

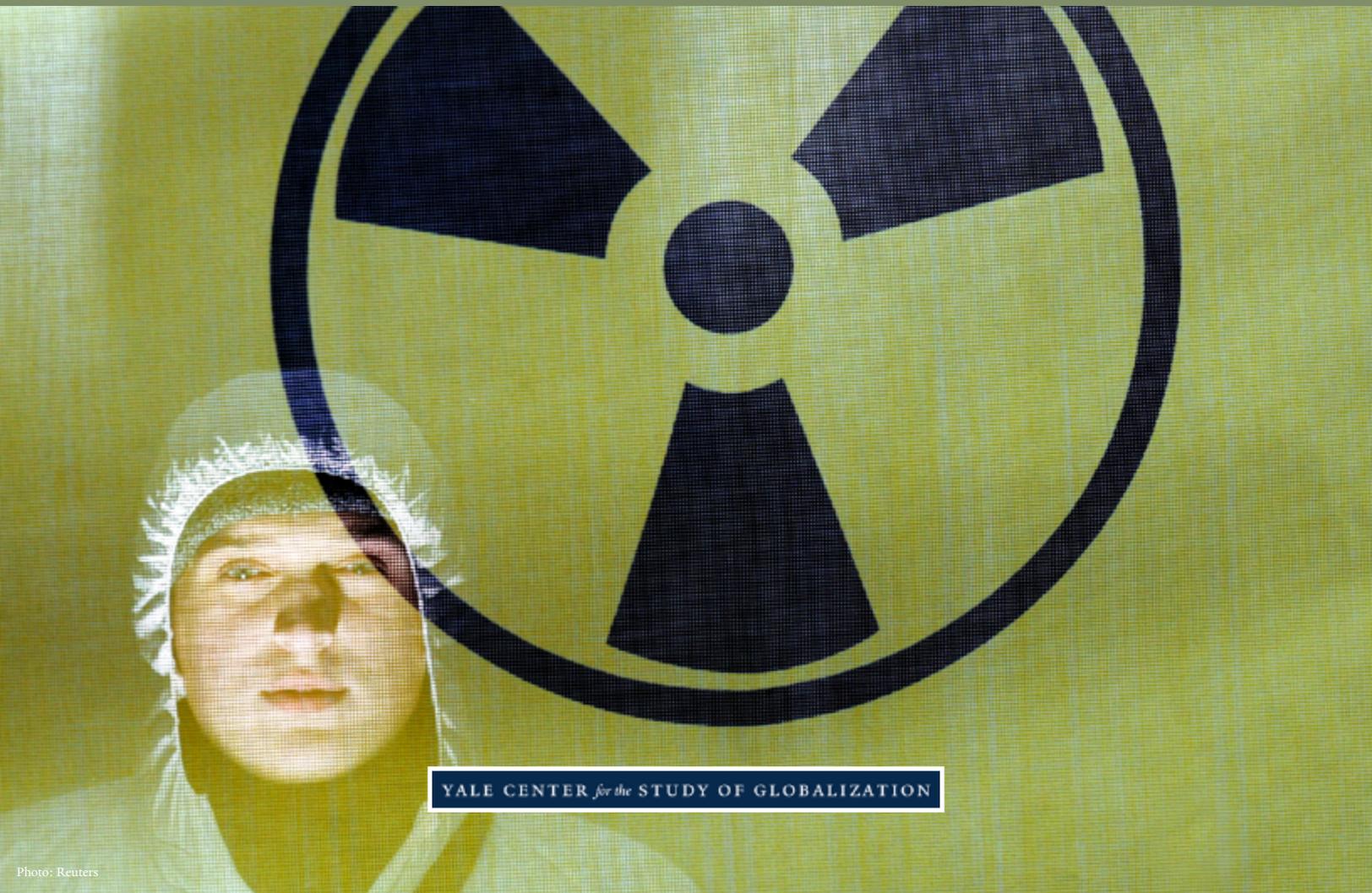
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International Cooperation in the National Interest

In Defense of Multilateralism

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Session Three: Threats to Nuclear Weapons Disarmament and Nonproliferation



YALE CENTER *for the* STUDY OF GLOBALIZATION

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Nuclear Arms Control: A global Service Designed to Protect the Global Commons

Micheal Krepon

*Co-founder and Senior Fellow, the Stimson Center;
directs Stimson's programming on nuclear and space issues*

Ernesto, thank you for inviting me. Thank you for gathering us. Nuclear arms control is a global service designed to protect the global commons. We can't protect the global commons if there are mushroom clouds. There has not been a single mushroom cloud on a battlefield since 1942. That's a remarkable achievement, really unheralded achievement. Nobody in 1955 who was concerned about this problem dared to hope that we could go seven decades without the battlefield use of a nuclear weapon, even more. No major power, no regional power, has even tested a nuclear weapon underground for two decades. This, too, is an extraordinary accomplishment – a hard-won accomplishment. Because this treaty that bans all nuclear tests in all environments has been a goal since the Kennedy administration – actually, make that the Eisenhower administration.

The Comprehensive Test Ban Treaty finally arrived in 1996, it has yet to enter into force, but states have felt obliged to honor it. States have either signed this treaty or they have expressed their intention not to continue testing, at least for now. Amazing achievements. How did they happen? Some would argue that this unheralded record of accomplishment happened because of deterrence. That deterrence prevented weapons from being used on battlefields. Well, there's something to that argument, but deterrence is all about threat. And the greater the threat the greater the deterrents, or at least so the practitioner's practice. And threats aren't conducive to nuclear arms control. Threats, deterrent threats, haven't reduced a single nuclear weapon, not one. And yet global stockpiles of nuclear weapons, mostly consisting of Washington and Moscow's stocks, have been reduced by over 80%.

Deterrence doesn't count for that 85% figure, something else is involved. How did we go seven decades without battlefield use? Some people say well what about blind, dumb luck? Maybe that's a reason, a contributing factor. And I don't discount it, but there have been so any instances of close calls, mostly due to accidents, breakdowns of command and control. Dozens of close calls. Can we attribute non-use and non-mushroom clouds to plain, dumb luck in every single instance? I don't think so. Well then we can try divine

intervention. Maybe that's a contributing factor. I happen to believe it is a contributing factor but not everybody does, especially the rationalists who pulled together this field of deterrents based on rational actions by rational actors.

So what else have we got? What else can explain this extraordinary circumstance that we all benefit from? Well, there is this thing called nuclear arms control. And it has been the product of decades of hard, diplomatic labor, and a building block approach, if you like the metaphor of construction.

I prefer the metaphor of a safety net, a nuclear safety net, which has been woven assiduously to stop nuclear testing, to reduce nuclear arms, to engage cooperatively, to reduce nuclear danger even after the Soviet Union dissolved with 39,000 weapons. The cooperative practices that maintained control over this enormous nuclear stockpile, some of which was outside the confines of the Russian Federation when the Soviet Union dissolved, that was the result of hard work and the antecedents allowed for success after the Soviet Union dissolved.

In this amazing process of weaving a nuclear safety net, the thickest strands of this net were treaties. And now these thick strands are being cut. The nuclear safety net that we have relied on, that has been so beneficial and so unheralded, is being dismantled. One of the major preconditions for the steep reductions that occurred in these bloated, superpower arsenals was a treaty that banned nation-wide missile defenses. This treaty was negotiated during the Nixon administration and it backstopped the deep cuts that came later. But the treaty has been cut.

This thick strand of the nuclear safety net was cut during the George W. Bush administration. As a result, Vladimir Putin did some cutting of his own, and he cut a treaty, strand, a thick strand, that said, "Thou shalt not put more than one warhead on top of the missiles we worry the most about, intercontinental ballistic missiles." This had been an objective of arms controllers for decades, finally achieved by George H.W. Bush. Putin said, "Look, if you guys are going to cut the ABM Treaty I'm not going to abide by this obligation and I'm going to go ahead and put more than one warhead atop these missiles," and he's doing that; they're being deployed now.

The treaty, the thick strand in the safety net that foreclosed the deployment of missiles in Europe or that could be directed at Europe from certain distances, this intermediate nuclear forces treaty, signed by Reagan and Gorbachev, a treaty that did extreme violence to nuclear orthodoxy, a treaty that broke the back of the nuclear arms race in 1987 -- cut. This was a combined effort, a joint effort I would say, by Putin and President Trump and his national security advisor, John Bolton. By the way I'm throwing out Yale alumni here. But snip by snip by snip this nuclear safety net is being cut. It now has very little load-bearing capacity, we don't know how little until we fall through it and witness a mushroom cloud.

What do we do about it? Well in 1960 some very, very wise people came together, mostly along the banks of the Charles River, but also elsewhere. And they asked themselves two fundamental questions: what do we want and what do we call it? And their answers were the same in both cases. They devised, conceptualized, this practice of arms control. Before they did this, people were still expressing fealty to general and complete disarmament, but they really didn't mean it and they had no way of getting there. Arms control, the practice of arms control was conceived at the right time in the right place for a newly-elected president who was friends with some of the conceptualizers and brought them into his administration, where they began this amazing construction project -- or weaving project.

The practice of arms control seems to have sputtered and it may have run its course. I believe there's plenty of room for another arms reduction treaty with Moscow, but sooner or later we're going to have to conceive of something to replace our old-fashioned concept of arms control. 2020 is the new 1960. We have two central questions, the same central questions: what do we want and what do we call it?

I will end with where I started. Arms control is a global service designed to protect the global commons. Whatever we call it in the future, to protect the global commons, we have to prevent mushroom clouds. No use, no use. No battlefield use, no threats to use, no nuclear tests as a demonstration of power and evil intention to use. I think that's the heart of it, but we need to think about this some more and we need a lot of help in thinking this through. Thank you.

Entering a World of Unregulated Arms Races and New Capabilities

Nikolai Sokov

*Senior Fellow, James Martin Center for Nonproliferation Studies,
Middlebury Institute of International Studies at Monterey*

Thank you. As usual, Michael did actually cut to the heart of the problem, but I approach the same problem from a somewhat different perspective, informed more by my experience at arms control negotiations. When you sit at the table things look quite different often. For those students who are present I can tell you that the books like *Getting to Yes* don't actually reflect anything that goes on at the negotiating table. It's a great book to teach but it's not a good book to follow as you negotiate treaties. So I would say that yes we are at a really critical juncture. Maybe we're already actually past the juncture.

Honestly I do not see much hope in saving the existing network of arms control treaties. I don't see much hope for extending even the New START treaty. I think we're entering the world of unregulated arms race – maybe not so much in numbers as in new capabilities. But these new capabilities make war more likely. Let me cut at this problem at several levels. The more technical level, the arms control level if you look at INF Treaty especially, I don't see much use for existing procedures and mechanisms to resolve concerns. To me, the situation with the Russian missile violating the INF treaty or the US accusations of such violation, well in fact looks quite similar.

We had similar cases before while I was still at the foreign ministry – that's already many years ago – but back then similar issues were resolved in a very different way. The way that was tackled by both sides simply did not allow for any resolution whatsoever. So that's really why the treaty collapsed. I do not try to claim that I know for sure whether there was a violation or not, and frankly it actually doesn't matter. What really matters from my view, from a practitioner's point of view, is the fact that there was a chance to resolve that and the chance was not taken.

Second, a big issue, now sort of the higher level, the big issue is, so what do we address in arms control? That has been a really fundamental difference that came to the fore especially clearly during the Obama years. Do we deal with nuclear weapons or do we deal with military capabilities? The United States tried very hard to reduce nuclear

weapons -- that was the Prague speech and everything -- to which Russia actually said, "But nuclear weapons is just one part of military balance. Why don't we tackle things like missile defense and long-range conventional weapons?"

The difference is to an extent actually philosophical, but also quite practical. During world War II, humankind lost about 50 million people using weapons that were quite primitive from today's point of view. So if we just eliminate nuclear weapons do we save humankind, or do we open the gates for a new conventional global war? We don't have an answer. I'm not trying to answer it I'm just saying that we need to think about that. The trends are not very optimistic. And let me be very cynical here and even brutal. At the end of the Cold War and for the following 25 years, the United States did possess the monopoly on advanced conventional weapons. We talk of two wars in the Gulf, we talk of the Balkans, we talk of Libya. It was really a wonderful world where it was possible to reduce reliance on nuclear weapons because we got wonderful non-nuclear capabilities.

Well really let's go back to the seventies. The war in Vietnam ended, yes it was a defeat. And the United States would not go to war for a very long time. Why? Because the traditional, conventional forces were unusable. The Soviet Union lived through the same experience in Afghanistan. I would say that after Vietnam and Afghanistan the world entered a qualitatively new stage, this stage of peaceful foreign policy. The stage when Clausewitz was actually wrong because war could no longer be a continuation of policy by other means.

Unfortunately that stage was very short-lived, because now we got advanced conventional weapons, quite precise, with much collateral damage. We don't go to the battlefield and things are really wonderful. What happened in 2015, it was the first use of similar weapons by Russia on battlefield in Syria. So the monopoly was lost. What do we see now? Nuclear air-launched cruise missiles, low-yield warheads, the Trident, things like that, - - in Europe and generally big, Russian, military threat to NATO.

I think it's important to understand that the nuclear capability and conventional capabilities are inversely related. Russia now says, "Now that we've got conventional deterrents we don't have to rely on nuclear weapons, that's really wonderful, yes." But somehow NATO does not see that as wonderful. So that's the second level.

The third level that needs to be addressed to understand why we see the dismantlement of the arms control framework, is the broader concept of international law, international regimes, and multilateralism. The dominant perception in the West, not just the United States, is that we're good guys because we are for international law and multilateral approaches; Russia is not. Well that's actually not true. In fact Russia is a conservative international law, multilateralist country. It adheres to conservative old fundamentals of international law, sovereign states, you're not bound by an international regime unless you expressly agreed to that. For a treaty to enter into force everyone should sign and things like that. In the West after the need of the Cold War, it was more like the majority, actually, ruled.

So the majority of states agreed what something is a good thing, so we proceed going with that policy. Just recall, in the nineties we developed a concept of humanitarian intervention. Well it actually does violate traditional international law. That's a gap, actually, in the body of law. But since it's for a very good reason, let's actually go ahead. Some states might not support it and veto it at the United Nations Security Council, but we do it for the common good. We go to war over Kosovo. Well that actually did violate the UN Charter but it was for very good reasons, and then recognized the independence of Kosovo. And in 2009 the United States did file a fascinating legal justification for that. Well it was called the "US Legal Opinion on Independence of Kosovo." Surprise, surprise, in 2014 Moscow took that document and to the last word implemented it in Crimea. But we don't accept that because that was for a bad reason.

So we are into this conflict between two conceptions of international law. But as we have this fundamental conflict and we don't really talk about it much, at least in the West, we do see, and we are concerned about what we see on the surface – the surface is the dismantlement of arms control regimes. Can we overcome that? I think chances are low. The chances are low because we talk about things that are on the surface – like a threat of war in general or nuclear war specifically – and we do not even try to seek some kind of a common position on the bigger questions of what's international law, what is strategic stability, what should we account for as we write new treaties.

As long as we do not address these things, I agree with you I'll go to church and light a candle and hope that we all survive. And I can tell you that down the road survival will

be much more difficult. To be honest, the Cold War standoff with nuclear weapons was nice, stable, understandable. I would feel quite comfortable right now to be honest, but we are entering the era of new weapons, of hypersonic weapons, when leaders will have two, three minutes to make a decision. In this world, it was seriously bad during the Cold War, you see the opponents' missiles flying, and you got 20 to 40 minutes to think, to verify the warning, to connect to the opponent and ask, "What the hell's going on?" Now you've got two or three minutes. So you have to react on the first warning, and what's the likely mode of reaction? It's the buttons.

We lived through a similar period, quite a short period, though, in '83, when American short range – intermediate range missiles in Europe could reach Moscow in seven minutes. That challenge was resolved in '87 by the INF Treaty. Given the state of relationship between the West and Russia, I do not see such a treaty, or something similar in the foreseeable future. So let's enjoy life and pray. Thank you.

Causes of Disinvestment from the Nuclear Order

George Perkovich

Ken Olivier and Angela Nomellini Chair and Vice President for Studies overseeing the Nuclear Policy Program, Carnegie Endowment for International Peace

Thanks. I'm going to draw together some of what my colleagues today have said and then some of what we heard yesterday, especially in the session on climate. I'm going to talk briefly I think about the underlying essence and characteristics of what we call the global nuclear order, and I'm going to try to explore what I think are some of the deeper causes of the disorder that my colleagues have talked about, and then briefly suggest some things that can be done that build on or add to what they had talked about.

Michael [Krepon] began by talking about, in essence, at least one of the pillars of what became of global nuclear order after 1945, and you can talk about how remarkable it is that nuclear weapons hadn't been detonated in anger against targets since 1945. And I think that's the essence of the accomplishment of the nuclear order, but there were additional facets to it. There was a tremendous worry that nuclear weapons would proliferate to other countries. Famously, President Kennedy was briefed that 25 countries would acquire nuclear weapons very quickly, very soon, if things continued as they were.

And so, for a variety of reasons, particularly the U.S. and the Soviet Union cooperated to create the nuclear non-proliferation treaty, and that was negotiated finally in 1968, and basically since then, since that treaty was done and entered into force in 1970, there's only been one country that signed the treaty, then cheated on it and acquired nuclear weapons, and that's North Korea.

It's quite a remarkable achievement if you think about international treaties. You think about domestic legislation and crime, and to have that rate, that small rate of violation that somebody gets away with, is quite remarkable. So that was another element of this global nuclear order.

And then the third element of it was peaceful cooperation in atomic energy. If you think about it, and I'm going to come to this later, because today, nuclear energy isn't very attractive except in a few non-market societies or economies. But there are lots of -- I should know how many nuclear power plants in the world, but it's around 450 or there-

abouts – and in many countries that operation has gone very well in terms of people not cheating and building nuclear weapons out of those civilian nuclear programs. That was another part of this nuclear order that was created.

What I want to say about it is that it's been a remarkable success, and what was key to it is that it's built on reliable reciprocity. That's an expression I borrowed from Lauren Berlant who is a literary theorist at the University of Chicago that I'd never heard of until two weeks ago, and then I checked out a book that she wrote. A lot of it's hard to read, but then there's some really brilliant stuff in it, too, that I can understand. I used to talk about sustainable reciprocity, but she has reliable reciprocity, which is alliterative and it's just great, so I stole it.

But that's what it was built upon, that if you restrain yourself, if the weapon states restrain themselves, if they agree to work towards nuclear disarmament and others restrain themselves from acquiring nuclear weapons and you play by the rules, everybody does better through that kind of reciprocity. It's central to multilateralism, and it's key to the nuclear order working.

As I said, the non-proliferation treaty was the essence of it, and so here I'll borrow from something Kevin Rudd said last night about the UN, which was basically if the UN didn't exist, we'd have to invent something like it. Well, if a non-proliferation treaty didn't exist, we'd have to invent something like it, except today it would be much, much harder to invent and get international subscription for than it was then. So in many ways, it's all the more important to defend and to invest in restoring it.

The last point to set the stage about order and how important the order is, and here-in here I'm picking up on something Mr. Yan said, which is look at how we're worried about artificial intelligence -- Cyber more probably -- but artificial intelligence especially has people very concerned; whether it's automated weapons, aircraft, everything people are worried about, especially the international dimension. There is no order there. There's no domestic regulation, there's no understanding of liability domestically. Internationally, they haven't begun discussions of it. And so you juxtapose that kind of nascent stage of technology burgeoning, there's lots of concern about it, a sense that it needs to be ordered. No one has the slightest idea how it's going to be done. That was kind of where nuclear began in 1945, and so it's quite remarkable how quickly and successfully an order

was built in that domain, and we should hope that we can figure out how to do as well with AI and some of these technologies. But if that's going to be the case, I think we're going to have to go back to the fundamental principles of reliable reciprocity, *quid pro quos*, and creating incentives for people to comply.

That leads me to the second section, which is my sense that what we're experiencing, and a lot of the problems that people hear talked about, whether it's the INF treaty being first violated and then withdrawn from, the absence of arms control, the DPRK challenge, the arms race -- there's a long list. I think what's happening is you have disinvestment from this nuclear order and disinvestment from these two blocks of countries, and I would suggest there's four factors driving this.

The U.S., and I would say Russia, are disinvesting from that nuclear order for somewhat similar reasons. The U.S. disinvestment is really intensified and made explicit by John Bolton and President Trump, but really John Bolton makes it explicit. And the idea is, look, there aren't many threats of proliferation anymore. Name the country that we're now worried will acquire nuclear weapons. The one that people nominate is Saudi Arabia. First of all, from the Trump administration, that isn't the biggest problem in the world. Then the next thing is tell me a bad guy who's going to get nuclear weapons now. And the answer of the Trump administration and John Bolton is we'll handle that ourselves, militarily. So we don't need all these rules and this rigmarole and all these bargains and concessions and trade-offs; screw it. If somebody does it, we'll remove them. And that was basically, the Bush administration strategy in 2002 with the Axis of Evil. That's the strategy that led to the invasion of Iraq, and Iran was supposed to be next, and North Korea. And so the approach is like the NRA says about arms control. The problem isn't arms, not nuclear arms; the problem is bad guys with nuclear arms. And so the strategy is not to control the arms, it's to get rid of the bad guys. And so there's a coherent theory that leads to disinvestment from that kind of any order.

I think Russia's disinvesting for somewhat related reasons. Russia is more concerned about selling nuclear power plants, about making deals in countries that may be seeking to acquire nuclear energy, and if there's a worry that those countries like Saudi Arabia may seek to acquire nuclear weapons, we'll deal with that later, or that will be the U.S.'s problem or somebody else's problem. But it's not the first concern. And beyond sales, the

bigger concern is contesting and countering the U.S. and trying to play off challenges with other countries as a way to gain leverage over the U.S.

I think the second factor causing disinvestment is that nuclear energy is no longer attractive. It's not attractive enough for developing countries to make them go gee, I want nuclear energy so badly that I'll do whatever these people are telling me to do in terms of export controls, not acquiring nuclear weapons, behaving well so that I can get nuclear energy.

Look at it now, and after Fukushima especially, but also just the prices, it's just not a great investment. China's the only country that's got still a burgeoning nuclear energy program. I think that changes the dynamic within the nuclear order.

The third kind of disinvesting dynamic is that the disadvantaged participants in this order, ones that feel they're victims, are primarily the non-nuclear weapons countries. The countries in South America, Africa, and parts of Asia that feel they get no benefit from nuclear deterrents. So unlike our NATO allies -- U.S./NATO allies, unlike Russia, these countries go look, we don't face threats for which nuclear deterrence is relevant. These countries aren't going to defend us. And yet, if they have a big nuclear war, we get screwed. Our food supply is going to be in danger, we're going to be dealing with the global chaos that will come from that, and so they say, we want to morally protest this. We want to disinvest and challenge this system, and so they basically led negotiation two years ago of a treaty to prohibit nuclear weapons. Frustrated with the non-proliferation treaty, feeling that the nuclear weapon states are never going to get rid of nuclear weapons, they said the hell with it. We'll negotiate a separate treaty that says ban them, prohibit them, period. It doesn't matter if it's not binding on any of the weapons states; we'll make our stand, and we're less interested now in non-proliferation.

The fourth driver of this disinvestment is something that we've been talking about, which is new technology. Whether it's artificial intelligence, hypersonic conventional weapons that Nikolai talked about, or other kinds of systems, people are saying those are the new threats that we've really got to be worried about. Nuclear has kind of evolved. It's not clear how nuclear arms control in the existing system is going to deal with these new technologies, so let's focus on the new technologies and spend less time and energy on the old.

So from different directions, you've got some people arguing from a security narrative saying they're disinvesting; others from a moral or humanitarian narrative, saying they're disinvesting from this order. And all of that is compounded by the lack of leadership from the U.S. because order is basically, whether it's trade, or climate or nuclear, you need at least one of the biggest powers to try to drive it. Preferably you'd have two. The nuclear war was built by the U.S. and the Soviet Union. Todd Stern talked yesterday about how you can't do climate without the U.S. and China. I would argue that both of those things are true, and on the nuclear, we're going to have to have the U.S., Russia, and China going forward. And if you don't have that cooperation, you can't basically restore the order.

So what can we do about it? In my mind, the first thing is something that none of my colleagues think about, and that Washington doesn't think about at all, except maybe President Trump -- and this is a serious comment and kind of praise of him (it's not praise, it's an accident). How do you get Russia off the sanctions trap?

Russia had a bunch of sanctions imposed, deservedly in my view, for what it did in Ukraine. But the problem with sanctions, once you've applied them, you've kind of defeated the purpose. The behavior that you are trying to change doesn't work. So in Russia's case, how do we move forward? How does the world move forward? Russia's never giving back Crimea -- well, never is a long time -- it's not clear when and why Russia would give back Crimea. It's still meddling in Ukraine. The sanctions are there.

Putin is really pissed off about it. He wants those sanctions removed. There's no dialogue, or even thinking in the West how to remove the sanctions. If you want to get Russia to come back in and play on these other issues, how do you motivate them to do that? Seems to me a vital issue that no one's really thinking about.

And then with China, how do you deal with the territorial aggrandizement that has people so concerned in the South China Seas? The building of islands out of rock outcroppings, or adding of runways onto things, that alarm Japan, the U.S., and others, and then China's concern about what U.S. intentions are in Taiwan.

If you don't address those underlying issues, it seems to me it's very hard to then get into a serious discussion about strategic stability and tempering or controlling the mili-

tary, including the nuclear competition. But again, we don't have a dialog with China on strategic stability. We're not engaged in that process. That was the problem before the Trump Administration, and it's been exacerbated by Trump.

So I've got a list of other things that are very similar to what came up in the climate discussion about accountability and equity. There are larger things than arms control, but it seems to me if we don't address those, that multilateral order around nuclear weapons is going to continue to experience disinvestment.

