

Nonproliferation Players and their Policies

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Over 60 years after their invention and initial use, nuclear weapons remain a source of global controversy and concern. The risks of a deliberate nuclear exchange between the United States and Russia are greatly reduced, and today international concern focuses on the dual risks of nuclear terrorism and of regional nuclear instabilities. The United States, Japan and India all have differing views toward both nuclear weapons and on the way the international system should address the risks posed by nuclear weapons and their proliferation. A convergence of views among the three countries could go a long way to reducing the danger that nuclear weapons will one day be used by states or sub-state actors. Today, however, their views on both nuclear weapons and on the various tools at the disposal of the international community to address proliferation and nuclear terrorism remain uncoordinated and, at times, in conflict. Given the common goals of economic stability and growth that the three states share, there is some hope that the views of the countries may grow closer in the years ahead in this critical area.

The debate over the U.S.-India nuclear deal is only one piece of a very complex nuclear nonproliferation agenda that includes concerns regarding the possible future existence of the nonproliferation regime. The dual nuclear challenges of Iran and North Korea, the spread of nuclear enrichment and reprocessing technology, the perceived growing value of nuclear weapons in international security affairs, and the breakdown of traditional security structures are all adding to concern that the world will be increasingly nuclear in the years ahead. This is added against a backdrop where most believe nuclear energy will play a more central role in providing energy for the world in the years ahead as it faces increased demand, dwindling fossil fuels, and increased concern over global warming.

The United States, Japan, and India all have vital roles to play as this agenda plays itself out over the coming decade. The United States has traditionally set and pursued the global agenda to prevent the further spread of nuclear weapons, although many of its policies have sparked criticism that Washington is not sufficiently committed to disarmament to sustain the nonproliferation system. Japan has a unique nuclear history and is among the most committed to the traditional approach to nonproliferation, including its long-standing support for the Nuclear Nonproliferation Treaty, international safeguards, and the process of disarmament. U.S.-Japanese collaboration on nonproliferation remains a vital part of the overall bilateral relationship and is likely to become even more important as the region faces the implications of North Korea's continued nuclear possession. Yet, Japan's continued reliance on the extended nuclear umbrella of the United States makes it difficult to push too aggressively for nuclear disarmament.

India, as well, has a central role to play in the evolution of global nonproliferation policy. Through its abstention from the mainstream nuclear nonproliferation regime, India has already had a dramatic affect on the regime. Through its long-standing role in the Non-Aligned Movement, India was a major critic of nuclear weapon states and led efforts to pursue strong nonproliferation measures such as the complete elimination of nuclear weapons and a comprehensive test ban. However, once its nuclear program reached fruition, much of India's focus on disarmament measures had been diffused. Through its nuclear status, its ambitious plans to expand nuclear energy, and its landmark agreement with the United States on nuclear cooperation, India remains an important component of global nonproliferation interest and plans. It appears that Indian views on nuclear weapons and the international approach to

nonproliferation and disarmament continue to evolve, and the future direction of its thinking is unknown.

Basic Nuclear Philosophies

Behind the policy positions of the three countries on the nonproliferation regime's major components are three vastly different and sometimes shifting philosophies on the questions of proliferation, disarmament, and on nuclear weapons in general. For the United States, concern over nuclear weapons has shifted from the existential threat they posed during the Cold War. Today, nuclear weapons pose a risk as a potential tool for terrorists and as a challenge to U.S. conventional superiority in regional conflicts. However, this shift goes even deeper. Over the course of the nuclear age, the United States viewed any proliferation of nuclear weapons as a potential threat – even that by allies. The past 60 years are filled with American efforts to prevent states – friend and foe alike – from acquiring nuclear weapons. The threat was inherent in the weapons themselves, not in the state that acquired them. While this did not always reach to the realm of preventing friends from acquiring sensitive technologies that could be useful in weapons production – most notably in the case of Japan – it did work to prevent other close allies from secretly developing weapons-related capabilities. Today, however, the focus from Washington is clearly on the risks posed by proliferation to enemy states. While the United States is working to prevent the spread of sensitive fuel cycle facilities to more and more countries, it has made exceptions to for friendly states. This focus of “bad” states, however, is also not absolute, and even here compromises for other priorities have been made. It is unclear if this altered and sometimes inconsistent approach may be changed with the election of a new administration. This shift has also had an impact on the support the United States has given to

traditional, multilateral legal efforts in the field of nonproliferation and disarmament. Washington's current aversion to such steps may not be sustained in the years ahead, but the shift that has taken place over the past 7 years will have an impact that will last beyond the term of the current administration.

Japanese policies on nuclear issues have remained remarkably consistent over the past 50 years, in part because of Japan's unique history, its relationship and dependence on the United States, and the nature of its society and political system. Japan's three nuclear "Nos" remain intact. Japan has sought to prevent the spread of nuclear weapons to additional states and has supported efforts to prevent the spread of sensitive nuclear technology. It has also championed the development of new and integrated nuclear safeguards for civilian nuclear facilities to help ensure that diversion of peaceful materials cannot take place without detection. Its pursuit of non-proliferation and disarmament, however, are tempered by a realism that includes a continued reliance on the extended nuclear umbrella of the United States. As the nuclear dangers in East Asia grow, Japan is seeking to better understand the full nature of the U.S. nuclear deterrent and how it would, in practice, be used to ensure Japan's security. This debate may create new challenges for Japanese policies, but it is likely that Japan will continue its strong commitment to the traditional nonproliferation regime, as well as to efforts to prevent others from acquiring nuclear weapons. Unlike the United States, Japan remains tightly committed to multinational legal commitments and tools as an underpinning for the regime and as a vehicle for achieving the long-term goal of nuclear disarmament.

India's view of nuclear weapons has shifted along with its own nuclear status. While India remains committed to the complete elimination of nuclear weapons, it continues to produce nuclear materials for new weapons and remains the least constrained of the three countries

discussed here (but by no means among all states possessing nuclear weapons; China, Pakistan and North Korea continue to expand their nuclear capabilities along with India). India's approach to nuclear issues appears to be evolving from one originally focused on more regional issues to now include a more global view. Concern over Chinese and more recently Pakistani nuclear activities, as well as an increasingly strong focus on terrorism and state-sponsored terrorist activities has brought India's nuclear thinking closely in line with that of the United States. Unique Indian views, including opposition to anything that can be seen as imposed constraints (sometimes referred to as "neo-nuclear colonialism") or pre-determined initiatives that seek Indian participation after their formulation are politically unpopular in India. These pressures and attitudes threaten to undermine India's potential contributions to international efforts to prevent proliferation. India's overall approach toward international legal mechanisms is heavily influenced by domestic factors, including domestic politics surrounding its nuclear program.

Nonproliferation Tools

In addition to the various nuclear philosophies, the three states have different policies toward the major elements of the traditional and nontraditional nonproliferation and disarmament regimes. What follows is a light review of the major elements of these regimes and the policies toward them of the three states.

Comprehensive Nuclear Test Ban (CTBT) – The CTBT has been a long-term goal of nonproliferation and disarmament efforts. CTBT negotiations were led by the United States and were completed in 1996. India had previously been a strong advocate for the negotiation of a total ban on nuclear testing through its leadership position in the NAM. Japan was also a strong

advocate for the CTBT and remains a strong supporter of the treaty and the CTBTO. The U.S. Senate rejected the agreement in 1998 for a variety of related and unrelated concerns. And India has not signed or ratified the treaty.

To date 138 countries have ratified the agreement, and 10 more states, including the United States and India, must ratify the agreement before it can enter into force. India remains voluntarily committed to a testing moratorium, and has said repeatedly that it will not “stand in the way” of the agreement’s entry into force. India is the only one of the three states that has not signed the CTBT.

The United States	Has signed but not ratified the CTBT. Washington abides by a nuclear testing moratorium begun in 1992. Provides support for the CTBTO and system to detect nuclear testing.
India	Has neither signed or ratified the Treaty, and abides by a voluntary testing moratorium. Conducted a series of nuclear tests in 1998. Reserves the right to test nuclear weapons and objects to U.S. law that would impose penalties for a resumption of nuclear testing.
Japan	Has signed and ratified the CTBT and is a strong international advocate for its early entry into force. Provides technical and financial support for the CTBTO to establish a global seismic system to detect nuclear tests.

Fissile Material Cutoff Treaty – The goal of this proposed agreement would be to ban the further production of fissile materials for use in nuclear weapons, thereby capping the potential

growth of nuclear arsenals. The United States no longer produces material for use in nuclear weapons (and in fact is working to dispose of material excess to defense needs). It supports negotiation of a FMCT but does not believe the agreement can be verified and therefore does not support efforts to include verification provisions for the agreement. Japan and India are on record supporting an FMCT with verification measures. India, however, continues to produce materials for use in nuclear weapons.

The United States	Supports negotiation of an FMCT without verification. Believes it is not possible to verify an FMCT.
India	Supports negotiations for a FMCT with verification measures.
Japan	Supports negotiations for a FMCT with verification measures.

Nunn-Lugar/G-8 Global Partnership

The danger that nuclear materials could be acquired by terrorist groups or end up in the state arsenals of other states through theft and diversion has been a prominent concern over the past 15 years. The United States led international efforts to improve the state of nuclear security in the states of the former Soviet Union and later supported efforts through the G-8 to create a Global Partnership to Prevent the Proliferation of Weapons and Materials of Mass Destruction. The 2002 initiative seeks to spend \$20 billion by 2012 to improve nuclear, chemical and biological weapon asset security in the states of the FSU. Increasingly, there is interest in expanding the

initiative to a more global scope. All countries have been invited to contribute to the G-8 led effort. Many states in Europe and Asia have contributed to these efforts.

The United States	Original sponsor of the CTR program and the G-8 GP, its international successor. The U.S. provides \$1 billion per year for the G-8 initiative and recently sought to expand its duration and financing by another ten years and \$20 billion.
India	Does not contribute funds to the G-8 initiative and is seen as a potential recipient of future work should the initiative be expanded geographically.
Japan	Original member of the G-8 Global Partnership and has pledged over \$200 million for the effort.

Proliferation Security Initiative

The Proliferation Security Initiative (PSI) is a new, novel approach to reducing the risks of proliferation by targeting trafficking in sensitive materials and equipment needed in the production and delivery of nuclear, chemical, and biological weapons. Through coordinated efforts, PSI seeks to enhance the ability of states to prevent shipments through its territory of proliferation-related items and to cooperate with states in blocking shipments in domestic ports and shipment points. The United States has also been working to identify ways to ensure that the PSI can intercept illicit shipments internationally, including working out arrangements with “flagging” nations to gain case-by-case permission to board ships.

The United States	PSI is a U.S.-launched and supported initiative.
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India	India has some outstanding reservations about joining PSI and, as such, has not publicly endorsed the PSI Statement of Principles. Indian officials appear to have reservations over the PSI for a variety of reasons, including the fact that India was not included as an original “core group” member and its possible linkage to the traditional nonproliferation regime.
Japan	Japan has been an active participant and supporter of the PSI, in part due to its focus on North Korean activities.

Missile Technology Control Regime

Developed in 1987, the Missile Technology Control Regime (MTCR) seeks to make the proliferation of missiles and WMD delivery systems more difficult. The United States led efforts to develop the MTCR and Japan was an original member of the regime. India had traditionally opposed the regime, especially as it sought to build up its own nuclear missile capabilities, but has been convinced to support the regime over time.

The United States	Joined in 1987 (among the founding members)
India	Not a member, though under the U.S.-India agreement, India has agreed to adhere to the MTCR guidelines and make its export control laws consistent with MTCR guidelines.
Japan	Joined in 1987 (among the founding members)

Chemical Weapons Convention

Bans the possession, production and development and requires the destruction of all chemical weapons under international verification.

The United States	Signed in 1993 and ratified in 1997
India	Signed in 1993 and ratified in 1996; previously possessed chemical weapons
Japan	Signed in 1993 and ratified in 1995

Biological Weapons Convention

The United States	Signed in 1972 and ratified in 1975
India	Signed in 1973 and ratified in 1974
Japan	Signed in 1972 and ratified in 1982

Convention on Physical Protection of Nuclear Materials

The United States	Signed the convention in March 1980, submitted its deposit in December 1982, and the convention entered into force in February 1987
India	Acceded to the convention in March 2002 and it entered into force (for India) in April 2002
Japan	Acceded to the convention in October 1988 and it entered into force (for Japan) in November 1988

Nuclear Weapon Free Zones

The United States	Supports NWFZ's in principle, but has voiced reservations about specific protocols to treaties in the past.
India	Supports global rather than regional disarmament efforts, arguing that the reach of ICBMs renders impotent the concept of regional NWFZs. India has voted against UN General Assembly resolutions calling for the establishment of a South Asian NWFZ.
Japan	Supports NWFZ's when all states concerned agree to the proposal in question and it contributes to regional and international security, is accompanied by inspection and verification measures, and is consistent with international laws and the freedom of navigation on the high seas.

Conclusions

Despite the controversy caused by the U.S.-India nuclear deal and its potential negative impact on the nonproliferation and disarmament agenda, the three states have overlapping interests to prevent the further spread of nuclear weapons. Moreover, future policy changes in the United States and India may bring about a situation where the interests of the three states could align to allow for a more coordinated approach on nonproliferation and disarmament more broadly. At a minimum, cooperation in certain areas, including interdiction, improving security over nuclear materials, and export controls would be a way to develop closer and more constructive relationships among the three states, with positive implications for the international community. These opportunities, however, may be limited by the divergent views of the three states have on

the utility and desirability of nuclear weapons, views that may be hard if not impossible to change absent some major shift in the international security environment.