Fighting the Spread of WMD: Views from the Next Generation

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Based in Honolulu, the Pacific Forum CSIS (www.csis.org/pacfor/) operates as the autonomous Asia-Pacific arm of the Center for Strategic and International Studies in Washington, DC. The Forum's programs encompass current and emerging political, security, economic, business, and oceans policy issues through analysis and dialogue undertaken with the region's leaders in the academic, government, and corporate areas. Founded in 1975, it collaborates with a broad network of research institutes from around the Pacific Rim, drawing on Asian perspectives and disseminating project findings and recommendations to opinion leaders, governments, and members of the public throughout the region.

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Foreword

The Pacific Forum CSIS organizes and promotes regional security dialogue aimed at addressing and hopefully ameliorating East Asia security challenges and concerns. We regularly host conferences and seminars with like-minded institutes throughout the United States and Asia to explore contentious issues, share ideas, and build networks of individuals and institutions that can influence regional policy-makers.

A common theme has emerged in our discussions: the impact of generational change, especially in democratic societies. The post-World War II/Korean War and colonial-era generations are being replaced by more nationalistic, less patient societies. These groups see the world and their place in it quite differently from their predecessors. They are more focused on the future and less captured or controlled by the past. Yet as we look around our conference tables, we have been confronted by a troubling fact: while a great deal of time is spent analyzing the new generation, few of its members are present at such gatherings. This is disturbing on two counts. First, it deprives these individuals of interaction with more experienced experts and analysts. Second, our discussions lack the insight of this younger generation, views that are becoming increasingly important, and increasingly divergent from those of their elders. The gap is especially evident among young professional women who are even less integrated into international policy debates than their male peers.

To help remedy this situation, the Pacific Forum CSIS founded the Young Leaders fellowship program in 2004, with the support of grants from the Freeman Foundation and the Hawaii-based Strong Foundation, plus in-kind support from the CNA Corporation's Center for Strategic Studies. Since then several other institutes, organizations, and individuals have added their critical support as well; we thank them all. The program aims to foster education by exposing Young Leaders to the practical aspects and complexities of policy-making, while also generating a greater exchange of ideas between young and seasoned professionals, thus promoting cross-cultural interaction and cooperation, and enriching policy research and dialogue. This is the fifth volume of Young Leaders' papers; previous ones available on our website, www.pacforum.org.

We hope the Young Leaders program will provide an extraordinary opportunity for networking and training for young professionals from the U.S. and Asia who would otherwise have only limited opportunities to be involved in senior-level policy research and debate. We believe this program provides unique benefits and opportunities not only to the upcoming generation, but to the deliberations of their senior colleagues as well. The high quality thought and analysis contained in this volume's papers attest to the major contribution that the next generation can make to the international security debate when given the opportunity.

Ralph A. Cossa
President, Pacific Forum CSIS

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The views expressed here represent personal impressions and reflections of the Young Leaders program participants; they do not necessarily represent the views of the relevant governments, or the co-sponsoring or parent organizations and institutes.

Introduction

For many nations, the end of the Cold War ended the threat posed by weapons of mass destruction (WMD). Yet while the chances of a superpower confrontation have shrunk to near invisibility, the WMD threat persists. Now, however, the danger is posed by states and nonstate actors determined to acquire such weapons despite a global nonproliferation regime that guards against their spread.

The Pacific Forum, as secretariat of the U.S. Committee of the Council for Security Cooperation in the Asia Pacific (USCSCAP), co-chairs an international study group on Countering the Proliferation of Weapons of Mass Destruction in the Asia Pacific. This study group has focused on raising regional awareness of the threat posed by WMD and studied ways that regional states and institutions can shore up the global nonproliferation regime.

At the second meeting of the study group, held in Manila Dec. 2-3, 2005, the Institute of Strategic and Development Studies (ISDS) helped put together a Young Leader's program that provided insight into local security concerns. The 15 Young Leaders (from China, Indonesia, Japan, the Philippines, South Korea, Taiwan, the U.S., and Vietnam, arrived a day earlier for a day of separate programming. They visited and received briefings from the chief of staff of the Armed Forces of the Philippines and the National Security Council. They later visited the offices of *Newsbreak*, a news magazine whose managing editor, Glenda Gloria, provided a decidedly different perspective on developments in the Philippines.

In addition to those meetings, two leading lights on regional security – Carolina Hernandez, president of ISDS, and Brian Job, former co-chair of CSCAP, co-chair of CSCAP Canada, and professor at University of British Columbia – met separately with Young Leaders at breakfast to discuss their views on regional issues and concerns. We thank them both for their time and interest in the YL program.

Most of our Young Leaders were unfamiliar with the particulars of Philippine security concerns and the local political context in which they occur. The Philippines is one of the few countries to face threats from separatists, Islamic radicals, and communist insurgents. These internal threats overshadow most other security concerns, although planners and policy makers keep an eye on China and profess to worry about the potential threat posed by the proliferation of weapons of mass destruction (WMD). Philippine security officials acknowledged that they will be profoundly affected by conflict on the Korean Peninsula or in the Taiwan Strait, but they emphasized that there is little they can do in either situation. Moreover, the Philippines is hampered by a lack of capacity, within the context of both the alliance with the U.S. and other multilateral security programs.

Young Leaders attended the previous WMD study group meeting, which was held in Singapore in May 2005. (Those papers are available in "New Security Challenges and Opportunities in East Asia: Views from the Next Generation," July 2005.) Much of the discussion in Manila focused on two issues: the salience of the WMD threat to Asian governments (Southeast Asian governments, in particular) and the basic question of why states proliferate. In truth, most Southeast Asian governments do not see WMD as a threat.

They are focused on internal concerns (as in the Philippines) or more basic issues, such as improving the lives of their citizens. The lack of resources to understand and confront the WMD threat also leads governments to make it a lower priority.

There is no single explanation for why states proliferate. Nevertheless, Young Leaders from Asia and the U.S. agreed that the reluctance of nuclear weapons states (NWS) to eliminate their arsenals sends the wrong signal. Several called on the NWS to set better examples.

They also agreed that Southeast Asia may have more ability to counter proliferation than regional governments believe. As a crossroads of regional and international trade, active efforts to better scrutinize goods and shipments passing through the region would have a profound impact on counterproliferation efforts. Continuing regional integration affords governments a chance to imbed counterproliferation norms and programs into the region's security and trade architecture. Several participants suggested that the Southeast Asian Nuclear Weapons Free Zone (SEANWFZ) provides a framework for stronger enforcement programs and could be extended to regional trade partners: in particular, China should be encouraged to join.

Elements of China's Nonproliferation Policy

By P. Claire Bai

As the fifth round of the Six-Party Talks progresses, China again assumes its critical role in ensuring nuclear nonproliferation and stability in Northeast Asia. While the world focuses on nuclear developments in the region, it is time that China reconsidered its nonproliferation policy, strengthened countermeasures against threats posed by weapons of mass destruction (WMD), and furthered cooperation with the international community.

Proliferation of WMD is a real threat to China. The greater dangers include: a nuclear spillover leading to a nuclear race in neighboring countries (or regions) with nuclear potential or the desire to develop nuclear weapons, i.e., Japan, North and South Korea, India, Pakistan, Ukraine, Belarus, Kazakhstan, Russia, Vietnam, and Taiwan, which would threaten regional peace and security; deployment of U.S. strategic nuclear submarines and diesel submarines in the Pacific Rim, i.e., Japan, South Korea, the Philippines, and Guam; nonstate actors providing nuclear/biological/chemical technology and radioactive materials to domestic separatist forces, i.e., terrorists in Tibet and Xinjiang, which would threaten domestic stability (especially the biological threat, as it would create a pandemic and induce panic, as was experienced during the SARS crisis); increasing the likelihood of the use of nuclear weapons in regional warfare as a result of proliferation and policy shift by nuclear powers; and finally, stigmatization and accusations from Western countries that China proliferates to countries such as Pakistan and Iran, which damages China's image as a responsible regional power.

Historically, China's approach to nuclear and missile proliferation has been to actively participate in the global nonproliferation regime, as well as support the peaceful use of nuclear energy, especially in developing countries. A glimpse of China's report on its implementation of United Nations Security Council Resolution 1540 tells much of the story. For example, in terms of major international treaties and conventions: China is a signatory/ratified member of the Nonproliferation Treaty (NPT), the IAEA Additional Protocol, the Convention on Physical Protection of Nuclear Material, the Biological Weapons Convention (BWC), the Chemical Weapons Convention (CWC), the Nuclear Suppliers Group (NSG), the Australia Group (AG), and the Zangger Committee (ZC); a signatory party of the IAEA Safeguards Agreement and Comprehensive Nuclear Test Ban Treaty (CTBT); and an adherent to the Missile Technology Control Regime (MTCR) and the Southeast Asian Nuclear-Weapon-Free Zone (SEANWFZ).[1] As of September 2004, China was party to 18 intergovernmental agreements on the peaceful use of nuclear energy.

China takes a comprehensive approach to nonproliferation and places greater importance on multilateral institutions and arrangements, while retaining reservations about certain U.S.-initiated counterproliferation policies, such as the Proliferation Security Initiative (PSI). China issued a white paper entitled "China's Non-Proliferation Policy and Measures" in December 2003 that reaffirmed that it does not support, encourage, or assist

[1] "Report of China on Implementation of United Nations Security Council resolution 1540 (2004)," Oct. 14, 2004.

any country in developing WMD or their means of delivery, nor does it provide any form of support to nonstate actors that attempt to develop, acquire, manufacture, possess, transport, transfer, or use nuclear, chemical or biological weapons and their means of delivery. Hong Kong SAR and Macau SAR have formulated their own laws and regulations, tailored to counter proliferation under local circumstances. Overall, China's nonproliferation policy is consistent with the aim of the PSI.

China says that it will not openly support PSI. As one U.S. participant at the Manila CSCAP conference noted, the PSI is not an organization, and therefore cannot require China's membership. It is clear that China has reached a common understanding with most countries on nonproliferation. China also shares the concern that: 1) the PSI reflects the Bush administration's disdain for the UN, as it was conceived, originated, and implemented outside the UN system[2]; 2) aggressive promotion and pre-emptive implementation measures taken within the framework of the PSI might provoke instability in other countries; and 3) it essentially weakens, if not breaks, existing international prohibitions against the unilateral use of force and undermines the UN system. Some scholars also argue that the greatest obstacle to PSI is the fact that most WMD components are dual-use in nature, and the PSI has not demonstrated its effectiveness in gathering accurate information on both civilian and WMD applications.[3]

In a private conversation with an officer from China's Ministry of National Defense, I learned that China has actually stopped potential proliferation cases in ports and on board according to bilateral agreements within the framework of the Container Security Initiative (CSI). China has been and will continue working hard to cooperate with the U.S. to fulfill its nonproliferation commitments. But the officer thinks that as far as China's policy is concerned, what it says about PSI is not so important. In practice, actions have been taken to deal with proliferation cases and relevant information was sent in time to the U.S. through regular bilateral consultations.

However, if one wants to better understand the Chinese interpretation of the PSI and the Principles of Interdiction, it will be difficult to access the Chinese translation of the principles. Major websites such as that of the Ministry of Foreign Affairs and Ministry of National Defense do not provide a full-text Chinese version. They merely have a three-paragraph description of the PSI without further explanation.

As a developing country with an established nuclear-industrial capability, China supports activities that promote the peaceful use of nuclear energy, values cooperation with developing countries, and strives to provide them with technology and other assistance. Such assistance includes cooperation with Pakistan on building a nuclear power plant at Chashma and the export of miniature neutron-source reactors to such countries as Ghana and Algeria, as well as helping Ghana build a tumor-treatment center. China's view on nuclear

[2] Mark J. Valencia, "Bring the Proliferation Security Initiative into the UN," Northeast Asia Peace and Security Network Policy Forum Online, Dec. 20, 2005. Accessed at http://www.nautilus.org/fora/security/05101Valencia.html

[3] Ibid.

developments in certain threshold countries, such as North Korea and Iran, is consistent with its longstanding policy and complies with international norms.

China's nonproliferation policy is regularly updated. Currently, China is revising its nuclear-related export-control legislation, reassessing its nuclear and missile export practices, and making acceptance of IAEA safeguards a precondition for nuclear exports. These changes are the result of increasing international pressure and new proliferation challenges. These challenges include meeting the demands and standards of nuclear technology suppliers in order to develop China's own use of nuclear energy, globalization of counterproliferation efforts, and economic/nuclear trade concerns. The call for a more open and transparent nonproliferation regime also propels China to enhance cooperation with the international community and to improve China's own nonproliferation and export control "culture."

Yet, even though China is surrounded by existing and potential nuclear powers, the Chinese people seem apathetic and lack awareness of the WMD threat. In order to counter the danger of WMD proliferation, the Chinese government could push proliferation security education for the public. The first step is to establish awareness-raising programs and advocate social participation. Mass literature is a useful indicator of public thinking. While various novelists and manga authors in Japan write about future nuclear scenarios, no writers in China discuss this kind of crisis. The lack of a nuclear literature implies a lack of responsibility and awareness of global nuclear proliferation threats. The Chinese government should promote attention to proliferation dangers by encouraging the mass media to more widely cover related issues, such as worldwide nuclear development, the physics, accessibility, and destructive impact of "dirty bombs" and other such materials.

At the same time, a lot needs to be done in professional counterproliferation efforts. Human resource capacity building should top the priority list. The Chinese government needs to offer regular seminars and workshops to train customs officers involved in export control activities, so that they are better equipped to distinguish and interdict WMD materials going through customs under various pretenses.

It is worth noting that the Chinese translation of the key PSI document – the Principles of Interdiction – is missing from nonproliferation literature in China. Responsible agencies should take the initiative and equip their websites with a more comprehensive database of relevant documents to help researchers and other interested parties gain a more sophisticated understanding of the Chinese stance. Meanwhile, the U.S. could demonstrate its sincerity in requesting that China participate in the PSI by providing a ready and accurate translation of related documents into Chinese. Agencies like FBIS could play an important part in this effort.

With chemical spills and virus pandemics occurring at an increasingly frequent pace, it might be necessary to readjust the focus of WMD nonproliferation efforts and reconsider the urgency of biological and chemical weapons proliferation. In most cases, lethal viruses and chemicals might be more easily accessible by nonstate actors. Given China's vast territory and domestic politics that include various ethnic groups, biological and chemical weapons proliferation poses a more imminent threat to both the government and the people.

To be better prepared in this battle and to protect the property and lives of the people, the Chinese government should establish and strengthen a crisis management mechanism. The SARS epidemic in 2003 revealed many weak links in the Chinese government's capabilities to contain crises of such scale. Raising awareness has an equal importance in the battle against proliferation of biological and chemical weapons. In addition, the government should regularly update the list of controlled items and more closely monitor the export and import of hazard materials, as well as transactions between overseas scientists/laboratories and domestic "suspicious" individuals or groups.

Vietnam and the Proliferation of WMD

By Do Thanh Hai

Weapons of mass destruction (WMD) are an abhorrence to the international community and a threat the world peace. So the proliferation of WMD, the spread of evil, must be stopped. It is a global horror from which no country, and no region in the world, is claim exempt. Vietnam is no exception.

Seemingly, threats posed by proliferation of WMD are not very relevant to Vietnam for a number of reasons. First and foremost, Vietnam is free of WMD and has no ambition to develop them. This is manifested in a variety of treaties and conventions that Vietnam has ratified or acceded such as the Nuclear Non-Proliferation Treaty (NPT), the Convention on Biological Weapons, the Convention on Chemical Weapons, Treaty on Southeast Asian Nuclear Free Zone (SEANFZ), and the IAEA Nuclear Safeguards Agreement. Vietnam has already signed the CTBT and is considering its ratification. In addition, the threat of terror has been vague in Vietnam because the country has not experienced attacks like those in New York, London, Madrid, Bali, and Egypt. No terrorist groups or groups connected to international terrorist networks have been reported in Vietnam. Therefore, the majority of the Vietnamese authorities and people do not perceive WMD, proliferation, and terrorism as to Vietnam. Perhaps, they are of the view that they are the problems of big powers, of nuclear weapons states such as the United States, Russia, China, or European countries. Nonetheless, quite a few agencies and people in Vietnam still keep an eye on these issues. Finally, the threat of proliferation is overshadowed by that of lagging economic development. As a result, counter-proliferation efforts have received limited attention and resources.

However, from my perspective, the proliferation of WMD is a real threat to Vietnam. Although it doesn't pose an imminent threat to Vietnam, given the context of globalization and close interdependence among countries in the region, proliferation will menace Vietnam in several ways. First, proliferation is a destabilizing factor for regional peace and stability, which will damage the peaceful and cooperative environment needed for economic and trade relations among nations. Perhaps, it is premature to talk about a total war in which weapons of mass destruction are used. However, the creation, possession, and transfer of WMD, especially nuclear weapons, will give rise to distrust, tensions, and disputes among states in the regions. A case in point is the nuclear issue in the Korean Peninsula. There is no denying that the nuclear issue is the greatest obstacle, rather than differences in political systems and ideology, to thawing their political and economic relations. The nuclear competition between India and Pakistan has forced the two countries to spend lots of resources on nuclear capacity building and prevented the rapprochement between them.

Second, it is justified to worry that WMD would be acquired by terrorists. As a matter of fact, the Asia-Pacific is a fertile ground for proliferation and the development of terrorist networks. The largest arsenals of WMD, including nuclear, chemical and biological ones, are maintained in the region. In addition, there is growing interest in a broad range of nuclear technologies. Asia has the fastest growing market for nuclear power.[4] No one can assure that

[4] At present, more than 50 research reactors and accelerators are operating in 15 Asian countries.

these stocks and facilities are always under strict control and inspection. Furthermore, the globalization of economic relations and advances in information technology make it possible for proliferators to use trading networks to procure fully made weapons or their parts and materials. For instance, centrifuge components for enriching uranium were manufactured in Malaysia at the request of somebody in Dubai. Specialized lathes were sourced from Spain, furnaces from Italy, centrifuge motors and frequency from Turkey, enrichment technology from South Africa.

We cannot imagine the disaster that would occur if terrorists in New York, Bali, or Mindanao could produce nuclear weapons from these facilities and materials. And terrorist attacks in neighboring countries or somewhere else in the world, to different extents, would affect Vietnam; some day they might even happen to Vietnam. Traditional wisdom says that the fire next door is also a fire in our house. So, although Vietnam has not experienced terrorist attacks, it cannot be said that Vietnam is immune from terrorism. When terrorists possess WMD, they would be willing to blackmail or even attack all nations, from rich states like the U.S. to even poor countries like Vietnam.

Last, Vietnam is a coastal country with more than 3,000 kilometers of coastline. It is a key transshipment point, and shipments of WMD or their materials through sea lanes within or near Vietnam's waters are potential threats to people's lives and the fauna and flora nearby. If there is an accident, it is likely that the ships will ask for SOS landings at Vietnam's ports, or more seriously, the transported weapons or materials, especially nuclear sewage, radioactive and radiological dispersal devices, and other toxic substances, would leak into the environment.

The Vietnamese government has paid more attention to the eradication of WMD than proliferation. It should be remembered that Vietnam was a war-ravaged country. This land was ploughed up for nearly 30 years by bombs and bullets and still has millions of mines. Our country was nearly a target of a nuclear attack by the Nixon administration in 1972. Luckily, it did not happen. However, 30 years after the end of the war, Vietnamese people and the world have witnessed hundreds of thousands of children affected by orange agents massively sprayed onto Vietnam's soils. So, from the historical perspective, we, the Vietnamese people, understand the spiritual and material loss of the Japanese people in August 1945, and how Iranians suffered from Iraqi forces' chemical weapons in the 1980s. Thus, it is Vietnam's consistent position to support general and complete disarmament of all weapons of mass destruction. As long as these weapons exist, there is great risk to our planet, and this risk has become an increasing threat in the current context of international terrorism.

Nevertheless, while striving to create "a world free of WMD," Vietnam should be aware of proliferation threats and join the concerted efforts to counter proliferation to avoid future catastrophes. Vietnam should not wait until things happen to it. Prevention is always the best remedy. So, within its capacity, Vietnam's government should focus on three important tasks to prevent proliferation. Internally, Vietnam should continue its efforts to strictly control the production, stock, transfer, and export of WMD-related items and prevent the illegal trafficking of these items and WMD on its soil. Bilaterally, more substantial cooperation with regional countries is needed to secure maritime routes, impede individual

shipments, financial transactions, and people engaged in proliferation networks. However, it should be noted that all efforts should be on the basis of international law. Multilaterally, Vietnam should actively participate in regional and international regimes, within the framework of the UN, APEC, the ARF and other institutions aimed at ridding the world of WMD.

Vietnam and other small countries are concerned about the misuse of the proliferation issue to violate international law and national sovereignty or to bar technology transfers for peaceful purpose. Up to now, international rules and regulations on proliferation are still incomplete and ambiguous, leaving room for abuse. Meanwhile, proliferation of WMD is complicated and needs thorough scrutiny. We should avoid the case of Iraq in 2003, when U.S. President George W. Bush asserted that Iraq's WMD programs were being reconstituted on a large scale. These assertions, which later turned out to have been false, were the primary triggers for the U.S. invasion of Iraq in 2003. Vietnam was labeled as having an aggressive attitude in the second Tokin Gulf incident that led to the direct U.S. engagement in the Vietnamese battle. Now, it seems plain that this incident was imaginary; no hostile force had been within 20 miles of the U.S. destroyers.[5] These are the lessons that we must learn and avoid the same in the future. So, the ball is now in the court of the nuclear weapons states (NWS). So: what should the NWS do to show their goodwill and rid themselves and the world of nuclear weapons? They should set examples for other countries and help other countries in capacity building and the peaceful use of nuclear energy. Confidence is built on deeds rather than empty words.

[5] See more at "Tonkin Gulf and the WMD Issue," paper presented at the Triennial Vietnam Symposium, Texas Tech University, March 17, 2005.

Projecting Legitimacy: Closing International Perception Gaps of American WMD Policy

By Leif-Eric Easley

The greatest threat to global nonproliferation efforts is not the nuclear ambitions of any one country. Rather, it is a lack of progress under the Nuclear Nonproliferation Treaty (NPT) regime. It is not enough for the NPT to maintain the nuclear status quo, although its successes on this score are notable. Sustained attention to nuclear disarmament is necessary for aggressive multilateral policies against proliferators. To effectively lead international counterproliferation efforts, the United States should bring its own nuclear force posture in line with U.S. foreign policy rhetoric. Because broad multilateral coordination is needed to prevent the spread of fissile material and related technologies, U.S. projection of legitimacy is as important as its projection of power when it comes to dealing with the threat from weapons of mass destruction.

Signed in 1968 and coming into force in 1970, the NPT was an agreement not just about countries forgoing the acquisition of nuclear weapons, but also a promise of gradual international disarmament. Article XI of the NPT states: "each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a Treaty on general and complete disarmament under strict and effective international control." Progress on the two fronts of counterproliferation and disarmament are thus irrevocably linked.

During the Cold War, U.S. nuclear force posture was by necessity focused on force projection to ensure reliable deterrence. Under current international conditions, the U.S. must be increasingly concerned with projecting legitimacy: living up to professed principles in foreign policy and demonstrating adherence to and advancing of international norms for the prevention of conflict. Recently, U.S. force projection in Iraq came at the expense of U.S. ability to project legitimacy. U.S. nuclear force posture should support its legitimacy projection capabilities or at least avoid undermining them.

Consistency between U.S. rhetoric and action matters; the success of U.S. counterproliferation efforts largely depends on how such policies are received by foreign governments, and increasingly, by foreign populations. International perceptions of a gap between U.S. action and rhetoric can place the goals of U.S. policy out of reach. Such perception challenges are intensified by 24-hour news and the Internet where countless sources are able to disseminate information, regardless of their credentials. Policy image is increasingly important and perceived hypocrisy proves costly. Counterproliferation, like counterterrorism, must achieve victories in the war of ideas to win the war against material threats. U.S. policy needs to avoid giving proliferators ideational ammunition and focus on discrediting and restricting their activities.

Toward this end, my suggestion before the WMD conference in Manila was that the U.S. could adjust its nuclear weapons force posture. Carefully evaluating where nuclear forces exceed their need, the U.S. could undertake bold disarmament measures and adopt a less aggressive posture. Certainly, earth-penetrating weapons (or EPWs: low yield, miniaturized nuclear bunker-busters) would be helpful in dealing with threats from hardened, deeply buried facilities of terrorist organizations. But it is doubtful that the added benefit of such nuclear devices over advancing precision guided conventional weapons would outweigh the cost to global nonproliferation efforts. Fortunately, funding for EPW research appears not forthcoming from Congress. But while the U.S. maintains by far the most advanced and potentially destructive nuclear stockpile, refuses to sign the Comprehensive Test Ban Treaty, is perceived to be loosening its doctrine of use, and continues to explore ways to develop its nuclear capabilities long after winning the Cold War, the opportunity cost to global counterproliferation and disarmament efforts is significant and growing.

I argued that by adjusting its nuclear profile, the U.S. could remove contradictions in its policy toward Iran, North Korea, and others and more successfully lead global counterproliferation and disarmament efforts. I recognized that some steps have already been taken in this direction, both unilaterally and in accordance with the Moscow Treaty. I also suggested that missile defense may one day prove an important part of the U.S. strategic posture but that the technology has a steep hill to climb. In the meantime, I argued that the U.S. needs to do more to demonstrate that the destructive power of nuclear weapons is un-American. Doing so would not only improve perceptions of U.S. policy, but will help the U.S. disincentivize the acquisition of nuclear weapons by making them appear less useful and less attractive to other states. Most importantly, U.S. policy more in line with U.S. rhetoric will facilitate international cooperation in making nuclear material and technology more difficult for terrorists and states of concern to acquire.

Responses to my views and recommendations were mixed. Some delegates seemed to think that Article XI of the NPT does not matter much anymore and that post-Cold War reductions in the U.S. nuclear stockpile yielded no improvement in U.S. legitimacy projection capability. Other delegates, especially from smaller countries and non-nuclear weapons states, seemed to agree with my argument about the importance of the nonproliferation-disarmament link to the interest of legitimacy projection. So how much does what I call “legitimacy projection” really matter for U.S. efforts at counterproliferation?

On this question I thought the conference session on the Proliferation Security Initiative (PSI) was particularly instructive. PSI is an important US-led multilateral counterproliferation activity aimed at filling the gap between what existing institutions do and what pressingly needs to be accomplished to deal with the WMD threats posed by states of concern and non-state actors. But PSI remains highly controversial for the legal and diplomatic implications of coordinated interdiction of illicit cargo. As I saw it, the greatest challenge for PSI is actually its legitimacy. And PSI legitimacy problems are very much related to current U.S. legitimacy problems. In order for PSI to work, the United States needs to maximize not just the number of countries that sign on to the initiative, but also governments’ commitment to the initiative. It became clear in the course of the conference session that governments with low commitment or high suspicion of PSI also have low

appraisals of U.S. legitimacy. Some of these governments see PSI as directed against them or as potentially damaging to their interests and thus can not be expected to be "won over." But for many outside the inner circle of PSI, greater cooperation with the initiative seemed a possibility, given more time, more information, and greater assurances that PSI is not just a tool for U.S. manipulation but an initiative that lives up to its professed principles and respects international law.

The discussion of PSI changed some of my ideas about how the United States needs to better project legitimacy. Before the conference, I suggested that declaring and following a truly post-Cold War nuclear posture would allow the U.S. to contribute to the disarmament progress necessary to ensure continued benefits under the NPT regime. These benefits include intrusive inspections by the International Atomic Energy Agency according to the Additional Protocol. But after the conference, I find that U.S. legitimacy projection has broader improvements to make in order to advance counterproliferation efforts such as PSI. The United States needs to patch up its row with the United Nations over Iraq to improve international perception of its multilateral credentials. Closing current international perception gaps now impeding U.S. efforts like PSI will allow further advancement of international norms for counterproliferation. Greater U.S. focus on projecting legitimacy will thus facilitate the broad multilateral coordination necessary to minimize the global danger posed by weapons of mass destruction.

Cognitive Reform of the NPT

By Justin Hastings

As the only superpower, the threat the U.S. faces from the proliferation of weapons of mass destruction (WMD) is straightforward: aside from perhaps Israel, it is target number one for most nonstate actors who might acquire WMDs and on the hit list of all rogue states that have been trying to acquire, or actually have acquired, WMD. Since nonstate actors have to get their material from somewhere, this issue is related to the greatest threat to the global nonproliferation regime (NPR), which is supposed to protect all countries from nuclear attack (in one way or another). But when discussing the NPR, there is a debate whether the goal is to place a (decreasing) upper limit on the number of nuclear powers and to lower the risk of a nuclear detonation or whether it is to preserve the global nonproliferation regime as is. What will work for one will not necessarily work for the other, and it is worrisome that governments seem more focused on preserving aspects of international law regardless of its utility than on questioning whether the law promotes world peace. The greatest threat to the global nonproliferation regime is our current understanding of the Non-Proliferation Treaty (NPT), confusion among what is, what should be, and what works. The solution is an increase in the functional expectations of what are considered normative parts of the NPR, such as shaming, and an increase in the normative role of functional components of the NPR, such as export controls.[6]

Our understanding of the NPT weakens nonrogue states

A rogue state's acquisition of nuclear weapons shifts the U.S.'s actual position from the domain of loss to the domain of gains. This may seem counterintuitive at first, but this is true not only of the U.S. but other countries too. Prior to a state's acquisition of nuclear weapons, states that view that country as a threat become increasingly acceptant of the risks inherent in stopping that threat. For example, fearing the Osirak reactor was to go on-line, Israel took a risk and destroyed Iraq's nuclear program. Once the state detonates a nuclear weapon or otherwise proves that it has them, other states incorporate the new reality into their calculations. Whatever they may *say*, they learn to live with the new nuclear power, and become increasingly risk-averse as they contemplate disarming the proliferator, especially as state does not make any (more) threatening gestures. Consider the difference in the U.S. response to North Korean provocations in 1994 and 2002: in 1994, the Clinton administration considered military strikes, while the Bush administration has been struggling with multiparty talks for nearly three years. The U.S. has become risk-averse when dealing with a nuclear North Korea. No one who seriously believes that North Korea's proclaimed nuclear arsenal is an imminent threat spends three years trying to negotiate it away.

The NPT presents several problems. First, it lacks internal enforcement mechanisms. This is not a problem *per se* unless the external means of keeping states in line are themselves weak. Unfortunately, as the NPT has taken on normative overtones, it has encouraged a dangerous illusion: that international law and global norms are sufficient to

[6] My thanks to commenters from the Public Policy and Nuclear Threats program at the Institute on Global Conflict and Cooperation of the University of California.

stymie would-be nuclear powers. Even if states will always in theory hold military action as a last resort, they see military action or other harsh measures as a "failure" of international law, rather than as an extension of it: they worry that military action or other extraordinary measures will put the lie to the NPR. There is also no global norm about what constitutes appropriate measures to take against proliferating states. That is, under the NPT, responsible states' approach to the possession of nuclear weapons by rogue states is even more risk-averse than otherwise, and their approach toward rogue states on the cusp of going nuclear has shifted from risk-acceptant to risk-averse precisely at the moment when risk-acceptant rogue states are daring them to act. Protecting the NPR, international law, and global norms has become more important than taking extraordinary measures to stop proliferation, and in the process both the NPR and nonproliferation suffer.

Even if the NPT has helped push the global norm that nuclear proliferation is bad, global "norms" are not the same as global "behavior." Rogue states by definition have little concern for international law or global norms; they are willing to play along with the law or norm, while secretly they are in violation, daring the world to do something about it. But because of their focus on international law and norms, the rogue state's interlocutors end up making idle threats to subject it to *more* international law and shaming, and in an attempt to maintain the façade of the legal framework, give concessions to the rogue state for returning to the *status quo ante*, to which it was supposed to be adhering. These negotiations can drag on interminably, during which time a rogue state can continue to work on its weapons program. And the interlocutors are afraid of showing the toothlessness of the "harshest" measure normally taken, referring the rogue state to the U.N. Security Council for sanctions, where it can depend on veto-holding allies and another set of interminable negotiations, so they avoid even declaring the rogue state in violation of the NPT.

Of course, rogue states are not the only members of the NPT. The international opprobrium placed on more mild-mannered NPT member states for working toward nuclear weapons does seem to be a powerful inhibitor on states that care about their reputations, and in that respect, IAEA inspections and safeguards might be enforcement enough. The problem is that continued impotence in the face of flagrant violations of the NPT could decrease the reputational damage that normal states would face if they were to develop nuclear weapons, as they see just how few consequences there are to violating the NPT. This is doubly true if condemnation by the UN Security Council, the ultimate perceived sanction, comes to be seen simply as more negotiations and another opportunity to stall.

Paradoxically, the UNSC resolution that is viewed as so powerful by rogue states' interlocutors that they are reluctant to declare a state in violation of the NPT can also be seen as laughable by other states. Every time a resolution is introduced to the UNSC and watered down or ignored, the power of a UN condemnation drops still more. The normative power of a UNSC nonproliferation resolution must come from its rarity and the strong concrete measures that follow, not because it is assumed that a UN resolution is the "ultimate threat" against a proliferating state. It is possible that some P5 members, such as Russia or China, will either not agree to a UN resolution involving sanctions or will water it down to such that it becomes toothless. That is, it might be impossible to include useful concrete measures in a normative statement. So be it. The U.S. must be willing to act outside of the UN framework.

In fact, acting outside of the UN might increase the normative power of UN resolutions that *are* passed, precisely because they are rare and unanimous.

The U.S. must base its decisions not on their relation to the viability of the NPT or even the NPR, but on its own national security and threat perceptions. In so doing it will emphasize why proliferation is bad: because it threatens the security of states, not only because it threatens the sanctity of the NPT or the will of the UN. Furthermore, it must be willing to view military action as an extension of nonproliferation efforts, not as a failure of international law or global norms that must be avoided at all costs.

Thus:

Evaluate each state's actions based on whether its possession of nuclear weapons constitutes a threat to US national security, not on whether it is a violation of the NPT or outside the NPT, and use threat perception, not a demand to return to the NPT (or join it), as a starting point for military action, negotiations, or other responses.

Honestly decide the level of threat to U.S. national security posed by each nuclear rogue state and each rogue state that is pursuing nuclear weapons, and if the threat is too much to bear, be prepared to take military action or other strong measures outside of the UN framework in lieu of negotiations.

Stop considering UNSC resolutions as the harshest measure to support nonproliferation, and if necessary, stop introducing, or even threatening to introduce resolutions against proliferators.

The NPT is weakened by its emphasis on universality and form over function.

The seriousness with which an international security-related treaty or convention is taken is often inversely proportional to the number of signatories. Some arms controllers treat the near universal prevalence of the NPT as a good thing, and expend much effort trying to figure out how to get the remaining non-signatories involved in some way, while criticizing coalitions of the willing as somehow illegitimate. And it is true that, as was discussed, the NPT has been useful in preventing some states from going nuclear by shaming, but many of the states that signed the NPT gave up nothing because they were got going to develop nuclear weapons. It was a win-win situation for them, as Article VI gave them normative leverage over the P5 at no cost.

The states that would be most inhibited from acquiring nuclear weapons by membership in the NPT are also the states that the U.S. would be least concerned about if they did go nuclear. And the whole point of coalitions of the willing is that every member is actively abiding by the terms of the group. The NPR is in crisis because NPT membership has been shown for what it is –meaningless – and the NPR has no internal mechanisms to change that. The disregard for the NPT shown by Iraq, Iran, North Korea, and Libya, and the lackadaisical response (or worse) to nuclear proliferation by Russia and China show that for rogue states, choosing whether to develop nukes is a political decision constrained by factors

unrelated to illegality. Furthermore, some members either evince little concern over nuclear proliferation or abet it. What is needed, then, is a strengthening of coalitions of the willing, functional groupings that exercise control over the transfer of the materials and technology of nuclear power and weaponry. These groupings are smaller than the NPT, and do not have the legitimacy of a treaty, but they have a greater chance of working if the basis of the coalition is a shared perception of a given threat. It is true that not all states view nuclear proliferation with the same level of dread, but different aspects of nuclear proliferation are of concern to different states. For example, while Southeast Asian states may not view a nuclear attack against them as likely, the terrorist and criminal groups that would carry a nuclear device to its intended target are active in the region, and represent an immediate threat to regional states. Because they perceive the threat of this aspect of nuclear proliferation, Southeast Asian states can participate in coalitions of the willing that target these nonstate actors, even if the overall proliferation threat is not as immediate.

At present there is little "reputational sanction" if a state proliferates nuclear weapons technology horizontally when compared with the criticism leveled for proliferating "upward" by developing nuclear weapons. Functional groups such as the Nuclear Suppliers Group (NSG) and the Proliferation Security Initiative (PSI) are meant to combat the logistics of proliferation, but once caught, the sellers of the material can claim ignorance about proliferating companies, or mistaken understandings that the material was being used for peaceful purposes. It is true that functional groupings are outgrowths of the NPT, that a good deal of politicking keeps them together, and that even coalitions of the willing do not mean constant support (as the pullout of the Philippines and Spain from Iraq demonstrates). Functional groupings therefore must not only be strengthened, but the penalties for free-riding or passive violations must be increased. Shaming might be a strong medicine for most countries, but the U.S. must also consider direct sanctions for outward proliferators, even for allies, if it considers nonproliferation to be a high priority. It can supplement punishment with aid to help less developed member states improve regulatory enforcement.

Thus:

Strengthen functional groupings of willing participants, such as the Nuclear Suppliers' Group, the Container Security Initiative, and the Proliferation Security Initiative, designed to deny nuclear materials to rogue states and nonstate actors, and de-emphasize the normative importance of the NPT.

Tailor each functional grouping to fight an aspect of nuclear proliferation that is a high-level threat common to all the participating countries.

Fashion a regime that increases reputational sanctions and direct sanctions againstr any member of a functional group that does not perform according to strict guidelines, including passive lapses in enforcement, while aiding less developed member states with enforcement.

We should not throw the NPT away, but without rethinking enforcement and the NPT's place and meaning within the global nonproliferation regime, we run the risk of allowing our current understanding of the NPT to hinder us from combating proliferation.

Continued allegiance to policies that are increasingly ineffective not only does little to stop proliferation, but in the long-term it harms chances for making the stuff of arms controllers' dreams, such as hard-hitting UN Security Council resolutions with real consequences, effective nonproliferation regimes, and even disarmament, a reality.

Humankind Is Not Yet Safe

By Begi Hersutanto

Despite widespread horror in the aftermath of nuclear explosions at the end of World War II, the world went to the brink of a nuclear war during the Cuban Missile Crisis. A few years later, world leaders agreed in 1968 that nuclear weapons, as weapons of mass destruction (WMD), are a threat to humankind. They acknowledged their common awareness of the danger of WMD and agreed to fight their spread in the Treaty on the Non-proliferation of Nuclear Weapons (the NPT).

Although the NPT has been signed by 187 states[7], humankind is not yet free from the threat of WMD. Indeed, that threat is still real in some parts of the world as states try to acquire such weapons. Since the NPT was agreed in 1968, five more states have acquired nuclear weapons: Israel, India, Pakistan, South Africa, and possibly North Korea, although South Africa eventually gave up its nuclear weapons program[8]

The desire to acquire WMD continues for two main reasons: insecurity and the status afforded nuclear states. As long as these two causes remain, states will continue to seek WMD.

Many scholars argue that realism no longer explains state behavior. However, the world still shows realist inclinations. The essence of the WMD arms race is power – military, political, and economic. Almost all states have the desire to enhance their power and thus improve their position in the world and increase their influence over others.

Incentives as the result of nuclear capability

Countries have a variety of reasons – military, political, and economic – to contemplate the nuclear option.[9]

From the military perspective, insecurity is very much a driving force. The USSR in 1949, the United Kingdom in 1952, France in 1960, and China in 1964 each acquired nuclear weapons in part to deter a nuclear attack or threat by another nuclear power. In this regard, once a country has gone nuclear, its rival or competitors are subject to powerful pressure to also acquire nuclear weapons. India began to think of nuclear deterrence after China exploded its first atomic bomb.[10] That encouraged Pakistan to do the same, especially given domestic pressures. Pakistan's leader Bhutto once said that Pakistanis will eat grass if necessary to keep up with India.

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[7] www.un.org

[8] George Perkovich, "Bush Nuclear Revolution: A Regime Change in Nonproliferation," *Foreign Affairs*, March/April 2003.

[9] William Epstein, Why States Go-And Don't Go-Nuclear, ANNALS, American Academy of Political and Social Science, Vol. 430, Nuclear Proliferation: Prospects, Problems, and Proposals, March 1977, 16-28.

[10] Epstein.

During the Cold War, the two superpowers, the United States and the Soviet Union, were rivals as a result of mutual insecurity and distrust. This had a snowball effect worldwide: other states took sides and formed alliances. This resulted in competition for political influence between the U.S. and the USSR.

The political motivation for acquiring WMD is simple: when states acquire nuclear capability, they are brought into top-level international decision-making and gain status. Their views are respected. Because of their nuclear capability, the United Kingdom and France are still regarded as great powers even though their economic strength lags behind that of Japan.

Having a nuclear capability is believed to create economic benefits, too. Here, political and economic considerations are similar. Look at North Korea: its attempt to acquire nuclear weapons is used to threaten others into economic and trade relations, as the country suffers domestic economic difficulties.[11] In this regard, one of the main issues raised by North Korea is its international isolation.

Bad precedents, bad future

The influence of today's major powers reflects their military capability in general, particularly their nuclear capability. The five permanent members of the United Nations Security Council (UNSC) got that position as a result of their nuclear capability. When states such as Japan, Germany, and Brazil attempted to get permanent membership on the Security Council, there was hope for UN reform by having a non-nuclear state as a permanent member of the UNSC. This effort still has a long way to go.

Yet, while the five permanent members of the Security Council promote implementation of the NPT, they remain reluctant to give up their own nuclear capability for reasons of security and national sovereignty. This is the stumbling block to the implementation of the NPT and attempts to eliminate the nuclear threat. The sense of insecurity creates a defensive attitude that leads to offensive policies. It is like the situations described in game theory and the prisoners' dilemma.

The world needs a good example, one that can be used to create a good precedent. Without it, humankind will remain under the threat of WMD.

Perhaps the nuclear powers should look at efforts in Southeast Asia. During the Cold War, the Association of Southeast Asian Nations (ASEAN), managed to reach a level of mutual trust as shown in the Treaty of Amity and Cooperation (TAC) in 1976, which states that members states shall exercise mutual respect, peaceful, and denounce the use of force and threat.[12] Even prior to the TAC, ASEAN member states developed a common vision for Southeast Asia as a Zone of Peace, Freedom and Neutrality, or ZOPFAN, in 1971. These two achievements permitted the member states to sign the Treaty on the Southeast Asia Nuclear

[11] Anne Wu, What China Whispers to North Korea, *The Washington Quarterly*, Spring 2005.
[12] www.aseansec.org

Weapon Free Zone (SEANWFZ) in 1995. This arrangement is still in effect, and seems likely to continue.

ASEAN member states agreed in the Bali Concord II in 2003 that realization of a Security Community – one of the pillars of the ASEAN Community – required peaceful settlement of disputes as the only means to settle differences among member states.

One of the bases of this kind of political arrangement is dialog and transparency among the parties. While the sense of insecurity drives states to acquire and to proliferate WMD, dialog and transparency should diminish the level of distrust among parties.

Looking at intra-ASEAN relations, disputes have never escalated into open conflict: this is a result of dialog and transparency. Of course, the existence of a Security Community does not eliminate the possibility of differences and disputes among member states. However, when they occur, the use of force and threats is unthinkable. Therefore, acquiring WMD is not on the agenda of any ASEAN member state.

Perhaps this is something that ASEAN values and principles can offer to other regions to help prevent other states from proliferating.

Some people might counter that the reason no state in Southeast Asia has the intention to get WMD is because none can afford it. But economic conditions do not appear to influence state choices when it comes to WMD proliferation. Look at Pakistan after India conducted its first atomic blast: Islamabad did what ever it could to catch up with India's nuclear deterrent.

Conclusion

Our world is not safe as long as the threat of WMD persists. Sadly, the only instrument we have, the NPT, has been promoted by governments that are reluctant to give up their own nuclear capability. We need a good example from the nuclear powers that can become a precedent for a better, safer world.

Insecurity still shapes states' attitudes and determines foreign policy. Yet, this insecurity creates defensive thinking that is likely to create offensive policies. There has to be increasing dialog and better relations to reduce the lack of trust and to diminish the sense of insecurity.

WMD is a threat to humankind, which means it is a threat for all countries and all nations. WMD proliferation not only threatens the parties that take part in it, but also those that do not, because a conflict that involves WMD may be unlimited. It is sad to see, and shameful to say, that humankind is the only advanced creature that creates such dangers for itself.

WMD and Taiwan

By Anne Hsiao

One of the greatest threats to international peace and security today is the inability of existing global nonproliferation regimes to effectively counter so-called "weapons of mass destruction (WMD) terrorism." Since mid-1990, a series of events have indicated the increasing possibility and capability of nonstate actors, particularly terrorists, of using WMD-related materials to launch destructive attacks and creating well-organized, effective networks without the overt assistance of a state, for the supply, transmission, or production of WMD.

Global nonproliferation regimes have been built mainly upon treaties, including the NPT (Treaty on the Non-Proliferation of Nuclear Weapons),[13] the CTBT (Comprehensive Nuclear Test Ban Treaty),[14] the Chemical Weapons Convention,[15] and the Biological Weapons Convention.[16] However, with an increasing number of actors engaged in arms proliferation and WMD technology, these treaties have become insufficient in addressing new political and technological challenges.

Consequently, states and international organizations have adopted various new approaches that are aimed at strengthening the deterrence against WMD development and use. Resolution 1540 adopted by the UN Security Council unanimously on April 28, 2004, provides an authoritative example for this new trend.

Effects of WMD on Taiwan

Taiwan has adopted a firm policy of nonproliferation of WMD, and its position is well recognized.[17] However, new WMD threats transcend geographical boundaries, and Taiwan is as vulnerable as any other country in the fast evolving security environment.

As a non-WMD country, Taiwan is confronted with at least the following threats and challenges:

The stalemate of the Six-Party Talks in the Korean Peninsula, the arms race between India and Pakistan, and the existence of WMD or WMD-related programs in several neighboring countries poses a threat to the security of Taiwan as part of East Asia.

[13] Opened for signature on 1 July 1968, entered into force on March 5, 1970; 188 State parties.
[14] Adopted on Sept. 10, 1996 by UN GA and opened for signature on Sept. 24 1996, 176 signatories but not yet in force.
[15] Adopted by the UN Conference on Disarmament in Geneva on Sept. 3, 1992; opened for signature on Jan. 13, 1993, entered into force on April 29, 1997.
[16] Opened for signature on April 10, 1972; entered into force on March 26, 1975.
[17] E.g. Information released by the Carneigie Endowment in 2005 lists Taiwan among countries that have potential ability to develop nuclear weapons, but chosen not to do so.

As a vibrant and free economy in Asia, Taiwan can be used by terrorists as a channel for trans-boundary illegal activities such as money laundering or the use or supply of technology and materials for WMD.

Taiwan has taken concrete measures to comply with the global nonproliferation regime. However, the controversy over Taiwan's international status has led to serious restrictions on Taiwan's participation in most multilateral initiatives. The loophole raises concerns as to Taiwan's access to international support and cooperation if it is under a WMD terrorist attack. It can also undermine the effectiveness of regional and Taiwanese domestic efforts to control WMD or combat WMD-related terrorism.

What has Taiwan done to counter WMD threats?

Voluntary measures to comply with WMD treaties. The nationalist government of the Republic of China ratified the NPT in 1970. However, since the UN General Assembly adopted Resolution 2758 in 1971, the UN has not recognized Taiwan as a state, and as such does not recognize the ROC right to join international multilateral treaties under the organization's auspices. As a result, Taiwan was unable to become a contracting party to the CTBT, the Chemical Weapons Convention, or the Biological Weapons Convention. Nevertheless, Taiwan has declared that it continues to abide by the NPT and has adopted measures to conform to the Chemical Weapons Convention and the Biological Weapons Convention. It has also expressed willingness to apply measures contained in the 1997 NPT Additional Protocols that aim to strengthen and expand IAEA safeguards for verifying that nonnuclear-weapon state-parties to the NPT only use nuclear materials and facilities for peaceful purposes.

CWC as an example. Following the CWC's adoption in 1994, Taiwan promptly announced its willingness to support the purposes and goals of the convention. The government has also reviewed existing laws and regulations regarding foreign trade and factory management to conform to the measures and spirit of CWC. The following provides a glance of the actions taken.[18]

At the military level, the government has repeatedly declared its commitment not to develop, manufacture, or use chemical weapons (it has also made similar declarations regarding nuclear and biological weapons). At the industrial level, Taiwan announced in October 1995 that it would comply with the provisions of the CWC and would implement related control measures at the same time as other countries. It agreed to follow CWC regulations, and made efforts toward the complete and effective prohibition of the development, production, acquisition, stockpiling, retention, transfer, and use of chemical weapons. Moreover, the government has commissioned research institutions instead of government agencies to participate in the CWC related international activities, and sent representatives to the United States, Japan, and European nations to discuss the CWC implementation measures.

[18] More detail can be found in the policy statement published by the government, http://www.chemnet.com.tw/cwc/commitment/main.htm.

Concrete steps that have been undertaken by the government include:

1. On Feb. 5, 1997, Taiwan established the "Ministry of Economic Affairs (MOEA) Chemical Weapons Convention Task Force," an interdepartmental organization corresponding to the national authority that the CWC state parties are required to establish. This task force supervises the domestic industrial, governmental, academic, and research sectors in a comprehensive effort to prevent the proliferation of schedule chemicals. This task force is in charge of all CWC-related matters. It has sent delegations to several CWC-related international conferences where they reiterated Taiwan's resolve and willingness to comply with the Convention. It has also organized delegations to visit Germany, Japan, Netherlands, and the U.S. to exchange information on CWC implementation systems and measures. Since the establishment of the task force, its major assignments included the development of relevant domestic laws and regulations, the designation of specific Harmonized System (HS) code, the establishment of import and export control systems for schedule chemicals, the formulation of a declaration system, and the provision of public guidance for domestic chemical businesses.

2. Since 1999 the Ministry of Defense conducted a complete annual inventory of all CWC scheduled chemicals possessed or used by all agencies and units under its authority, and all agencies have been required to update their inventory reports.

3. Establishing an Implementation Management System

In July 1997, the Industrial Development Bureau (IDB) of the Ministry of Economic Affairs announced the "Procedures Governing Application for End-Use Certificates for the Import of CWC-Scheduled Chemicals," and on June 2, 1999, the MOEA announced the "Regulations Governing Administration of the Production of CWC-Related Chemicals," that came into force Dec. 2, 1999. On Dec. 16, 1999, the MOEA announced the "Lists of CWC Scheduled Chemicals and Their Threshold Quantity for Declaration" pursuant to the Regulations Governing Administration of the Production of CWC-Related Chemicals. Furthermore, on March 14, 2001, the IDB of MOEA announced the "Factory Management Law," which provides the legal instruments for the declaration and CWC inspection measures.

In December 1997, the Board of Foreign Trade (BOFT) of the MOEA promulgated a list of HS codes for CWC scheduled chemicals. To control chemical imports and exports, the BOFT of the MOEA announced that from July 1, 1999, the BOFT, the Science Park Administration, the Economic Processing Zone Administration and other government authorities (agencies) appointed by the MOEA will take charge of the issuance of end-use certificates for CWC-scheduled chemicals.

4. Disseminating Information & Providing Consulting Services

    (i) Publishing the CWC Bimonthly and the CWC Handbooks (eight-volume set) that are designed to help industries understand the contents of the

CWC, the classification and list of scheduled chemicals, the declaration and inspection system, the contents of related legislation in other countries, and technical issues of scheduled chemicals.

(ii) Holding seminars regularly to provide domestic companies with information on CWC-related measures and to enhance their ability to respond to CWC requirements. For example, Taiwan invited experts from Australia, Germany, Japan, and the U.S. to attend a CWC International Conference in 1997 and 1999 to share their CWC implementation experience.

(iii) Providing Consultation Services

(iv) Conducting impact evaluation of trade restrictions on schedule chemicals as a reference to formulate CWC response strategies.

(v) Setting up an Internet website: The Chinese Specialty Chemical Association established a website that provides complete and detailed information on the CWC for public access. The website address is: http://www.chemnet.com.tw/cwc/.

Enforcement to ensure international compliance. Taiwan lists North Korea as an area subject to its "Strategic High Tech Commodities export control" regulatory regime. On Aug. 7, 2003, Taiwan's Kaohsiung port authorities ordered the North Korean freighter *Be Gae Hung* to unload a batch of controlled chemicals before allowing it to leave the port for North Korea. Kaohsiung Customs Bureau officials asked to inspect *Be Gae Hung* after receiving information from U.S. intelligence that the freighter might be carrying dangerous chemicals (phosphorous pentasulfide) that could be used for synthesizing nerve gas.

Drafting an antiterrorism bill to establish a comprehensive legal enforcement framework that aims to prevent and counter terrorist attacks.

Strengthening global nonproliferation regimes – a role for Taiwan

New WMD threats, particularly WMD terrorism, transcend geographical boundaries from which Taiwan is not immune. Combating these threats not only depends on the existence of an updated, more coherent global nonproliferation regime, but also requires closer cooperation and coordination among different jurisdictions to ensure compliance and control. Because of its significant strategic and economic position in the Asia-Pacific, other members of the international community should adopt a more flexible, functional-oriented approach to encourage Taiwan to share the burden of countering WMD terrorism and proliferation, while also allowing Taiwan to better access to external material support, should an adversary situation resulting from a WMD-related illegal act occur on Taiwan's soil.

Taiwan can build on existing efforts to become a more effective partner of the global WMD control regime. For example: Taiwan can participate in existing or prospective nonproliferation related export control initiatives. It can do so through closer technical cooperation with individual countries including Japan, ASEAN members, Australia, New Zealand or the U.S., or become part of a multilateral initiative. Situated on a strategic sea route, the regional as a whole will benefit if Taiwan is part of a strong control network. Conversely, with better access to information and technical support, Taiwan's efforts to counter terrorism, like export/import controls of WMD-related materials, can also become more effective.

Taiwan can help raise awareness of the importance of WMD nonproliferation at domestic and international levels. Domestically, Taiwan can provide education to the public about the WMD issues and their relevance to human security. It can also support academic institutions and NGOs to develop research, education, and advocacy on nonproliferation. Externally, Taiwan can try to develop joint efforts with other countries or organizations to support international advocacy, training or research to raising consciousness and strengthen WMD-related regulatory and enforcement capacities.

Threat Perception and Fighting WMD Proliferation

By Julia Joo-A Lee

Divergent threat perceptions of South Korea and the United States have resulted in confusion regarding the threat posed by North Korea's weapons of mass destruction (WMD). This paper examines how different policy objectives drive different threat perceptions in Washington and Seoul. Why is it important to analyze the reasons for diverging policy objectives and what is the ultimate importance of this line of inquiry? Political, historical, and diplomatic considerations determine one country's threat perception. My argument may help to understand the different approaches of the U.S. and the ROK when designing foreign policy. More specifically, evaluations of North Korean intentions reflects how different psychological factors react to information on North Korea.

Responses to North Korea's alleged proliferation of WMD

North Korea has exported missiles and missile technology to Iran, Pakistan, Egypt, Yemen, Syria, and probably other nations, reports the Center for Nonproliferation Studies. More recently, the IAEA reported in May that Libya ordered 20 metric tons of uranium hexafluoride from a proliferation network run by former Pakistani nuclear official Abdul Qadeer Khan.[19]

It is alleged that North Korea was also a customer of the Khan network, but the ROK National Intelligence Service reported to the National Assembly in February that there was little possibility that the North's nuclear technology might have been exported and therefore, nuclear proliferation would not happen in the near future. In an interview, Choi Sung, member of the National Assembly in South Korea and chief secretary for Inter-Korean Exchange and Cooperation Parliamentary Meeting, said that the U.S. information about Libya and North Korea may not be true or still needs to be proven. Also, arguing from the U.S. intelligence failure on WMD in Iraq, he considered the idea of WMD proliferation to be based on misleading information that lacks reliability.

The *Washington Post* reported in February 2005 that the U.S. strongly believes that North Korea shipped uranium hexafluoride to Libya. U.S. officials insist that there is strong scientific evidence that North Korea was also a customer of the Khan network because this "determination was made by a technical group within the Energy Department."[20] The U.S. examined containers obtained from Libya and picked up the signature of plutonium produced at Yongbyon. Porter Goss, director of the CIA, also added that the "North is trying to find new clients to sell its ballistic missile technology to some traditional customers, such as Libya, which have halted such trade."[21]

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[19] Center for Nonproliferation Studies, "Chronology of North Korea's Missile Trade and Development- 2000" [online: web], updated 28 March 2002, cited 17 May 2005, URL: <http://www.nti.org/db/profiles/dprk/msl/chron/NKMCH00Go_bg.html>

[20] Glenn Kessler, "North Korea May Have Sent Libya Nuclear Material, U.S. Tells Allies," *Washington Post*, Feb. 2, 2005.

[21] Kohei Murayama, "N. Korea ready to test long-range missile: U.S. spy chiefs," *Kyodo News*, Feb. 22, 2005.

Underestimation and overestimation

It is hard to predict the behavior of North Korea. The country has been diplomatically isolated for a long time and information is tightly controlled. Thus, it is almost impossible to say whether the U.S. or South Korea is correct. The more uncertain the target and the less reliable the source, the better the opportunity for political concerns to shape threat perceptions. For example, even information collected by intelligence agencies can depend on what policymakers are looking for, and policies can influence the interpretation of intelligence.

The South Korean government still believes that there is "incremental progress" after the South–North summit in 2000 and thus it should engage North Korea.[22] From this perspective, South Korea tends to think that North Korea is not a threat, nor a revisionist state, but is a status-quo state that merely wants to survive. Many Koreans now consider North Korea to be a dying brother, rather than an evil terrorist state. Similarly, when asked to name the biggest threat to national security, more South Koreans chose the U.S. than chose North Korea.[23] This public opinion supports the Roh administration's peace and prosperity policy; South Korean policy-makers tend to think that waging war against North Korea is unthinkable. Most South Koreans fear that U.S. action without agreement from South Korea might lead to devastation to Korean society and economy.[24] Thus, the South Korean government will not likely support a hawkish U.S. policy toward North Korea, but rather will aim to create a more cooperative inter-Korean relationship that will lead eventually to reunification.

Therefore, the South Korean government's primary objective is to avoid war in the Korean Peninsula, and to deter North Korea not by antagonizing, but by appeasing. The South Korean government places greater emphasis on North Korean intentions than on its ability to proliferate. Because its alleged nuclear weapons have neither been tested nor confirmed, North Korean intentions are subject to other interpretations. Accordingly, the Roh administration tries to minimize or to slightly underestimate the North Korean threat by deeming the intention of North Korea to be neither threatening nor aggressive.

By contrast, the U.S. is more focused on North Korea's ability to threaten the U.S. mainland and its ability to give nuclear weapons or technology to terrorist groups. The main reason for this is that the mindset of the U.S. government changed significantly after the terrorist attack on Sept. 11, 2001. The U.S. sees North Korea as a source of global and regional instability as a member of the so-called axis of evil. While the South Korean government tends to think that the North Korean threat is an inter-Korean issue, the U.S. is serious about any challenge to the nonproliferation regime. Col. Russell Horton, intelligence officer at US Forces Korea, said that the current U.S. administration tends to assume the

[22] Chung Min Lee, "Reassessing the ROK-US alliance: transformation challenges and the consequences of South Korea's Choices," *Australian Journal of International Affairs*, (Vol. 57, No. 2, 2003), p. 285.
[23] Choe Song-won, "S. Koreans: U.S. a bigger threat than N. Korea," *Stars and Stripes*, Jan. 16, 2004.
[24] J. J. Suh, "Bound to Last?: The U.S.-Korea Alliance and Analytical Eclecticism," in *Rethinking Security in East Asia: identity, power, and efficiency,* ed. J. J. Suh, Peter J. Katzenstein, and Allen Carlson, (Stanford, California: Stanford University Press, 2004), p. 162.

worst while the Roh administration takes a more pragmatic approach to maintain the legitimacy of its policies.[25] This overestimation of the U.S. government cannot be separated from the Bush administration's strategic policy objective of building a missile defense system in East Asia.

Conclusion

The U.S. believes that North Korea has a clear intention to export WMD. The South Korean government disagrees, noting that North Korea has no intention to sell its WMD to terrorist groups or states; rather it seeks a bargaining chip to obtain nuclear energy. The competing perspectives stem from the different policy preferences/objectives of each country, which focus on different aspects of the North Korean WMD program.

North Korean government delegates have said that U.S. actions like the Proliferation Security Initiative (PSI) are intended to bring down the DPRK regime. At the same time, they express some satisfaction toward South Korea, crediting the current administration with acting as North Korea's lawyer in the Six-Party Talks. North Korean sensitivity to how the U.S. and ROK governments perceive it proves that the two countries' different perceptions affect North Korea's response to the U.S. and ROK.

To stop the proliferation of North Korea's WMD, the U.S. and ROK governments must first develop more congruent policies so that they can better persuade the North Korean government. Second, there should be a cooperative effort to integrate North Korea into the international community and get it to follow international norms. To promote confidence building measure among the three countries (and others), cooperative programs to dismantle North Korea's WMD program and to convert military industries to civilian industry are key. This will likely to contribute to narrow the perception gap between three countries.

[25] Col. Russell Horton, personal interview, May 11, 2005.

Legitimacy and Trust: International Cooperation and the Nonproliferation Regime

By Darwin Moya

Universal compliance is one of the greatest challenges facing the nonproliferation order. While the Non-Proliferation Treaty (NPT) seems to have gained universal acceptance, measures to address complete disarmament have yet to be put in place and strictly enforced. The primary task is to move from talk to practical implementation. Treaty-signing is easier than committing to set rules and regulations; thus, in light of vague and open interpretation, professing agreement to general principles becomes an effortless exercise since actual commitment to such is a totally different endeavor.

Why are states reluctant to vigorously pursue disarmament measures and strengthen the nonproliferation regime? This paper argues that universal compliance is made difficult by the regime's legitimacy, which has been weakened by national interests that dominate security cooperation. With mutual trust serving as a necessary foundation to facilitate nonproliferation measures, actions geared toward securing individual states' national security should at best be aligned with international norms or at the minimum avoid endangering the credibility of international regimes.

National interest and international cooperation

Universal compliance and the nonproliferation regime's legitimacy are inter-related: the perceived legitimacy of a regime facilitates its adoption by states and compliance, by virtue of consensus, then strengthens the regime's legitimacy. To clarify further, universal compliance necessitates that the regime's legitimacy be widely acknowledged. Essentially, legitimacy makes the regime credible and credibility encourages confidence among participant states that each will deliver its end of the agreement.

However, that vital strand of legitimacy can be strained by the pursuit of national security concerns at the expense of international security cooperation. For instance, the United States' launch of a global war on terrorism and its action against Iraq has put to fore the reality that certain states are capable of pursuing narrowly supported, if not altogether unilateral, military action to deter the perceived proliferation of weapons of mass destruction (WMD). Such moves question the need for international security cooperation since if a limited few can by themselves "police" proliferators, then what is the need for internationally sanctioned and coordinated efforts? It is difficult to acknowledge the need for a widely accepted agreement such as the NPT when, in practice, actions without international approval are simultaneously pursued. Moreover, international sanction guarantees that there is a congruence of views and interests among participating states. Its absence suggests that limited support is equal to the pursuit of narrow interests.

Of course, it is quite naïve to think that in dealing with proliferation, states will be altruistic: that they will be willing to make concessions contrary to their national interest. This paper is in accord with the basic realist assumption that national interest will, at all

times, be the primary consideration of any state's foreign policy. Thus, instead of seeing national interest as an irreconcilable variable obstructing international nonproliferation cooperation, efforts should be geared toward stressing nonproliferation's collective benefits. Nonproliferation should be seen as a far-reaching concern that will benefit all states; however, this proposition necessitates that nonproliferation discourse be perceived as free of narrow interests since they are detrimental to concerted efforts needed to sustain the nonproliferation regime. As a corollary to this, it is important to keep in mind that disarmament and nonproliferation measures should not be selective and their pace and direction should not be pushed by the interests of the dominant state. Ultimately, broad-based action will be most effective in pursuing nonproliferation and to attain such concerted efforts, it is important to show all states that their individual security will benefit from nonproliferation and that the proliferation of WMD is a critical concern in their specific and immediate strategic environment. However, translating this proposition into action is an arduous task since it necessitates that nonproliferation discourse be tailored to contain both general principles against the proliferation of WMD and the specific concerns of each participating state. Moreover, tailoring nonproliferation discourse to individual states' nuances must take into account their capability to deal with WMD proliferation since individual contributions to nonproliferation efforts will not only depend on the principle of applying action commensurate to a state's threat perception but also on individual states' capabilities.

The centrality of confidence

The nonproliferation regime relies heavily on trust, and on what a state declares its nuclear program to be. However, this creates difficulties for two reasons. First, it is hard to ascertain if states are pursuing nuclear weapons programs and second, it is equally difficult to convince the international community that a particular state has dismantled its nuclear weapons program. Furthermore, the emerging need for nuclear sources of energy is difficult to insulate from speculations that such efforts are simultaneously geared toward a nuclear weapons program. Thus, in view of the vagueness surrounding proliferation, transparency becomes an utmost concern.

Internationally sanctioned oversight and inspection such as that conducted by the IAEA and the formulation of benchmarks and best practices are good steps to ensure transparency. However, given the lack of effective measures to ensure compliance, their adoption relies heavily on particular states' confidence in the nonproliferation regime and the bodies carrying it out. It is only if states see that the regime is legitimate and equitable will they be willing to submit their nuclear programs to international oversight and inspection. Instances of perceived inequity, such as the lack of progress in regard to Article VI of the NPT, serve to reinforce cracks in the nonproliferation regime and hinder the establishment of a common political foundation necessary to address the issue of proliferation.

Software in Nonproliferation Regimes

By Sun Namkung

The greatest threat to the global nonproliferation regime is a weak and varied enforcement system for nonstate actors, especially scientists and engineers who work with materials that could be weaponized. Unlike state actors who are held accountable for their stockpiles of biological, chemical, and nuclear weapons (via multilateral and bilateral associations and international norms), nonstate actors have no such obligations. Enforcement mechanisms such as embargoes and sanctions mediate a state's behavior – even states that may not be part of any nonproliferation regime, even though they may sometimes be ineffective. But nonstate actors fall under the laws and regulations of the countries in which they reside and operate. Variations in enforcement within national boundaries are one of the weak points in nonproliferation policies and export controls. The danger is, as the collapse of the Soviet Union has shown, that the need to secure intangible technical transfers is as critical as is the need to secure physical materials.

Assist scientists and engineers in noncompliant states

The difficulties of preventing knowledge and skills from being transferred to nonstate actors that would use weapons of mass destruction are well-known. In the U.S., many laws and regulations control the development, transactions, manufacture, storage, and maintenance of biological, chemical, nuclear, and fissile materials. But even with these laws, prosecution of a crime is difficult because the burden is on prosecutors to prove that the nonstate actor violated a law. In countries where the rule of law is less established, prosecution for selling WMD never occurs. For example, Pakistani scientist Abdul Qadeer Khan was revered for helping Pakistan develop its nuclear program, even though evidence shows that he may have helped the Iranians, Libyans, and the North Koreans with their nuclear weapons programs. In 1983, he was convicted in absentia for nuclear espionage in a Dutch court, but Pakistani President Pervez Musharraf pardoned Khan in 2004.

Though Khan and his network seemed far from U.S. shores in the 1980s and 1990s, the country soon discovered that geography does not insulate a country from nonstate actors attempting to get WMD to use against U.S. interests at home and abroad. But as the world cracks down on states to give up WMD programs, where will these scientists and engineers go? If these people are rational actors (as classical economics suggests), they will work for firms that will pay the most for their services. Offers were extended in the fall of 1994 to Russian chemical engineers by Japan's Aum Shinrikyo cult. The Tokyo subway sarin nerve gas attack came the following year. Fortunately, the Russians turned down the offer. Because the Aum cult did not have experienced specialists, the diluted gas killed only 12 people and injured 3,800 others.[26] In other words, expert knowledge and experience would have killed many more people. This case illustrated that scientists and engineers in countries undergoing economic and political difficulties that work with dangerous materials should be better looked after and accounted for. Just as the U.S. welcomed many scientist and engineers

[26] Olson, Kyle B., "Aum Shinrikyo: Once and Future Threat? CDC: Emerging Infectious Diseases," Vol. 5, No.4, retrieved from website http://www.cdc.gov/ncidod/EID/vol5no4/olson.htm on Nov. 6, 2005

during War World II and the Cold War, nonstate actors like terrorists are welcoming people with technical expertise. These nonstate actors can pay scientists a salary and provide better laboratory conditions than can their home countries.

The U.S. solution

The U.S. government created a program sponsored by Senators Sam Nunn and Dick Lugar in 1991 to help the former Soviet Union safeguard and dismantle its nuclear weapons. One of the best features of this program is that scientists and engineers who lacked employment were given an opportunity to be retrained for projects in nuclear medicine and epidemiology. Since its creation, the International Scientific and Technical Cooperation has helped more than 58,000 former Soviet scientists. In 2003, the Nunn-Lugar Expansion Act was passed to broaden the coverage of the Nunn-Lugar Program to states outside the Soviet Union like Iraq and Libya. There is currently a Lugar-Obama bill in the Senate that will add conventional weapons to the program.

The U.S. should expand this program to all countries that are giving up their WMD programs. The former Soviet scientists were treated as colleagues with a special visa category for visits to the U.S. Even Nazi scientists and their families were afforded better treatment by the U.S. when compared to the treatment of Iraqi scientists and engineers after the fall of Baghdad. The Iraqi case illustrates how weapons scientists should not be treated. From the onset, Iraqi scientists were demonized. The criminalization helped create ill will, which hindered the hunt for the WMDs and may have allowed whatever was left to fall into nonstate actor hands.

The U.S. must recruit financial and international support for this endeavor from regional bodies like the EU and ASEAN. These organizations have as much to lose as the U.S. should rogue organizations or individuals start to amass WMD. Another benefit to having proliferation prevention programs is that a record can be kept of scientists to know where they are and what they are doing. These programs can be created and monitored in the home country of the scientists, so there is little disruption to the lives of the scientists and their families. The programs can be a component of export control lists and regulations, but it needs to go further and should be synchronized with an international standard.

There are materials and knowledge such as highly enriched uranium (HEU) that should not be exportable to nonstate actors at all. Legitimate nonstate users of nuclear materials could use alternatives like low-enriched uranium, which is difficult to weaponize. Governments and dual-use material users should look to alternatives. Raising the technical and monetary threshold for access to and manufacture of WMD will prevent most terrorists and insurgent groups from looking at WMD as an option.

Possible criticisms and rebuttals

The Nunn-Lugar Act prevented former Soviet scientists and technical experts from selling their knowledge and skills to agents unfriendly to U.S. interests. But there are

constraints that prevent the internationalization of this program because of perceptions about U.S. intentions, money, and in the end, participation of the targeted group.

1. Perceptual constraints

In the post-Sept. 11 world, any unilateral actions taken by the U.S. are considered suspect. For example, many individuals and some states see the Proliferation Security Initiative (PSI) as being contrary to international law and therefore illegal. PSI is not an instrument to supplant international laws and norms, but to complement the existing legal structure. But because it was initiated and advocated by the U.S., the program is thought to be another example of U.S. unilateralism. A conspiracy theorist may suggest that the reason the U.S. is willing to undertake such a program is to stall the technical development of a country or to hoard knowledge of technical developments. Therefore, an experts relocation program needs to be implemented with sponsorship from an international organization such as the International Atomic Energy Agency or World Health Organization. The IAEA could take care of nuclear scientists and engineers; the WHO could be in charge of chemical and biological experts.

2. Financial constraints

For any program, whether it be the light-water reactors for North Korea or the Nunn-Lugar program, funding is always a problem. Relocation and retraining of technical experts who are displaced due to the elimination of WMD programs should be borne by the United Nations, especially if agencies like the IAEA and the WHO are involved. It is equitable and preferable that other countries share the fiscal burden.

3. Participation constraints

The program is only as effective if there is participation. If the technical experts are not willing to make the transition into other fields, the program fails. If countries that give up their WMD programs do not allow their technical experts to participate, the program fails. Countries and displaced technical experts need to buy into these programs and see that retraining as a gain for their societies.

Future outlook

Looking to the near future, there should be discussion of what to do with nuclear scientists and engineers in North Korea. After the shutdown of the enrichment programs, North Korea may be tempted to farm out their scientists and engineers to the highest bidder. It is in the best interest of the U.S. and the international community to prevent this from occurring, as that bidder could be Iran, or a terrorist organization like al-Qaeda or the Aum cult in Japan. These groups have no regard for human life and are willing to die for their cause. As the saying goes, “an ounce of prevention is worth a pound of cure.” Counterproliferation and nonproliferation should not only be concerned with materials products, but also on the spread of knowledge on how to manufacture weaponized-nuclear, chemical, and biological agents.

The Proliferation Security Initiative: Searching for Mechanisms to Counter Proliferation*

By Raymund Jose G. Quilop

While the issue of proliferation of weapons of mass destruction (WMD) has confronted the global community for a long time, the challenge posed by this problem has rightfully seized the world's attention once again. As was noted in the paper prepared for the Young Leaders Program in Singapore in May 2005, WMD proliferation has returned to the limelight primarily because of the possibility that fissile materials could be stolen and used for terrorist activities. Previously considered remote, this scenario is now considered a possibility.

Walker correctly points out that "WMD … have not been regarded as weapons of choice for non-state actors, as they require a high level of technological expertise," which was previously seen as available only to states.[27] Developing a "nuclear weapon from plutonium requires the construction of an implosion-type device, which is more technically difficult".[28] But the U.S. National Research Council warned in 2002, that crude nuclear weapons (gun-type weapons) using highly enriched uranium (HEU) "could be fabricated without state assistance" and "as little as 25kg [of HEU is] needed to produce a nuclear weapon.[29] Thus, the widespread "distribution of and international commerce in HEU," even for peaceful purposes, "poses serious risks in the age of global terror."[30]

It therefore is clear that the only impediment preventing states or technically competent terrorist groups from having their own nuclear materials is the availability of fissile materials, particularly HEU, thus "securing and eliminating stocks of HEU is the surest way to decrease the risk that terrorist groups use this material to create a nuclear explosion."[31]

It is therefore expected that states will search for mechanisms to address the issue of WMD proliferation with fissile and other materials related to weapons production whether nuclear, chemical, or biological. Currently, the global nonproliferation regime is anchored by the Non-Proliferation Treaty (NPT). Concluded in 1968 and entering into force in 1970, the NPT was to be in force for 25 years, although it was extended indefinitely in 1995. It has the objective of preventing "the spread of nuclear weapons and weapons technology," promoting "cooperation in the peaceful uses of nuclear energy" and furthering "nuclear disarmament and general and complete disarmament."[32] Through the NPT, nuclear war was abhorred and

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* The views expressed are those of the author and do not reflect the views of institutions with which he is affiliated.

[27] William Walker, Weapons of Mass Destruction and International Order (Adelphi Paper 370) (London: International Institute for Strategic Studies, 2004), p. 53.

[28] Cristina Chuen, "Reducing the Risk of Nuclear Terrorism: Decreasing the Availability of HEU" found at http://cns.miis.edu/pubs/week/050506.htm.

[29] Ibid., p. 1.

[30] Ibid. , p. 9.

[31] Ibid., p. 1.

[32] See http://disarmament.un.org.8080/wmd/npt.

the "universal validity of non-proliferation and disarmament policies" was adopted.[33] A total of 188 states are party to the treaty, including the five nuclear-weapon states (the United States, United Kingdom, France, Russia, and China); Israel, India, and Pakistan are non-signatories. In spite of charges that the NPT is unable prevent the proliferation of nuclear weapons, it nonetheless serves as the foundation of the nuclear non-proliferation regime.

Recently, there have been efforts to enhance the effectiveness of the NPT.[34] Previously, inspections by the International Atomic Energy Agency, which monitors and verifies through so-called inspections whether states party to the NPT are complying with the treaty (particularly with regard to safeguard mechanisms to prevent the "diversion of fissile materials for weapons use"[35]), were limited to facilities declared by a state. But according to the NPT's Additional Protocol, "inspections could be allowed 'anytime, any place', monitoring instruments could be installed outside declared facilities, states would have to provide the IAEA with design information before facilities were operated." [36]

Also, the global community adopted UN Security Council Resolution 1540. This resolution is meant to strengthen "norms and principles that hinder the acquisition of WMD capabilities by non-state actors."[37] It "implicitly acknowledges the state as sole legitimate holder of WMD-related materiel – non-state actors have no such rights and must be actively denied access" – and it "calls on and obligates all states to strengthen their internal instruments of constraint [pertaining to] export controls, physical control, measures against trafficking and legal penalties."[38] As a political instrument, the resolution is a proclamation by the UN Security Council for all states to support the norm of nonproliferation as it notes that the "proliferation of nuclear, chemical and biological weapons, as well as their means of delivery constitutes a threat to international peace and security."[39]

There are other global instruments and mechanisms to address, directly and indirectly, weapons proliferation. These include, among others, the Chemical Weapons Convention, Biological Weapons Convention, Comprehensive Test Ban Treaty, and the Fissile Material Control Treaty. Yet despite these mechanisms, the international community as well as states, whether unilaterally or in coalitions of the willing, continue to develop other mechanisms that they see as useful to halt proliferation.

The Proliferation Security Initiative (PSI) put forward by the United States is one such instrument. First announced by President George W. Bush in May 2003 in Poland, the PSI is considered to provide a multilateral framework for "prevent[ing] the transportation and export of materials related to WMD and missiles."[40] In the words of a U.S. Defense Attache

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[33] Walker, op cit, p. 28.
[34] A relatively comprehensive list of proposals to enhance the effectiveness of the NPT can be found in the Rapporteur's Report on the Workshop on the Nuclear Non-Proliferation Treaty held in New York Oct. 30, 2004. The report is at http://cns.miis.edu/research/npt/workshop_041030.htm.
[35] See http://disarmament.un.org.8080/wmd/npt.
[36] Walker, *op cit*, p. 36.
[37] *Ibid*., p 74.
[38] *Ibid*.
[39] *Ibid*., p. 75.
[40] Takehiko Yamamoto, "Growing Threats of WMD Proliferation in East Asia and Active Engagement of Japan

in Japan, the PSI "is an effort to enhance our ability to stop the illicit transfer of weapons of mass destruction, their delivery systems, and related materials to and from states and non-state actors…"[41]

In September 2003, Australia, France, Germany, Italy, Japan, the Netherlands, Poland, Portugal, Spain, the United Kingdom, and the U.S. adopted a Statement of Interdiction Principles.[42] Four specific policies have been prescribed by this document. They are:[43]

- Measures to interdict the transport or transfer of WMD and related to and from states and nonstate actors of proliferation concern;
- Procedures for information exchange in such cases;
- Commitments to strengthen applicable legal measures;
- Undertakings by member states to board ships or require aircraft in transit to land and have suspect cargoes searched and/or seized.

The PSI is "restricted in the following respects":

- The ships or aircraft concerned must be within the territorial seas or airspace of member states or;
- Be flagged or registered by a member state or;
- Be flagged or registered by a state willing to cooperate in a specific case or on an ad hoc basis.

Some commentators see the PSI as grounded in international legal instruments. The U.S. points out that the PSI is "a positive way to take …cooperative action" with respect to UNSC Resolution 1540 which admonishes and makes it the responsibility of states to strengthen mechanisms to "prevent transfers of WMD-related items" to states and other entities.[44] Some argue that it is anchored on the interdiction principles set forth in the United Nations Convention on the Law of the Seas (UNCLOS).

However, other analysts believe otherwise, pointing to the inherent limitations of the PSI and the sometimes apparent contradiction with existing legal norms and principles. Take for example the principle of "freedom of navigation of the high seas." Except on issues pertaining to "pollution, fisheries and seabed resource extraction", UNCLOS provides only three grounds for states to interfere with the right of flagged ships to navigate the high seas, namely: (1) ships are suspected of being involved in piracy or slave trade, (2) vessels are in unlawful broadcasting, and (3) there is a need to determine the nationality of the ship. Thus,

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in the Proliferation Security Initiative" (Paper presented at the Tenth United Nations Symposium on Northeast Asia in Kanazawa held in Kanazawa City, Japan June 7-9, 2004), p. 1.

[41] David P. Rann, "Role of the U.S. Military and Proliferation Security Initiative" (Paper presented at the Tenth UN Symposium on Northeast Asia in Kanazawa held in Kanazawa City, Japan June 7-9, 2004), p. 5.

[42] See "The Proliferation Security Initiative" found at www.state/gov/t/np/ris/other/34726.thm.

[43] James Cotton, "The PSI and Northeast Asia" (Paper presented at the Tenth UN Symposium on Northeast Asia in Kanazawa held in Kanazawa City, Japan June 7-9, 2004), p. 2.

[44] See "The Proliferation Security Initiative" found at www.state/gov/t/np/ris/other/34726.htm.

there is "no general right to interfere with vessels suspected of carrying arms…"[45] and interdicting ships or vessels believed to be transporting WMD-related materials could become a contentious issue.

The debate over the PSI's basis in international law was acknowledged in the CSCAP WMD study group meeting. Nonetheless, some participants noted that this issue should not prevent the PSI from being used by states to counter the proliferation of WMD and related materials. One participant noted that some states – he was probably referring to North Korea – could profess support for countering proliferation and yet not supportive the PSI since it is meant to be a counter-proliferation measure.

There is also the fundamental problem posed by governments who choose not to join a regime. For example, nonmembers of the Missile Technology Control Regime (MTCR) when they export missiles to states that are also not members of the MTCR do not violate any international agreement.[46]

A great number of states (around 60) have expressed support for the PSI.[47] The Philippines is among them. At the September 2005 UN Summit, Philippine President Gloria Macapagal-Arroyo endorsed the PSI and announced that the Philippines is positively supporting the initiative. A participant in the study group from the National Security Council shared a copy of the Aide Memoire that was prepared by the Philippine foreign affairs department: it publicly acknowledges Philippine support for the PSI. According to the document, the support of the Philippine government for the initiative "reflects the country's willingness to cooperate in preventing the proliferation of weapons of mass destruction (WMD), their means of delivery and related materials." Thus, the country supports the Statement of Interdiction Principles "in consonance with generally accepted principles of international law and consistent with the Philippine Constitution and national laws." The Philippines also gave a commitment to participate in future PSI-related activities but "within its capabilities and resources." Through this document, the Philippine government has also made it clear that it "reserves the right to guarantee that the rights and welfare of Filipino nationals shall be respected on board vehicles, vessels and aircraft." Considering that there is a great number of Filipinos working abroad in ships or aircraft, this may be a reference to Filipino nationals who may be physically present on ships suspected of transporting WMD-related materials.

At the moment, the Philippine government, through its foreign affairs and defense departments, is further examining the PSI to flesh out the details of Philippine participation in the initiative. According to the Center for International Relations and Strategic Studies of the Foreign Service Institute, the think tank of the Philippine Department of Foreign Affairs, the department is still studying the initiative and hopes to formulate a more detailed position on the PSI. This status was confirmed by officials of the National Security Council during the roundtable discussion on the Philippine Political and Security Situation that was held for

[45] See Cotton, "The PSI and Northeast Asia", p. 3.
[46] *Ibid*, p. 2.
[47] The figure is found at www.proliferationsecurity.info.

participants in the Young Leaders Program of Pacific Forum CSIS at the NSC on Dec. 1, 2005.

The Armed Forces of the Philippines has recently submitted to the Department of National Defense its own position on this matter. It reveals that the Philippine military is supportive of the PSI, acknowledging that the Philippines "has a stake in preventing the spread of WMD" and sees the initiative as "one of the means through which [the Philippines] could express its support to the prevention of proliferation of WMD".

The draft position paper enumerates advantages and disadvantages of Philippine participation in the PSI. What is instructive is that the PSI is seen, based on the list of perceived advantages, as another opportunity for the Philippine armed forces to receive assistance from other countries for improving its own capabilities. Instead of what it could contribute to the PSI, what it could receive in assistance is the primary consideration. But given the sad and sorry state of the Philippine military, the armed forces should not be blamed for putting emphasis on assistance it could get by being involved in mechanisms like the PSI.

Indeed, the capability of the AFP to conduct interdiction operations would be a primary consideration if the Philippines were to substantively participate in the PSI beyond the political declaration of support made by the Philippine president. Citing the results of the 2003 Philippine-U.S. Joint Assessment, the AFP's draft position report notes that the Philippine Air Force has "limited on-board avionics and sensors, [no] precision-guided munitions, limited number of platforms and low-mission capability." Likewise, the Philippine Navy lacks ships for "open ocean operations" and has "limited surveillance and reconnaissance capabilities." The current state of Air Force and Navy capabilities limit their ability to conduct air and maritime patrols as well as air and maritime interdiction operations.

Declaring support and desiring to participate is one thing; being able to take part in the operations related to the PSI is another. The Philippines, has in fact, been characterized as naturally supportive of various international and regional instruments but is found wanting in terms of being capable in fulfilling its commitments.

While states that have expressed support for the PSI, the Philippines included, are trying to determine and spell out their actual involvement in the initiative, questions pertaining to whether the PSI is anchored by international law, norms, and principles need to be addressed. If left unanswered, these questions could render the PSI ineffective, an indictment made against other mechanisms that address the WMD proliferation challenge.

Countering the Threat of Proliferation of Weapons of Mass Destruction: Philippine Perspectives and Responses

By Ronald A. Rodriguez

Several developments have heightened awareness in Southeast Asia of the dangers posed by the proliferation of weapons of mass destruction (WMD). These developments include, among others, North Korea's withdrawal from the Nuclear Non-proliferation Treaty (NPT) in January 2003; Washington's introduction of the Proliferation Security Initiative (PSI) in May 2003; exposure of A.Q. Khan's black market nuclear technology network that implicated a Malaysian company in 2004; and increased terrorist activities in the region, as well as warnings from security experts of the risk of WMD getting into the hands of terrorists.

For Southeast Asian countries like the Philippines, these developments confirm the reality of WMD proliferation and underline the ineffectiveness of existing antiproliferation regimes and initiatives. Statements by the Weapons of Mass Destruction Commission (WMDC) and the International Atomic Energy Association (IAEA) confirming the weaknesses of existing counterproliferation measures do not allay the region's concerns. As long as global efforts struggle to curb proliferation, nonnuclear regions like Southeast Asia and countries like the Philippines will remain threatened.

The Philippines is particularly concerned about the proliferation of WMD because of at least four main "vulnerability factors.'" These vulnerability factors are inextricably linked with one another.

Geographic Vulnerability. The Philippine archipelago is geographically proximate to regions with flashpoints such as the Korean Peninsula, the Taiwan Strait, and the India-Pakistan border. No country in Southeast Asia is equipped or prepared to deal with a situation in which these flashpoints develop into major armed conflicts poised to employ WMD. Southeast Asia is also considered a key battlefront in the global war against terrorism and therefore much needs to be done to ensure that: (1) the Southeast Asian Nuclear Weapon-Free Zone prevents WMD from either passing through the region or landing on its soil and (2), terrorists do not get hold of these weapons.

Vulnerability of Filipino Nationals. The Philippines' geographic vulnerability to the threat of WMD extends beyond its borders given the millions of Filipinos based overseas. At least one-tenth of the country's (nearly 85 million) population is spread throughout different parts of the world, mainly in the Middle East, Europe, North America, and Northeast Asia. The Philippines regards these global Filipinos to be very important, as evidenced by Manila's internationally unpopular decision to pull its troops from Iraq to save the life of a Filipino national kidnapped in Iraq in 2004. If the threat of global terrorism and proliferation of WMD rises, it is likely to put more pressure on the Philippines to protect its nationals both at home and abroad. Contributing to global security is expensive for a country like the Philippines, already beset with security threats, political instability, and economic difficulties in its own backyard.

Economic Vulnerability. The war in Iraq shows clearly how even remote countries suffer the economic repercussions of major armed confrontations in distant locations. The current situation, accentuated by skyrocketing oil prices, demonstrates how global insecurity could weaken the global economy. Any conflict involving WMD would have much worse effects. This is why an escalation of the WMD threat has already resulted in additional economic costs for many states and societies: businesses are now taking pains not only to protect their assets, but also to sustain their operations in nightmare situations. The Philippine economy, well integrated into the global economy, cannot afford to be impervious to the threat of proliferation of WMD.

Environmental Vulnerability. Major sea lines of communication in Southeast Asia such as the Strait of Malacca and the South China Sea are vulnerable to radioactive dangers that could be triggered by accidents involving vessels with WMD or WMD components on board. The possibility of loose nuclear components causing environmental disasters is high amid increasing cases of diversion, theft, and smuggling of nuclear materials. Criminal elements are aware that they could exploit the inability of Southeast Asian states to police the region's waters and scrutinize every vessel in the busy maritime traffic. Moreover, the chilling reality is that the region's disaster preparedness does not match the potential catastrophic outcome of WMD-related attacks or accidents.

These vulnerabilities are not unique to the Philippines; they are shared by almost all Southeast Asian countries. Although there is a regional consensus on the threat posed by the proliferation of WMD, there remain considerable differences in how they view various counter- and nonproliferation regimes and initiatives. The reluctance of most Southeast Asian states to fully subscribe to these international regimes and initiatives is driven by their natural tendency to worry about sovereignty. As the war in Iraq continues without any WMD being found, conjecture that the U.S. used the WMD threat as a pretext to invade Iraq only feeds the region's sensitivities. In addition, given the political and economic difficulties confronting most Southeast Asian countries, there is also a tendency for Southeast Asians to focus on domestic affairs and tiptoe around equally important developments calling for collective action or cooperation in regional and global affairs.

Southeast Asia is gradually becoming more proactive in the fight against terrorism and WMD proliferation through the United Nations and other multilateral frameworks such as the ASEAN Regional Forum (ARF). In the Asia-Pacific Economic Cooperation (APEC) forum, regional leaders gathered in Busan and pledged to eliminate WMD and eradicate terrorism. Track-two fora such as the Council for Securitiy Cooperation in the Asia Pacific (CSCAP) and the Northeast Asia Cooperation Dialogue (NEACD) also contribute, not only by raising regional awareness of the threat of WMD proliferation, but also in presenting workable policy options. Although the WMD threat has not reached the consciousness of ordinary people, it is now an important item in the vocabulary of key policy makers.

The Philippines, for its part, is in a unique position to help sustain this momentum. As a nonpermanent member of the United Nations Security Council (UNSC), it has emerged as a leading advocate of "collective action, regional responsibility, and global accountability towards a world free of nuclear weapons." It is at the forefront of the international campaign

to address gaps in the CTBT and NPT, and is a key supporter of UNSC Resolution 1540. Through the interfaith dialogue and its active role in drafting the UNGA Nuclear Terrorism Treaty, the Philippines is also instrumental in molding global approaches to terrorism. Its latest major effort saw the realization of Philippine President Gloria Macapagal-Arroyo's proposal, which pushed for joint patrols among the Philippines, Malaysia, Indonesia, and Brunei in critical border areas.

Much is expected of the Philippines, however, in making real headway in the fight against terrorism and the proliferation of WMD at the regional and national level. At the regional level, the Philippines should engage the other members of ASEAN to revisit the Southeast Asian Nuclear Weapon-Free Zone Treaty and update it to better respond to new threats and realities. Will "closer relations" between the Philippines and China, for instance, help push Beijing to get on board? The Philippines should also take the lead in encouraging ASEAN to transform its commitments to global activism against terrorism and WMD proliferation into concrete actions. Information sharing, system coordination, and training of key personnel involved in the detection and investigation of concealed nuclear materials are some of the areas for possible cooperation among Southeast Asian countries.

Finally, the real challenge for the Philippines is to make substantial progress in its own fight against terrorism at home. In its policy pronouncements, the Philippine government has consistently said that it approaches the issue of proliferation through the prism of measures to combat terrorism. It is therefore through success in defusing the threat of terrorism in the Philippines and in Southeast Asia that the Philippines will contribute to a world free from fear and insecurity. In this shared responsibility for countering threats of global proportions, the responsibility of the Philippines begins at home.

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Improving Cooperation against the Proliferation of Weapons of Mass Destruction – Theoretical Reflections

By Ryo Sahashi

"They will beat their swords into plowshares and their spears into pruning hooks. Nation will not sword against nation, not will they train for war anymore." -Isaiah 2:4

The proliferation of weapons of mass destruction (WMD) threatens all nations. Why, then, don't governments cooperate to counter this threat? This short essay proposes theoretical answers to this question, and some ideas to surmount these difficulties.

Why governments don't cooperate to fight WMD proliferation

Not many people believe that nuclear proliferation stabilizes the international system.[48] Proliferation matters because nuclear deterrence cannot be assumed to work on all governments. However, it is unclear whether the fear of proliferation, especially before the actual acquisition of weapons, could cause other countries to respond seriously and spur cooperation against proliferation. The perception of threats posed by proliferation of WMD, especially nuclear weapons, is difficult to share because of the following reasons.

First, evaluations of a country's ability to develop WMD differ. Some countries react against a long-term threat and adopt a precautionary, or preventive, approach through hard-line, or coercive, diplomacy, in the early phase of such nuclear programs. These countries fear that one country's proliferation will spread like dominos and change the distribution of power. Others take a wait and see approach to potential and long-term threats, preferring more diplomatic and legalistic approaches. As long as proliferation is at its beginning stage, they minimize the threat. This might explain the differing approaches to the Iranian nuclear program between the European Union and the United States. "In general, the United States wants to confront the government in Tehran over its suspected nuclear weapons development by threatening sanctions… Europeans, in general, want instead to talk to Iran about economic and political incentives."[49] Washington seemed irritated by the European approach to negotiations.[50]

Second, while some countries, like the U.S., have interests around the globe, most countries tend to see proliferation in the context of regional security and diplomacy. Even the existence of a nuclear black market does not shape such geopolitical thinking. Governments have complicated interests when it comes to dealing with neighbors, including historical ties,

[48] See the theoretical discussions in the 1990s, especially among Waltz, Sagan, Karl, and Feaver.
[49] *The New York Times*, Feb. 20, 2005. "Britain, France, and Germany wanted American permission to discuss Iran's possible accession to the World Trade Organization – which would confer trade benefits to Iran but also impose requirements to open Iran's economy – and also to discuss aircraft sales." *New York Times*, Feb. 28, 2005.
[50] However, that gap does not seem to damage Atlantic relations because both governments consulted a lot over their actions. See *The New York Times*, March 13, 2005.

economic interdependence, bilateral relations, and regional reputation; thus, it is not easy to take a hard-line approach toward neighbors. Sometimes, geographical proximity biases the evaluation of intention. In the North Korean case, South Korea and China have their own incentives, and do not share the hard-line perception of the threat posed by the North Korean nuclear program. In principle, countries have the incentive to cooperate against the apparent and imminent acquisition of nuclear weapons by other countries, especially when they are in range of that country's missiles. Japan's original incentive to negotiate with North Korea was driven by this factor. Also, the recent cohesion of the "EU three" and the U.S. seems to have resulted from the fact that they both feel more difficulty in countering the Iranian programs through negotiation.[51]

In sum, when we try to analyze incentives for cooperation against nonproliferation using a threat-based approach, the limits of cooperation are soon visible. This is essentially because no two countries feel the same threat from proliferation. Even though each government has incentives to cooperate against proliferation, different threat perceptions and preferences about dealing with long-term threats prevent cooperation. In addition, most countries believe the regional environment is more important than sharing the global burden with the U.S.

Thus, state cooperation against proliferation of WMD should not be based on common threat perceptions but on shared visions of a desirable international order. Institutionalization can lessen the uncertainty and risk in the system and benefit all. Also, when it comes to fighting proliferation by nonstate actors, states can cooperate functionally through regional and international frameworks more easily than against state actors.

It is possible to share the same vision, or norm, against proliferation among states, but there are four obstacles to this approach. First, relative gains might matter.[52] If one country gets more from regional or global cooperation, such as enhanced economic stakes and national security (one country can reduce or redirect its defense budget more than another), others might hesitate to cooperate. Second, especially in a unipolar world, countries have incentives to *soft balance*.[53] By harassing the dominant state through diplomatic means, they try to increase the costs for the dominant state to act. Third, nonproliferation efforts, such as export controls and the Proliferation Security Initiative (PSI), require resources. If a government doesn't feel threatened by WMD, these costs appear too high without other – financial or diplomatic – rewards for cooperation. Finally, a shared vision and norms regarding nuclear proliferation and agreement on the civil use of atomic energy is needed. If not, efforts to constrain nuclear proliferation will remain weak. The rising price of crude oil has inspired many governments to seek atomic energy as an alternative source of energy.[54]

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[51] *International Herald Tribune*, Dec. 2, 2005.

[52] See the discussions among neo-realists and liberal institutionalists in Mearsheimer (1994) and Keohane and Martin (1995).

[53] See the recent featured issue of *International Security* for this concept, with the other recent discussions on the unipolar and the future of balancing acts.

[54] I don't include the weakness of the NPT regime and the failure of nuclear weapons state to embrace disarmament, or the failure of the so-called "nuclear bargain" in the NPT, because this does not seem to affect a country's willingness to acquire WMD.

How can governments improve nonproliferation actions?

First, we should differentiate between general policies and specific nonproliferation policies. The former includes the improvement of export controls, PSI, enhancing the nonproliferation norm through information and education. Efforts to prevent nonstate actors from acquiring WMD are relatively easy to adopt, even for minor powers. Even though it would be easy to get consensus, the above-mentioned obstacles, must still be overcome. In particular, an assessment of the cost of cooperation and financial incentives for more rigorous inspections must be considered.[55] Also, the feeling of unfairness between NPT "haves" and "have-nots" must be diminished, and for that purpose, the civil use of atomic power should not be so alarming; major powers should provide technological assistance, and measures to prevent the transfer of nuclear spent fuel to military purposes should be adopted. The recent proposal of a nuclear fuel bank by IAEA Director General Mohammed ElBaradei should be considered.[56]

However, the U.S.-India nuclear deal is stimulating concern because it is uncertain "if it enacts credible split of its civilian and military nuclear programs," and India does not "pledge to cease production of bomb-making materials."[57] India, however, appears to be sacrificing its deal with Iran to build a natural gas pipeline to support the IAEA decision to refer Iran to the UNSC, and thus "the United States offer to help India build nuclear power plants would fill that energy gap."[58] The U.S. intention to engage India is understandable, but this deal would worsen the sense of unfairness felt by nonnuclear weapons states. The promise of strengthening export controls on materials and technology and not transferring materials from civil to military use is necessary. Also, India must not threaten its neighbors, especially Pakistan; Delhi should not intensify its nuclear military posture.

On the other hand, countering proliferation by specific actors with real intentions to acquire WMD requires different approaches. Because efforts to counter specific proliferation risks cause serious friction and require negotiations, regional neighbors and global major powers could join such costly efforts.[59] However, as pointed out, the problem lies in different perceptions of threats and geographical proximity.

Perhaps another question is in order: can the global nonproliferation "regime" change states' motivations to acquire WMD? What message should be sent to the DPRK to halt its nuclear programs? The incentives to acquire WMD are national security, national prestige,

[55] Most nonproliferation efforts should be managed globally, considering the efficacy of export controls and other policies. A regional action plan would be a complement, recommended for sharing information and raising consciousness of proliferation threats, and if desirable, exchanging financial information and and technological backup from major powers.
For the EU's Basic Principles and Action Plan, Stephen Pullinger and Gerrard Quille, "The European Union: Seeking Common Ground for Tracking Weapons of Mass Destruction," *Disarmament Diplomacy,* vol. 74.
[56] *Financial Times,* Nov. 7, 2005 and *The New York Times,* Nov. 10, 2005.
[57] *Arms Control Today*, November, 2005.
[58] *New York Times*, Oct. 31, 2005.
[59] In the Iranian case, the "EU three" and the U.S. now want Russia and China to join their efforts to put more pressure on Iran, thus sending a message from all members of the P-5. *The New York Times,* Dec. 4, 2005.

and in some cases, scientific curiosity or financial rewards.[60] (There are similar incentives for state space programs.) Therefore, security assurances to nonnuclear states, including Negative Security Assurances (NSA) and more broad assurances for their regimes and sovereignty, are necessary. An end to threats from neighbors was the main reason South Africa abandoned its nuclear programs. Also, raising consciousness against WMD, especially nuclear weapons, is necessary since many countries did not choose to develop nuclear weapons because of strong domestic anti-nuclear sentiment.[61]

How to, and who could, reward nonproliferators is another important consideration. Under the NPT, the parties have the right to the civilian use of atomic energy. Thus in the Six Party Talks, the Joint Declaration of Sept. 19. 2005, said that North Korea has that right, and "agreed to discuss, at an appropriate time, the subject of the provision of light water reactor to the DPRK." To balance between the permissible civilian use of atomic power and possibility of military misuse, a state's right to civil use would be restricted it its intention is questioned. However, providing a light-water reactor will not supply enough energy to North Korea. To put an end to the nuclear "bargaining games," it is necessary to assure each country of sufficient energy supplies, and this action should be part of global nonproliferation efforts. Moreover, domestic politics and the public's desires must be taken into account, such as in Iran, when we seek to settle these nuclear disputes. External pressure would merely cause public discontent, as they believe their country has the right to civilian use of nuclear power. Ironically, democracy does not help, and may cause a situation to deteriorate. In this sense, fair access to energy and economic assistance for economic growth will be required to avert bargaining and future crises.

Nonproliferation is a key item on the global agenda. However, it is naïve to believe the proliferation can be stopped merely through voluntary cooperation in the NPT regime and by raising the costs of acquisition of WMD. It is equally important that each state does not perceive that it puts itself at a disadvantage by accepting the NPT regime and the goal of nonproliferation. Carrots are necessary for cooperating states and even for proliferators.

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[60] See also Sagan (1996).

[61] For example, there is the path Japan took. The nuclear umbrella was not the only reason Japanese governments did not develop nuclear weapons programs. (China's "no first use" policy has not influenced Japan's calculations.) However, unlike anti-landmine movements, the huge anti-nuclear movements, especially those of the 1980s, did not lead to the abolition of nuclear programs. And nuclear weapons are relatively cheaper to acquire than reinforcing conventional weapons; they are also attractive, since they yield a deterrent and national prestige. Even now many Iranians reportedly back their state's right to develop and acquire nuclear weapons.

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The U.S. Hard-Line toward North Korea and its Impact on the Nuclear Weapons Issue

By Dorothy Stuehmke

With the Six-Party Talks set to enter a sixth round with no major breakthrough, two important questions will help refocus attention on the main issues that are complicating negotiations on North Korea's nuclear disarmament. First, why is North Korea pursuing a nuclear weapons program? Second, what is holding the U.S. back from making a breakthrough in the North Korean talks?

These questions underscore the importance of internal divisions within the Bush administration on how to deal with North Korea and the impact competing opinions have on Washington's ability to establish a coherent policy toward North Korea. At present, hard-liner antipathy has spurred behind-the-scenes crackdowns on the DPRK and precluded a continuation of the Clinton administration's bilateral talks with North Korea, making it almost impossible for the U.S. to establish a consistent policy on North Korea. This hard-line approach seems to trump Ambassador Christopher Hill's attempts to engage North Korea. Meanwhile the possible transfer of nuclear technology to extremist regimes and terrorist groups continues to worry U.S. policymakers. The U.S. should seriously reflect on what has and has not worked with North Korea and abandon the hard-line approach in favor of Ambassador Hill's engagement strategy. In addition, the U.S. should also push for bilateral talks as confidence building measures to provide the impetus for a breakthrough that will help to diffuse the DPRK nuclear standoff.

North Korean threat perception of the U.S.

Why is North Korea pursuing a nuclear weapons program? Simply put, North Korea fears the U.S. Its nuclear weapons program can best be viewed as a negotiating card to leverage a security guarantee from the U.S. that an attack, similar to that against Iraq, will not be made on the North Korean regime. Although the Bush administration has recently refrained from verbally antagonizing the DPRK, hard-liners have continued to promote their hostile attitude toward Kim Jong-il's regime; for the past few months, as part of the Proliferation Security Initiative, the U.S. has been trying to cut off as many of North Korea's sources of revenue as it can. The U.S. has also been working to shut down bank accounts in Macau and has asked allies to seal off their airspace to North Korean aircraft believed to be carrying missiles, drugs, or counterfeit currency, all of which support North Korea's sinking economy. The North Korean Human Rights Act, signed by Bush in 2004, is another form of this hawkish approach that places the U.S. increasingly at odds with the ROK government, which shies away from this sensitive issue.

Together, North Koreans perceive these measures as a direct attack on their country. Consequently, this behind-the-scenes action further alienates the U.S. from North Korea and widens the gap between the two countries, making it harder to solve the nuclear weapons issue. Launching side-attacks on an extremely paranoid, bankrupt country does not make the Six-Party Talks easier to conduct and makes achieving a denuclearized NK harder to realize.

In short, as the DPRK views these acts as a U.S. attempt to topple its regime, North Korea clings tighter to its nuclear negotiating card.

The Bush administration's internal struggle

What is holding the U.S. back from a breakthrough at the Six-Party Talks? A hard-line approach appears to dominate U.S. policy toward the DPRK. This has complicated efforts to establish a consistent policy toward Pyongyang. Hard-liners view North Korea as a threat and believe that an end to the nuclear problem can only be realized through regime change; others back an engagement strategy that does not support regime change as a way of facilitating a solution to the nuclear dilemma, a policy South Korea supports. Currently, the hawkish policy seems to stifle attempts at engagement, which is playing into the hands of North Korea's strategy to weaken the U.S.-ROK alliance and its combined approach to North Korea. It also calls into question the room that Ambassador Hill has been given to bring about a breakthrough in the standoff. Overall, the divide within the Bush administration on how to deal with North Korea and the struggle that has resulted gives the impression of two different and competing policies being pursued. That also sends a mixed signal to North Korea.

Policy recommendations

It is imperative that the U.S. re-examine the feasibility of this hard-line approach to dealing with North Korea. Rather than continue its hawkish course of action, the U.S. should refocus its efforts on establishing confidence building measures to assuage North Korean fears. William Perry's efforts during the Clinton administration were well received by both North and South Korea. In particular, his efforts stress the value of having a high-level person lead U.S. diplomatic efforts; he also advocated the reduction of pressure on North Korea and tried to persuade the DPRK to pursue a more cooperative approach. With this in mind, Ambassador Hill's efforts should be supported and not curbed.

To build further trust, multilateral talks although important, should be complemented by bilateral efforts. Libya's nuclear disarmament is a strong model for both the DPRK and the U.S. to follow. Nine months of intense negotiations with the U.S. and Britain brought about Libya's abandonment of its biological, chemical, and nuclear weapons programs. Although it can be argued that the U.S. and the DPRK are already involved in unofficial bilateral talks within the six-party framework, it is time to make this official: it was only through concentrated bilateral discussions with Libya that disarmament was achieved. Direct negotiations, welcomed by the DPRK during the Clinton administration, have the potential to offer a much needed dimension to the nuclear standoff at a time when trust between the U.S. and the DPRK is low. Combined, these efforts could lead to the establishment of diplomatic relations with the DPRK and even the opening of a U.S. liaison office in Pyongyang – goals the U.S. should consider making part of its long-term policy toward North Korea if it wants to conduct serious negotiations.

Conclusion

Hard-liners are winning the struggle within the Bush administration and this is complicating efforts to diffuse the crisis over North Korea's nuclear weapons. A nuclear North Korea should not be tolerated, especially when nonstate actors and terrorism are the U.S.'s greatest security concerns. However, an unclear U.S. policy toward North Korea fueled by President George Bush's antipathy toward the DPRK regime should also not be tolerated, as it blocks attempts to pursue a policy based on engagement and contributes to the stop and go nature of the nuclear negotiations. Ambassador Hill's engagement strategy coupled with bilateral talks can help set the U.S. on a track that would allow for a breakthrough with North Korea, while also harmonizing U.S.-ROK policy toward the North. In sum, abandoning the hard-line approach and pursuing sustained, intensive, unwavering contact with North Korea through bilateral and multilateral talks must become part of our policy, with minimal side jabs that seek to secretly undermine the regime. The time has come for the U.S., through introspection, to stop placing complete blame on North Korea and realize that its own attitudes are contributing to this impasse.

Vietnam's Views on the Proliferation of Weapons of Mass Destruction and Proliferation Security Initiative

By Ta Minh Tuan

Weapons of mass destruction (WMD) have long posed a grave threat to international peace and security. In the last decades, great efforts have been made to stop the use of WMD, and countries, big and small, are working hard to counter its proliferation. Dealing with the spread of WMD is an important part of national security policy of many nations. Vietnam has consistently supported nonproliferation of WMD.

At global level, Vietnam is very active in stimulating constructive discussions at the United Nations Conference on Disarmament. Vietnam acceded to the Nuclear Non-Proliferation Treaty (NPT) and signed the International Atomic Energy Agency (IAEA) Safeguards Agreement in 1989. Vietnam is now studying carefully the NPT Additional Protocol of 1997. It also signed the Comprehensive Test Ban Treaty (CTBT) in 1996. Vietnam, together with 43 other countries, must ratify CTBT for it to go into force. The National Assembly of Vietnam has not yet approved the Treaty. In the Asia-Pacific region, Vietnam signed with the members of ASEAN a Treaty on South East Asia Nuclear Weapons Free Zone (SEANWFZ) in December 1995.

The Vietnamese government clearly supports total and comprehensive disarmament and the ultimate abolition of all WMD. They must be done at the same time. Vietnam has urged nuclear weapons states to seriously and proactively implement the NPT, and in particular to devise concrete measures to hasten the elimination of WMD under Article VI of the Treaty. While striving for a world free of WMD, Vietnam has stressed that the peaceful use of nuclear energy should be allowed and strictly observed according to the terms of NPT. All forms of proliferation of WMD must be prohibited. Global regimes such as the NPT and CTBT can best serve the objectives of countering proliferation as they provide a legal foundation for actions and recognize the will of the international community.

Vietnam has encountered a number of constraints in its endeavors to combat the proliferation of WMD. *First,* Vietnam's foreign policy has gone through a major transformation since 1986, making it possible for the country to open to the outside world. Vietnam has expanded its international collaboration on all fronts, including hitherto sensitive issues such as defense and security. Nonetheless, WMD issues are not a high priority for Vietnam. Less attention has been paid to the understanding of WMD proliferation and related problems, both at the government and grassroots levels. Few Vietnamese policy makers know well what WMD means and how they pose a security threat to Vietnam. It appears that policy makers do not see WMD as a direct concern for Vietnam. Besides, Vietnam only has a handful of WMD experts that can give advice or recommend appropriate policies. Ordinary people know too little about WMD. No anti-WMD movements and nongovernmental organizations have been formed, and, therefore, there is no political pressure from the people on the government on WMD issues.

Second, Vietnam has been reluctant to support counterproliferation initiatives mooted outside United Nations' frameworks. Vietnam seems to be concerned about their legitimacy. One of the major pillars of Vietnam's foreign policy is to avoid taking actions that might be considered illegitimate in the eyes of the world. Thus, working under the UN and other international organizations should give Vietnam a "safe exit." It is understandable given Vietnam's experiences and her small-country status. Perhaps Vietnam has not yet escaped from the obsessions of its period of isolation and remains afraid of being manipulated by foreign powers. Unfortunately, not only does this greatly hinder Vietnam's capability to expand international cooperation on counter-proliferation, but also slows its response to any new initiative.

Third, Vietnam's legal system is fairly weak and incomplete. Only a few articles rule out the use, transport, transfer, export and import of sensitive nuclear or nuclear-related technologies, but they are incorporated into basic laws, such as the Penal Code of 1999 or sub-laws such as the 1996 Ordinance on Radiation Safety and Control. No particular compulsory requirements exist that force the government to find ways to cooperate with foreign counterparts in fighting WMD proliferation. Moreover, the legalization process and policy making are very complex, hence prolonging the ratification of international treaties that Vietnam has signed. This makes it even more difficult for Vietnam to fulfill its commitments.

Despite these constraints, Vietnam has been trying her best. An inter-ministerial study group has been appointed to look into the NPT Additional Protocol and the CTBT. The Ministry of Science and Technology, the state management body on atomic energy, nuclear and radiation safety, has submitted its recommendation of approval to the prime minister. Vietnam's ratification of these documents is a matter of time. So far, no clear domestic opposition has been seen. This would bring Vietnam more political benefits: prestige in the world as a peace-loving nation; gaining appreciation, trust, and support from countries such as Japan and European Union members, etc. Furthermore, ratification does not go against Vietnam's general policy principles and is justifiable.

After the terrorist attacks in the United States in 2001, Vietnam offered the Bush administration the maximum support that it can. Vietnam has strongly condemned any form of terrorism. Vietnam has voiced concerns about the spread of WMD and the possibility of WMD falling into the hands of terrorists. However, this is not the same as Vietnam's full support for all U.S.-led initiatives to combat WMD. Vietnam has maintained an ambiguous stance since the U.S. announced the Proliferation Security Initiative (PSI) in May 2003. Officially, Vietnam neither openly objects nor fully supports PSI.

As a matter of policy, Vietnam opposes the proliferation of WMD. But Vietnam shares the views of other countries on the international legal aspects of PSI. PSI does not provide crystal-clear mechanisms that ensure its conformity to existing international conventions on WMD, to the law of the sea, and international civil aviation law, for instance. In addition, Vietnam is concerned about the respect for independence, sovereignty, and integrity of nations. As PSI leaves legal loopholes, Vietnam worries that the U.S. and major parties would take advantage of and manipulate PSI for their own purposes. Other technical

issues have not been addressed, i.e., how to differentiate between the proliferation of technologies used for the production of WMD and those for peaceful uses, such as electricity. Vietnam would prefer to support the consolidation of current global nonproliferation treaties. These regimes themselves are not flawless, but nations could join forces to improve or modify them wherever possible to catch up with new international developments and make them work more effectively. They could even draft new laws and conventions.

PSI is an activity, or a form of "coalition of partners," not an organization. Until now, only a limited number of countries has joined PSI and participated in its meetings and activities, notwithstanding over 60 nations have pledged their support, according to the State Department.[62] In Asia-Pacific, apart from the U.S., active participants include Thailand, Singapore, Canada, Australia, Russia, Japan, and New Zealand. Vietnam is always sensitive to its national independence, sovereignty, and security. As mentioned, Vietnam does not want to commit itself to international efforts that can be interpreted as illegitimate. At present, it is unimaginable that Vietnam would agree to work with foreign forces to stop, search, and seize merchant vessels or airplanes within its juridical authority. Perhaps Vietnam's concerns have a lot to do with its "insecure psyche" and "political mentality" rather than practical security issues.

It is worth noting that Vietnam has to face the problem of "capabilities" when cooperating with foreign partners. PSI envisions states working in concert, employing their national capabilities to develop a broad range of legal, diplomatic, economic, military, and other tools to interdict shipments of illicit items.[63] But does Vietnam have such capabilities? Vietnam would be substantially constrained to act given her rather backward economy, weak military and legal system, and inefficient law enforcement. These could lead to "shallow" or "flat" collaboration with other PSI partners once Vietnam decides to join. In other words, Vietnam would not probably be in a position to fulfill its obligations.

The U.S. has invited Vietnam to attend various PSI exercises as an observer.[64] Vietnam did send officials to the latest PSI exercise "Deep Sabre" hosted by Singapore in August 2005. However, Vietnam needs to prepare for full participation. First and foremost, Vietnam must show its political will to overcome its "insecure psyche" and be ready to take action. As states participating in PSI are expected to act only to the extent permissible under their respective national authorities and international law, Vietnam is free to choose PSI activities that it deems fit. In so doing, Vietnam can learn from other partners in interdiction exercises and receive technical assistance from more advanced countries, helping it enhance capacity for defending itself, maintaining security, and fostering international collaboration. Next, Vietnam has to review its domestic laws on proliferation as current enforcement mechanisms are insufficient. Any future cooperation on PSI would likely fail if other aspects of WMD proliferation are taken for granted, for example the lack of transparent export

[62] Stephen G. Rademaker, "The Proliferation Security Initiative (PSI): A Record of Success," Testimony before the House International Relations Committee, Subcommittee on International Terrorism and Nonproliferation, Washington D.C, June 9, 2005. http://www.state.gov/t/ac/rls/rm/47715.htm

[63] Bureau of Nonproliferation, "Proliferation Security Initiative Frequently Asked Questions," May 26, 2005, http://www.state.gov/t/np/rls/fs/46839.htm

[64] Robert Joseph, "Transforming our Counterproliferation Efforts in the Asia Region," Institute of Defense and Strategic Studies, Singapore, Aug. 15, 2005. http://www.state.gov/t/us/rm/51129.htm

control systems. New language to prove Vietnam's clear nonproliferation stands, including permission to join foreign, but not necessarily UN, initiatives such as PSI should be introduced as well.

There could be opposition to PSI from the defense and security establishments, but this is nothing new and they are preoccupied with their duties. It is reasonable to argue that the more understanding of PSI and its activities, the greater the chance for those who hesitate to reconsider Vietnam's participation. Vietnam needs to study all aspects of PSI more thoroughly. Though the government has not voiced support for PSI, its position could change over the time, particularly when more developing countries as well as other members of ASEAN agree to join PSI. The prospects for Vietnam becoming a PSI partner look positive. A question remains: how deeply and to what extent could Vietnam become involved in real PSI activities?

Eight-Party Talks for the Iranian Nuclear Puzzle?

By Qinghong Wang

The end of the Cold War broke the established balance of military capabilities among that era's main rivals, especially in terms of Weapons of Mass Destruction (WMD). On the one hand, many formerly pro-Soviet regimes have done everything possible to acquire nuclear weapons or nuclear military capacities to compensate for the loss of nuclear protection following the collapse of the Soviet Union. North Korea's buildup of nuclear facilities since 1990 and India's nuclear tests in 1998 are the best examples of the first group. On the other hand, rival neighbor countries of those formerly pro-Soviet regimes are attempting to match the nuclear capacities of their adversaries. South Korea's secret nuclear lab tests in the 1990s and Pakistan's nuclear test in 1998 are the best examples of the second group.

The potential domino effect of its neighboring countries' acquiring nuclear military capabilities is the biggest WMD proliferation threat for China in the post-Cold War era. There are two major reasons for this. The first is that the proliferation of nuclear military capacity around China will lead to an instable external environment which will affect China's economic and social development. The second is that the acquisition of nuclear military capacity by China's neighbors will reduce China's military influence in the region.

The global war on terrorism, led by the U.S., has resulted in both positive and negative effects on the threat of WMD proliferation for China. The most obvious positive effect is that the cooperation between China and the U.S. on anti-terrorism has greatly reduced the possibility of WMD proliferation among the "Eastern Turkistan" separatists in China's Xinjiang Province. But the unilateral approach of the U.S. in the war on terrorism has greatly strengthened the desire of several of China's neighbors to acquire nuclear military capabilities. North Korea and Iran, which were deemed part of the "axis of evil" by President Bush, rank at the top of this list.

The Six-Party Talks and the Korean nuclear puzzle

Contrary to the painstaking efforts taken to rebuild and maintain the stability of Iraq conducted by the U.S. and its allies, the Bush administration has chosen to embrace diplomatic negotiations to tackle the North Korea nuclear crisis. As of November 2005, the Six-Party Talks have progressed through five rounds of negotiations. Although the problem has yet to be completely resolved, talks have continued along a correct and peaceful track.

There are several salient points to distill from the Six-Party Talks:

> **Adopt small-size multilateral negotiations**. Although the North Korea nuclear crisis is rooted in Pyongyang's fear of a military attack by the U.S., the direct, bilateral U.S.-DPRK dialogue cannot guarantee the implementation of mutual agreements by both parties. But referring the crisis to an international organization like the U.N. Security Council or the IAEA, will make Pyongyang feel more isolated and bring still

more uncertainty to an already complicated problem. Small multilateral negotiations bring together only those countries most connected to the North Korea nuclear crisis. Six-Party Talks not only provide the collective guarantees and pressure-bearing mechanisms for implementing an agreement, but also avoid isolating Pyongyang or increasing unnecessary external interference.

Maintain a balance between opposite groups. The six parties involved in the North Korean nuclear crisis negotiation can be divided into two groups. Russia, China, and North Korea compose one group, springing from their relationship as allies during the Cold War (China and North Korea continue to have a military alliance) and their current semi-allied relationship. The second group comprises the U.S., South Korea, and Japan, a collection, which also dates to the Cold War. The balance created by these groups not only gives Pyongyang a sense of confidence in the negotiation process, but also helps ensure relatively fair and unbiased results from the discussions.

Find the key player. As North Korea's biggest supplier of food and energy aid, as well as being Pyongyang's last military ally, China plays the most crucial role in the Six-Party Talks. China has not only provided the venue for all five rounds of talks, but it also made the greatest contribution to the Joint Statement after the Fourth Round of talks.

Eight-Party Talks on the Iranian nuclear puzzle

The current Iranian nuclear puzzle has many similarities with the North Korean nuclear predicament. Iran, too, was named as part of the "axis of evil," and Teheran, like Pyongyang, desires to have a nuclear military capacity to deter Washington. Also, both countries emphasize their right to the peaceful use of nuclear energy, and both are reluctant to refer their nuclear issues to the UN Security Council. Also, it is anticipated that both countries have economic and military connections with China. Currently Iran, the No. 2 OPEC producer, is China's biggest oil supplier. As of late 2004, after signing a $100 billion liquefied natural gas (LNG) and oil deal with Teheran last year, China has become Iran's top oil export market.

The results of the negotiations between Iran and the EU-3 (Germany, Great Britain, and France) over Iran's nuclear program are unpredictable. Because there are so many similarities between the nuclear conundrum of North Korea and the nuclear question in Iran, I think that adopting the multilateral negotiation model of the Six-Party Talks might help to resolve the Iranian nuclear issue.

Multilateral negotiations on the Iranian nuclear issue should include two groups and eight parties. Group A would include Iran, Russia, China, and Pakistan. They have a history of close nuclear cooperation during the Cold War, and they have maintained economic and military connections in the post-Cold War era. Group B includes the U.S., Great Britain, Germany, and France. They were allies during the Cold War and, as NATO members, continued to have close relations in military terms during the post-Cold War era. Moscow

would play a crucial role in these Eight-Party Talks, similar to Beijing's role in the North Korean talks.

There are many advantages to the Eight-Party Talks outlined here. First, Teheran will be more willing to negotiate in the relatively safe environment provided by the parties involved in these talks. Second, the remaining parties can have more guarantees for implementing any future agreement. Third, the Iranian nuclear puzzle could be tackled without referring it to the U.N. Security Council. Fourth, the potential for nuclear proliferation from North Korea to Iran or from Iran to other terrorist groups can be ruled out.

Biggest threat to the global nuclear nonproliferation regime

The one-sided nuclear proliferation policy of the nuclear weapons states (NWS) is the greatest threat to the global nuclear nonproliferation regime. The inconsistencies of the NWS nuclear proliferation policies not only breeds great distrust among major powers, but also provide opportunities for the acquisition of nuclear weapons by terrorist groups. Six- and Eight-Party talks can provide the platform for these nuclear powers to rebuild an environment of mutual trust and help to mitigate the damage to the global nuclear nonproliferation regime that current policies have created. Institutionalization is crucial for the Proliferation Security Initiative (PSI). And Six- and Eight-Party talks can be the first step of this institutionalization. Therefore, preventing the proliferation of WMD from state to nonstate actors should be included in both the Six-Party Talks and Eight-Party Talks.

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