

**Arms Limitation and the International System**  
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The U.S. Senate's vote in October, 1999 against the Comprehensive Test Ban Treaty, United States withdrawal from the Anti-Ballistic Missile Treaty, June 13, 2003, the renewed drive toward the deployment of a U.S. National Missile Defense (NMD) system, the rejection of the international negotiating process for a verification protocol for the Biological Weapons Convention in 2002, the rejection of the Kyoto Protocol, and the removal of the U.S. signature from the International Criminal Court Treaty, among other factors have caused analysts in the United States and abroad to express concern about the U.S. trend toward a unilateral approach to security. In a speech given shortly after the Comprehensive Test Ban Treaty vote, for example, in 1999, U.S. National Security Advisor Samuel Berger registered his concern, noting that "the internationalist consensus that has prevailed in this country for more than 50 years increasingly is being challenged by a new isolationism...The new isolationists are convinced that treaties-pretty much all treaties- are a threat to our sovereignty and continued superiority." In addition, other developments, such as the U.S. adoption of military preemption as its policy to address the proliferation of weapons of mass destruction, have kindled concerns that the United States no longer finds it necessary to work with other nations to maintain cooperative security, and that this unilateral trend in U.S. policy may undermine international peace and stability.

In the United States, for example, opponents of the Comprehensive Test Ban

Treaty and proponents of NMD have asserted that their views are driven not by isolationism or unilateralism, but rather by their belief that post- Cold War threats demand new approaches to U.S. security. But the perceived resurgence in U.S. unilateralism nevertheless has grave consequences for both U.S. and international security. A particularly troubling aspect of recent U.S. behavior has been the overt dismissal of the views of allies on security issues. Responding to an opinion piece by British Prime Minister Tony Blair, French President Jacques Chirac, and German Chancellor Gerhard Schroeder urging U.S. ratification of the Comprehensive Test Ban Treaty, Senator Jesse Helms chair of the Senate Foreign Relations Committee, noted that he would rather rely on the views of the treaty's U.S. critics than on "three overseas people who don't know anything about our country." Similarly, when Senator Joseph Biden expressed concerns about the impact Comprehensive Test Ban Treaty rejection might have on U.S. allies, Senator James Inhofe remarked, "Frankly, I am not concerned about our allies. I am concerned about our adversaries." Such statements can only cause alarm among allies already concerned about U.S. attitudes toward global approaches to security.

Like no other time in history, the principal threats to U.S. security center today not on risks posed by nations, but on transnational concerns such as the proliferation of weapons of mass destruction, terrorism, economic instability, widespread poverty and disease, and environmental degradation. The most important of these threats are the litany of dangers associated with the spread of nuclear weapons. As Chirac, Blair, and Schroeder noted in their October 1999 opinion piece, "As we look to the next century,

our greatest concern is proliferation of weapons of mass destruction, and chiefly nuclear proliferation. We have to face the stark truth that nuclear proliferation remains the major threat to world safety.” It is also the gravest danger to U.S. national security, since the acquisition and subsequent use of nuclear weapons is the only means by which a potential adversary could offset the overwhelming advantage that the United States currently enjoys in political, military, and economic might, and thereby fundamentally challenge or undermine U.S. interests abroad.

But, while security analysts on both sides of the engagement-unilateralism divide agree that the spread of nuclear weapons must be prevented, they differ sharply on the means of achieving this goal, on the ways the United States should protect itself from the dangers of proliferation. Those on the engagement side favor promoting and strengthening international restraint regimes to counter this threat, arguing that the inherent dangers of nuclear proliferation are such that anything that undermines global nonproliferation regimes represents a net detriment to both U.S. and global security. Unilateralist critics of this view, however, maintain that the unequalled strengths of the United States give it broader interests and unparalleled responsibilities to act alone, if need be, to preserve international security and world order. Senator Jon Kyle, for example, has contended that “the United States cannot be held hostage to world opinion. We have obligations they don’t have, and if they don’t care about building a defense for their people, we need to because we can be a target of rogue nations whereas other countries may not be. They are not making the decisions and actions in the world that may cause these terrorists or rogue states to retaliate against them.”

U.S. Secretary of State Albright referred to the NPT, in an opinion piece of March 2000, as “the most important multilateral arms control agreement in history.” As a result of the NPT, which opened for signature on July 1, 1968, the international community has been largely successful in preventing the spread of nuclear weapons. While the number of nations that possess the technological capabilities to produce nuclear weapons has grown to more than 70, according to a recent International Atomic Energy Agency (IAEA) report, only a handful of states have crossed the nuclear threshold. The success of the NPT is rooted in the treaty’s core bargain. In exchange for a commitment from the nonnuclear weapon states (today numbering 182 nations) never to develop or otherwise to acquire nuclear weapons and to submit to international safeguards intended to verify compliance with this commitment, the nuclear weapon states (the United States, Russia, United Kingdom, France, and China) promised in NPT article IV unfettered access to peaceful nuclear technologies and pledged in NPT article VI to engage in disarmament negotiations aimed at the ultimate elimination of their nuclear arsenals.

This central bargain—nonproliferation for eventual nuclear disarmament—is the foundation upon which the NPT regime rests, and the Comprehensive Test Ban Treaty has long been considered a litmus test of nuclear weapon states’ commitment to their end of the bargain. The linkage between the Comprehensive Test Ban Treaty and the nonproliferation regime is enshrined in the preamble to the NPT. This linkage was further emphasized in 1995, when the states parties met to decide the future of the NPT. When initially signed, the NPT had been given a 25-year lifespan. In 1995, after this initial period had ended, the international community faced the choice of either extending

it indefinitely or extending it for a fixed period (or periods), which could have led to its eventual termination.

Despite the treaty's success in stemming proliferation, in 1995 a significant number of key nonnuclear weapon states were dissatisfied with the progress made by the nuclear weapon states in fulfilling their article VI side of the bargain. As a result, many were reluctant to accept a permanent NPT that would lock them into what they saw as an inherently discriminatory regime. The NPT explicitly does not legitimize the arsenals of the nuclear weapon states, but many non-Western states were concerned that a permanent NPT would remove the incentive for the nuclear powers to reduce their arsenals. To ameliorate this concern, the NPT states parties at the 1995 Review and Extension Conference negotiated an associated consensus agreement, called the "Statement of Principles and Objectives for Nuclear Non-Proliferation and Disarmament", intended to strengthen the regime and, politically if not legally, condition the extension of the treaty. The statement pledged the NPT states parties to work toward a number of objectives, including universalization of NPT membership, a reaffirmation of the article VI commitments, and the completion of the Comprehensive Test Ban Treaty by the end of 1996. The latter was the only objective given a timeline for achievement, demonstrating the importance of the test ban for the health of the NPT regime. Indeed, the Comprehensive Test Ban Treaty was the principal part of the price the nuclear weapon states, including the United States, paid for an NPT of indefinite duration. All of this was reaffirmed in the 2000 NPT Review Conference, where all the NPT parties, including the United States, agreed to a continued test moratorium pending entry into force of the Comprehensive Test Ban Treaty and 13 practical steps to achieve disarmament.

Nevertheless, the United States has moved more and more to a unilateral world-wide confrontational strategy rather than one of cooperation. For over 50 years, the United States pursued a balance of power policy among the Great Powers, the United States, Russia, China, and Europe. The North Atlantic Treaty Organization and the U.S.-Japan Alliance are among the institutions and partnerships created by this grand strategy whose centerpiece was containment of the Soviet Union. At the same time, the United States pursued a world order built on rules and international treaties that permitted the expansion of democracy, the enlargement of international security, free market economies, and free trade. And within this international order, based on these twin policies, that we created, in addition to keeping the peace, we gave political cover to countries throughout the world to adopt the American position but doing so by joining international institutions and multi-lateral treaty regimes like the World Trade Organization and the NPT regime.

But, we have moved away from this world that we established. As I indicated earlier, we have rejected new treaty arrangements important to key allies like the Kyoto Protocol and the International Criminal Court instead of attempting to amend them or leave them quietly “on the shelf”. We have refused direct negotiations with North Korea, and we have renounced treaty arrangements that are important to the world community such as the Anti-Ballistic Missile Treaty and a verification and inspection Annex to the Biological Weapons Convention.

John Ikenberry is a distinguished professor of geopolitics at Georgetown University. Referring to this new policy approach which he calls “neoimperial” he says

that it “threatens to rend the fabric of the international community and political partnerships precisely at a time when that community and those partnerships are urgently needed. It is an approach fraught with peril and likely to fail. It is not only politically unsustainable, but diplomatically harmful. And if history is a guide, it will trigger antagonism and resistance that will leave America in a more hostile and divided world.”

An example of what Professor Ikenberry is referring to is the National Strategy Document of September 2002 in which the Administration announced the new policy of preemptive and preventive war which could lead to a potentially nearly endless series of conflicts. This policy over time could strain our economy and our armed forces close to the breaking point, and it appears to be destructive of any concept of the rule of law among the states of the world community. A December 2002, addendum suggests that force rather than cooperation and treaty arrangements is to be the principal means to combat the threat of the proliferation of nuclear weapons and other weapons of mass destruction. This new policy appears to be a direct threat to the rule of international law and the structure of international treaties that protect our security.

Transparency and predictability are important to the perceived legitimacy of any assertions about the existence of weapons of mass destruction. If the United States intends to assume such a broad world-policing role, as is suggested by the announced new strategy, in order for such a policy to be even marginally acceptable in the international community, it is essential for the United States to support those international treaty regimes and other international institutions, designed to make the facts in any given case more transparent. Support for the NPT regime, which legally binds all of the

world's nations same five (India, Pakistan, Israel, East Timor, and North Korea, which has recently renounced the NPT and its associated verification system of international safeguards), is essential to preventing the spread of nuclear weapons to additional countries. Also, a new verification protocol, providing for intrusive worldwide inspection to help enforce this treaty regime, was negotiated five years ago in Vienna, although only a handful of countries have ratified it. The United States should ratify this protocol as part of its new strategy. Further, the Comprehensive Test Ban Treaty provides for a worldwide, all-embracing, intrusive verification system on land, sea, and air, which will detect even the smallest nuclear detonation. The United States signed the Treaty in 1996, but as I said, the Senate rejected it in 1999. Three of the other four NPT-recognized nuclear weapon states, the United Kingdom, France, and Russia, have ratified the Comprehensive Test Ban Treaty, and China is expected to do so upon ratification by the United States. If the United States desires to be seen as consistent in its actions relating to its new announced strategy, it should, among other things, promptly ratify the Comprehensive Test Ban Treaty. The nuclear-weapon-free zone treaties should also be considered part of the transparency process, as they enhance the NPT-based IAEA verification procedures. The United States is the only nuclear weapon state that has not ratified the supporting protocols for the South Pacific Nuclear-Weapon-Free Zone Treaty, the Treaty of Rarotonga. With Russia and the United Kingdom, the U.S. stands apart from the other two nuclear weapon states in not ratifying the relevant supporting protocols of the Treaty of Pelindaba, the African Nuclear-Weapon-Free Zone Treaty. On the other hand, the United States, along with the other four nuclear weapon



states has ratified the supporting protocol to the Latin American Nuclear-Weapon-Free Zone Treaty, the Treaty of Tlatelolco. The United States should act similarly with respect to the treaties of Rarotonga and Pelindaba, as these treaties are important contributors to transparency. And how can the U.S. argue the case for preemptive military action to prevent attacks on the U.S. with weapons of mass destruction, to include biological weapons, and refuse the negotiation of a verification protocol to the Biological Weapons Convention? But above all, in the end if the United States hopes to contain the threat of the proliferation of weapons of mass destruction, most especially nuclear weapon proliferation, the U.S. must be seen as a law-abiding member of the world community, and uphold and strengthen international law and the web of international security treaties which are so important to our security and safety.

But, in age of globalization and interdependence, no state is or can be made immune from international dangers. There is no such thing as absolute security, no matter how strong a nation's military or economy. Countries must be mindful of ripple effects resulting from their actions and of the possible unforeseen or unintended consequences of their behavior, particularly in the national security realm. After all, as French President Chirac noted in December 1999 referring to missile defense, "If you look at world history, ever since men began waging war, you will see that there's a permanent race between the sword and shield. The sword always wins. The more improvements that are made to the shield, the more improvements are made to the sword. . . .[Missile defenses] are just going to spur sword makers to intensify their efforts." The nuclear nonproliferation regime is intended in large part to encourage nations to forswear

permanently the most dangerous sword imaginable, nuclear weapons. U.S. leadership will be crucial to the long-term success of international efforts to contain the spread of nuclear weapons. But the perception abroad the United States is pursuing unilateral approaches to preserving its security at the expense of the nonproliferation regime likely will lead to the erosion of that regime over time.

The United States must at all times be attentive to the impact of domestic unilateralist trends and the resultant undermining of U.S. global leadership. Today, as a result of U.S. actions with respect to the various treaties I have mentioned, the path to strengthening international constraints on the spread of nuclear weapons has been diverted from the core mission of constraining proliferators to reinvigorating the traditional leadership of the United States in these efforts. Rather than leading the congregation, the preacher must be reconverted. If other nations lose confidence in U.S. leadership, they probably will lose confidence in the nonproliferation regime and the general treaty system as well. This book, "Cornerstones of Security," you can see how thick it is, contains between its binders the broad web of security treaty arrangements built up over the last 50 years with the NPT as the centerpiece. We must do our best to preserve these treaty arrangements as they are essential to our long-term security and well being. The ultimate costs of U.S. unilateralist approaches to national security may be the loss of this international treaty system, upon which the United States depends more than any other country, particularly the NPT regime. The loss of the NPT would inevitably lead to resultant widespread nuclear proliferation, and a devastating degradation in U.S. security. Ironically, while some in the United States seek to exploit the nation's

unprecedented and unparalleled strength to attain absolute U.S. invulnerability, the triumph of such efforts could drastically undermine national and global security.