA).¹ Since then, a conventional approach to nuclear disarmament has emerged which involves a “step-by-step” process to eliminate nuclear weapons. However, this process has been slow and ineffective. For example, the Conference on Disarmament (CD), the main multilateral forum for disarmament affairs, has once again failed to adopt a Programme of Work for its 2013 session due to its inability to reach consensus. Furthermore, the CD has not negotiated a treaty since the Comprehensive Nuclear Test-Ban Treaty in 1996, which itself has yet to enter into force. Additionally, the prospects of a Fissile Material Cut-Off Treaty (FMCT) are bleak. Moreover, the non-proliferation regime with the Non-Proliferation Treaty (NPT) as its cornerstone is fragile. The regime continues to face the risk of horizontal proliferation and several NWS are modernizing their nuclear arsenals. For their part, the non-nuclear weapon states (NNWS) are becoming increasingly frustrated with the divide established by the NPT and the lack of progress on nuclear disarmament.

Many states and civil society organizations, which view this phased approach as ineffective, have advanced the idea of an all-encompassing, legally-binding ban on the possession and use of nuclear weapons. This is part of a larger effort to reframe the disarmament debate by shifting the focus away from lingering Cold War thinking toward humanitarian concern. The humanitarian impacts of nuclear weapons are well-established in history and have been acknowledged by a host of experts in a number of fields. The International Campaign to Abolish Nuclear Weapons and the International Committee of the Red Cross have worked extensively on this matter, and the latter has demonstrated that an adequate humanitarian response to the

detonation of a nuclear weapon is not feasible.² Governments have also expressed similar fear. In 2010, the NPT Review Conference for the first time voiced “its deep concern at the catastrophic humanitarian consequences of any use of nuclear weapons.”³ More recently, in October 2013, the New Zealand Ambassador to the UNGA echoed these remarks on behalf of 124 countries, but went even further, suggesting that an awareness of the humanitarian impact “must underpin all approaches and efforts towards nuclear disarmament.”⁴ If a ban on the possession and/or use of nuclear weapons is to be negotiated, the following question arises: is the participation of the NWS necessary to establish a norm delegitimizing nuclear weapons and recognizing their humanitarian impacts?

II. IN FAVOUR

a) A ban negotiated without the involvement of the NWS will weaken existing norms.

It is difficult to imagine a ban being negotiated without the involvement of the most important players. In this case, the NWS are those players. The NWS have a massive stake in how nuclear disarmament is approached, as their national security strategies still rely extensively on their nuclear weapons. Nuclear deterrence and mutually assured destruction are still pertinent concepts to the leaders of nuclear-armed states. As such, reframing the disarmament debate away from security-style thinking toward the humanitarian concerns requires that the states which hold the former views be part of this process. If the goal is to eliminate nuclear weapons, then India, Pakistan, Israel, and North Korea will eventually have to destroy their stockpiles as well, and as such, should be part of this process. Conceivably, these states will not participate in negotiating a ban if the NWS do not. Having the NWS participate will naturally reinforce the norms against nuclear weapons, and a ban with their support would truly delegitimize nuclear weapons.

b) A ban is more likely to be indefinite with the involvement of the NWS.

In October 2013, the Australian Ambassador to the UN spoke on behalf of 17 states in the First Committee, arguing that a ban on nuclear weapons “will not guarantee their elimination without engaging substantively and constructively those states with nuclear weapons.”⁵ Negotiating a ban without the NWS is risky. A ban that entered into force without the NWS involvement would not bring about the destruction of any nuclear weapons. Such a ban would weaken the norms against nuclear weapons rather than strengthen them. Further, states which are frustrated by this new status-quo might withdraw from this treaty, or worse, launch domestic nuclear weapons programs. Both scenarios represent steps backward from the status-quo. Conversely, a ban that is negotiated with the NWS as part of the process has a greater chance at longevity because the NWS will be able to influence the terms of the ban.

III. AGAINST

- a) *Norms against nuclear weapons already exist and thus the participation of the NWS is not required.*

The use of nuclear weapons would run contrary to existing international humanitarian law, and most notably, breach the principles of proportionality and distinction.⁶ In its 1996 advisory opinion, the International Court of Justice found that the threat or use of nuclear weapons would “generally be contrary to the rules of international law.”⁷ Moreover, the goal of a world without nuclear weapons is firmly embedded in the NPT, and a strong “nuclear taboo” already exists among NNWS. The Conference on the Humanitarian Impact of Nuclear Weapons recently held in Oslo, Norway, is strong evidence of this taboo. Thus, the presence of the NWS at the negotiating table is not required because norms already exist.

- b) *The success of other weapon bans negotiated without the NWS illustrates that their participation is not a prerequisite.*

China, Russia, and the US are non-parties to the Mine Ban Convention (MBC) and the Convention on Cluster Munitions (CCM). France and the UK have ratified both but were not instrumental in the negotiation process. In the case of the MBC, it was a “core group” of interested states, NGOs, and international organizations that were initially involved in the Ottawa Process in 1996 where solutions to the roadblocks of the MBC were devised.⁸ The MBC was also negotiated and entered into force despite ardent opposition from large military powers. Likewise, through the Oslo Process, a similar core group was able to facilitate agreement on the CCM.⁹ Thus, bans have been negotiated in the past without the NWS and the same can be done in the future.

- c) *Involving the NWS risks weakening the existing norm by “watering down” the ban, by drawing out its entry into force, or by completely halting negotiations.*

If involved, the NWS would have enormous influence on the negotiation process and the final document, which may take on a drastically different form than it would without their contribution. For instance, if a ban on possession and use was the original intent, the NWS might be able to argue for a modified version that bans the use but not possession. Similarly, the NWS might argue for a “self-defence” clause, permitting the use of nuclear weapons as a last resort. The NWS might also participate without the intention of reaching an agreement which would eventually halt negotiations.

IV. RECOMMENDATION

The involvement of the NWS is not required for negotiating a nuclear weapons ban. Nor is their participation a prerequisite for establishing a norm delegitimizing nuclear weapons and recognizing their humanitarian impact. Granted, the involvement of the NWS would lend great support to the proposed ban as well as its underlying norms. However, the NNWS are also an incredible legitimizing force, and as such, a ban can be negotiated without the NWS.

V. ADDENDUM: ADDITIONAL REBUTTAL POINTS

- a) *The participation of the NWS might be impossible to achieve because these states believe a ban would be ineffective and have stated so publically.*

In 2013, on the same day of the Oslo Conference, the UK Permanent Representative to the CD, Ambassador Joanne Adamson, took the floor to explain the NWS's collective absence in Norway. Ambassador Adamson stated that the NWS disagree "on the issue of the legitimacy of nuclear weapons and that a ban on such weapons is the right way to move us closer to the complete elimination of nuclear weapons."¹⁰ She also reinforced the NWS's preference for conventional disarmament, stressing that effort should be focused on getting the CD "back to work" and negotiating an FMCT.¹¹ The US and Russia have also voiced this opinion using much stronger language in the First Committee.¹² These public expressions of discontent, along with the absence of the NWS at the Oslo Conference, makes it difficult, if not impossible, for the NWS to reverse course and participate in negotiating a ban.

- b) *Just because the NWS possess nuclear weapons does not mean that their participation in negotiating a ban is mandatory.*

A ban would not delve into details on how nuclear weapons would be verifiably and irreversibly destroyed or in what timeframe. In other words, "prohibition must come before elimination."¹³ The bans on biological and chemical weapons, landmines, and cluster munitions all followed this process.¹⁴ Even without the NWS, a ban would provide legal clarification, codify norms, generate stigma, and make military cooperation more difficult.¹⁵

WORKS CITED

- Adamson, Joanne. "Statement on Nuclear Disarmament." Conference on Disarmament. Geneva. 5 Mar. 2013. Web. 8 Dec. 2013.
- Article 36. "Banning Nuclear Weapons without the Nuclear Armed States." Briefing Paper. Oct. 2013. Web. 9 Dec. 2013.
- Burroughs, John. "International Humanitarian Law." *Unspeakable Suffering: The Humanitarian Impact of Nuclear Weapons*. Ed. Beatrice Fihn. Geneva: Reaching Critical Will, 2013. Print.
- Higgie, Dell. "New Zealand Statement at the UN on the Humanitarian Consequences of Nuclear Weapons." UN First Committee. 21 Oct. 2013. Web. 6 Dec. 2013.
- Hugo, Torbjørn Graff. "About a Ban: Dismantling the Idea of a Ban of Nuclear Weapons." International Law and Policy Institute. Jun. 2013. Web. 7 Dec. 2013.
- International Campaign to Abolish Nuclear Weapons. "The Case for a Ban Treaty." Web. 7 Dec. 2013.
- International Court of Justice. "Legality of the Threat or Use of Nuclear Weapons." 8 Jul. 1996. Web. 7 Dec. 2013.
- Laggner, Benno. "Joint Statement on the Humanitarian Dimension of Nuclear Disarmament." UN First Committee. New York. 22 Oct. 2012. Web. 6 Dec. 2013.
- Lewis, Patricia. "A New Approach to Nuclear Disarmament: Learning from International Humanitarian Law Success." ICNND Paper No. 13. Jan. 2009. Web. 8 Dec. 2013.

- Maurer, Peter. "Statement of the International Committee of the Red Cross." International Conference on the Humanitarian Impacts of Nuclear Weapons. Oslo. 4 Mar. 2013. Web. 8 Dec. 2013.
- Meyer, Paul. "Humanitarian Consequences and Nuclear Weapons." *Open Canada*. 28 Oct. 2013. Web. 6 Dec. 2013.
- Reaching Critical Will. "Delegitimation of Nuclear Weapons." Web. 6 Dec. 2013.
- Williams, Heather. "Oslo Rumors and Realities: The Way Ahead for the Humanitarian Impacts of Nuclear Weapons Initiative." *European Leadership Network*. 3 Sept. 2013. Web. 6 Dec. 2013.
- Woolcott, Peter. "Joint Statement on the Humanitarian Consequences of Nuclear Weapons." UN First Committee. New York. 21. Oct. 2013. Web. 7 Dec. 2013.
- 2010 NPT Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. "Final Document." 18 Jun. 2010. Web. 6 Dec. 2013

¹. Benno Laggner, "Joint Statement on the Humanitarian Dimension of Nuclear Disarmament," UN First Committee, New York, 22 Oct. 2012, Web, 6 Dec. 2013.

². Peter Maurer, "Statement of the International Committee of the Red Cross," International Conference on the Humanitarian Impacts of Nuclear Weapons, Oslo, 4 Mar. 2013, Web, 8 Dec. 2013, 2.

³. 2010 NPT Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, "Final Document," 18 Jun. 2010, Web, 6 Dec. 2013, 19.

⁴. Dell Higgie, "New Zealand Statement at the UN on the Humanitarian Consequences of Nuclear Weapons," UN First Committee, 21 Oct. 2013, Web, 6 Dec. 2013.

⁵. Peter Woolcott, "Joint Statement on the Humanitarian Consequences of Nuclear Weapons," UN First Committee, New York, 21. Oct. 2013, Web, 7 Dec. 2013, 1.

⁶. John Burroughs, "International Humanitarian Law," *Unspeakable Suffering: The Humanitarian Impact of Nuclear Weapons*, Ed. Beatrice Fihn, Geneva: Reaching Critical Will, 2013, Print.

⁷. International Court of Justice, "Legality of the Threat or Use of Nuclear Weapons," 8 Jul. 1996, Web, 7 Dec. 2013.

⁸. Patricia Lewis, "A New Approach to Nuclear Disarmament: Learning from International Humanitarian Law Success," ICNND Paper No. 13, Jan. 2009, Web, 8 Dec. 2013, 13.

⁹. Lewis, 14.

¹⁰. Paul Meyer, "Humanitarian Consequences and Nuclear Weapons," *Open Canada*, 28 Oct. 2013, Web, 6 Dec. 2013.

¹¹. Joanne Adamson, "Statement on Nuclear Disarmament," Conference on Disarmament, Geneva, 5 Mar. 2013, Web, 8 Dec. 2013, 4.

¹². Paul Meyer, 2013.

¹³. Torbjørn Graff Hugo, "About a Ban: Dismantling the Idea of a Ban of Nuclear Weapons," International Law and Policy Institute, Nuclear Weapons Project, Jun. 2013, Web, 7 Dec. 2013.

¹⁴. International Campaign to Abolish Nuclear Weapons, "The Case for a Ban Treaty," Web, 7 Dec. 2013.

¹⁵. Article 36, "Banning Nuclear Weapons without the Nuclear Armed States," Briefing Paper, Oct. 2013, Web, 9 Dec. 2013, 1.

Debate 1

HUMANITARIAN DIMENSIONS OF NUCLEAR WEAPONS

“Be it resolved that the participation of Nuclear Weapon States in negotiations towards a legally-binding instrument banning the possession and/or use of nuclear weapons is a prerequisite for the establishment of an international norm “delegitimizing” and recognizing the severe humanitarian consequences of nuclear weapons.”

AGAINST

Argument presented by Michael Kelly

Michael Kelly is a Masters student in Political Science at Memorial University of Newfoundland in St. John's. He graduated from his Honours Bachelor of Social Sciences with Specialization in International Studies and Modern Languages in the French Immersion stream from the University of Ottawa in 2013. He is the Editor of the Mapping Politics academic journal at Memorial University and has served as the President of the University of Ottawa's Model UN club and as a part of several conference delegations, including at the National Model United Nations in New York during 2013. Michael has been involved with student politics throughout his academic career and serves on the Board of Directors of the Graduate Student's Union of Memorial University of Newfoundland. He has worked as a historic site guide at several locations including Veterans Affairs administered memorials in France. His research interests include arms export controls and transfers, border security, international institutions in foreign affairs, and norms in the international community. His current research relates to normative views of arms transfers from state to non-state actors and their implications. After graduation he hopes to work in the field of foreign affairs, specifically doing research and policy work.



I. BACKGROUND/CONSIDERATIONS

Eliminating nuclear weapons due to the humanitarian consequences of their potential detonation has been a focus for several states in the international community. Groups such as 'Reaching Critical Will' have noted the humanitarian consequences of nuclear weapon detonation in relation to health, the environment and agriculture, economic prosperity, and human development.¹ There is already a norm established in recognizing five official nuclear states in the Treaty on the Non-Proliferation of Nuclear Weapons (NPT).² However, nuclear weapon possession constitutes a humanitarian threat to other states in the international community and should be abolished.³

In 1996, the International Court of Justice provided an opinion that "generally" nuclear weapons are incompatible with humanitarian law.⁴ As well, there is extensive opinion that the use and/or possession of nuclear weapons should in international law constitute a crime against humanity.⁵

Global Zero expressed that the international community cannot expect the piece-meal approach toward disarmament, advocated by the P5, to work when it has largely failed to stimulate progress up to this point.⁶ Negotiations of a NWC (Nuclear Weapons Convention) or similar instrument presents a new hope for progress in beginning to achieve nuclear abolition immediately⁷, in opposition to the Canberra Commission of 1996 which believed that a NWC would only be useful in the final stages of abolition.⁸

The Oslo Conference began to change the discourse from regarding only use and deterrence to that of a perspective that embraces and gives primacy to the effects of nuclear weapons⁹ through the humanitarian approach to nuclear disarmament. 134 countries at the UNGA First Committee expressed their concern with the catastrophic humanitarian consequences of nuclear weapons due to their uncontrollable and indiscriminate nature, and emphasized that all states share the responsibility to prevent the use and possession of nuclear weapons.¹⁰ They echoed the warning of the International Committee of the Red Cross and UN agencies in stating that no state or international body could possibly address the immediate crisis of a nuclear detonation.¹¹

In the present context the question that remains is not if a NWC should be pursued, but if the de-legitimization of nuclear weapons due to their humanitarian consequences is conditionally linked to the participation of Nuclear Weapon States (NWS) in negotiations of a legally binding instrument.

II. IN FAVOUR

A1. Nuclear Weapon States are the critical states that are required for a nuclear weapons norm to cascade and must engage in concrete and tangible discussions regarding a NWC in order to substantively de-legitimize nuclear weapons on the basis of humanitarian concerns. 17 States at the UNGA First Committee in October of 2013 stated that banning nuclear weapons themselves will not guarantee their elimination if NWS are not engaged and involved.¹² This reflects the suggestion by Finnemore and Sikkink that for norms to 'cascade' "critical states" must accept the norms.¹³ Without these states "the achievement of the substantive norm goal is compromised."¹⁴ In the case of a NWC or other instrument banning nuclear weapons and their use, the nine NWS represent these critical states. States that do not use or produce these types of weapons are not deemed to be critical because their adoption of the norm will not substantially change the number of nuclear weapons being produced or maintained in the international community. Without the participation of NWS there can be no cascade and establishment of the norm because of a lack of recognition of incompatibility with humanitarian concerns and the subsequent nuclear weapon de-legitimization from states who exert control over this substantive threat.

A2. Nuclear Weapons States must be part of negotiations toward a NWC in order for the de-legitimization of nuclear weapons norm to establish itself through the replacement of the deterrence-based security norm held at present. For a norm to disappear requires a violation of the norm to the extent that violations are no longer deemed as being non-compliant with the norm.¹⁵ "The roots of nuclear deterrence that penetrated deep during the Cold War years are

proving difficult to dislodge.¹⁶ If a norm is regarded as functional, it is not likely that many states will seek to abolish it.¹⁷ In the case of deterrence based security there must be engagement in establishing a replacement for this norm in order for NWS to abandon it. P5 nuclear states continue to assert the right to use nuclear weapons as a response to non-nuclear attacks. France would only seriously consider global abolition of nuclear weapons if there was no major threat against it or European partners.¹⁸ The participation of all NWS is required for the norm of deterrence to be abandoned in favour of a norm recognizing the humanitarian consequences of nuclear weapons. Norms are counterfactually valid. One violation does not refute them but instead how the community responds to violations matters.¹⁹ The NWC without the participation of any NWS would be unlikely to produce a strong response from the international community against NWS for their non-conformity, given their combined size and relative power.

III. AGAINST

A1. The norm of de-legitimizing nuclear weapons can be achieved by non-NWS establishing a legally binding NWC or instrument which would devalue the prestige and legitimacy of nuclear weapon possession and the nuclear deterrent. According to Wilson, "The real value of nuclear bombs is as status symbols, not as practical weapons."²⁰ The political prestige norm of nuclear possession must be dislodged because nuclear weapons are unable to discriminate between military and civilian targets and are essentially a "blind weapon"²¹, which combined with the scale of their devastation to human populations would make the possession or use of nuclear weapons a crime against humanity under a NWC. Outlawing nuclear weapons would remove the prestige of possession by making them illegal and immoral. Elements like "hair-triggers" represent a threat of unintentional detonation²², so the risks of possession would be seen as reckless and irresponsible. This would delegitimize nuclear weapons to the point that they, and nuclear deterrence, are not positive because of the potential humanitarian consequence. Just as the 1925 Geneva Convention provided the norms for not using chemical weapons and was extended to possession by the 1993 Chemical Weapons Convention²³, so too would a NWC stigmatize states still maintaining nuclear weapons.

A2. The de-legitimization of nuclear weapons due to humanitarian consequences of their use, by way of a NWC negotiated amongst most or all non-NWS would apply pressure to NWS to conform by providing a legal framework for abolition. The recognition of the humanitarian consequences of nuclear weapons, just as with other types of indiscriminate weapons are a prerequisite for NWS to have the motivation to pursue continued disarmament goals, let alone a complete ban on the possession or use of the weapons. As Johnson states, "History shows that legal prohibitions generally precede and facilitate the processes of stockpile elimination"²⁴ while bans also delegitimize weapons themselves. States are required to pursue in good faith the goal of a NWC as a result of Article VI of the NPT.²⁵ Not engaging with a NWC would cause states to feel pressure as this would show no commitment to Article VI.²⁶ Attending meetings regarding humanitarian consequences for NWS is important so they can be seen as part of the conversation, even if they are not in support of the ends. A NWC without NWS would apply more pressure than already exists for these states to accept and act upon the humanitarian

concerns linked to nuclear weapons.²⁷ Establishing the norm simply amongst states that are allied with nuclear states would create pressure and tension for these states to join the norm, while at the same time they are not required for it to exist.²⁸ A ban would stigmatize use and possession and build pressure for modernization programs to be suspended by NWS, as well as create a divestment by financial institutions away from nuclear weapons.²⁹

IV. RECOMMENDATION

The arguments against present a more compelling case regarding the lasting and effective establishment of an international norm de-legitimizing nuclear weapons as a result of their humanitarian consequences. The importance of creating a stigma surrounding nuclear weapons cannot be understated. The states that possess these weapons do not need to be involved in the formulation of a framework to ensure this result. As well, the replacement of the paradigm of deterrence requires recognizing the urgency and supremacy of the humanitarian consequences of even an accidental nuclear detonation which can only be avoided by replacing deterrence with abolition. If humanitarian consequences are as significant and appalling as they have been demonstrated to be, then any states who are willing to adopt this view at the present must sit at the negotiating table to create an instrument that would begin to truly proliferate the humanitarian consequence norm.

BIBLIOGRAPHY

- Article 36. *Banning Nuclear Weapons Without the Nuclear Armed States*. Article 36, Oct. 2013. Web. <<http://www.article36.org/nuclear-weapons/banning-nuclear-weapons-without-the-nuclear-armed-states/>>. 05 Dec. 2013.
- Avery, John Scales. "Flaws in the Concept of Nuclear Deterrence." *CADMUS* 1.4 (2012): 87-92. Web. 01 Dec. 2013.
- Borrie, John, and Tim Caughley. "After Oslo: Humanitarian Perspectives and the Changing Nuclear Weapons Discourse." *Viewing Nuclear Weapons through a Humanitarian Lens*. Eds. John Borrie and Tim Caughley. Geneva: United Nations Institute for Disarmament Research (UNIDIR), 2013. Web. 03 Dec. 2013.
- Bromley, Mark, Neil Cooper, and Paul Holtom. "The UN Arms Trade Treaty: Arms Export Controls, the Human Security Agenda and the Lessons of History." *International Affairs* 88.5 (2012): 1029-1048. Web. 01 Oct. 2013.
- Finnemore, Martha, and Kathryn Sikkink. "International Norm Dynamics and Political Change." *International Organization* 52.4 (1998): 887-917. Web. 14 Nov. 2013.
- Goldblat, Jozef. "No-First-Use: A Prerequisite for Nuclear Disarmament." *Security Dialogue* 28.3 (1997): 265-270. Web. 01 Dec. 2013.
- Granoff, Dean, and Jonathan Granoff. "International Humanitarian Law and Nuclear Weapons: Irreconcilable Differences." *Bulletin of the Atomic Scientists* 67.6 (2011): 53-62. Web. 01 Dec. 2013.

- Higgle, Dell. "Joint Statement on the Humanitarian Consequences of Nuclear Weapons." New Zealand Mission to the United Nations. United Nations General Assembly 68th Session First Committee, New York. 21 Oct. 2013. Statement. Web. 04 Dec. 2013.
- International Campaign to Abolish Nuclear Weapons (ICAN). Catastrophic Humanitarian Harm. Joint Publication of ICAN, Peace Boat, and International Physicians for the Prevention of Nuclear War. Aug. 2012. Web. 01 Dec. 2013. < <http://www.icanw.org/the-facts/catastrophic-harm/>>. 05 Dec. 2013.
- International Court of Justice. *Legality of the Threat of Use of Nuclear Weapons, Advisory Opinion, I.C.J. Reports 1996*, p.226. 08 Jul. 1996. Web. 01 Dec. 2013.
- Johnson, Rebecca E. "ICAN Intervention in final session of the Conference on the Humanitarian Impact of Nuclear Weapons, Oslo 4-5 March, 2013." ICAN, Mar. 2013. Web. 01 Dec. 2013. < http://www.regjeringen.no/en/dep/ud/selected-topics/humanitarian-efforts/humimpact_2013.html?id=708603>. 05 Dec. 2015.
- . "Security without Nuclear Weapons: The Regional-International Nexus." *Palestine - Israel Journal of Politics, Economics, and Culture* 19.1/2 (2013): 6-14, 174-178. Web. 01 Dec. 2013.
- Kratochwil, Friedrich, and John Ruggie. "International Organization: A State of the Art on the Art of the State." *International Organization* 40.4 (1996). 753-775. Web. 05 Nov. 2013.
- Lewis, Patricia and Heather Williams. "The Meaning of the Oslo Conference on the Humanitarian Impacts of Nuclear Weapons." *Viewing Nuclear Weapons through a Humanitarian Lens*. Eds. John Borrie and Tim Caughley. Geneva: United Nations Institute for Disarmament Research (UNIDIR), 2013. Web. 03 Dec. 2013.
- Matheson, Michael J. "The Opinions of the International Court of Justice on the Threat of Use of Nuclear Weapons." *The American Journal of International Law* 91.3 (1997): 417-435. Web. 01 Dec. 2013.
- Mendelsohn, Jack. "Delegitimizing Nuclear Weapons." *Issues in Science and Technology* 22.3 (2006): 67-74. Web. 01 Dec. 2013.
- Nagan, Winston P. "Simulated ICJ Judgment: Revisiting the Lawfulness of the Threat or Use of Nuclear Weapons." *CADMUS* 1.4 (2012): 93-115. Web. 01 Dec. 2013.
- Panke, Diana, and Ulrich Petersohn. "Why International Norms Disappear Sometimes." *European Journal of International Relations* 18.4 (2012): 719-742. Web. 01 Dec. 2013.
- Reaching Critical Will. *Unspeakable*. Ed. Beatrice Fihn. Geneva: Reaching Critical Will of the Women's International League for Peace and Freedom, 2013. Web. 03 Dec. 2013.
- Ritchie, Nick. "Legitimizing and Delegitimizing Nuclear Weapons." *Viewing Nuclear Weapons through a Humanitarian Lens*. Eds. John Borrie and Tim Caughley. Geneva: United Nations Institute for Disarmament Research (UNIDIR), 2013. Web. 03 Dec. 2013.
- Rydell, Randy. "The United Nations and a Humanitarian Approach to Nuclear Disarmament." *International Humanitarian Law and Nuclear Weapons: Examining the Humanitarian Approach to Nuclear Disarmament*. London: Nuclear Abolition Forum No.1, 2011. Web. 01 Dec. 2013.

- Singh, Jasjit, Manpreet Sethi, and Garry Jacobs. "Dangerous knowledge: Can Nuclear Weapons Be Abolished?." *Futures* 39 (2007): 963-972. Web. 01 Dec. 2013.
- Tertrais, Bruno. "Going to Zero: A Sceptical French Position." *Moving Beyond Nuclear Deterrence to a Nuclear Weapons Free World*. London: Nuclear Abolition Forum No.2, 2013. Web. 01 Dec. 2013.
- United Nations. *Treaty on the Non-Proliferation of Nuclear Weapons, July 1, 1968, 21 UST 483, 729 UNTS 161*. Web. 01 Dec. 2013.
- Williams, Heather. *Oslo Rumors and Realities: The Way Ahead for the Humanitarian Impacts of Nuclear Weapons Initiative*. European Leadership Network, 03 Sep.2013. Web. 06 Dec. 2013. <http://www.europeanleadershipnetwork.org/oslo-rumors-and-realities-the-way-ahead-for-the-humanitarian-impacts-of-nuclear-weapons-initiative_734.html>.
- Wilson, Ward. "The Myth of Nuclear Necessity." *Moving Beyond Nuclear Deterrence to a Nuclear Weapons Free World*. London: Nuclear Abolition Forum No.2, 2013. Web. 01 Dec. 2013.
- Woolcott, Peter. "Joint Statement on the Humanitarian Consequences of Nuclear Weapons." Australian Mission to the United Nations. United Nations General Assembly 68th Session First Committee, New York. 21 Oct. 2013. Statement. Web. 04 Dec. 2013.
- Wright, Tim. *Ban Nuclear Weapons Now*. International Campaign to Abolish Nuclear Weapons (ICAN), Jul. 2013. Web. 01 Dec. 2013. < <http://www.icanw.org/action/ban-nuclear-weapons-now/>>. 05 Dec.2013.
- . "Negotiations for a Nuclear Weapons Convention: Distant Dream or Present Possibility?." *Melbourne Journal of International Law* 10.1 (2009): 217-245. Web. 01 Dec. 2013.

¹ The report contains a summary of the details of the humanitarian crisis that would be caused by nuclear weapon detonations. See Reaching Critical Will. *Unspeaking*. Ed. Beatrice Fihn. Geneva: Reaching Critical Will of the Women's International League for Peace and Freedom, 2013.

² United Nations. *Treaty on the Non-Proliferation of Nuclear Weapons, July 1, 1968, 21 UST 483, 729 UNTS 161*.

Mendelsohn, Jack. "Delegitimizing Nuclear Weapons." *Issues in Science and Technology* 22.3 (2006): 69.

³ The threat posed by nuclear weapons is one of a humanitarian nature. See Singh, Jasjit, Manpreet Sethi, and Garry Jacobs. "Dangerous knowledge: Can Nuclear Weapons Be Abolished?." *Futures* 39 (2007): 970.

⁴The Court held reservations about ruling explicitly on if nuclear weapons use would be illegal in any and all circumstances and felt constrained by the lack of information on which to rule on the hypothetical question posed to it by the General Assembly. The overall conclusion is that in most cases nuclear weapons constitute a violation of international humanitarian law and norms. See International Court of Justice. *Legality of the Threat of Use of Nuclear Weapons, Advisory Opinion, I.C.J. Reports 1996*, p.226. 08 Jul. 1996.

⁵ While the current system of international law does not explicitly state if nuclear weapons and their use constitute a crime against humanity, several advocates for an instrument banning the weapons believe this

is a logical connection that would be made. See Nagan, Winston P. "Simulated ICJ Judgment: Revisiting the Lawfulness of the Threat or Use of Nuclear Weapons." *CADMUS* 1.4 (2012): 93.

Johnson, Rebecca E. "Security without Nuclear Weapons: The Regional-International Nexus." *Palestine - Israel Journal of Politics, Economics, and Culture* 19.1/2 (2013): 178.

Singh, et al. 970.

⁶ Wright, Tim. "Negotiations for a Nuclear Weapons Convention: Distant Dream or Present Possibility?." *Melbourne Journal of International Law* 10.1 (2009): 238.

⁷ Ibid. 238.

⁸ Ibid. 238.

⁹ Lewis, Patricia and Heather Williams. "The Meaning of the Oslo Conference on the Humanitarian Impacts of Nuclear Weapons." *Viewing Nuclear Weapons through a Humanitarian Lens*. Eds. John Borrie and Tim Caughley. Geneva: United Nations Institute for Disarmament Research (UNIDIR), 2013. 82.

¹⁰ Higgin, Dell. "Joint Statement on the Humanitarian Consequences of Nuclear Weapons." New Zealand Mission to the United Nations. United Nations General Assembly 68th Session First Committee, New York. 21 Oct. 2013. Statement

¹¹ Ibid.

International Campaign to Abolish Nuclear Weapons (ICAN). Catastrophic Humanitarian Harm. Joint Publication of ICAN, Peace Boat, and International Physicians for the Prevention of Nuclear War. Aug. 2012. Web. 01 Dec. 2013. < <http://www.icanw.org/the-facts/catastrophic-harm/>>.

¹² Woolcott, Peter. "Joint Statement on the Humanitarian Consequences of Nuclear Weapons." Australian Mission to the United Nations. United Nations General Assembly 68th Session First Committee, New York. 21 Oct. 2013. Statement.

¹³ The authors use the example of the Anti-Personnel Landmine ban, with the example of France and the United Kingdom as critical states. See Finnemore, Martha, and Kathryn Sikkink. "International Norm Dynamics and Political Change." *International Organization* 52.4 (1998): 901.

¹⁴ Ibid. 901.

¹⁵ Panke, Diana, and Ulrich Petersohn. "Why International Norms Disappear Sometimes." *European Journal of International Relations* 18.4 (2012): 723.

¹⁶ Singh, et al. 967.

¹⁷ If there is no replacement of the deterrent norm and no reason for it to simply disappear, then it will persist. The humanitarian consequences of nuclear weapons could act as the norm replacement. For more on norms see Panke and Petersohn. 723.

¹⁸ Tertrais, Bruno. "Going to Zero: A Sceptical French Position." *Moving Beyond Nuclear Deterrence to a Nuclear Weapons Free World*. London: Nuclear Abolition Forum No.2, 2013. 18.

¹⁹ Kratochwil, Friedrich, and John Ruggie. "International Organization: A State of the Art on the Art of the State." *International Organization* 40.4 (1996). 767.

²⁰ Wilson, Ward. "The Myth of Nuclear Necessity." *Moving Beyond Nuclear Deterrence to a Nuclear Weapons Free World*. London: Nuclear Abolition Forum No.2, 2013. 2.

²¹ Avery, John Scales. "Flaws in the Concept of Nuclear Deterrence." *CADMUS* 1.4 (2012): 89.

²² *Ibid.* 89.

²³ Wright. 236.

²⁴ Johnson, Rebecca. ICAN Intervention in final session of the Conference on the Humanitarian Impact of Nuclear Weapons, Oslo 4-5 March, 2013. ICAN, Mar. 2013. Web. 01 Dec. 2013. <http://www.regjeringen.no/en/dep/ud/selected-topics/humanitarian-efforts/humimpact_2013.html?id=708603>

²⁵ Wright. 245.

United Nations. *Treaty on the Non-Proliferation of Nuclear Weapons*

²⁶ Ritchie, Nick. "Legitimizing and Delegitimizing Nuclear Weapons." *Viewing Nuclear Weapons through a Humanitarian Lens*. Eds. John Borrie and Tim Caughley. Geneva: United Nations Institute for Disarmament Research (UNIDIR), 2013. 45.

²⁷ Lewis and Williams. 86.

²⁸ *Ibid.* 92.

²⁹ Article 36. *Banning Nuclear Weapons Without the Nuclear Armed States*. Article 36, Oct. 2013. Web. <<http://www.article36.org/nuclear-weapons/banning-nuclear-weapons-without-the-nuclear-armed-states/>>.

Debate 2

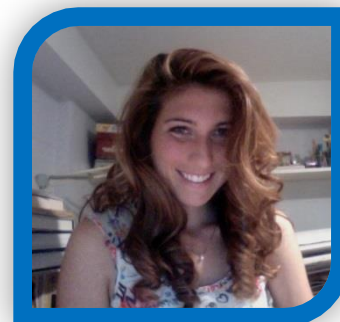
MIDDLE EAST WMD FREE ZONE AND THE NPT

“Be it resolved that the 2010 decision to convene a conference to establish a Weapons of Mass Destruction Free Zone in the Middle East (MEWMDFZ) should be implemented prior to the 2015 NPT Review Conference, irrespective of whether the prerequisites of peace and security in the region and the attendance of all regional partners can be achieved.”

IN FAVOUR

Argument presented by Olivia Cimo

Olivia Cimo is a graduate student in the Masters of Public Policy and Administration, at Ryerson University, in Toronto. Her primary focus as a research assistant is on environmental policy; recently exploring issues related to "greening the local economy" in Ontario. She graduated from Ryerson with a BA in Political Science and a Minor in Philosophy. She holds a strong commitment to community engagement and human rights issues; since 2010, she has been the Founder and Director of Ryerson Aegis Students serving to open community dialogues on crimes against humanity. She is currently on the executive team of Ride For A Dream, which seeks to raise awareness on Violence Against Women. Framed as a global and local issue, Ride For A Dream organizes educative forums, and an annual student bike ride from Toronto to Montreal, which is an endeavour seeking to expand into a bike-a-thon Coast to Coast across Canada in support of the cause.



INTRODUCTION

As the only region in the world where weapons of mass destruction were deployed in combat since Hiroshima and Nagasaki in WW2, the Middle East continues to remain on the verge of a nuclear “tipping point” (Foradori and Malin 25).¹ The United Nations General Assembly first endorsed calls from the Mubarak Initiative in 1990 to establish a MEWMDFZ, which expanded an initial 1974 resolution pursuing a MENWFZ,² set forth by Iran. Although there has been limited progress in either of these initiatives, the positive trade-offs in establishing a MEWMD-free zone are immense for all parties, and it is an initiative that will strengthen the Nuclear Non-Proliferation Treaty (NPT).³ The NPT’s contribution to global efforts in nuclear restraint and prevention of arms proliferation is one of the 20th century’s biggest public policy achievements (Walsh 25).⁴ The establishment of a MEWMD-free zone is further essential for strengthening global non-proliferation and disarmament norms consolidating international efforts towards durable peace and security.

At the 2010 NPT Review Conference, the U.N. Secretary General together with the NPT Depositary States –the United States, United Kingdom and Russia –appointed Finnish diplomat, Jaako Laajava to serve as a facilitator of an initial conference set for December of 2012 in Helsinki to discuss the issue of a MEWMD-free zone. This did not convene due to opposing views among regional states about the agenda, conditions, and outcomes of the conference (Foradori and Malin 16). Some argue the ongoing turmoil in several regional countries had contributed to the waning support (Foradori and Malin 4). The asymmetry of capabilities and differences in the symbolic meanings of WMD for the parties involved are important considerations.

One obstacle for establishing preliminary negotiations is the continued disagreement over which should come first, peace or disarmament. Israel's reason for refusing to attend the December 2012 Conference is that it requires comprehensive peace established with all of its neighbours as a prerequisite for any negotiations. On the other hand, many Arab states and Iran argue that Israel's nuclear disarmament must precede peace and normalization stating how, "this is the only obstacle to the establishment of a WMDFZ (Bahgat 37).⁵ Israel insists that its nuclear weapons monopoly in the region and posture of "opacity" have not only reduced conflict in the Middle East, but are a self-defensive deterrent (Bahgat 37)." Yet, peace and disarmament are two processes that reinforce each other. I will argue that peace and security in the region should not be viewed as a pre-request to convene an initial conference to establish a WMDFZ in the Middle East prior to the 2015 NPT Review Conference, nor is the attendance of all regional partners necessary.

Requiring every state in the zone to agree to attend allows for the reluctance of one state to halt the entire process. The Middle East WMD-Free Zone initiative enjoys strong support in principle from all regional states, but has yet to materialize. A failure to launch preliminary arms control and disarmament discussions will further deepen tensions between the nuclear weapon states and non-nuclear weapon states in the 2015 NPT Review Conference. Already, some NWS are losing confidence in the Non-Proliferation Treaty with Middle Eastern countries such as Israel refusing to sign and ratify it placing urgency to convene a conference at the earliest. It is conventionally argued that the NPT has far too many flaws to be considered a success and non-proliferation gains are attributable to other efforts such as those from NATO superpower alliances, threats from superpowers, and the Warsaw Pact (Walsh 29). Yet, one could argue that nuclear power alliances produce a countervailing contagion effects. The 2010 decision to convene a conference must be carried out to restore international faith in the NPT.

REGIONAL PEACE AND SECURITY

The expectation of establishing regional peace in the Middle East, or parts of the Middle East as a condition to host a conference prior to the 2015 NPT meeting are unrealistic. It is a stance that fails to acknowledge incremental progress that has been made in the Middle East towards a WMD-free zone. This is a dangerous idea that will prevent further trust and confidence building measures from moving forward. Since the early proposals established in 1974, the Middle East has made considerable progress towards the creation of regional peace, and a WMDFZ through bilateral and multilateral processes; (1) Peace agreements between Israel and Egypt and between Israel and Jordan; (2) Mutual recognition between Israel and the PLO; (3) The dismantling of WMD programs in Iraq and Libya; and (4) Widespread support of agreement to the Non-Proliferation Treaty, Comprehensive Test Ban Treaty, Chemical Weapons Convention and Biological Toxin Weapons Convention by several states in the region. The recent removal of chemical weapons from Syria in 2013 is huge progress. Already after a period of 34 years in which direct contact between the United States and Iran was extremely limited, the [Joint Plan of Action](#) (JPA) –implemented in November 2013 – was established as an interim agreement reached between the P5+1 and Iran.⁶ With the U.S. hostility towards Iran gradually reducing, Iran and its regional allies – Iraq, Syria and Hezbollah in Lebanon – are changing their positions to support a WMDFZ in the Middle East. It should be noted that Iran is a leader in discussions on creating a NWFZ having represented the Non-Aligned Movement at the UN's first-ever High Level Meeting on Disarmament on the 26th September in 2013. In order to establish trust, a clear agreeable agenda could, at first, broadly discuss regional goals and positive regional gains of countries in establishing a WMD-free zone. Countries such as Iran that have been isolated for a long time and are hearing their voice to discuss its plans on exercising its right to the peaceful

use of nuclear energy provided for in Article IV of the NPT is critical even if not all members are present.

EXTENT OF INCLUSIVENESS

The recent case of Syria demonstrates a potential catalyst for convening a conference without all member's present. The UN Security Council passed a resolution on the 27th of September 2013 calling for full and verifiable destruction of chemical weapons in Syria. Syria has since signed the UN Chemical Weapons Convention in October 2013 agreeing to hand over its stockpiles to the international community. Challenges remain on enforcement and verification in Syria, but these shortcomings can be viewed as a vantage point in early negotiations. Dialogues should focus on progress currently underway in conflicted regions and how to build on these successes as opposed to negative views (such as on Israel's nuclear weapons, or its non-compliance to the NPT). It is critical that prior to establishing the conference without all members present, an agreeable agenda is formulated. The initial conference agenda can serve to establish trust and offer constructive suggestions for how to incrementally build confidence measures such as viable verification strategies. As its ultimate achievement, the conference should aim to form an intergovernmental commission to draft the text of the treaty on establishing a nuclear-weapon-free zone in the Middle East. This treaty does not have to have stricky entry into force.

Not all states need to be present. The joint leadership between the Gulf States, Iran and Egypt – who agreed to participate in the 2012 conference--could provide powerful leverage moving forward a conference prior to the NPT 2015 Review Meeting. The assertiveness and strong diplomacy of these states as strong regional influences may encourage Israel to join at the table at a later meeting. Although the United States believes that negotiations, such as the one set for December 2012 Conference, should operate by consensus (Bahgat 36), there remains an urgent need to engage in sincere trust-building dialogues before the moment is lost. The long history of rivalries in the region means there exists very little trust to engage in joint efforts promoting regional security.

Important extrapolations may be taken from similar negotiation processes used in forming NWFZ to establishing negotiations for a WMDFZ in the Middle East such as in the Treaty of Tlatelolco. The Treaty of Tlatelolco for Latin America entered into force in 1969, but it did not become practically effective in the whole region until after Brazil and Argentina joined in the mid-1990s (Foradori and Malin 26); (Taylor et al 81). This shows how creating a flexible entry into force mechanism and flexible dialogue processes that do not require all regional states to immediately be in early negotiations, or to bring the treaty into force promptly are highly effective. Under the Tlatelolco's Article 29, states are able to waive the requirement of region-wide ratification as a way of bringing the treaty into force for their own territories (Taylor et al 82). This has clear applicability to pre-conditions for setting up a dialog for parties in the Middle East region by reducing the pressure some states may feel on what the conference's outcomes may entail. Some countries, especially Israel, may conceivably be prepared to sign up to a regional WMDFZ treaty framework, but may make bringing it into force conditional.

Also, it is widely understood that in the Middle East there is not one united approach for a WMD- free zone. One solution for this was proposed by the Gulf Research Center in 2004 to establish a sub-regional WMDFZ in the Middle East, which is recognized as an incremental step by the U.N. This sub-regional WMDFZ could cover countries willing to sit at a negotiation and early negotiation prior to the 2015 NPT conference table such as Egypt, Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates, Iran, Iraq, and Yemen (Bahgat 35). The

concept of a sub-regional WMD-free zone, if established, could be an early step towards establishing a larger WMD-free zone eventually covering the entire Middle East. This preliminary WMD-free zone could even serve as a steering committee to direct future negotiations. An early conference without the presence of all members should still be considered as a meaningful negotiation that could be used as early confidence and security building measures.

CONCLUSION

The possibility of severe humanitarian consequences from the use of nuclear weapons must be eliminated. The attendance of all regional partners in conjunction with peace and security in the region are not necessary conditions to convene a conference prior to the 2015 NPT Review Conference. It is widely agreed that the mere existence of nuclear weapons goes against International Humanitarian Laws, which without the establishment of effective multilateral and bilateral legal actions to disarm we are collectively choosing to negate humanity. The humanitarian and environmental implications of weapons of mass destruction are beyond belief, beyond all apprehension and beyond imagination. This was the sentiment behind a proposal for the Non –Proliferation Treaty (NPT) opened for signature in 1968. While not all members would be present, a motion to convene a conference with those willing states would serve to bolster confidence and strengthen the international communities' faith in the Non-Proliferation Treaty at the 2015 NPT Review Conference. Bilateral, multilateral and unilateral confidence building measures towards a WMD-free zone in the Middle East are necessary incremental steps that ought to be supported by depository states such as Russia, the UK and the United States. This will assist in policy objectives towards worldwide disarmament. It has already been more than three years since the 2010 NPT Review Conference resolved in its Final Document to hold a special conference in 2012, pursuant to the 1995 resolution and involving all states in the Middle East. The time is now to pull up our sleeves and work towards steps that need to be taken to ensure the success of a 2014 conference on establishing a zone free of weapons of mass destruction (WMD) in the Middle East.

BIBLIOGRAPHY

- Bahgat, Gawdat. "A Nuclear Weapons Free Zone in the Middle East - A Pipe Dream?" *The Journal of Social, Political, and Economic Studies* 36.3 (2011): 360-83. ProQuest.
- Cousins, Rebecca. "Working Towards a WMD-Free Middle East." *OpenDemocracy* Sep 30 2013. ProQuest. Web. 18 Feb. 2014 .
- Cultivating Confidence: Verification, Monitoring, and Enforcement for a World Free of Nuclear Weapons*. Eds. Corey Hinderstein and Nuclear Threat Initiative. Stanford, Calif.: Hoover Institution Press, 2010. Print.
- Davenport, Kelsey. "No Date Set for Middle East Zone Meeting." *Arms Control Today* 43.9 . (2013): 32. ProQuest. Web. 18 Feb. 2014.
- Isaac, Jad, and Suhail Khalilieh. "The Jerusalem Saga: Current Realities in Jerusalem." *Palestine Israel Journal of Politics, Economics, and Culture* 17.1 (2011): 109,112,114-118,120-134. ProQuest. Web. 18 Feb. 2014.

Lewis, Patricia M. "A Middle East Free of Nuclear Weapons: Possible, Probable Or Pipe-Dream?" *International Affairs* 89.2 (2013): 433-50.

Lewis, Patricia, and William C. Potter. "The Long Journey Toward a WMD-Free Middle East." *Arms Control Today* 41.7 (2011): 8-14. *ProQuest*. Web. 18 Feb. 2014.

Nuruzzaman, Mohammed. "The Iran Nuclear Deal --A Preliminary Analysis." E-

Relations. 11 December 2013. Retrieved from, <<http://www.e-ir.info/2013/12/11/the-iran-nuclear-deal-a-preliminary-analysis/>>

Taylor, N. A. J., Joseph A. Camilleri, and Michael Hamel-Green. "Dialogue on Middle East Biological, Nuclear, and Chemical Weapons Disarmament: Constraints and Opportunities." *Alternatives: Global, Local, Political* 38.1 (2013): 78-98.

Thinking International Relations Differently. Eds. Arlene B. Tickner and David L. Blaney. New York: Routledge, 2012. Print.

¹ Chemical Weapons were used several times in the Middle East; (1) Egypt against Yemeni royal forces in the mid-1960s; (2) Libya against Chad in 1987; (3) Iraq against its own Kurdish population and again Iran in the 1980s; (4) Recently, Syria has been identified by the U.N to have used chemical weapons in 2013. See, Foradori Paolo and Malin Martin. "A WMD-Free Zone in the Middle East Creating the Conditions for Sustained Progress." Harvard Kennedy School Belfer Center for Science and International Affairs. (December 2012): 10-11.

¹ A NWFZ in the Middle East would include: Algeria, Bahrain, Djibouti, Egypt, Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Mauritania, Morocco, Oman, the Palestinian Authority, Qatar, Saudi Arabia, Somalia, Sudan, Syria, Tunisia, the United Arab Emirates and Yemen. Some of these states such as Egypt are already a part of the Treaty of Pelindaba signed in 1996. See, Patricia Lewis. *The Middle East Free of Nuclear Weapons*. *International Affairs*. 82 (2): 446.

² "The United Nations General Assembly (UNGA) Resolution 3472 (1975) states that as a general rule, a NWFZ must "be deemed to be any zone recognized as such by the United Nations General Assembly, which any groups of states, in the free exercise of their sovereignty, have established by virtue of a treaty or convention." According to the Resolution, the treaties that establish NWFZs have to meet two conditions: A) A total absence of nuclear weapons, including the procedure for the delimitation of the zone; B) An international system of verification and control to guarantee compliance with the stated obligations." Furthermore, a WMD-Free Zone would commit parties to a verifiable prohibition on the possess, acquiring, testing, or use of any nuclear, chemical and biological weapons as well as their delivery systems as provided for in the 1995 NPT Review Conference Middle East Resolution. Furthermore, In 1995 the Arms Control and Regional Security (ACRS) talks to create a WMD-Free Zone collapsed. Earlier in 1995, as an integral part of the decision to extend the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) indefinitely, the NPT Review and Extension Conference adopted the 1995 resolution on the Middle East, which called upon all States in the Middle East to take practical steps in appropriate forums aimed at making progress towards, inter alia, the establishment of an effectively verifiable Middle East zone free of weapons of mass destruction, nuclear, chemical and biological, and their delivery systems, and to refrain from taking any measures that preclude the achievement of this objective. See, Bahgat, Gawdat. "A Nuclear Weapons Free Zone in the Middle East - A Pipe Dream?" *The Journal of Social, Political, and Economic Studies* 36.3 (2011): 363- 365.

³ Despite extensive international support and the catalogue of resolutions endorsed including ones by all regional states, practical progress has been stymied by sharp disagreements between countries in the region over the terms and the sequence of steps leading to the establishment of the zone. One issue complicating the matter of establishing territorial boundaries for a MEWMDZF, is the United Nations Study demarcating a final set of boundaries in 1991. These boundaries have been officially endorsed by the League of Arab States whereby Israel has raised no objection other than a demand for these boundaries to legally note that any country in the region should be publically recognized and accepted as an integral part of Israel thereof. In the latter request by Israel, it may serve as a conduit affirming disputed territory where some Arab states would like to see Israel revert back to boundaries prior to 1967. See, Arms Control Association – WMDFZ Fact Sheet. Retrieved from, <<http://www.armscontrol.org/factsheets/mewmdfz>>.

⁴ It is conventionally argued that the NPT has far too many flaws to be considered a success and non-proliferation gains are attributable to other efforts such as those from NATO superpower alliances, threats from superpowers, and the Warsaw Pact (29). Yet, one could argue that nuclear power alliances produce a countervailing contagion effects. The NPT is constantly called-out for flaws such as; the absence of an enforcement provision, weak verification and a withdrawal clause that would permit countries to acquire nuclear technology and then renounce their obligations. The treaty further does not address the underlying security motivations that were and are widely believed to fuel the spread of nuclear weapons (28). See, Walsh Jim. “Learning From Past Success: The NPT and the Future of Non-Proliferation.” *The Weapons of Mass Destruction Commission at James Martin Center for Non –Proliferation Studies*: 22-28.

⁵ Arabs and Iranians do not consider the Israeli nuclear arsenal and missile capabilities as defensive, but rather as instrument to back an offensive and assertive foreign policy, which includes refusal to withdraw from territories captured in conflicts with Lebanon and Syria, as well as from the Palestinian West Bank and Gaza. See, *Thinking International Relations Differently*. Eds. Arlene B. Tickner and David L. Blaney. New York: Routledge, 2012. Print: 12-13.

⁶ With Iran-US relations leaning to the positive track, the Arab opposition to Iran is weakened. The deal eases constraints on Iran’s formal or informal alliance relationship with Syria, Iraq, and the Hezbollah group in Lebanon, which is known as the ‘resistance front’ in the Middle East, it is likely to evolve as a solid political and military axis to challenge Israel seriously. Tel Aviv preferred to maintain and even further strengthen the sanctions regime to force the Iranian religious authorities to surrender, which Washington did not view as a viable option; they instead stood firm and contended that the Iran deal would make Israel ‘safer’. Equally worrisome to Israel is the presence of Iran-backed anti-Israel armed groups – mainly Hezbollah and Hamas. Iran openly supports the Hezbollah forces financially, militarily and diplomatically while using Syria as a conduit to transfer arms supplies. Until the anti-government uprisings kicked off in Syria in March 2011, Hamas was a recipient of Iranian cash and arms to strike Israeli cities. But Hamas’ support for anti-Bashar Al-Assad rebel groups has strained its relations with Iran and Syria. The Iran deal makes no references to threats posed by these armed groups and how they would be tackled by a resurgent Tehran. Another major Israeli concern is its apparent downgrading as a regional ally by the US. For a long time, Israel was an ‘indispensable’ US ally in the Middle East, and they maintained similar policies and coordinated actions on important issues, including Palestine, Iran–Syria–Hezbollah alliance, and Iranian nuclear program. See, Nuruzzaman, Mohammed. *The Iran Nuclear Deal --A Preliminary Analysis*. E-Relations. 11 December 2013. Retrieved from, <<http://www.e-ir.info/2013/12/11/the-iran-nuclear-deal-a-preliminary-analysis/>>

Debate 2

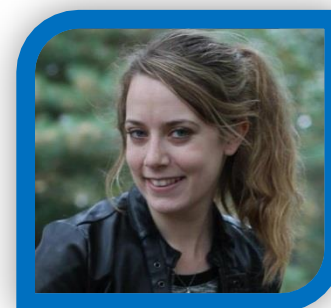
MIDDLE EAST WMD FREE ZONE AND THE NPT

“Be it resolved that the 2010 decision to convene a conference to establish a Weapons of Mass Destruction Free Zone in the Middle East (MEWMDZFZ) should be implemented prior to the 2015 NPT Review Conference, irrespective of whether the prerequisites of peace and security in the region and the attendance of all regional partners can be achieved.”

AGAINST

Argument presented by Sarah Scott

Sarah Jacqueline Scott holds a Bachelor of Arts (Honours) in Political Science from the University of Alberta, and is currently completing a Master's degree in Public and International Affairs at the University of Ottawa. She is originally from British Columbia and the state of Washington, but plans to remain in Ottawa after graduating.



At the 2010 Nuclear Non-Proliferation Treaty Review Conference, it was decided that a regional conference would be held in the Middle East in coming years, with the goal of creating a Middle East Weapons of Mass Destruction Free Zone (MEWMDZFZ). This paper will argue that a conference intending to establish a MEWMDZFZ should not be convened without the prerequisites of peace and security in the region being met, as well as without attendance on the part of all the partners in the region. This is due to the fact that without these precedents, it will not be possible to implement an effective agreement.

I. BACKGROUND/CONSIDERATIONS

The goal behind a MEWMDZFZ is to commit the Middle Eastern states not to possess, test, manufacture, or use any nuclear, chemical, biological weapons or their delivery systems¹ Those states party to such an agreement would be the 22 members of the Arab League, plus Iran and Israel. The “Middle East,” as defined for the purpose of this paper, extends from Libya in the west, to Iran in the east, and from Syria in the north, to Yemen in the south. Suggestions of including Afghanistan, Pakistan as well as Turkey in the eventual zone have not gained any significant traction.²

The goal of establishing a WMDZFZ in the Middle East was proposed to the UN by Iran, and was approved by the UN General Assembly in 1974. In 1991, UN Security Council Resolution 687 was adopted, which endorses the establishment of a MEWMDZFZ.³

At the 1995 Nuclear Non-Proliferation Treaty (NPT) Review and Extension Conference, the goal of establishing a MEWMDZFZ was also indicated to be a priority. This priority was reaffirmed in 2000 NPT Review Conference. However, progress on this initiative has been minimal.

At the 2010 NPT Review Conference, state parties were able to agree for the first time to five practical steps to make progress towards implementing the 1995 NPT Review Conference Middle East resolution.⁴ Actionables on this matter included the establishment of a regional conference to discuss the issue in 2012, and the appointment of a WMDZFZ facilitator.⁵

Initially, there was optimism over the possibility of a formal forum to improve the regional security environment. However, in November 2012, the conference was cancelled. Various reasons were offered for the cancellation. First, states in the region were unwilling to accommodate Israel's demand that such a conference be independent of the NPT. Second, as a result, Israel was not willing to take part, because it expected to bear the brunt of diplomatic harassment over its nuclear weapons stocks. Third, as the conference seemed to be breaking down, co-sponsors could not come to a collective agreement on the best course of action to take.⁶ As a result, a conference specifically devoted to the development of a MEMWDFZ has yet to take place.

Due to the current instability in the region, holding a conference on the creation of a Middle East WMD Free Zone would, at this point in time, be counterproductive. Without the participation of all states in the region, and without the establishment of peace and security there, such a conference would not advance those goals necessary to making it worthwhile. In fact, it may even contribute to greater tension in the region.

II. IN FAVOUR

Even if not all states in the region choose to attend an NPT conference on a WMDFZ in the Middle East, it could be argued that the conference might still be valuable, and thus worth pursuing. Though unanimous agreement would not be established on steps toward creating a WMDFZ in the Middle East, there would still be valuable dialogue amongst those who did attend the event

Should it succeed, the benefits of a conference on a WMDFZ in the Middle East would be immense. Even if an agreement was not reached, such a conference would promote global nuclear disarmament and could contribute to first steps in the Middle East peace process. At the very least, it would ensure that the eventual establishment of a MEWMDFZ remained a priority and a point of discussion.

At a global level, the nuclear arms control movement remains strong. The proposed Middle East WMD free zone would not be the first of its kind: Efforts have been made to establish WMD free zones in regions around the world. In February 1967, the Treaty for the Prohibition of Nuclear Weapons in Latin America was signed.⁷ Today, all 33 countries of Latin America and the Caribbean have ratified it, and the region is free of WMDs.⁸ Similar treaties have since been signed by states in the South Pacific region, Southeast Asia, Africa, and Central Asia. These successes prove that the establishment of WMD free zones is possible, and is in fact an international priority.

Due to the presence of continued conflict in the region, a meeting on a MEWMDFZ could help encourage dialogue and compromise around these issues. Those who participate in this conference could find it to be a useful forum to air grievances and possibly develop solutions through the dialogue that is generated at these talks. This could be particularly useful for those states who continue to have poor relations with one another over arms control issues, such as Israel and Iran.

It is possible that in encouraging the states in the Middle East region to meet under the auspices of discussing a MEWMDFZ, positive steps could be advanced, even without full participation or the establishment of peace and security in the region. In meeting on the subject of a MEWMDFZ, even without hope of success on the matter, those states who do choose to take part will have the opportunity to engage in dialogue, and this might in turn increase trust and cooperation.

III. AGAINST

Due to the current instability in the region, holding a conference on a MEWMDFZ would, at this point in time, be counterproductive. Several insurmountable obstacles must be addressed in order to effectively manage the establishment of a MEWMDFZ.

First, for many Middle Eastern countries, there is a high perceived utility of WMD and their delivery systems; these weapons play an important role in the national security strategy of several states in the region. This view is reinforced when other states in the region continue to develop their weapons capacity, others feel pressure to do the same, and an arms race ensues. Evidence of this factor is continuously found in patterns of pursuit, acquisition, and possession of these weapons by multiple countries in the region.

A second obstacle includes uncertainty over the internal transitions of many Middle Eastern countries. These internal revolts have lowered the priority level of work on WMD reduction, and in some cases even increased the public demand for these weapons. The aftermath of the Arab Spring has led to destabilization across the region. Countries such as Libya are still struggling to establish law and order internally.

Third, there is a serious absence of institutions in the Middle East that could support such an initiative as the development of a WMDFZ. At this time, no country in the Middle East region has taken a lead on this initiative, and thus there is no regional source of authority to convene talks on WMD reduction. While regional institutions such as the Arab League and Gulf Cooperation Council do operate in the region, but none of these organizations include all of the regional actors: the Arab States, Israel, and Iran.

Fourth, there are differences in terms of the scope and verification processes associated with any recommendation that a conference might result in. Participating parties might hold opposing views on what they want to achieve through a conference on a MEWMDFZ, for example, what is to be prohibited.

Fifth, outstanding regional conflicts make the organization of such a conference extremely difficult, and create a deficit of trust among the partners necessary to make such a conference a success. In general, the Middle East remains a troubled region experiencing continued conflict in many areas: revolutions, ethnic and sectarian rivalries, lack of democratic legitimacy, and territorial disputes. Such regional instabilities include the civil war in Syria and the ongoing Israeli-Palestinian conflict.

While past conflicts might not necessarily impede cooperation, such persistence of conflict feeds mistrust, which in turn blocks progress on negotiations toward weapons controls. Meeting before security is established and full regional participation is guaranteed will only alienate those countries that are not yet capable or willing to take part in discussions on a WMDFZ, and will stall negotiations over the creation of a WMDFZ in the long run.

IV. RECOMMENDATION

Due to the many obstacles preventing the execution of an NPT conference on a MEWMDFZ, it is recommended that such a conference does not proceed prior to the 2015 NPT Review Conference.

There is a deep conceptual gap between the different parties in the region, which means that their perspectives and approach toward security and arms control initiatives differs. Any agreement on arms control cannot be externally applied, but must come from the states in the region; direct engagement by the parties will provide the best prospects for success.

WMDs have featured prominently in the history of the Middle East region. The Middle East is the only region of the world where WMDs have been employed in combat since Hiroshima and Nagasaki were bombed during WWII. In the 1960s, Egypt employed chemical weapons against Yemen. Chemical weapons were similarly used by Libya against Chad in 1987, and by Iraq against its Kurdish population and Iran in the 1980s.

Almost all military strikes against suspected WMD facilities has taken place in the Middle East, including an attack by Iran against Iraqi facilities in 1981, one by Israel against Iraq in 1981, a number of attacks by Iraq against Iran between 1984 and 1987, United States and allied forces against Iraq in 1991, 1993, 1998, and 2003; Israel against Syria in 2007.⁹ Over 5,000 ballistic and cruise missiles have been fired in combat since the end of WWII, and more than 90% of these were launched in the Middle East.¹⁰

Not all members of the Middle East have ratified the Chemical Weapons Convention, Comprehensive Test Ban Treaty, or the Biological and Toxin Weapons Convention. Most importantly to the strategic balance in the region, all of the countries in the Middle East are party to the Nuclear Non-proliferation Treaty, with the exception of Israel, who is believed to have acquired nuclear weapons in the 1960s.

The varied willingness of the Middle Eastern states to ascribe to arms control treaties provides an example of the difficulties of enforcing an all-encompassing ban on WMDs in the region. The proliferation of WMDs in the Middle East has been a constant for decades, and it is unlikely that the strategic situation there will change enough to ensure that all the countries there would be comfortable taking part in such an initiative.

The importance of WMD controls is evident from the Middle East's history; however, this volatile history, and the current instabilities in the region, mean that there are issues that must be addressed before a WMD free zone can be negotiated and established. Without active participation, and most importantly, cooperation, between all parties in the region on the establishment of a WMD free zone in the Middle East will not be possible, and should not be attempted.

Without full participation from the actors in the Middle East region, and without the establishment of peace and security in the region, a meeting on the creation of a MEWMD free zone would be ineffective. There are too many other issues at stake in the region that will need to be addressed before weapons reductions can be properly pursued.

1 Davenport, Kelsey, "WMD-Free Middle East at a Glance," *Arms Control Association* (July 2013). Accessed at <<http://www.armscontrol.org/factsheets/mewmdfz>>.

2 Ibid.

3 Ibid.

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- 4 Davenport.
 - 5 Ibid.
 - 6 Foradori, Paolo and Martin B. Malin, *A WMD-Free Zone in the Middle East: Creating the Conditions for Sustained Progress*. Harvard Kennedy School, Belfer Center for Science and International Affairs (December 2012).
 - 7 Bahgat, Gawdat, "A WMD-Free Zone in the Middle East?" *Middle East Policy* Vol. 20, No. 1 (Spring 2013).
 - 8 Ibid.
 - 9 Foradori and Malin.
 - 10 Ibid.

Debate 3

AUSTRALIA GROUP MEMBERSHIP

“Be it resolved that the prevention of the development of chemical and/or biological weapons, and/or their diversion to illicit networks and non-state actors, would be significantly improved by expanded membership in the Australia Group export control regime.”

IN FAVOUR

Argument presented by Samuel Wollenberg

Samuel Wollenberg is a 2015 Master's of Global Affairs candidate at the Munk School of Global Affairs at the University of Toronto. Since his Bachelor of Arts undergraduate thesis on the modern application of the just war theory, Samuel has focused his academic research on the resolution of conflict and the various measures that can be taken pre, during and post-conflict to curb instances and extents of violent conflict. With focus in the security stream at the Munk School of Global Affairs and various independent initiatives such as blogging for the Terrorism, Security and Society Network of Canada, Samuel aims to develop innovative approaches and implementable policies to conflict both domestically and internationally.



I. INTRODUCTION

The Australia Group was initiated in 1985 to harmonize export control measures for materials with potential for proliferation in the form of chemical or biological weapons. The founders of the group saw the established Biological and Toxic Weapons Convention (BWC), a multilateral legal agreement established in 1975 with 170 current signatories, as lacking in implementation and verification measures. The Group was constructed as a reciprocating and information sharing collective and demands coherence through the implementation of compulsory domestic laws of all members.

In contrast to the BWC, the Australia Group is a non-legally binding agreement and consensus based organization, relying on collective accountability rather than international law. Signatories of the BWC made similar collaborative attempts through the establishment of the Ad Hoc Group (AHG) in 1994, seeking legally binding multilateral agreements in the annual domestic reporting of confidence building measures (CBM) for all treaty members.¹ However, by 1996 only slightly more than half of BWC signatories had submitted any CBM at all, and, due to a variety of political and national security claims, only one-third of the members had actively participated in annual information exchanges.² The United States' condemnation of the whole conceptual framework of the 2001 verification protocol at the Fifth Review Conference of the AHG “effectively dealt the death-blow”³ to implementation strategies and by 2003, the Review Conference was marred by a “distinct lack of ambition.”⁴

With the passing of the second significant biochemical arms control treaty, the Chemical Weapons Convention (CWC) in 1997, the Australia Group faced relevance scrutiny as the CWC intended to address some of the domestic verification and implementation issues lobbed at the BWC. By demanding states declare both appropriate chemicals and plans for destruction, the CWC placed verification measures as part of the implementation of the treaty rather than part of the process used for investigating alleged violations.⁵ As early as 2000, some scholars saw the potential for the non-proliferation measures of the CWC to replace the Australia Group, “in principal.”⁶ However, four years after ratification of the CWC, only 35% of signatories notified the appropriate international body, the Organization for the Prohibition of Chemical Weapons (OPCW), on their implementation procedures.⁷ Currently, 89 States Parties having legislation covering all key areas of the CWC.⁸

II. IN FAVOUR

Expanding upon the current 42 members of the Australia Group would significantly aid in the prevention of biochemical weapons production. Through collective accountability, the Australia Group has created effective and confidential information sharing networks regarding private sector chemical production to exportation denial. Collective accountability also governs the “no-undercut” policy of the Group in which they agree to consult each other before exporting an item to a specific country to which another member denied product export.⁹ Expanded membership would mean fewer available countries from which proliferation state or non-state actors could purchase biochemical and technological materials.

The expansion of membership even further to include non-state academic and industry actors, which the Group has expressed interest in doing since 2012, would also address the issue regarding the increased rate in which biochemical development is occurring.¹⁰ One concern lodged with the current structure of the CWC template as an international legal document is the failure of a rapid response to newly developed chemicals.¹¹ Annual Australia Group meetings with relatively simple adaptation procedures of the control list, informed by both public and private information networks, are far better suited to monitoring immediate proliferation concerns and will only improve with additional members.

Furthermore, due to stringent membership requirements that include excellent standing in both BWC and CWC implementation, the inclusion of more state actors would ensure greater private and public adherence to both BWC and CWC guidelines in ways the OPCW enforce. For example, the inclusion of Mexico, already in good standing with the OPCW and thus CWC, into the Australia Group in 2013 took the combined efforts of 10 domestic governmental bodies to create levels of security deemed necessary by the Group.¹² This domestic accountability, combined with international export standards for all Australia Group members, means more effectiveness in reducing the “comparative disadvantage” in trade that its member countries would face if implementing the BWC policies independently, a factor that was previously at fault for stalling successful domestic implementation of the BWC.¹³

Ultimately, due to the mutually inclusive nature of the Australia Group, that demands compliance of both the BWC and CWC before membership consideration, expansion of its

member body would only strengthen countries' existing commitments to the treaties while addressing current issues of more effective collective international oversight and cooperation.

III. AGAINST

The production and proliferation of chemical and biological weapons along with their accessibility by non-state actors would not be significantly reduced by the expansion of the Australia Group because of fundamental legitimacy and redundancy issues with the established BWC and CWC. Due to membership being largely affluent western and European nations, the Australia Group has faced criticism for the intentional hampering of legitimate chemical trade and “technological denial in disguise” to developing countries.¹⁴ Expansion of the Group, especially if that expansion consists of developed country membership, could establish a divide in the global non-proliferation regime with increased animosity for the Group. This would present the likelihood of further constriction of domestic information sharing other than that demanded by the OPCW, and subsequently less coherent international exportation norms with possibility for exploitation by both state and non-state actors.

The expansion of membership would also ignore another criticism marked at the effectiveness of the Australia Group, that of it being contrary and redundant, creating undue non-proliferation efforts. Despite the Group claims of working in tandem with existing treaties, China, India, Iran and Pakistan view the existence of the Group as counter effective to the CWC and BWC.¹⁵ They argue that with the denial of certain exports to ratifying countries that have made legally binding commitments not to proliferate biochemical weapons, the Australia Group is undermining the norms established by international law and the OPCW oversight committee.¹⁶

Finally, the entire “artefact-centric” strategy of the Australia Group to focus specifically on the transfer of chemicals and instruments themselves may be wholly inadequate to prevent modern proliferation tactics. Filippa Lentzos has identified the most significant factor to current forms of biochemical proliferation as intangible information such as expertise and knowledge, which can be transferred incognito at any time, with Nguyen indicating the emergence of micro-reactors and mini chemical plants as the “clandestine future of proliferation” with easy circumvention of export controls.¹⁷¹⁸

IV. RECOMMENDATIONS

The future of successful chemical and biological non-proliferation, as noted by numerous scholars, lies in a holistic approach to the issue, combining international law, formal state networks and the inclusion of private and civil society actors.¹⁹ The expansion of the Australia Group, with specific interest in developing countries and private actors or networks such as the recently accepted European Commission, would encompass such an approach. The Group is already successful in the establishment of effective export control lists and set a global precedent on biochemical non-proliferation. Furthermore, with strict commitment to the existing international chemical arms treaties, there is no contention but rather strengthening of other non-proliferation tactics.

V. ADDENDUM

Claims of illegitimacy and redundancy by specific states toward the Australia Group hold little relevance in regard to increased effectiveness of its expansion. As in a noteworthy portion of international law, simple ratification of a treaty and apparent compliance does not necessarily mean stringent domestic implementation, and the Australia Group has greater means to determine effectiveness than, for example, state reports to the OPCW. In regard to its “artefact-centric” approach, strict domestic legal requirements of each member that hold repercussions for any aspect of proliferation domestically, even in information or micro-based components, would mean greater risk for violators in Australia Group states.

BIBLIOGRAPHY

Kelle, A., Nixdorff, K., and Danda, M. *Controlling Biochemical Weapons: Adapting Multilateral Arms Control for the 21st Century*. New York: Palgrave MacMillan, 2006. Print.

Lentzos, F. *Hard to Prove: Compliance with the Biological Weapons Convention*. London: King's College London, 2013. Online Report.

Moodie, A. “Australia Group” *Inventory of International Nonproliferation Organizations & Regimes*. James Martin Center for Nonproliferation Studies. Accessed through <<http://cns.miis.edu/inventory/organizations.htm>> on 12/12/13.

Nguyen, Tuan H. “Microchallenges of Chemical Weapons Proliferation.” *Science*. New Series, Vol. 309, No. 5737 (Aug. 12, 2005), p. 1021. Online.

Hampson, F. “International Law and the Regulation of Weapons.” *Incapacitating biochemical weapons : promise or peril*. eds Pearson, Alan M., Marie I. Chevrier, and

Mark Wheelis. Lanham: Lexington Books, 2007. Pg 231-261. Print.

Feakes, J. “Export Controls, Chemical Trade and the CWC” *The Chemical Weapons Convention: Implementation Challenges and Solutions*. Ed. Jonathan Tucker. Washington: Monterey Institute for International Studies, 2001. Pg 45-53. Online Report.

Tucker, J. “BWC New Process: Preliminary Assessment” *The Nonproliferation Review*. Vol. 11.1 (Spring 2004), pg 26-40.

¹ Tucker, J. “BWC New Process: Preliminary Assessment” *The Nonproliferation Review*. Spring 2004, 32.

² Kelle, A., Nixdorff, K., and Danda, M. *Controlling Biochemical Weapons: Adapting Multilateral Arms Control for the 21st Century*. New York: Palgrave MacMillan, 2006. 47.

³ *Ibid*, 59.

⁴ Tucker, 32.

⁵ Hampson, F. "International Law and the Regulation of Weapons." *Incapacitating biochemical weapons : promise or peril*. eds Pearson, Alan M., Marie I. Chevrier, and Mark Wheelis. Lanham: Lexington Books, 2007, 247.

⁶ Feakes, J. "Export Controls, Chemical Trade and the CWC" *The Chemical Weapons Convention: Implementation Challenges and Solutions*. Ed. Jonathan Tucker. Washington: Monterey Institute for International Studies, 2001, 52

⁷ Ibid, 53

⁸ "National Implementation of the Chemical Weapons Convention." *The Organization for the Prohibition of Chemical Weapons*. Opcw.org. Web. 08 Dec. 2013.

⁹ Kelle, A., Nixdorff, K., and Danda, M. Ibid, 49

¹⁰ Moodie, A. "Australia Group" *Inventory of International Nonproliferation Organizations & Regimes*. James Martin Center for Nonproliferation Studies.

¹¹ Kelle, A., Nixdorff, K., and Danda, M. Ibid, 49

¹² Australia Group. "Mexico Joins the Australia Group." australiagroup.net. Web. 08 Dec. 2013.

¹³ Kelle, A., Nixdorff, K., and Danda, M. Ibid, 47

¹⁴ Feakes, 53.

¹⁵ Ibid, 53.

¹⁶ Ibid, 54

¹⁷ Lentzos, F. *Hard to Prove: Compliance with the Biological Weapons Convention*. London: King's College London, 2013. Pg 16

¹⁸ Nguyen, Tuan H. "Microchallenges of Chemical Weapons Proliferation." *Science*. New Series, Vol. 309, No. 5737 (Aug. 12, 2005), pg 1021.

¹⁹ Lentzos, 18; Hampson, 253.

Debate 3

AUSTRALIA GROUP MEMBERSHIP

“Be it resolved that the prevention of the development of chemical and/or biological weapons, and/or their diversion to illicit networks and non-state actors, would be significantly improved by expanded membership in the Australia Group export control regime.”

AGAINST

Argument presented by Alexandre Léger

Alexandre Léger is a student in the Master's in Public Policy and Public Administration, at Concordia University in Montreal. His research interest include nuclear security issues and has presented his work on nuclear domino theory at the Conference of Defense Association's annual graduate student conference, winning the second place. Alexandre was a recipient of the 2012-2013 Graduate Research Awards, also winning the debate on non-proliferation and disarmament. Alexandre is currently completing the internship phase of his MA program at Employment and Social Development Canada, in the Economic Policy Directorate of the Strategic Policy and Research Branch. In addition, Alexandre is a Master Corporal in the Canadian Forces Reserves, where he is a bagpiper in the Black Watch (RHR) of Canada.



I. BACKGROUND

The Australia Group is an informal arrangement of 42 states¹ which share harmonised national export licensing measures to minimise the risk of chemical and biological weapons proliferation.² The meeting of the first 15 participating states, chaired by Australia, took place in 1985 in response to the use of chemical weapons in the Iran-Iraq war.³ To limit the circumvention of WMD controls, the group adopted an informal framework relying on the commitment and compliance of participating countries, without any legal obligations.⁴

The Australia Group's objective is to elevate the cost for potential proliferators, by restricting access to material and know-how which can be diverted towards weapons development.⁵ The licencing measures therefore target dual-use chemical and biological equipment and technology, plant and animal pathogens used in manufacturing and research.⁶ The measures are not to restrict legitimate trade, while ensuring on a case by case basis that the end user of material is legitimate.⁷ The Australia Group provides common control lists, identifying agents and technology of potential risk.⁸

The Australia Group is part of a global non-proliferation regime and is reliant upon other international frameworks. The group points to a violation of the Geneva Protocol as the catalyst for its creation.⁹ The Australia Group was an initial supporter of the Chemical Weapons Convention and is a continued partner its governing bodies.¹⁰ Its mandate mirrors Articles I and IX of the convention.¹¹ All state participants are signatories to the Biological and Toxin Weapons

Convention.¹² The Australia Group's work aids in the implementation of Article III by prohibiting assistance to other states in the production or development of biological weapons.¹³

The issue of chemical and biological weapons proliferation is rooted in the dual-use of material, meaning it can be utilised for peaceful purposes and weaponization. For example, pathogens are vital in immunology. However, health science research may be used to weaponize a pathogen. The guise of peaceful use thus provides a cover for state and non-state actors to engage in proliferation. As WMD weapons programs require significant resources towards research on chemical agents, pathogens and also delivery methods, states are the key actor with the means to proliferate. Knowhow has gone global due the internet and illicit networks, therefore WMD methods of production are increasingly accessible to terrorist organisations.¹⁴ Terrorist groups would require only a small amount of chemical or biological agents in order to produce casualties, spread fear and destabilise the economy.¹⁵ The sarin gas attacks perpetrated by Aum Shinrikyo in Japan¹⁶, the use of salmonella on a salad bar in Oregon¹⁷ and homegrown anthrax attacks on the US Postal Service¹⁸ demonstrate the reality of the threat.

II. IN FAVOUR

First, the Australia Group informally implements articles of the Chemical Weapons Convention and the Biological and Toxin Weapons Convention, holding 190 and 171 signatories respectively.¹⁹ Increasing membership to the export regime to match the signatories of the conventions would strengthen the non-proliferation regime as a whole. It would provide the Australia Groups' existing and functioning framework to states attempting to meet the convention obligations and with formal and legal support of the conventions' permanent bodies. This would give the regime the flexibility needed to engage with the rapid pace of the industry through the Australia Group and the strict enforcement of measures.

Second, the Australia Group effectively creates a green zone for legitimate trade for chemical and biological industries. As the licencing measures reduce access to key chemical and biological material and technology to potential proliferators, an expanded Australia Group would close further access gaps. It is important to increase the size of the green zone. This will serve to further isolate proliferating states in their access, and also restrict the available network for non-state actors to divert material and knowledge. The harmonisation of measures amongst a large set of countries will allow for more rapid and effective trade between an increased set legitimate end-users, benefiting industry and research.

III. AGAINST

First, increased membership will undermine the effectiveness of this informal network, as it would favor quantity over quality. Growth in membership in international organisations comes often at the cost of "diluting the original membership criteria".²⁰ In its membership selection, the Australia Group has demonstrated the preference of meaningful membership, where participating states must have the means to enforce the licencing measures. States such as Pakistan have previously been denied membership.²¹ While it may be tempting to incorporate states to enlarge the net, it also introduces the new export gaps into the network. Many states

do not have the means to effectively control their chemical and biological industries and stockpiles, or do not have effective control of their borders and territory. The European Community and former Soviet States are already undermining the effectiveness of the export regime, which highlights the problem with increasing membership further. Australia Group does not have the tools to implement licencing as it relies on compliance of member states utilising their own resources. This reliance on confidence motivates the creation of a smaller dedicated group of states.

Second, the expansion of the Australia Group's green zone and isolation of the periphery cannot succeed in targeting and restricting proliferation threats. States of proliferation concern have the means to turn inwards to build indigenous weapons programs. The former Director of Central Intelligence, George Tenet, argues that states can "insulate their programs against interdiction and disruption".²² Moreover, non-state actors have the means to acquire knowhow and material beyond formal and informal restrictions. The AQ Khan network which was an effective nuclear weapons program for hire demonstrates how expertise and material can flow between borders beyond the reach of treaty restrictions. Particularly for chemical weapons, the industry focus of the Australia Group does not cover small scale ambitions, allowing for the very small quantities required for terrorist attacks pass under the radar.²³

Third, it is argued that the Australia Group as part of the global non-proliferation regime has become redundant. The export regime was created as a quick response providing temporary measures while a formal convention was being drafted and can now be viewed as but a small ad hoc club to the conventions.²⁴ Non-aligned states reject the export control group, as they view themselves as bound to stronger restrictions within the conventions.²⁵ Now the Australia Group's mandate is more effectively covered by the regulatory bodies of the two conventions, which are not based on confidence and compliance. The Organisation for the Prohibition of Chemical Weapons, which this year received the Nobel Peace Prize, demonstrates the ability for a formal convention organisation to have a stronger capability for implementation of measures.

IV. RECOMMENDATIONS

Considering the limitations of the effective implementation of licencing measures by many states, it is recommended that the Australia Group does not make increasing its membership an objective. The export group should work on solidifying security within its own green zone to meet new security challenges. Former Soviet States and the free trade area of the European Union pose a challenge to the physical control of material. Moreover, the Australia Group must focus on the security of knowledge in order to prevent knowhow from outside the green zone of legitimate end users.

Considering the Australia Group's existing objective of connecting with academic and industry partners, it should additionally engage in capacity building with agencies in enforcement in and outside of the specific realm of WMDs. For example, Interpol operates to counter illicit trade²⁶ and CBRNE terrorism²⁷, both at the heart of this issue. Collaboration would strengthen the Australia Group member states, aspiring member states and the non-proliferation regime as a

whole by promoting the sharing of knowledge and best practices to stay ahead of potential proliferators.

V. ADDENDUM

On the issues relating to the threat of terrorism, examples of chemical attacks do not come from the periphery, but from within the green zone. The attacks in Japan and the US were both perpetrated by groups in states participating in the Australia Group. This demonstrates the failure of the licencing measures at the micro level and the ability of the informal network to operate effectively in conjunction with enforcement agencies.

¹ "Australia Group Participants". *The Australia Group*. (Accessed: 12/12/13)
<http://www.australiagroup.net/en/participants.html>

² "Activities". *The Australia Group*. (Accessed: 12/12/13)
<http://www.australiagroup.net/en/activities.html>

³ "The Origins of the Australia Group". *The Australia Group*. (Accessed: 12/12/13)
<http://www.australiagroup.net/en/origins.html>

⁴ "The Australia Group: An Introduction". *The Australia Group*. (Accessed: 12/12/13)
<http://www.australiagroup.net/en/introduction.html>

⁵ Ibid.

⁶ "Activities". *The Australia Group*.

⁷ "Objectives". *The Australia Group*. (Accessed: 12/12/13)
<http://www.australiagroup.net/en/objectives.html>

⁸ "Australia Group Common Control Lists". *The Australia Group*. (Accessed: 12/12/13)
<http://www.australiagroup.net/en/controllists.html>

⁹ "The Origins of the Australia Group". *The Australia Group*.

¹⁰ "Relationship with the Chemical Weapons Convention". *The Australia Group*. (Accessed: 12/12/13)
<http://www.australiagroup.net/en/cwc.html>

¹¹ Ibid.

¹² "Relationship with the Biological Weapons Convention". *The Australia Group*. (Accessed: 12/12/13)
<http://www.australiagroup.net/en/bwc.html>

¹³ Stockholm International Peace Research Institute. *Review of Recent Literature on WMD Arms Control, Disarmament and Non-Proliferation*. Stockholm: Weapons of Mass Destruction Commission. 2004. p42

¹⁴ Fangmark, Ingrid and Norlander, Lena. Ed. *Indicators of State and Non-State Offensive Chemical and Biological Programmes*. Stockholm: Weapons of Mass Destruction Commission. 2004.

¹⁵ Ibid.

¹⁶ Sellstrom, Ake and Norqvist, Anders. *Comparison of States vs. Non-State Actors in the Development of a BTW Capability*. Stockholm: Weapons of Mass Destruction Commission. 2004. p6

¹⁷ Ibid.

¹⁸ Stockholm International Peace Research Institute. p40

¹⁹ "OPCW Member States". *Organisation for the Prohibition of Chemical Weapons*. (Accessed: 12/12/13) <http://www.opcw.org/about-opcw/member-states/> ; "Status of the Convention". Biological and Toxin Weapons Convention Website. (Accessed: 12/12/13) <http://www.opbw.org/>

²⁰ Ibid.

²¹ "Australia Group (AG)". *Nuclear Threat Initiative*. (Accessed: 12/12/13) <http://www.nti.org/treaties-and-regimes/australia-group-ag/>

²² Zanders, Jean Pascal. *A Verification and Transparency Concept for Technology Transfers under the BTWC*. Stockholm: Weapons of Mass Destruction Commission. 2004. p21

²³ Fangmark, Ingrid and Norlander, Lena. p8

²⁴ Littlewood, Jez. *Managing the Biological Weapons Problem: From the Individual to the International*. Stockholm: Weapons of Mass Destruction Commission. 2004. p6

²⁵ "The Australia Group at a Glance". *Arms Control Association*. (Accessed: 12/12/13) <http://www.armscontrol.org/factsheets/australiagroup>

²⁶ "Trafficking in illicit goods and counterfeiting". *Interpol*. (Accessed: 12/12/13) <http://www.interpol.int/Crime-areas/Trafficking-in-illicit-goods-and-counterfeiting/Trafficking-in-illicit-goods-and-counterfeiting>

²⁷ "CBRNE Terrorism Prevention Programme". *Interpol*. (Accessed: 12/12/13) <http://www.interpol.int/Crime-areas/Terrorism/CBRNE-Terrorism-Prevention-Programme>

Debate 4

COUNTER-PROLIFERATION AND IRAN

“Be it resolved that the Nuclear Suppliers Group and the Proliferation Security Initiative are essential instruments, beyond the activities of the UNSC and IAEA, for preventing Iran from acquiring a nuclear weapons capability.”

IN FAVOUR

Argument presented by David Torre

David Torre is PhD Candidate at the University of Calgary in the Department of Political Science. His dissertation explores the factors that drive a state to adopt, expand, or abandon commercial nuclear power. Dr. James F. Keeley supervises his work. He has designed and taught classes as a sessional instructor at the University of Calgary in International Relations. He will be teaching a seminar in Global Energy Politics this fall. His research interests broadly include: Energy Politics, Nuclear Power, Non-Proliferation, International Relations Theory, Security Studies, and Sexual Ethics.



I. OPENING STATEMENT AND THESIS

Today the international community finds itself at a crossroads as it seeks to find a long-term solution that will prevent Iran from acquiring a nuclear weapons capability. Two notable tools in the battle to prevent Iran from acquiring a nuclear weapons capability are the Proliferation Security Initiative (PSI) and the Nuclear Suppliers Group (NSG). I will argue that these tools are essential to the international community to prevent this from becoming a *fait accompli*.

While considerable attention has been paid to United Nations Security Council (UNSC) sanctions¹ and recent efforts to negotiate a freeze on uranium enrichment,² I will argue that ultimately interdiction and export controls are the principal means of preventing Iran from acquiring the bomb.

The NSG is a voluntary association that was formed in 1975 in response to India’s “peaceful nuclear explosion” at Pokhran. Initially the NSG set out to control the sale of nuclear technology to states deemed to be a proliferation risk. Today, it boasts a membership of 49 states, which includes virtually all major nuclear exporters.³ The NSG is used to vet the sale and export of nuclear and dual-use technologies destined for countries of concern. Member states can deny any export that might contribute to a nuclear weapons program, even if it is not explicitly listed as a banned item.⁴

The PSI is unique, in the sense that it is often referred to as an ‘activity’ as opposed to a group. If the NSG can be thought of as a tool for vetting trade from known exporters of nuclear and dual-use goods, the PSI is an effort to interdict the illicit and black market trade in those goods.

Taken together, I will demonstrate how these two initiatives continue to work to prevent Iran from acquiring the materials necessary in order to develop a nuclear weapons capability.

II. MAIN ARGUMENTS

Iran has been pursuing nuclear power for decades, and has likely had a dedicated weapons program since at least the 1980s.⁵ While historically other countries have been able to successfully build and test a weapon within 3 to 6 years, Iran's program seems to be mired with difficulties.⁶ I would argue that these difficulties could be attributed to improved exports controls, and interdiction efforts undertaken through initiatives like the NSG and PSI respectively. Due to time and space considerations I will focus on the role of the PSI in keeping Iran from acquiring a nuclear weapons capability.

The PSI has 98 states committed to a variety of “legal, diplomatic, economic, [and] military...tools,” used to constrain the spread of Weapons of Mass Destruction (WMD) and missile technology.⁷ PSI has pressured participating states to strengthen local export controls, and provide domestic authorities with the needed powers to be able to inspect and intercept suspicious cargo. It has also sought to coordinate intelligence, best practices (through training exercises), and interdiction operations to improve its scope and reach. Through PSI, the United States (US) has managed to negotiate ship-boarding agreements with all major “flag of convenience” (FOC) states.⁸ Ships sailing with FOC have been traditionally linked to illicit trade. These ship-boarding agreements give the US the authority to inspect these vessels for potential WMD and other related goods destined for countries of concern.⁹

While the US has been reluctant to provide detailed accounts of PSI operations, the growth in membership, ship-boarding agreements, and the number of training exercises undertaken provide some means of assessment. It is worth noting that over 70 percent of Iranian vessels are registered with Malta,¹⁰ a state that has signed a ship-boarding agreement with the US.¹¹

The US State Department has confirmed that over 50 successful cases of interdiction have been undertaken by PSI to date.¹² Two of these cases have been linked to the Iranian program. In one case, a shipment of phosphor bronze destined for Iran's nuclear program was seized in Singapore in 2010. The other case of interdiction was of a shipment of aluminum powder used for fuel in Iran's ballistic missile program.¹³

Perhaps the most famous case of interdiction linked to PSI was the BBC China in 2003. The BBC China was a German-owned shipping vessel destined for Libya. It was found to be carrying components for nuclear centrifuges from Pakistan. Ultimately this incident caused the Libyan government to abandon their nuclear weapons program and led to the eventual arrest of A.Q. Khan, the leader of a Pakistani-based WMD smuggling network in February 2004.¹⁴ This is one supplier of Iranian centrifuge components that we can say for certain has been put out of business by this kind of counter-proliferation initiative.¹⁵

Iran's nuclear program has begun to stagnate in recent years.¹⁶ Since 2002 Iran has struggled to complete the construction of its heavy-water reactor at Arak, proceed with the development of its more advanced ballistic missile designs, and been forced to rely on the less efficient IR-1

centrifuge design, as opposed to the improved IR-2m design, due to a lack of parts and money needed to upgrade their facilities.¹⁷ Materials needed to advance these programs, like maraging steel and carbon fiber, have become increasingly difficult to source for Iran as a result of the robust international sanctions and export controls regime.¹⁸ The effectiveness of the current export controls regime is highlighted by a whole host of cases that have surfaced recently describing foiled efforts to sell aluminum,¹⁹ uranium,²⁰ and vacuum pumps²¹ to Iran. I would argue that coordinated efforts to deny these components to the Iranian program have played a critical role in keeping Iran non-nuclear.

III. COUNTER-ARGUMENTS AND REBUTTALS

Critics of PSI often focus on the problem of attribution.²² In other words, how can we measure the success of PSI if we cannot conclusively say that it was involved in a given operation? I would argue that if there is evidence of interdiction, and denial of export licenses for goods destined for Iran, than these cases can serve as strong indicators that counter-proliferation measures and export controls are doing their job. PSI need not publicly declare the missions it undertakes for them to be considered successful.

Critics of PSI have challenged the legality of interdiction on the high seas as it is seen as potentially disrupting legitimate commerce and a violation of “innocent passage.”²³ While the legality of interdiction is in some cases unclear, the increased number of ship-boarding agreements signed by PSI members and the growing number of participants have helped to overcome some of these legal hurdles. In the case of Iran, UNSC resolution 1929 provides the authority necessary for states to inspect cargo destined for Iran if it is believed to contain nuclear (or other prohibited) goods.²⁴

Perhaps the strongest challenge to the idea that PSI and the NSG are essential to preventing Iran from acquiring the bomb is the fact that Iran has been able to continue to advance the development of its nuclear program in spite of their efforts.²⁵ I would argue that export controls and counter-proliferation efforts have made it increasingly difficult and costly for Iran to acquire a nuclear weapons capability. Clearly Iran’s program has developed at a much slower rate than determined proliferators from years past.²⁶ This has allowed for a lengthy diplomatic process to be undertaken that could help to secure a long-term solution that will serve to disarm Iran.

IV. CONCLUSION

Based on the analysis provided above, I have argued that the NSG and the PSI are playing a critical role in preventing Iran from acquiring a nuclear weapons capability. They have made it increasingly costly and technically difficult for Iran to acquire a bomb, making it more likely that they will give up this option over the long run. As Iran becomes increasingly politically isolated, and economically hobbled, the value of their nuclear program will continue to dwindle. It should come as no surprise that Iran has failed to successfully create and test a working nuclear device for over two decades. Concerted non-proliferation and counter-proliferation measures like PSI and the NSG have served to frustrate their efforts, and have ultimately kept Iran from acquiring a nuclear weapons capability.

V. ADDITIONAL REBUTTAL POINTS

Iran's willingness to accept the terms of the six-month interim agreement with the P5+1 can be viewed as additional evidence that supports the claim that the current export controls and counter-proliferation measures are working.

PSI's coordinated intelligence gathering efforts can help to inform NSG member states' decision(s) to deny export licenses for any dual-use or nuclear goods destined for Iran.

The informal nature of the PSI allows it to operate in the absence of consensus unlike the UNSC or the IAEA

When it comes to the legality of interdiction on the high seas, it has been argued that exporters carrying nuclear, dual-use, and/or WMD-related technology may have legally forfeited their right to "innocent passage" under the UN Law of the Seas (UNCLOS).²⁷

While there is growing evidence to suggest that Iran could reach a breakout capability in less than 2 months,²⁸ this development must be put into context. This means they would have sufficient nuclear material to produce a crude device as opposed to a deliverable weapon. There is a big difference between having the materials needed to build a bomb and the technical ability and organizational wherewithal to assemble a deliverable nuclear weapon.²⁹

¹ For a detailed account of the UNSC resolutions see: Paul K. Kerr, "Iran's Nuclear Program: Tehran's Compliance with International Obligations," *Congressional Research Service*, 31 July 2013, (accessed 6 December 2013), <http://www.fas.org/sgp/crs/nuke/R40094.pdf>.

² Michael Gordon, "Accord Reached with Iran to Halt Nuclear Program," *The New York Times*, 23 November, 2013, (accessed November 28, 2013), http://www.nytimes.com/2013/11/24/world/middleeast/talks-with-iran-on-nuclear-deal-hang-in-balance.html?_r=0.

³ "Nuclear Suppliers Group (NSG)," *The Nuclear Threat Initiative (NTI)*, (accessed on February 17, 2014), <http://www.nti.org/treaties-and-regimes/nuclear-suppliers-group-nsg/>.

⁴ Daryl Kimball and Kelsey Davenport, "The Nuclear Suppliers Group (NSG) at a Glance," *Arms Control Association*, October 2012, (accessed February 17, 2014), <http://www.armscontrol.org/factsheets/NSG>.

⁵ "Iran," *The Nuclear Threat Initiative (NTI)*, (accessed on February 17, 2014), <http://www.nti.org/country-profiles/iran/>.

⁶ Jacques E.C. Hymans, "Iran is Still Botching the Bomb: It is Time for Israel and the United States to Stop Overreacting," *Foreign Affairs*, 18 February 2013, (accessed 19 Feb 2014), <http://www.foreignaffairs.com/articles/139013/jacques-e-c-hymans/iran-is-still-botching-the-bomb>. Also see, Jacques E.C. Hymans, "Botching the Bomb: Why Nuclear Weapons Programs Often Fail on Their Own -and Why Iran's Might Too," *Foreign Affairs*, May/June 2012, (accessed 19 Feb 2014), <http://www.foreignaffairs.com/articles/137403/jacques-e-c-hymans/botching-the-bomb>. For a detailed discussion on nuclear latency and different timelines for weapons development see: Scott D. Sagan, "Nuclear Latency and Nuclear Proliferation," in *Forecasting Nuclear Proliferation in the 21st Century Volume 1: The Role of Theory*, edited by William C. Potter and Gaukhar Mukhatzhanova (Stanford, CA: Stanford University Press, 2010): pp. 80-101.

⁷ Mary Beth Nikitin, "Proliferation Security Initiative," *Congressional Research Service*, 15 June 2012, (accessed February 18, 2014), <https://www.fas.org/sgp/crs/nuke/RL34327.pdf>.

⁸ Nikitin (2012).

⁹ Ibid.

¹⁰ Jacek Durkalec, "The Proliferation Security Initiative: Evolution and Future Prospects," *Non-Proliferation Papers*, no. 16 (June 2012), p.13; this figure is based on tonnage of exports.

¹¹ Nikitin (2012).

¹² Durkalec (2012), p. 18.

¹³ Ibid.

¹⁴ David Albright and Corey Hinderstein, "Unraveling the A.Q. Khan and Future Proliferation Networks," *The Washington Quarterly*, Vol. 28, No. 2 (Spring 2005), p. 116.

¹⁵ It has been suggested that PSI may not have been directly involved in the BBC China incident, and that it was in fact a separate operation designed to disrupt the Khan network. Condoleezza Rice has suggested that the incident might be described as a "framework for action" for future missions, but other State Department officials have asserted that PSI helped 'facilitate' the operation. Attribution problems aside, it is clear that interdiction and counter-proliferation measures of this kind are delivering tangible results. For a more detailed discussion see: Wade Boese, "Key U.S. Interdiction Initiative Claim Misrepresented," *Arms Control Association*, July/August 2005, (accessed February 19, 2014), <https://www.armscontrol.org/print/1848>. For a detailed discussion of A.Q. Khan's relationship with Iran and their nuclear program see: Justin V. Hastings, "The Geography of Nuclear Proliferation Networks," *The Nonproliferation Review* 19, no. 3 (2012): pp. 429-550.

¹⁶ Hymans (2013), "Iran is Still Botching the Bomb,"; and Hymans (2012), "Botching the Bomb," While Hymans concedes that nonproliferation efforts have had some effect on slowing Iran's nuclear program down, he believes that the stagnation has more to do with the poor management of the program by Iranian officials.

¹⁷ Ali Vaez, "Iran's Nuclear Program and the Sanctions Siege," *Arms Control Today*, 13 May 2013, (accessed 6 December 2013), http://www.armscontrol.org/act/2013_05/Irans_Nuclear_Program_and_the_Sanctions_Siege.

¹⁸ Ibid.

¹⁹ "Glencore's Barter Arrangement with Iranian Nuclear Firm," *Forbes*, 1 March 2013, (accessed 8 December 2013), <http://www.forbes.com/sites/timworstall/2013/03/01/glencores-barter-arrangement-with-iranian-nuclear-firm/>.

²⁰ "Iran Nuclear: 'Uranium Shoe' Man Arrested in US," *BBC*, 24 August 2013, (accessed 8 December 2013), <http://www.bbc.co.uk/news/world-us-canada-23825972>.

²¹ "Swede Charged with Shipment to Iran," *UPI*, 4 December 2012, (accessed 8 December 2013), <http://www.upiasia.com/Top-News/2012/12/04/Swede-charged-with-shipment-to-Iran/UPI-81771354657317/>.

²² MAJ Adrian Choong, "The Proliferation Security Initiative: Can It Deliver?" *Pointer, Journal of the Singapore Armed Forces* 38, no.1 (2012): pp.1-12, (accessed February 17, 2014)

http://www.mindef.gov.sg/content/imindef/publications/pointer/journals/2012/v38n1/feature1/_jcr_content/imindefPars/0003/file.res/001-012%C3%94%C3%87%C3%B4The%20Security%20Initiative.pdf.

²³ Durkalec (2012), pp. 5-6.

²⁴ UNSC, "Resolution 1929," United Nations S/RES/1929, 9 June 2010, (accessed 19 February 2014), http://www.iaea.org/newscenter/focus/iaeaairan/unsc_res1929-2010.pdf.

²⁵ For a detailed breakdown of the Iranian program see: IAEA Board of Governors, "Implementation of the NPT Safeguards Agreement and Relevant Provisions of Security Council Resolutions in the Islamic Republic of Iran," GOV/2013/56, 14 November 2013, (accessed 29 November 2013), http://www.isisnucleariran.org/assets/pdf/IAEA_Iran_Safeguards_Report_14Nov2013.pdf.

²⁶ Hymans (2013), "Iran is Still Botching the Bomb."

²⁷ Choong (2012), pp. 4-5.

²⁸ Patrick Migliorini, and David Albright, and Houston Wood, and Christina Walrond, "Iranian Breakout Estimates, Updated September 2013," *ISIS Report*, 24 October 2013, (accessed 27 November 2013), http://www.isis-online.org/uploads/isis-reports/documents/Breakout_Study_Summary_24October2013.pdf.

²⁹ Hymans (2012), "Botching the Bomb." Also see: Sagan (2010), pp. 86-87.

Debate 4

COUNTER-PROLIFERATION AND IRAN

“Be it resolved that the Nuclear Suppliers Group and the Proliferation Security Initiative are essential instruments, beyond the activities of the UNSC and IAEA, for preventing Iran from acquiring a nuclear weapons capability.”

AGAINST

Argument presented by Timothy Sayle

Tim Sayle is a PhD Candidate in History at Temple University. He has held fellowships and awards from the Social Sciences and Humanities Research Council, the German Historical Institute in Washington, D.C., the Society for Historians of American Foreign Relations, and the Eisenhower, Kennedy and Johnson libraries, among others. Tim earned an MPA from Queen’s University and an MA from the University of Toronto where he held a Department of National Defence scholarship. His research has appeared in Canadian Military History, Cold War History, Intelligence & National Security, and the International Journal.



I. BACKGROUND/CONSIDERATIONS

The Government of Canada strongly supports the Nuclear Non-Proliferation Treaty (NPT) and its prohibition against the possession, manufacturing, or acquisition of nuclear weapons by non-nuclear states.¹ This applies to Iran, a non-nuclear power and signatory to the NPT.

Iran’s currently mines, mills, and enriches uranium. Iran’s enrichment programs are in violation of United Nations Security Council Resolutions (UNSCRs) calling on Iran to halt enrichment until it is found in compliance with International Atomic Energy Agency (IAEA) requests.² These programs, along with Iran’s efforts to improve their ballistic missile capability, suggest Iran may be seeking to manufacture nuclear weapons. A number of states have implemented multilateral and unilateral sanctions against Iran.

It is unclear whether Iran is currently seeking a nuclear weapons capability.³ Until 2003 Iran had a full-fledged nuclear weapons program. The equipment in place, and revelations of earlier Iranian efforts, make it difficult to discern legacy from intention. Iran denies it is seeking a nuclear weapons capability and claims its enrichment programs are for civil energy and research purposes.⁴ There are strong strategic arguments suggesting Iran should wish to develop a weapon; similarly, there are equally strong reasons - including sanctions, embargo, or even military strikes against Iran’s nuclear production sites - for Iran to stop short of developing such a weapon.⁵

Iran has enough uranium and the necessary facilities if it wishes to “break out” and develop weapons grade material. Iran likely could not enrich this uranium to weapon grade quality without detection.⁶ It is also uncertain whether, at present, Iran could effectively deliver more than a crude nuclear weapon.⁷ Nonetheless, the United States intelligence community argues that whether or not Iran produces a nuclear weapons capability is a matter of political will rather than of material or technical progress.⁸ If Iran chose to further enrich its uranium to weapon grade quality, IAEA inspectors who monitor the Iranian program would report the progress; thus many would consider eviction of the IAEA evidence of Iran’s will to acquire a nuclear weapon.

In November 2013, Iran and six states signed an interim agreement, the Joint Plan of Action (JPA). The JPA provided sanctions relief in return for Iran limiting, but not stopping, its enrichment program.⁹ The agreement came after Iran had made substantial progress in enrichment and was met with a corresponding increase in economic sanctions imposed by the United States and European Union.¹⁰ Instead of a follow-up agreement, analysts expect the interim agreement will be extended to maintain the status quo.¹¹ Because of Iran’s existing capabilities, current international negotiations on Iran’s program focus on incentives and penalties in an effort to influence Iranian choices rather than counter-proliferation.¹² Much of the public analysis of Iran has moved to discussion of how to contain an Iran with a nuclear weapons capability.¹³

II. IN FAVOUR

An Iranian nuclear weapon is no sure thing. Continued and sustained counter-proliferation efforts like by the Nuclear Suppliers Group (NSG) and the Proliferation Security Initiative (PSI) to prevent the acquisition of nuclear and non-nuclear components of a will delay Iranian progress towards a nuclear weapons capability.

The strongest argument that counter-proliferation efforts will prevent Iran from acquiring a nuclear weapons capability is that counter-proliferation would maintain the currently lengthy period Iran would require to enrich uranium for a weapon. The state of Iran’s enrichment facilities, specifically its limited number of centrifuges, elongate the enrichment cycle and thus ensure the international community would have significant warning should Iran decide to “break out.” This warning would allow the United Nations or individual states to increase sanctions or possibly launch military strikes to prevent the completion of a nuclear weapon.¹⁴ Similarly, Iranian efforts to enrich uranium to weapon grade quality might not be initially successful and would require time-consuming modifications. Iran’s capability to produce plutonium, while a secondary consideration given its uranium enrichment capabilities, is also hampered by counter-proliferation efforts. It is thus imperative that Iran’s enrichment facilities not be dramatically improved to allow for quicker and more reliable enrichment.

Counter-proliferation efforts also make it more difficult for Iran to develop, perfect, and maintain a weapons launching capability. Iran probably needs to make strides in miniaturization for warheads to make weapons systems like the Shahab-3 or Sajill-2 effective.¹⁵ Iran currently relies on foreign parts to equip its Shahab-1 and -2 variants.¹⁶ The weaponization of nuclear

material, especially the design of both warheads and launch technology, may be the best bottleneck in which to limit Iranian efforts to achieve a nuclear force.

The worst-case scenario is that Iran has developed, or is developing, a secret and parallel nuclear enrichment program. This would negate the ability of the IAEA to warn the international community of Iran's choice to enrich uranium for a weapon. With such a parallel program, Iran could present the world with a *fait accompli*. Parallel facilities, however, would be extremely expensive and difficult to construct. It is unlikely a full system now exists. One would be nearly impossible to develop if the NSG and especially the PSI were implemented fully and effectively.

III. AGAINST

On January 31, 2014, the United States Director of National Intelligence James Clapper told the United States Senate: "Iran has the scientific, technical, and industrial capacity to eventually produce nuclear weapons. This makes the central issue its political will to do so."¹⁷ This is consistent with American assessments since 2010.¹⁸ Independent analysts have concurred that Iran has "all of the technology to produce some kind of nuclear device."¹⁹

Iran has the raw materials to equip a nuclear weapon. By May 2012, Iran had produced enough Low Enriched Uranium (LEU) that if enriched from its current level of 3.5% to weapon grade, could provide enough material for 3 to 6 weapons. At 2012 rates of production, Iran produced enough LEU that, if enriched, could provide for two new weapons per year.²⁰

Although stopping the import of maraging steel or carbon fibre might slow the development of Iran's enrichment facilities and force Tehran to make "less than desirable" design choices in its nuclear production cycle, such impediments slow, rather than halt, enrichment. Despite efforts to prevent shipments and smuggling of parts to Iran, Iran has also enriched quantities of uranium to near 20% levels, which dramatically reduce the time required to enrich to weapon grade.²¹

Iran is reliant on foreign parts for its Shahab-1 and -2 missiles but now has enough of the weapons to field a small, short-range, nuclear deterrent.²² Furthermore, the trend in Iranian weapons programs has been to develop an indigenous capacity and analysts expect Iran will be able to develop, over time, its own long-range missiles.²³

There is no evidence that Iran's political will, much less its physical capacity to enrich uranium and develop weapons systems, have been altered by NSG or PSI rules or interdictions. There is no evidence that narrow counter-proliferation efforts have, can, or will contribute to the freezing, let alone abandonment, of nuclear weapons programs.²⁴

If Iran has, indeed, voluntarily stopped a program designed to achieve nuclear weapons capability, it has done so in response to sanctions (sticks) and the subsequent relief provided by the JPA (carrots). Some credit may be due to military threats. Others disagree whether it is the "slow, patient" work of sanctions imposed by the United Nations Security Council or the much heavier sanctions imposed unilaterally by the United States and its partners.²⁵

Each of the efforts to influence Iranian political will, including the carrot and stick approach, the maintenance of the limited agreement, and any further agreement, requires a reasonably accurate picture of Iran's state of enrichment. The IAEA provides the best method, via its inspectors, for monitoring Iran's compliance. It is by the IAEA's reports that the UNSC makes its recommendations, and the IAEA's assessments are central to the ability of the United States and its allies to dial sanctions back or forward.

IAEA inspectors limit the opportunities for Iran to make a "dash" to a nuclear weapon and effectively present a tripwire.²⁶ If inspectors detect enrichment to HEU, or if they are evicted from Iran, the international community can take immediate action, be it sanctions, embargo, or military strikes, to prevent Iran from achieving nuclear weapons.²⁷ The IAEA's reports to the United Nations Security Council will be essential if the United Nations is going to take any unified action in response to any Iranian "break out." The IAEA will remain essential for the indefinite future as Iran is unlikely to abandon its right to a civilian nuclear program.

IV. RECOMMENDATION

Counter-proliferation efforts will not prevent Iran from acquiring a nuclear weapon if it so chooses. While ongoing counter-proliferation efforts should continue, there is little value in working to increase their effectiveness, especially if such efforts expend political capital that might be used to build pressure on Iran to halt enrichment.

All efforts should be directed at influencing Iran's political will to choose to limit its enrichment. This will require Canada to support, and encourage other states to support, a negotiated settlement to freeze, monitor, and potentially dismantle and roll-back Iran's enrichment capabilities.

Critical to the success of any such agreement will be a strong IAEA presence in Iran. Canada and other states should consider how best to strengthen the IAEA and support its efforts in Iran, whether by public support of the Agency, ensuring regular upkeep of voluntary financial contributions, the secondment of specialists, and/or the supply of information and intelligence. Canada and other states should make public their willingness to support measures required by UNSCRs resulting from IAEA monitoring and reports on Iran.

V. ADDENDUM: ADDITIONAL REBUTTAL POINTS

Counter-proliferation efforts towards Iran are equivalent to shutting the barn door after the horse has bolted.

The Proliferation Security Initiative is difficult to measure and clearly imperfect.²⁸ Its membership list does not include all nuclear states. Furthermore, non-cooperation from key governments, including Egypt, Indonesia, India, Malaysia, and Pakistan leave critical maritime choke points uncovered.²⁹

These concerns however, are secondary to the fact that time is on Iran's side. Iran does not need to rely on proliferation from other countries to build a nuclear weapon. The longer the international community relies on counter-proliferation efforts, the longer Iran has to develop and perfect its enrichment and weapons design programs. The trend in all dimensions of Iran's nuclear program is towards an indigenous capability not reliant on the proliferation of nuclear or non-nuclear materials from other states.

BIBLIOGRAPHY

Albright, David, Paul Brannan, Andrea Stricker, Christina Walrond, and Houston Wood. *Preventing Iran from Getting Nuclear Weapons: Constraining Its Future Nuclear Options*. Institute for Science and International Security, 2012.

Belcher, Emma. "A Tighter Net: Strengthening the Proliferation Security Initiative." *Policy Brief, Lowy Institute for International Policy* (2009).

Blechman, Barry M., Daniel Brumberg, Steven Heydemann, Peace United States Institute of, and L. Stimson Center Henry. *Engagement, Coercion, and Iran's Nuclear Challenge Report of a Joint Study Group on Us-Iran Policy*. Washington, DC: Stimson Center and the United States Institute for Peace, 2010.

Bond, Richard. "The Proliferation Security Initiative: Targeting Iran and North Korea?" *Occasional Papers, British American Security Council*, no. 53 (2007 2007).

Canada, Permanent Mission of Canada to the United Nations. "Non-Proliferation, Arms Control and Disarmament." Department of Foreign Affairs, Trade and Development. http://www.canadainternational.gc.ca/prmny-mponu/canada_un-canada_onu/positions-orientations/peace-paix/disarmament-desarmement.aspx?lang=eng.

Cordesman, Anthony H., Bryan Gold, and Chloe Coughlin-Schulte. *Iran - Sanctions, Energy, Arms Control and Regime Change*. Washington, DC: Rowman & Littlefield for the Center for Strategic & International Studies, 2014.

Davis, Lynn E. *Iran's Nuclear Future Critical U.S. Policy Choices*. Project Air Force. Santa Monica, CA: RAND Corporation, 2011.

Doran, Michael. "The Hidden Cost of the Iranian Nuclear Deal." Last Modified 2013/11/24/. <http://www.brookings.edu/blogs/iran-at-saban/posts/2013/11/24-doran-hidden-cost-iran-nuclear-deal>.

———. "I Don't Bluff". Last Modified 2014/02/06/

2014/02/19/21:19:01. <http://mosaicmagazine.com/tesserae/2014/02/i-dont-bluff/>.

Dunne, Aaron. "The Proliferation Security Initiative: Legal Considerations and Operational Realities." *SIPRI Policy Paper*, no. 36 (2013 2013).

Elleman, Michael. "Behind's Tehran's Boasts, the Facts on Its Missiles." International Institute for Strategic Studies, Last Modified December 3, 2013. <http://www.iiss.org/en/manama-voices/blogsections/2013-e202/irans-ballistic-missiles-fb63>.

- . "Iran's Ballistic Missile Program." United States Institute for Peace. <http://iranprimer.usip.org/resource/irans-ballistic-missile-program>.
- Gladstone, Rick. "I.M.F. Study Details Perils of Iranian Economy." *The New York Times*, 2014/02/12/ February 12, 2014.
- Harbaugh, Erin E. "The Proliferation Security Initiative: Counterproliferation at the Crossroads." *Strategic Insights* 3, no. 7 (2004 2004): 131-230.
- ILPI, International Law and Policy Institute. "Iran's Nuclear Program." *Nutshell Paper*, no. 9 (2012).
- "Joint Plan of Action on Iran's Nuclear Program." <http://www.nytimes.com/interactive/2013/11/25/world/middleeast/iran-nuclear-deal-document.html>.
- Koch, Susan J. *Proliferation Security Initiative: Origins and Evolution. Occasional Paper 9*. National Defense University Press, 2012.
- Pillar, Paul R., Robert Reardon, James K. Sebenius, and Michael K. Singh. "Correspondence: Nuclear Negotiations with Iran." *International Security* 38, no. 1 (Summer 2013).
- Pollack, Kenneth M. *Unthinkable: Iran, the Bomb, and American Strategy*. New York, NY: Simon & Schuster, 2013.
- Reardon, Robert J. *Containing Iran: Strategies for Addressing the Iranian Nuclear Challenge*. Santa Monica, CA: RAND Corporation, 2012.
- Reiss, Mitchell. *Bridled Ambition: Why Countries Constrain Their Nuclear Capabilities*. Washington, DC: Woodrow Wilson Center Press and Johns Hopkins University Press, 1995.
- Senate Select Committee on Intelligence. *Statement for the Record: Worldwide Threat Assessment of the Us Intelligence Community by James R. Clapper, Director of National Intelligence*, January 29, 2014.
- Thompson, Clive. "Can Game Theory Predict When Iran Will Get the Bomb?" *The New York Times Magazine*, August 12, 2009.
- UNSC, United Nations Security Council. "Resolution 1929 (2010) (S/Res/1929(2010))." June 9, 2010.
- USIP, United States Institute of Peace. "Iran and the IAEA." <http://iranprimer.usip.org/resource/iran-and-iaea>

¹ Permanent Mission of Canada to the United Nations. Canada, "Non-Proliferation, Arms Control and Disarmament," Department of Foreign Affairs, Trade and Development, http://www.canadainternational.gc.ca/prmny-mponu/canada_un-canada_onu/positions-orientations/peace-paix/disarmament-desarmement.aspx?lang=eng.

² United States Institute of Peace. USIP, "Iran and the IAEA," <http://iranprimer.usip.org/resource/iran-and-iaea>; International Law and Policy Institute. ILPI, "Iran's Nuclear Program," *Nutshell Paper*, no. 9 (2012); United Nations Security Council. UNSC, "Resolution 1929 (2010) (S/Res/1929(2010))," (June 9, 2010). UNSCR 1929 is available at http://www.iaea.org/newscenter/focus/iaeairan/unsc_res1929-2010.pdf.

³ For a rigorous analysis of this question, see Pillar's comments in Paul R. Pillar et al., "Correspondence: Nuclear Negotiations with Iran," *International Security* 38, no. 1 (Summer 2013).

⁴ Owing to previous programs, the structure of Iran's nuclear enrichment program appears better suited to producing uranium for military, rather than civil, uses. For the structure of Iran's program and its suitability for military programs, see Robert J. Reardon, *Containing Iran: Strategies for Addressing the Iranian Nuclear Challenge* (Santa Monica, CA: RAND Corporation, 2012), 26-51, especially 29-30.

⁵ Lynn E. Davis, *Iran's Nuclear Future Critical U.S. Policy Choices*, Project Air Force (Santa Monica, CA: RAND Corporation, 2011), 30-50.

⁶ Reardon, *Containing Iran*, 30-32.

⁷ Given the difficulty of miniaturization and other complications, Iran might be using a crude gun-device aboard a ship. David Albright et al., *Preventing Iran from Getting Nuclear Weapons: Constraining Its Future Nuclear Options* (Institute for Science and International Security, 2012), 3-10.

⁸ Senate Select Committee on Intelligence, *Statement for the Record: Worldwide Threat Assessment of the Us Intelligence Community by James R. Clapper, Director of National Intelligence*, January 29, 2014. available online at <http://www.intelligence.senate.gov/140129/clapper.pdf>. Iran has, according to analysts, come "as close to the point of nuclear 'break out' as a nation could without actually producing weapons grade material or actuating showing it could detonate some form of fissile material." Anthony H. Cordesman, Bryan Gold, and Chloe Coughlin-Schulte, *Iran - Sanctions, Energy, Arms Control and Regime Change* (Washington, DC: Rowman & Littlefield for the Center for Strategic & International Studies, 2014), xxv.

⁹ "Joint Plan of Action on Iran's Nuclear Program," <http://www.nytimes.com/interactive/2013/11/25/world/middleeast/iran-nuclear-deal-document.html>.

¹⁰ Already, heavy sanctions imposed by the United States and its partners, on top of sanctions imposed by the United Nations Security Council, have had a deep effect on the Iranian economy. Sanctions, coupled with economic mismanagement, have caused rampant inflation and unemployment. See the IMF's report mentioned in Rick Gladstone, "I.M.F. Study Details Perils of Iranian Economy," *The New York Times*, 2014/02/12/ February 12, 2014.

¹¹ Michael Doran has consistently and incisively made this argument. See "'I Don't Bluff'," <http://mosaicmagazine.com/tesserae/2014/02/i-dont-bluff/>; "The Hidden Cost of the Iranian Nuclear Deal," <http://www.brookings.edu/blogs/iran-at-saban/posts/2013/11/24-doran-hidden-cost-iran-nuclear-deal>. A similar status quo was predicted by a political scientist in 2009. For the most accessible account, see Clive Thompson, "Can Game Theory Predict When Iran Will Get the Bomb?," *The New York Times Magazine* August 12, 2009.

¹² Of the major research projects studied for this paper, only one, by the Institute for Science and International Security, suggests that counter-proliferation initiatives to deny Iran specific items will contribute at all to preventing Iran's achieving a nuclear weapons capability.

¹³ There is of course an enormous amount of speculation and politically motivated analysis on this topic. For a reasonable account on the state of the debate, see Kenneth M. Pollack, *Unthinkable: Iran, the Bomb, and American Strategy* (New York, NY: Simon & Schuster, 2013). For a thoughtful analyses of outcomes and possible second-order effects of military action, see Davis, *Iran's Nuclear Future Critical U.S. Policy Choices*.

¹⁴ Most analyses speculate on this scenario, but the best description is in Albright et al., *Preventing Iran from Getting Nuclear Weapons*, 12.

¹⁵ *Ibid.*, 10.

¹⁶ Reardon, *Containing Iran*, 40.

¹⁷ *Statement for the Record: Worldwide Threat Assessment of the Us Intelligence Community by James R. Clapper, Director of National Intelligence*.

¹⁸ Barry M. Blechman et al., *Engagement, Coercion, and Iran's Nuclear Challenge Report of a Joint Study Group on Us-Iran Policy* (Washington, DC: Stimson Center and the United States Institute for Peace, 2010), 14; Davis, *Iran's Nuclear Future Critical U.S. Policy Choices*, 10-14.

¹⁹ Cordesman, Gold, and Coughlin-Schulte, *Iran - Sanctions, Energy, Arms Control and Regime Change*, xxv.

²⁰ Reardon, *Containing Iran*, 30-32. Reardon's data are based on IAEA figures.

²¹ Albright et al., *Preventing Iran from Getting Nuclear Weapons*, 14-16.

²² Reardon, *Containing Iran*, 40.

²³ Michael Elleman, "Behind's Tehran's Boasts, the Facts on Its Missiles," International Institute for Strategic Studies, <http://www.iiss.org/en/manama%20voices/blogsections/2013-e202/irans-ballistic-missiles-fb63>; "Iran's Ballistic Missile Program," United States Institute for Peace, <http://iranprimer.usip.org/resource/irans-ballistic-missile-program.IISS?>

²⁴ There is a wealth of analysis on why states have frozen or given up nuclear programs. One will more than suffice: Mitchell Reiss, *Bridled Ambition: Why Countries Constrain Their Nuclear Capabilities* (Washington, DC: Woodrow Wilson Center Press and Johns Hopkins University Press, 1995).

²⁵ For UNSCR, see Albright et al., *Preventing Iran from Getting Nuclear Weapons*, 3-4. For the argument that the United Sanctions are immaterial next to American sanctions, see Cordesman, Gold, and Coughlin-Schulte, *Iran - Sanctions, Energy, Arms Control and Regime Change*, 5-9. For the middle ground, see Blechman et al., *Engagement, Coercion, and Iran's Nuclear Challenge Report of a Joint Study Group on Us-Iran Policy*, 4.

²⁶ For four different scenarios, including two types of potential "dashes," see Albright et al., *Preventing Iran from Getting Nuclear Weapons*.

²⁷ Of course the other option, not considered here because of the terms of the debate, would be a not to take precipitate action to prevent Iran from achieving nuclear weapons. Kenneth Pollack views an Iranian capability as inevitable and argues against attacking Iran but instead for "containing" Iran. Pollack, *Unthinkable: Iran, the Bomb, and American Strategy*.

²⁸ Note that all reports on the PSI spend significant effort finding ways to strengthen the initiative. Susan J. Koch, *Proliferation Security Initiative: Origins and Evolution. Occasional Paper 9* (National Defense University Press, 2012); Erin E. Harbaugh, "The Proliferation Security Initiative: Counterproliferation at the Crossroads," *Strategic Insights* 3, no. 7 (2004); Aaron Dunne, "The Proliferation Security Initiative: Legal Considerations and Operational Realities," *SIPRI Policy Paper*, no. 36 (2013); Richard Bond, "The Proliferation Security Initiative: Targeting Iran and North Korea?," *Occasional Papers, British American Security Council*, no. 53 (2007); Emma Belcher, "A Tighter Net: Strengthening the Proliferation Security Initiative.," *Policy Brief, Lowy Institute for International Policy* (2009).

²⁹ "A Tighter Net."

Expert Review Panel



Brian Finlay is the Managing Director at The Stimson Center in Washington, DC, and also directs the Center's Managing Across Boundaries initiative. That effort looks for innovative government responses - at the international, national and regional levels - and for smart public-private partnerships to mitigate transnational security threats and ameliorate development challenges. His areas of expertise include nonproliferation, transnational crime, counter-trafficking, supply chain security and private sector engagement. Finlay is also an Adjunct Instructor in the School of International Service at American University in Washington.



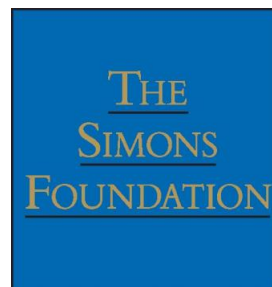
Cindy Vestergaard is a senior researcher at the Danish Institute for International Studies (DIIS), where she has been a researcher on weapons of mass destruction (WMD) nonproliferation since 2007. She is currently leading a global project on the governance of natural uranium. Prior to joining DIIS, she worked at the Canadian Department of Foreign Affairs and International Trade (DFAIT) on nonproliferation, arms control, and disarmament policy and programming implementation. Positions held, among others, included senior policy adviser for Canada's G8 Global Partnership Program (GPP); senior policy adviser in the Foreign Intelligence Division; and political officer in Canada's mission to Hungary and Slovenia.



Heather Williams is a Research Fellow on Nuclear Weapons Policy at Chatham House (The Royal Institute of International Affairs), and is also an adjunct researcher at the Institute for Defense Analyses in Washington, DC. She previously worked for the U.S. Department of Defense Chemical and Biological Defense Program (contracted through Analytic Services, Inc.) and the U.S. Air Force. She has participated in the Center for Security and International Studies Nuclear Scholars Initiative and the Public Policy and Nuclear Threats fellowship at UC San Diego. Heather has a B.A. (hons) in International Relations and Russian Studies from Boston University and an M.A. in Security Studies from The George Washington University.

Annex I

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) Debates 2013-2014

February 21st 2014, 125 Sussex Drive, Ottawa

09:00 Opening Remarks (Robertson Room)

Isabelle Roy, Director, Non-Proliferation & Disarmament Division, Foreign Affairs, Trade and Development Canada (DFATD)

Dr. Jennifer Allen Simons, President, The Simons Foundation

09:30 Debates 1 and 2 (with Q&A)

Humanitarian Dimensions of Nuclear Weapons

Skelton Room

“Be it resolved that the participation of Nuclear Weapon States in negotiations towards a legally-binding instrument banning the possession and/or use of nuclear weapons is a prerequisite for the establishment of an international norm “delegitimizing” and recognizing the severe humanitarian consequences of nuclear weapons.”

Trevor Persi / In Favour

Carleton University

Michael Kelly / Against

Memorial University of Newfoundland

Middle East WMD Free Zone and the NPT

Robertson Room

“Be it resolved that the 2010 decision to convene a conference to establish a Weapons of Mass Destruction Free Zone in the Middle East (MEWMDFZ) should be implemented prior to the 2015 NPT Review Conference, irrespective of whether the prerequisites of peace and security in the region and the attendance of all regional partners can be achieved.

Olivia Cimo / In Favour

Ryerson University

Sarah Scott / Against

University of Ottawa

10:15 Health Break

Skelton Lobby

10:30 Debates 3 and 4 (with Q&A)**Australia Group membership**

Skelton Room

“Be it resolved that the prevention of the development of chemical and/or biological weapons, and/or their diversion to illicit networks and non-state actors, would be significantly improved by expanded membership in the Australia Group export control regime.”

Samuel Wollenberg / In Favour

University of Toronto

Alexandre Leger / Against

Concordia University

Counter-Proliferation and Iran

Robertson Room

“Be it resolved that the Nuclear Suppliers Group and the Proliferation Security Initiative are essential instruments, beyond the activities of the UNSC and IAEA, for preventing Iran from acquiring a nuclear weapons capability.”

David Torre / In Favour

University of Calgary

Timothy Sayle / Against

Temple University

11:15 Meeting of the Awards Committee

Rm A1-500

11:30 Closing Remarks and Announcement of GRA Debate Winners

Robertson Room

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

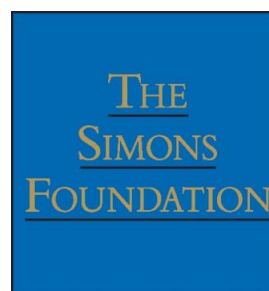
Isabelle Roy, Director, Non-Proliferation and Disarmament Division, DFATD (closing remarks)

Debate Format:

Side A	Opening statements	6 minutes
Side B		6 minutes
Side A	A's first rebuttal	2 minutes
Side B	Response	2 minutes
Side B	B's first Rebuttal	2 minutes
Side A	Response	2 minutes
Side A	A's second rebuttal	2 minutes
Side B	Response	2 minutes
Side B	B's second rebuttal	2 minutes
Side A	Response	2 minutes
Side B	Closing statements	3 minutes
Side A		3 minutes
Approximate Total		35 minutes

- Each debate will be approximately 35 minutes in duration, followed by a 10 minute Q & A. Two debates will be held concurrently in separate rooms (Robertson and Skelton Rooms).
- Each debate will begin with students' opening statements (6 minutes x 2).
- Following the opening statements, there will be two (2) rounds of rebuttals and responses (2 minutes for each student x 4).
- Each side will give a closing statement (3 minutes x 2)

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



Débat BRES 2013-2014

21 février 2014, 125 promenade Sussex Ottawa

09:00 Séance plénière d'ouverture (Salle Robertson)

Isabelle Roy, Directrice, Direction de la non-prolifération et du désarmement, MAECD (mot d'ouverture)

Dr. Jennifer Allen Simons, Président de la Fondation Simons

09:30 Débat numéro 1 et 2 (avec questions et réponses)

Dimensions humanitaires des armes nucléaires

Salle Skelton

« Il est résolu que la participation d'États dotés d'armes nucléaires aux négociations en vue de la création d'un instrument juridiquement contraignant interdisant la possession et/ou l'utilisation d'armes nucléaires est une condition préalable à l'établissement d'une norme internationale « délégitimant » et reconnaissant les graves conséquences humanitaires des armes nucléaires. »

Trevor Persi / pour

Université Carleton

Michael Kelly / contre

Université Memorial de Terre-Neuve

Zone exempte d'ADM au Moyen-Orient et TNP

Salle Robertson

« Il est résolu que la décision de 2010 de convoquer une conférence visant à établir une zone exempte d'armes de destruction massive au Moyen-Orient devrait être mise en œuvre avant la Conférence d'examen du TNP de 2015, peu importe si les conditions préalables, à savoir la paix et la sécurité dans la région, peuvent être atteintes et si tous les partenaires peuvent y participer. »

Olivia Cimo / pour

Université Ryerson

Sarah Scott / contre

Université d'Ottawa

10:15 Pause-café/thé

Salle Skelton

10:30 Débats 3 et 4 (avec questions et réponses)**Composition du Groupe de l'Australie**

Salle Skelton

« Il est résolu que la prévention de la fabrication d'armes chimiques ou biologiques et/ou de leur détournement vers des réseaux illicites et des acteurs non étatiques serait grandement améliorée si l'on permettait à un plus grand nombre de participants d'adhérer au régime de contrôle des exportations du Groupe de l'Australie. »

Samuel Wollenberg, / pour

Université de Toronto

Alexandre Leger, / contre

Université Concordia

Contre Prolifération et Iran

Salle Robertson

« Il est résolu que le Groupe des fournisseurs nucléaires et l'Initiative de sécurité contre la prolifération sont des instruments essentiels, au-delà des activités du Conseil de sécurité des Nations Unies et de l'AIEA, pour empêcher l'Iran d'acquérir la capacité de fabriquer des armes nucléaires »

David Torre, / pour

Université de Calgary

Timothy Sayle,) / contre

Université Temple

11:15 Réunion du Comité des prix

A1-500

11:30 Mot de la fin et annonce des gagnants des débats des BRES

Salle Robertson

Dr. Jennifer Allen Simons, Président de la Fondation Simons (présentation des BRES)**Isabelle Roy**, Directrice, Direction de la non-prolifération et du désarmement, MAECD (mot de la fin)

Les Débats:

côté A	Discours d'ouverture	6 minutes
côté B		6 minutes
côté A	A's premier réfutation	2 minutes
côté B	Réponse	2 minutes
côté B	B's premier réfutation	2 minutes
côté A	Réponse	2 minutes
côté A	A's deuxième réfutation	2 minutes
côté B	Réponse	2 minutes
côté B	B's second rebuttal	2 minutes
côté A	Réponse	2 minutes
côté B	discours de clôture	3 minutes
côté A		3 minutes
Approximante Total		35 minutes

- Chaque débat sera d'environ 35 minutes dans la durée, suivies par 10 minutes de Q & A. Deux débats seront organisés simultanément dans des pièces séparées (salle Robertson and Skelton).
- Chaque débat commencera avec les déclarations liminaires des élèves (6 minutes x 2).
- Après les déclarations d'ouverture, il y aura deux (2) tours de réfutations et les réponses (2 minutes pour chaque élève x 4).
- Chaque partie faire une déclaration de clôture (3 minutes x 2)

Annex II

2013-2014 GRADUATE RESEARCH AWARDS for Disarmament, Arms Control and Non-Proliferation

COMPETITION DETAILS

Graduate Research Awards for Disarmament, Arms Control and Non-Proliferation 2013-2014 are offered by The Simons Foundation and [The International Security Research and Outreach Programme \(ISROP\)](#) of [Foreign Affairs, Trade and Development Canada \(DFATD\)](#).

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 awards of Cdn\$3,000 will be available to Canadian Masters and/or Doctoral students to support the research and writing of short position papers that will be presented at the Graduate Research Awards (GRA) Debates in Ottawa hosted by DFATD. Awards include travel support to Ottawa (domestic transportation, accommodation, and meals) where successful candidates will be invited to present their completed position papers in the form of a one-to-one debate during a special event at DFATD in early 2014. For applicants pursuing studies abroad, a limited number of Canadian international students' travel costs may be covered.

Deadline for applications: October 15, 2013

Selection of short-listed candidates: November 12, 2013

Deadline for position papers: December 12, 2013

Selection of eight award recipients: January 17, 2014

HOW TO APPLY:

Applications should be sent to Elaine Hynes at The Simons Foundation by email to ehynes@thesimonsfoundation.ca by the close of business (PDT) on **October 15, 2013**. Hard copies of official transcripts and other documents may be sent to follow by mail to: The Simons Foundation, PO Box 2163 Station Terminal, Vancouver, BC, V6B 3V3.

Your application must include:

- An introductory letter of interest that supports your candidacy for the GRA programme.
- A writing sample (up to 1,500 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.

(Letters of reference may be sent by email in electronic format but should be shown on letterhead and bear the writer's signature.)

ELIGIBILITY:

Canadian citizens and Canadian permanent residents/landed immigrants are eligible to apply, including Canadian graduate students currently studying abroad. 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, up to 16 candidates will be short-listed for further consideration. Applicants will be advised by November 12, 2013 if they have been short-listed. Each of the 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 to 1,500 word position paper arguing in favour or against, as instructed. Suggested reading lists for each topic will be provided, along with a position paper template. Position papers must be submitted by December 12, 2013. Short-listed applicants may be re-assigned a debate topic for presentation at the GRA debates, to ensure appropriate debate pairings. The eight students whose position papers make the strongest argument for their assigned position, and are chosen to receive the award, will be notified by January 17, 2014.

GRA DEBATES:

Award winners will be invited to present their positions at the GRA Debates hosted by DFATD Ottawa in February 2014. At the debates, an additional monetary award of \$1,000 will be presented to the students who make the most effective arguments in support of their positions in each of the four debates. 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. Travel, accommodation and meal expenses will be provided by ISROP, in accordance with Government of Canada Treasury Board Guidelines and with the supplementary support of The Simons Foundation, if required.***

GRA DEBATE TOPICS for 2013-2014*:

Debate #1 (Humanitarian Dimensions of Nuclear Weapons):

Be it resolved that the participation of Nuclear Weapon States in negotiations towards a legally-binding instrument banning the possession and/or use of nuclear weapons is a prerequisite for the establishment of an international norm "delegitimizing" and recognizing the severe humanitarian consequences of nuclear weapons.

In favour vs. Against

Debate #2 (Middle East WMD Free Zone and the NPT):

Be it resolved that the 2010 decision to convene a conference to establish a Weapons of Mass Destruction Free Zone in the Middle East (MEWMDFZ) should be implemented prior to the 2015 NPT Review Conference, irrespective of whether the prerequisites of peace and security in the region and the attendance of all regional partners can be achieved.

In favour vs. Against

Debate #3 (Australia Group membership):

Be it resolved that the prevention of the development of chemical and/or biological weapons, and/or their diversion to illicit networks and non-state actors, would be significantly improved by expanded membership in the Australia Group export control regime.

In favour vs. Against

Debate #4 (Counter-Proliferation and Iran):

Be it resolved that the international community can effectively prevent Iran from acquiring a nuclear weapons capability without the need to strengthen existing legal tools and verification measures through the UN Security Council and IAEA as well as multilateral counter-proliferation initiatives such as the Nuclear Suppliers Group and the Proliferation Security Initiative.

In favour vs. Against

**Positions will be assigned to the short-listed candidates; Each topic will require arguments “for” and “against”.*

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, Trade and Development Canada or the Government of Canada.

2013-2014 BOURSES DE RECHERCHE AU NIVEAU DES ÉTUDES SUPÉRIEURES pour le désarmement, le contrôle des armements et la non-prolifération

Détails du concours

Les bourses de recherche au niveau des études supérieures (BRES) de 2013-2014 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, Commerce et Développement Canada \(MAECD\)](#).

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 canadiens 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 lors d'un événement spécial aux BRES organisées par MAECD. Les bourses couvrent les frais de voyage à Ottawa (transport intérieur, hébergement et repas), où les candidats sélectionnés seront invités à 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 MAECD au début de 2014. Pour les étudiants canadiens à l'étranger, un nombre limité de frais de voyage peuvent être remboursés.

Date limite de présentation des candidatures: 15 octobre 2013

Présélection des candidats: 12 novembre 2013

Date limite de remise des exposés de position: 12 décembre 2013

Sélection des huit récipiendaires de la bourse: 17 janvier 2014

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 1 500 mots maximum traitant des enjeux liés à la non-prolifération, au contrôle des armements et au désarmement;
- Un curriculum vitae comportant votre statut de citoyen (les Canadiens et les résidents permanents au Canada sont admissibles);
- 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 15 octobre 2013. Ils peuvent être acheminés à M^{me} Elaine Hynes, de la Simons Foundation: ehynes@thesimonsfoundation.ca.

CRITÈRES D'ADMISSIBILITÉ

Les citoyens canadiens, résidents permanents/immigrants reçus du Canada sont admissibles au programme, y compris les étudiants diplômés canadiens à l'étranger. 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, jusqu'à 16 candidats seront présélectionnés. Nous communiquerons avec ceux-ci d'ici le 12 novembre 2013.

Chacun de ces 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 à 1 500 mots faisant valoir des arguments pour ou contre, selon les directives reçues. Il disposera d'une liste de lectures suggérées de même que d'un modèle d'exposé de position. L'exposé de position doit être remis avant le 13 décembre 2013. Il est possible que les candidats présélectionnés se voient attribuer un nouveau sujet de débat à présenter à l'occasion des Débats des lauréats des Bourses de recherche au niveau des études supérieures, afin de garantir un appariement approprié des débats.

Les huit étudiants dont les exposés de position auront mis de l'avant les arguments les plus solides à l'égard de la position qui leur a été assignée seront avisés d'ici le 17 janvier 2013.

DÉBAT

Les lauréats seront invités à se défendre leur position à l'occasion d'un événement qui sera organisée par le MAECD à Ottawa en février 2014. À l'issue de ces débats, les quatre étudiants qui auront avancé les arguments les plus convaincants en faveur de leur position recevront des bourses supplémentaires de 1 000 \$. 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.

Veuillez 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 avec d'un éventuel soutien supplémentaire de la Simons Foundation.

Les récipiendaires des bourses seront avisés de leur sélection d'ici le 17 janvier 2014.

SUJETS DU DÉBAT 2013-2014*

Débat n° 1 (Dimensions humanitaires des armes nucléaires)

Il est résolu que la participation d'États dotés d'armes nucléaires aux négociations en vue de la création d'un instrument juridiquement contraignant interdisant la possession et/ou l'utilisation d'armes nucléaires est une condition préalable à l'établissement d'une norme internationale « délégitimant » et reconnaissant les graves conséquences humanitaires des armes nucléaires.

Pour/contre

Débat n° 2 (zone exempte d'ADM au Moyen-Orient et TNP)

Il est résolu que la décision de 2010 de convoquer une conférence visant à établir une zone exempte d'armes de destruction massive au Moyen-Orient devrait être mise en œuvre avant la Conférence d'examen du TNP de 2015, peu importe si les conditions préalables, à savoir la paix et la sécurité dans la région, peuvent être atteintes et si tous les partenaires peuvent y participer.

Pour/contre

Débat n° 3 (Composition du Groupe de l'Australie)

Il est résolu que la prévention de la fabrication d'armes chimiques ou biologiques et/ou de leur détournement vers des réseaux illicites et des acteurs non étatiques serait grandement améliorée si l'on permettait à un plus grand nombre de participants d'adhérer au régime de contrôle des exportations du Groupe de l'Australie.

Pour/contre

Débat n° 4 (Contre Prolifération et Iran)

Il est résolu que la communauté internationale peut empêcher l'Iran, et ce, de façon efficace, d'acquérir la capacité de fabriquer des armes nucléaires sans devoir renforcer les outils juridiques et les mesures de vérification déjà en place par l'intermédiaire du Conseil de sécurité des Nations Unies et de l'AIEA ainsi que d'initiatives multilatérales contre la prolifération, comme le Groupe des fournisseurs nucléaires et l'Initiative de sécurité contre la prolifération.

Pour/contre

**les positions seront assignées aux candidats présélectionnés; Chaque sujet exigera des arguments en faveur de la position et contre celle-ci.*

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, Commerce et Développement Canada (MAECD) ou du gouvernement du Canada.