Measures to Reduce Nuclear Dangers

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Through the years, the international nuclear disarmament and nonproliferation enterprise, though imperfect has curbed nuclear proliferation and limited the number of nuclear-armed states to nine, forced reductions in major-power nuclear arsenals, ended nuclear testing by all but one state, and created an informal taboo against nuclear weapons use.

But today, there are some very tough challenges that pose a serious threat to the international nuclear order.

Tensions between the world’s nuclear-armed states are on the rise. North Korea’s nuclear weapons and missile program is unconstrained and growing. Progress on the next steps on nuclear disarmament as outlined in the 2010 NPT Review Conference Action Plan is stalled.

North Korea’s nuclear and missile programs, if not capped through a new diplomatic initiative, could soon give Pyongyang an even more significant capability to strike states in the region with nuclear weapons, including a second strike nuclear capability, and in time an intercontinental nuclear strike capability.

At the same time, relations between Washington and Moscow are worse than ever, there is no plan to replace or extend the New START agreement, and both are on track to replace their excessive nuclear arsenals at enormous cost. Other nuclear-armed states, meanwhile, are slowly improving their capabilities.

As William J. Perry, the former U.S. Secretary of Defense, warned in his 2016 memoir, My Nuclear Journey; “Today, the danger of some sort of a nuclear catastrophe is greater than it was during the Cold War.”

U.S. president-elect Donald Trump seems poised to build up nuclear tensions even further.

His Dec 22 tweet that “the United States must greatly strengthen and expand its nuclear arsenal,” reported comments the next day welcoming an “arms race,” and denunciation of the 2010 New START agreement with Russia, could signal a radical shift away from decades of bipartisan U.S. policy to seen an end to the nuclear arms race and reduce nuclear stockpiles.

In March, Christopher Ford, the National Security Council's senior director for weapons of mass destruction and counter-proliferation, said an examination of whether global nuclear disarmament "is a realistic goal," would be conducted as part of a wider assessment called the Nuclear Policy Review. The pursuit of nuclear disarmament is not negotiable. It is a legally binding commitment in Article VI of the NPT.

These trends have driven the non-nuclear weapon state majority to negotiate a treaty to prohibit nuclear weapons and are putting the nuclear Non-Proliferation Treaty—which will turn 50 years old in 2018—under tremendous strain.

The bottom line is that the pillars of the global nuclear order, including the NPT, cannot be taken for granted.

What Can Be Done?
It is more essential than ever that the leaders of all of the world’s states must redouble efforts to strengthen the NPT and head-off renewed nuclear competition.

In the next four years, this requires ensuring that all sides comply fully with the JCPOA and achieving some progress in three areas:

- Maintaining verifiable limits on U.S. and Russian nuclear arsenals and jumpstarting talks to further reduce their excessive arsenals;
- Halting North Korea’s nuclear and missile programs and reducing tensions and risk of nuclear weapons use on the Korean Peninsula; and
- Reducing the salience of nuclear weapons and their role in military and security affairs.

1. **Reduce U.S.-Russian nuclear tensions.**

Before the end his term Trump, along with Russian president Vladimir Putin will need to decide whether to:

- extend the 2010 New Strategic Arms Reduction Treaty (New START) and is monitoring regime past its February 2021 expiration date for another five years;
- negotiate a follow-on agreement;
- or go forward without legally-binding, verifiable limits on the world’s two largest nuclear arsenals.

When Trump and Putin meet later this year, the two leaders could reduce worries about nuclear missteps by reaffirming the statement by U.S. President Ronald Reagan and Soviet leader Mikhail Gorbachev from 1985 that “a nuclear war cannot be won and must never be fought” and that “given the catastrophic effects of nuclear weapons, the fundamental purpose of nuclear weapons, so long as they exist, should be to deter the use of nuclear weapons.”

In addition, they should be encouraged to:

- **Reaffirm the Commitment to the CTBT**: Building on UNSC Resolution 2310 that was approved in Sept. 2016, the two leaders should also be encouraged reaffirm their commitment to the quarter-century-long U.S. and Russian moratoria on nuclear weapons test explosions and the prompt entry into force of the 1996 Comprehensive Test Ban Treaty, which both have signed but only Russia has ratified.

Failure by either side to stand by their CTBT commitments risks further nuclear tensions.

- **Extend New START and Seek Deeper Cuts**: As President Barack Obama noted in his final press conference, “[T]here remains a lot of room for both countries to reduce our nuclear stockpiles.” With up to 1,550 deployed strategic nuclear weapons allowed under New START, Russia and the United States can safely cut their bloated nuclear stockpiles further without negotiating a new treaty.

By agreeing to extend New START and its verification provisions by five years, to 2026, Trump and Putin could confidently pursue further, significant parallel reductions of warhead and delivery system inventories by one-third or more and still meet their respective nuclear deterrence requirements.

This step would ease tensions and reduce fears of a new nuclear arms race, plus it would reduce the skyrocketing price of nuclear weapons.
• **Address the INF Treaty compliance dispute.** Russia’s deployment of ground-based cruise missiles prohibited by the landmark 1987 Intermediate-Range Nuclear Forces (INF) Treaty is a serious matter. Trump said on Feb. 23 he would take up the issue with Putin when they meet. New U.S. or NATO nuclear-capable missile deployments are in appropriate. Rather, the two sides should discuss the U.S. evidence at another meeting of the treaty’s Special Verification Commission and to work to resolve all outstanding compliance issues.

If Moscow continues to deploy the banned ground-launched cruise missiles, U.S. and NATO leaders should insist that the weapons would need to be counted under the limits set in the next round of nuclear arms reductions.

2. **A More Effective Strategy of Pressure and Engagement to Halt North Korea’s Nuclear Expansion**

North Korea’s advancing nuclear and ballistic missile programs are the most urgent nuclear proliferation challenges today.

North Korea already has the capability to deliver a warhead on a short- or medium-range ballistic missile. With more nuclear tests, North Korea can further refine its warhead designs to increase the explosive yield and develop a lighter, more compact warhead. North Korea’s next nuclear test explosion, which would be its sixth, could be imminent.

North Korea is estimated to have some 50 kilograms of plutonium, enough for 10 nuclear explosive devices. International Atomic Energy Agency Director-General Yukiya Amano said on March 20 that North Korea has doubled its capacity to produce highly enriched uranium. By 2020, it may have enough fissile material for 100 warheads. Worse yet, it could soon begin flight-testing an intercontinental ballistic missile.

If the current action-reaction cycle continues, it will not only diminish the prospect of denuclearization of the Korean peninsula, but it will increase the risk of a devastating nuclear war.

The new administration of President Donald Trump, along with U.S. allies and partners in Northeast Asia, have a rapidly closing window of opportunity to pull back from potential escalation and war and pursue a diplomatic course that halts and eventually reverses Pyongyang’s nuclear weapons program.

The Trump administration has reportedly completed its review of DPRK policy and is pursuing a variation on past policy that they describe as “maximum pressure and engagement.”

The question is what kind of pressure? What are the terms of engagement and when? Are China and our allies in the region on board?

Ideally, engagement should begin soon. Trump should offer direct talks about talks. To move forward, Trump should take note of Pyongyang’s statement from July 2016, which called for denuclearization of the Korean peninsula, to make clear that the United States remains committed to denuclearization as the end state of the process. If North Korea is willing to negotiate, initial talks should focus on obtaining a moratorium to prevent additional nuclear and ballistic missile tests in order to buy time for a more far-reaching and lasting solution.

For that, the United States will need to be prepared in return to put something on the table. In consultation with the incoming government in Seoul, Washington should consider scaling back or delaying the next round of joint military exercises with South Korea. The exercises could be scaled up if North Korea breaks off talks or conducts further nuclear or ballistic missile tests.
If the initial moratorium holds, North Korea and the United States could proceed to steps that would roll back Pyongyang’s nuclear activities, including a verifiable halt to fissile material production that would be monitored by international inspectors at North Korea’s nuclear sites. In return, the United States might extend to North Korea limited sanctions relief and negative security assurances against military attack under certain conditions.

To maintain leverage, the United States and its partners must strengthen implementation of existing UN Security Council sanctions. China’s decision to halt coal imports from North Korea is a good start. The latest report of the UN panel of experts on sanctions against North Korea said that the Security Council must compel better enforcement by imposing penalties against non-North Koreans involved in evasion.

Other policy approaches pose very high risks and have lower chances of success. New sanctions without an offer of talks would be opposed by China, and North Korea would, as leader Kim Jong Un said Jan. 1, “continue to build up” its nuclear forces, which he sees as a guarantor of regime survival. Pre-emptive U.S. military strikes would be operationally difficult and provoke a strong, likely military response from Pyongyang that could trigger a second Korean War.

3. Further Reducing the Salience of Nuclear Weapons Through the Ban Treaty: In the midst of all of this is a new initiative that could further reduce the salience of nuclear weapon: the negotiations on a new instrument to prohibit nuclear weapons.

Fundamentally, the initiative aims to spur action on nuclear disarmament and risk reduction and to further delegitimize their possession.

Although most of the world’s nuclear-armed states will likely boycott the negotiations, the process and the final product could help strengthen the legal and political norm against their use—a worthy goal, especially in light of the uncertainty surrounding U.S. nuclear policy under Trump’s leadership.

Contrary to some skeptics, this process is not a “distraction,” nor will it undermine the NPT, as some fear—so long as ban treaty advocates recognize its value and its limitations and so long as the nuclear weapon states do not continue to suggest that the ban treaty is the source of the nuclear nonproliferation regime’s problems.

Let’s be clear: the stresses and strains on the NPT are due to the actions of North Korea, the inability of the major nuclear armed states to make progress on disarmament commitments, the technological arms race by the nuclear weapon states, and the failure of key states in the Middle East to agree on the agenda for a conference on a WMD-free zone in their region—not the ban treaty negotiations.

In order to attain a world free of nuclear weapons, it will be necessary, at some point, to establish a legally-binding norm to prohibit such weapons. As such, the pursuit of a treaty banning the development, production, possession and use of nuclear weapons is a key step along the way. This new process has the potential to further delegitimize nuclear weapons and strengthen the legal and political norm against their use—a worthy goal.

Yes, this is a challenge to the unsustainable and dangerous concept of security based upon the threat of nuclear weapons use, which can produce catastrophic destruction far beyond the borders of the warring parties.

To achieve the peace and security of a world without nuclear weapons and to avoid the use of nuclear weapons, states that possess nuclear weapons and those in alliance with nuclear-armed states can and must shift away from nuclear deterrence to conventional military deterrence. This process is already underway. United States strategy of “extended deterrence” to allies in Europe against potential Russian aggression, and to U.S. allies in Asia has increasingly relied on non-nuclear elements, including forward U.S. conventional presence and effective theater missile defenses.
The participation of key middle powers, such as the Netherlands and Sweden, should help improve the quality of the outcome.

Those states and NGOs involved in the negotiation – and we plan to be among them – have some difficult work ahead. To be effective, the instrument will need to:

- Specify which activities related to nuclear weapons possession, nuclear sharing planning, development, production, and testing are prohibited. If not already set out in an existing treaty (such as the CTBT), each of these prohibitions must be effectively verifiable, even if this negotiation does not elaborate and set out the monitoring and verification regime to verify compliance, which could be a task for a future comprehensive nuclear weapons elimination convention.
- Be consistent with existing treaties that prohibit or limit certain nuclear weapons-related activities, including the CTBT, the current nuclear weapons free zone treaties, and the NPT. In order to compliment, rather than undermine these other pillars of nonproliferation and disarmament, the new treaty should require that states parties also adhere to the disarmament and nonproliferation-related obligations of these agreements.
- Provide for pathways by which states that now possess nuclear weapons, or are part of alliances with nuclear-armed states, can support the new nuclear weapons prohibition treaty before they become a full-fledged member of new instrument. For example, negotiators should also consider protocols to the main treaty that nuclear-weapons possessor states could adopt that prohibits states armed with nuclear weapons, or in a military alliance with a nuclear-armed state, from threatening or using nuclear weapons against a non-nuclear weapon state.

The negotiators should seek a formula that is meaningful but also draws the widest possible support from states participating in the negotiation. Consensus should be the goal but not a requirement for agreement on the final outcome.

At the same time, advocates of coming nuclear weapons ban treaty must recognize it is not a substitute for the necessary, progressive steps on nuclear disarmament.

The new prohibition treaty can help delegitimize nuclear weapons as instruments of national power and further clarify that their possession and use is inconsistent with international law.

But without follow-through pressure for concrete nuclear restraint and disarmament measures, the process will necessarily lead the nuclear-armed states to act with urgency to fulfill their nuclear disarmament obligations.

Thank you for your attention.