



Nuclear Weapons: Global Governance Failing to Meet the Challenge

Ramesh Thakur

Summary

The architecture of nuclear-weapons global governance includes the Nuclear Non-Proliferation Treaty (NPT); the Nuclear Security Summits (NSS); and blue ribbon international commissions, the most recent of which was the International Commission on Nuclear Non-Proliferation and Disarmament (ICNND). With other similar efforts, these have provided authoritative roadmaps to walk the world back from the nuclear cliff to the relative safety of a less heavily nuclearized world in the short and medium terms, and a denuclearized world in the long term. The Canberra-based Centre for Nuclear Non-Proliferation and Disarmament (CNND) is a concrete example of civil society activity in global governance, including monitoring state performance against international norms. Its inaugural report records modest pockets of progress against a deeper background of disappointments on the agreed action points and recommendations of the NPT Review Conference, the NSS and the ICNND.

1. How is the world governed without a world government to produce norms, codes of conduct, and regulatory, surveillance and compliance instruments?¹ The answer lies in global governance.² The content of global governance

¹ A slightly different earlier version of this was published in English and German as "The Status Quo is Not an Option: The global governance challenge of nuclear weapons" in *Global Governance Spotlight* no. 4/2013 by the Stiftung Entwicklung und Frieden (SEF) in Berlin. We are grateful to the SEF for permission to reprint.

² See Thomas G. Weiss and Ramesh Thakur, *Global Governance and the UN: An Unfinished Journey* (Bloomington: Indiana University Press, 2010).

embraces the totality of laws, norms, policies, and institutions that define, constitute and mediate relations between citizens, societies, markets and states in the international system – the wielders and objects of the exercise of international public power.

Table 1: The World's Nuclear Arsenals (2012)

Country	Deployed	Reserve	To Be Dismantled	Total
Russia	1799	1560 - 1740	5500	8859 - 9039
USA	1922	2750	3100	7772
France	300	-	-	300
China	200	40	-	240
UK	160	65	-	225
Pakistan	90 - 110	-	-	90-110
India	80 - 100	-	-	80-100
Israel	80	-	-	80
DPRK	< 10	-	-	< 10
Totals	4631 - 4681	4415 - 4595	8600	17646 - 17876

Source: Ramesh Thakur and Gareth Evans, eds., *Nuclear Weapons: The State of Play* (Canberra: Centre for Nuclear Non-Proliferation and Disarmament, 2013), p. 19.

2. For almost seven decades, the question of how to tame nuclear energy and harness it for

development, energy and other peaceful purposes –while simultaneously trying to put the genie of nuclear weapons back into the bottle, and holding the line on their spread to countries beyond the initial small group – has pre-occupied scholars and policymakers alike. Their efforts notwithstanding, the world remains poised precariously on the very edge of the nuclear precipice. The disturbing reality is that the nuclear peace that has held so far owes as much to good luck as to sound stewardship by the major nuclear powers.

3. There are still almost 18,000 nuclear weapons distributed among the world's nine nuclear-armed states (Table 1), almost 2,000 of them in a state of high operational readiness. With luck, we could remain safe from their reuse for another six to seven decades. More likely, the numbers of actors with nuclear weapons will grow in the absence of their total elimination and they will be used again –if not by design, by accident, or miscalculation, or from unauthorized launch – with catastrophic consequences for all forms of life on planet Earth.

4. The *architecture* of global governance is made up of formal international organizations with the UN system as the core of the organized multilateral order; formal regional and sub-regional organizations like the African Union and the Association of Southeast Asian Nations; informal general-purpose groupings of which the most visible example in recent times is the G20,³ but which also include the old G7 and the new BRICS (Brazil, Russia, India, China, and South Africa) groupings of the industrialized and emerging market economies;⁴ informal but functionally specific and single-problem-oriented institutions like the Proliferation Security Initiative (PSI) and the Nuclear Security Summits (NSS); and transnational networks of civil society and market actors.

5. The architecture of global governance for regulating the possession, use and elimination of nuclear weapons includes the non-proliferation regime centred on the Nuclear Non-Proliferation Treaty (NPT, 1968); ad hoc summits to deal with specific components of the problem, with the most recent example being the NSS; and blue ribbon international

commissions, the most recent of which was the Australia–Japan sponsored International Commission on Nuclear Non-Proliferation and Disarmament (ICNND). Between them, and building on several other initiatives and efforts, they have provided authoritative roadmaps to walk the world back from the nuclear cliff to the relative safety of a less heavily nuclearized world in the short and medium terms, and a denuclearized world in the long term.

6. In all sectors of global governance, monitoring and enforcing compliance is deeply problematical. The ICNND had recommended the creation of a Centre for Nuclear Non-Proliferation and Disarmament (CNND) which would, as a priority, publish regular “State of Play” reports. Such a Centre was established at The Australian National University in 2011 and published its first report – on the state of play to December 2012 – in 2013,⁵ just ahead of the NPT Preparatory Committee (PrepCom) meeting in Geneva in April. CNND is a concrete example of the growing numbers, activism, role and influence of civil society organizations as actors in global governance in conducting research, engaging in advocacy, monitoring state performance against international norms, and in myriad other ways shaping and influencing policy and behaviour of states as the primary actors in world politics.

7. The 268-page publication is book-like in shape and feel, but it is not a research monograph nor a series of individual essays in the form of chapters. Nor is it a set of policy recommendations and prescriptions for action. Rather, it is a report on the implementation of the commitments and action agenda of the NPT Review Conference (RevCon) of May 2010, plus the two NSS that have been held so far in Washington in 2010 and Seoul in 2012, and the ICNND recommendations.

8. The report compiles a total of 76 agreed outcomes from the NPT RevCon, 61 from the two NSS, and 76 recommendations from the ICNND, for a grand total of 213 agreed commitments and recommendations to be monitored. Because the ICNND was not governmental but a collection of specialists with some active interest in the subject, one would expect the bars it sets to be the highest of the three sources. The NPT includes all five nuclear-weapons states (NWS) but has a majority of non-NWS, so one

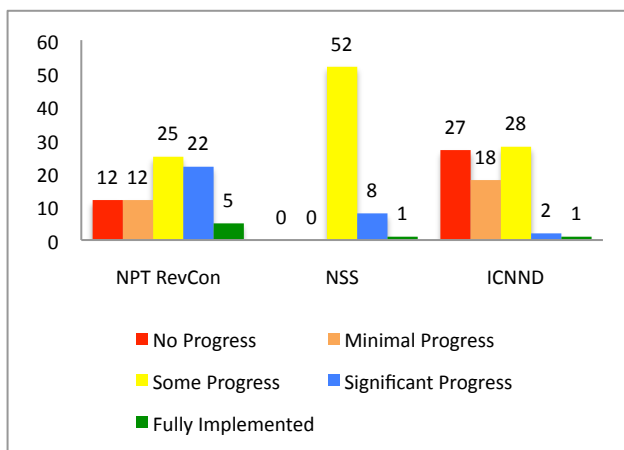
³ Andrew F. Cooper and Ramesh Thakur, *The Group of Twenty (G20)* (London: Routledge, 2013).

⁴ Andrew F. Cooper and Ramesh Thakur, “The BRICS in the New Global Economic Geography,” in Thomas G. Weiss and Rorden Wilkinson, eds., *International Organizations and Global Governance* (London: Routledge, 2013), pp. 265–78.

⁵ Ramesh Thakur and Gareth Evans, eds., *Nuclear Weapons: The State of Play* (Canberra: Centre for Nuclear Non-Proliferation and Disarmament, 2013).

would expect it to reflect the balance of interests of the non-NWS majority but not to the point where the NWS veto agreement. The NSS, including almost all relevant state actors with an active nuclear power program and those engaged in nuclear materials commerce, could also be expected to set lower bars, perhaps the lowest of all, with states coming prepared to announce “concessions” on matters not of vital interest to them, on which they were already working or believed they could commit to and implement without too much difficulty.

Figure 1: Progress by Source of Commitments & Recommendations (N=213)



9. Figure 1 confirms all three assumptions. The two NSS were occasions for plucking low-hanging fruit, and compliance with their outcomes is the highest of the three. The ICNND recommendations were the most demanding and compliance with them is the lowest. The implementation of NPT RevCon outcomes fall somewhere between the two.

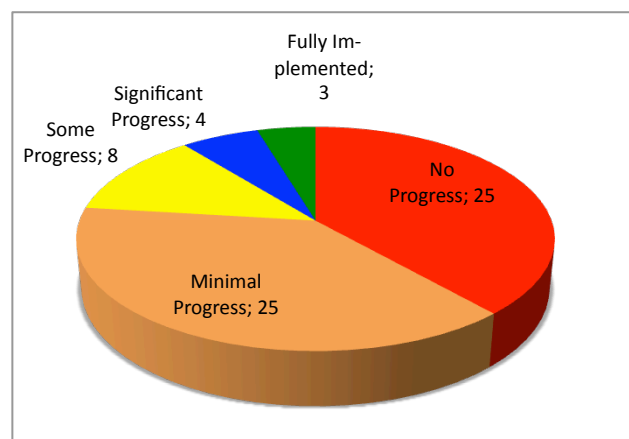
10. Substantive outcomes of course matter more than aggregating the implementation of recommendations by source. In what follows, these are analyzed under the four broad themes of nuclear disarmament, nuclear non-proliferation, nuclear security, and security risks of peaceful uses. The data show pockets of progress that are, however, overshadowed by the persistent drag of historical inertia in sustaining nuclear-weapons programs.

Nuclear Disarmament

11. The stalled nuclear disarmament agenda is shown in Figure 2. Most of the apparent progress is with respect to rhetorical or symbolic undertakings. The “fully implemented” list includes, for example, the 2010 NPT RevCon call for the five NWS to commit to respect their

existing commitments on security assurances and to maintain the moratorium on nuclear testing pending the entry into force of the Comprehensive Nuclear Test Ban Treaty (CTBT). Similarly, a good example of “significant progress” is the call on all states that have ratified the CTBT to promote its entry into force.

Figure 2: Progress on Nuclear Disarmament (n=65)



12. “Some Progress” is evident on nuclear arms reductions. Deep cuts in Russian and US stockpiles under previous treaty obligations have continued. No agreement on further cuts is likely while divisions over missile defence and conventional weapons remain. France and Britain have met their limited disarmament objectives but in China, India, and Pakistan, nuclear arsenals are growing.

13. There have been no significant shifts in nuclear doctrine in recent years, although US doctrine has given some acknowledgement to President Barack Obama’s 2009 undertaking to “reduce the role of nuclear weapons in national security strategy,” and an interagency review is examining revised constructs of deterrence and stability. The picture is the same on nuclear force posture. Apart from the reductions in deployed US and Russian strategic weapons under New START, the only significant changes in deployment practice elsewhere have been aimed at enhancing the survivability of nuclear weapons in case of attack. No progress has been made in reducing the dangerously high launch-alert status of 2,000 US and Russian weapons.

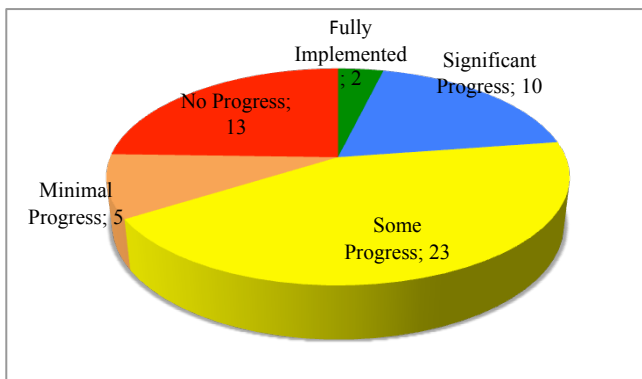
14. Nuclear-armed states pay only lip-service to the ultimate elimination of nuclear weapons, and none has committed to any “minimization objective” – let alone abolition. On the evidence of the size of their weapons arsenals, fissile

material stocks, force modernization plans, stated doctrine, and known deployment practices, all nine nuclear-armed states foresee indefinite retention of nuclear weapons and a continuing role for them in their security policies.

Nuclear Non-Proliferation

15. On non-proliferation, too, some of the individual commitments and recommendations that were fully implemented or showed significant progress (Figure 3) turn out to be not very consequential. The best example of this is the call for a conference on a Middle East nuclear-weapon-free zone (NWFZ) to be convened in 2012. Recommendations to designate a facilitator and host government were fully implemented, but the conference itself was indefinitely postponed.

Figure 3: Progress on Nuclear Non-Proliferation (n=53)



16. “Some Progress” was achieved on safeguards and verification issues and on providing modest additional resources to the International Atomic Energy Agency (IAEA). Additional Comprehensive Safeguards Agreements and Additional Protocols have entered into force but there is still strong resistance by some states to the idea of making APs obligatory. The IAEA’s evolving state-level approach to safeguards has been criticized – not compellingly – as discriminatory by some who want to return to traditional nuclear material accounting. Many countries are making use of multilateral guidelines in developing national export controls. But the Nuclear Suppliers Group’s 2008 decision to exempt India from its comprehensive safeguards requirement, and China’s determination to supply more nuclear reactors to Pakistan, have damaged this key mechanism’s credibility, and no progress has been made towards adopting a criteria-based

approach to cooperation agreements with states outside the NPT.

17. “Minimal Progress” was made on NWFZ, nuclear testing and fissile materials. Voluntary moratoria on nuclear tests remained in place until the end of 2012 but North Korea, which never subscribed to the moratorium, conducted its third test in February 2013. Efforts by the five permanent members of the UN Security Council (P5) and Germany to negotiate a resolution of the stand-off with Iran have made no real progress. Negotiations on a global ban on the production of fissile material for nuclear weapons purposes are stalemated.

Nuclear Security and Peaceful Uses

18. Significant progress was made on national nuclear security regulations. UN Security Council Resolution 1540 has stimulated a substantial increase in the number of states with legislative measures to prohibit proliferation of nuclear weapons. “Some Progress” – the dominant category in nuclear security (Figure 1) – was made on global nuclear architecture; but much of it lacks any means to judge whether commitments are being met. International standards, transparency and accountability are lacking.⁶ Significant international cooperation is taking place in detecting and thwarting illicit trafficking, but this needs to be expanded as gaps are identified. Some progress has been made also on sensitive nuclear materials, nuclear forensics, nuclear security culture, and advancing the role of nuclear industry.

19. “Some Progress” also best describes the state of affairs on mitigating proliferation risks of peaceful uses of nuclear energy. Most states are meeting their NPT peaceful use commitments, but non-compliance cases – Iran, North Korea – are cause for concern. Issues of nuclear latency and hedging are not being addressed. The spread of sensitive nuclear technology and the prospective spread of fast reactors and plutonium fuels will present serious challenges unless addressed.

Conclusion

20. Nuclear weapons are the common enemy of humanity. Like chemical and biological

⁶ For an analysis of how informal mechanisms might help to promote international standards and assurance in the Asia-Pacific region, see John Carlson, “Improving Nuclear Security Governance in the Asia-Pacific,” APLN/CNND Policy Brief No. 5 (June 2103).

weapons of mass destruction, they cannot be uninvented. But, like them, nuclear weapons too can be controlled, regulated, restricted and ultimately outlawed under an international regime that ensures strict compliance through effective and credible inspection and verification. A multi-phased roadmap to abolition would prioritize these steps in the first few years:

- Robust firewalls to separate possession from use of nuclear weapons;
- Significant cuts in existing nuclear arsenals and a freeze on production of fissile materials for non-peaceful purposes;
- Further constraints on the deployment of nuclear weapons on the territories of other states, for example through regional NWFZ;
- An enforceable international nuclear weapons convention to totally and verifiably destroy all nuclear stockpiles in our lifetime.

21. The nuclear status quo is not an option. We must make the transition from a world in which the role of nuclear weapons is claimed by the nuclear armed states to be central to maintaining national and international security, to one where such weapons become progressively marginal and eventually seen as unnecessary by any state for any purpose

22. As successive blue-ribbon panels like the 1996 Canberra Commission on the Elimination of Nuclear Weapons, the 2006 Blix Commission on Weapons of Mass Destruction and the ICNND have all argued, so long as nuclear weapons exist others will want them, and that so long as anyone has them they are bound one day to be used. The only guarantee against the proliferation of nuclear weapons is their elimination. On the evidence of the CNND's report on the state of play at the end of 2012, that goal, unhappily, is still a very long way from achievement, and so too are many of the necessary steps along the way. The challenge for global governance remains immense.

The Author

RAMESH THAKUR is Director of the Centre for Nuclear Non-Proliferation and Disarmament in the Australian National University's Crawford School of Public Policy. He was formerly Senior Vice Rector of the United Nations University (and UN Assistant Secretary-General) and then Foundation Director of the Balsillie School of International Affairs in Waterloo, Ontario. He was a Responsibility to Protect Commissioner and Principal Writer of Secretary-General Kofi Annan's 2002 UN reform report.

APLN and CNND

The **Asia Pacific Leadership Network (APLN)** comprises over thirty former senior political, diplomatic and military leaders from fourteen countries around the region including nuclear-weapons possessing states China, India and Pakistan. The objective of the group, convened by former Australian Foreign Minister and President Emeritus of the International Crisis Group Gareth Evans, is to inform and energize public opinion, and especially high-level policy-makers, to take seriously the very real threats posed by nuclear weapons, and do everything possible to achieve a world in which they are contained, diminished and ultimately eliminated. See further <http://apl.anu.edu.au>

The **Centre for Nuclear Non-Proliferation and Disarmament (CNND)** contributes to worldwide efforts to minimize the risk of nuclear-weapons use, stop their spread and ultimately achieve their complete elimination. It works in partnership with the Geneva Centre for Security Policy (GCSP) and the Stockholm International Peace Research Institute (SIPRI), and acts as the Secretariat for APLN. The director of the Centre is Professor Ramesh Thakur, former UN Assistant Secretary-General, and it is assisted by a distinguished International Advisory Board chaired by Professor Gareth Evans. See further <http://cnnd.anu.edu.au>

APLN/CNND Policy Briefs

These express the views of the authors, and do not necessarily reflect the views of APLN members or the CNND, or other organizations with which the authors may be associated. They are published to encourage debate on topics of policy interest and relevance regarding the existence and role of nuclear weapons.

Contact Us

Centre for Nuclear Non-Proliferation and Disarmament
Crawford School of Public Policy
The Australian National University
Canberra ACT 0200
AUSTRALIA
Email: cnnd@anu.edu.au
Telephone: + 61 2 6125 0912