

After New START: Give Obama a Hand

By David Santoro

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On Dec. 22, 2010, the US Senate ratified the New Strategic Arms Reduction Treaty (START) in a 71-26 vote. Moscow indicated that Russian ratification would follow swiftly, leading to the treaty's entry into force. This is a major accomplishment for President Barack Obama, who in his 2009 Prague speech indicated that New START would be the first disarmament treaty of a revamped arms control foreign policy, and that it would set the stage for further nuclear reductions between the United States and Russia. In Prague, Obama also stressed that this process would eventually include other nuclear-armed states as the world moves toward lower nuclear force levels. This goal, together with the commitment to pursuing long-overdue US ratification of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) and the initiation of negotiations for the conclusion of a fissile material cut-off treaty (FMCT), was reiterated in the Nuclear Posture Review (NPR), a landmark document that further reduces the role of nuclear weapons in US national security policy.

Significant US progress toward nuclear disarmament after New START, however, is unlikely without reciprocal moves from other countries on the nuclear nonproliferation and nuclear security fronts. It is unrealistic to expect more from the United States at this stage. Other nations should pick up the torch and press for tangible and measurable achievements in critical areas. Here's why.

It was a fierce battle to get Senate approval of New START. This was unexpected because the treaty's nuclear reductions are not overly ambitious: down to 1,550 warheads from 2,200 in the 2002 Strategic Offensive Reductions Treaty (SORT). Moreover, New START sets aside the most contentious issues on the US-Russian arms control agenda: missile defense, long-range conventional weapons, tactical and non-deployed nuclear weapons. While New START's goals are laudable, they are limited: the treaty is only meant to provide a follow-on transparency and verification framework to the 1991 START, which expired in December 2009, lay foundations for a bolder disarmament treaty, and, more indirectly, strengthen US-Russian cooperation in other areas, notably nuclear nonproliferation (as part of the "reset" of US-Russian relations, which have been strained since the 2008 Georgian War).

New START has received broad support from the US national security establishment. Adm. Michael Mullen, chairman of the Joint Chiefs of Staff, told Congress that "this treaty has the full support of your uniformed military." Throughout the entire review process, numerous Cabinet officials from administrations since Richard Nixon's firmly expressed support for ratification.

Yet, Senate skeptics were able to delay and almost derail ratification. Their concerns revolved around four issues: missile defense, long-range conventional weapons, tactical nuclear weapons, and the modernization of US nuclear forces. Lawmakers sought to ensure that current and future US missile defense plans would not be limited in any way by the treaty, despite the administration's insistence that New START does not affect US plans. Some lawmakers sought to link New START ratification to commitments by the administration to link nuclear reductions to the modernization of US nuclear forces. Although the administration agreed to invest about \$85 billion over the next decade to sustain and modernize US nuclear forces – a huge increase and consistent with Obama's Prague commitment that "As long as [nuclear] weapons exist, the United States will maintain a safe, secure and effective arsenal," Senate skeptics remained skeptical.

These political difficulties speak volumes about the Obama administration's ability to address the next items on the Prague disarmament agenda – and these items are much more complex and controversial than New START. Plus, this year Republicans hold five more seats in the Senate and Republican senators who supported the treaty are retiring.

First, there is the next round of US-Russian arms control negotiations, which the NPR indicates should address tactical and non-deployed nuclear weapons. It is not clear how to make progress on tactical nuclear weapon management, although NATO's New Strategic Concept suggests that negotiations over US weapons stationed in Europe require Russia to become more transparent about its own tactical nuclear arsenal. But Moscow insists that it will not budge until US weapons are removed from Europe despite the fact that the Russian arsenal is much larger than that of the US. Similarly, there is no prior experience in arms control dealing with non-deployed nuclear weapons; to date, all treaties, including New START, have only limited *deployed* warheads, and they have done so through special accounting rules. Controlling these weapons would require inspection of facilities considered to be extremely sensitive. Moreover, this issue is intertwined with missile defense and long-range conventional weapons. And the inclusion of other nuclear-armed states in the disarmament process remains an open question.

Then, there is CTBT ratification. In Prague, President Obama promised to pursue US ratification "immediately and aggressively." He named Vice President Joe Biden to lead the

process and Secretary of State Hillary Clinton went to the September 2009 Conference on Facilitating the Entry into Force of the CTBT, to which Washington had not sent a representative for over a decade, and never one of such seniority. But after the experience of New START ratification (and the memory of the Clinton administration's 1999 failure to secure Senate approval), who would believe that CTBT ratification could happen any time soon? And remember, CTBT ratification was the only issue on which the 2009 bipartisan Perry-Schlesinger Congressional Commission failed to reach consensus.

Finally, there is FMCT. In Prague, President Obama committed to pushing hard for a verifiable FMCT on the basis of the 1995 Shannon mandate, which the United States had supported until the Bush administration. In May 2009, largely as a result of the new US position, the Conference on Disarmament (CD) adopted for the first time in over a decade a program of work to initiate FMCT negotiations. Yet, negotiations remain stalled, primarily as a result of Pakistan's concerns about asymmetries between its nuclear stockpile and that of India. Breakthrough on an FMCT would thus require a wide-ranging US diplomatic effort, which would take years to negotiate, notes Gary Samore, White House coordinator for WMD, Security, and Arms Control. Then the administration would have to convince Congress that an FMCT can be verified, a tough sell when senators are already skeptical that even New START is verifiable.

Many conclude that the New START experience is proof that the Prague disarmament agenda is excessively ambitious. The administration's ability to move forward would be greatly increased if individual states or, even better, a coalition of states were to commit to additional nuclear nonproliferation and nuclear security arrangements in response to New START's entry into force. This could translate into adoption of the IAEA's Additional Protocol for states that have not yet done so, or increased support for initiatives that seek to limit the spread of sensitive uranium enrichment and spent fuel reprocessing technology through multinational fuel arrangements. A public commitment to redouble efforts to implement UN Security Council Resolution 1540 would be welcome, as would additional adherence to the Nuclear Terrorism Convention or the Convention on the Physical Protection of Nuclear Material and its Amendment, and growing participation in related initiatives such as the Proliferation Security Initiative or the Global Initiative to Combat Nuclear Terrorism.

Often overlooked in nuclear discussions is the need to see disarmament and nonproliferation as parts of a single policy – not alternatives. A world with fewer nuclear weapons is a safer world, but the US has embraced nuclear disarmament because this quest will help reinvigorate the nuclear nonproliferation and nuclear security regimes. As President Obama put it in a speech he delivered in Moscow in July 2009, “while I know [that nuclear disarmament] won't be met soon, pursuing it provides the legal and moral foundation to prevent the proliferation and eventual use of nuclear weapons.” The NPR makes this even clearer, stating that “we are pursuing arms control efforts [...] as a means of strengthening our ability to mobilize broad international support for the measures needed

to reinforce the nonproliferation regime and secure nuclear materials worldwide.”

Matching New START's entry into force with nuclear nonproliferation and nuclear security gains like those described above strengthens the Obama administration's hand in future negotiations. Most importantly, however, nuclear dangers are a threat to us all. It is time for other nations to do their part. New START's entry into force offers an opportunity to do that. It should not be missed.

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