Book Chapter

Non-proliferation: Bringing back disarmament

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The US government has made nuclear disarmament the cornerstone of its non-proliferation policy. It has resumed talks with Russia on a post-START treaty, reopened the domestic debate on ratifying the CTBT, and pushed for talks on reducing fissile material stockpiles. President Obama went as far as calling for the abolition of nuclear weapons. The link between disarmament and non-proliferation may however be weaker than is often suggested. Strengthening the Non-Proliferation Treaty and resolving the nuclear crises with Iran and North Korea remain major challenges in 2010.
The events of the past 12 months have underscored the importance of nuclear proliferation as a key international security concern. The crises over the nuclear programmes of Iran and North Korea have further escalated. There is widespread apprehension that failure to prevent these countries from acquiring nuclear weapons will change the balance of power in the Middle East and (to a lesser extent) in Northeast Asia and could exacerbate existing security dilemmas to the point where they result in a cascade of regional proliferation. The danger of nuclear proliferation to non-state actors has also come to the forefront in recent months, with the leakage of radiological material to jihadist groups in Pakistan remaining a distinct possibility.

The Non-Proliferation Treaty (NPT), which has been in crisis for more than a decade, is in danger of further erosion by these developments. Efforts to strengthen the multilateral non-proliferation regime have intensified as the next NPT Review Conference approaches in May 2010. The fact that the US government under President Barack Obama has made the reinvigoration of the NPT a priority, and has come up with new approaches to deal with proliferation, has rendered some analysts cautiously optimistic that progress may be possible in 2010. Nevertheless, the challenges remain formidable.

Compared to the presidency of George W. Bush, Obama’s approach to non-proliferation is novel in two major ways. First, Obama has put more emphasis on a policy of engagement and dialogue in dealing with Iran and North Korea as the two priority challenges to the non-proliferation regime (see Chapters 1 and 3). Second, and this is the focus of this chapter, the new US president has brought nuclear disarmament back to the international security agenda. One reason for this is his longstanding conviction that an overall reduction of nuclear weapons would enhance global security. On top of this, he has also made disarmament the cornerstone of his non-proliferation policy, addressing the concerns of those critics who point out that the five nuclear weapons states (NWS) of the NPT – the US, Russia, Britain, France, and China – have failed to meet their treaty obligations on nuclear disarmament. With its renewed emphasis on disarmament, the US aims to build credibility with non-nuclear weapons states (NNWS) so as to win their support for strengthening the treaty and taking measures against violators of the non-proliferation regime.
There has been a series of US-led disarmament initiatives in recent months. These include negotiations with Russia over a post-START treaty; a scale-back in the US missile defence programme (not strictly a disarmament measure, but related to the non-proliferation debate); a pledge to seek ratification by the US Senate of the Comprehensive Test Ban Treaty (CTBT); support for negotiations on a Fissile Material Cut-off Treaty (FMCT); and Obama’s public backing for the aim of abolishing nuclear weapons. Overall, these initiatives have met with a favourable response in many countries. But the extent to which they will have positive repercussions on non-proliferation remains uncertain. While disarmament is a desirable objective in itself, its linkage with non-proliferation may be weaker than advocates of the ‘credibility thesis’ argue. Resolving the nuclear crises with Iran and North Korea, strengthening the NPT, and promoting nuclear security will remain major challenges in 2010.

**Mounting proliferation challenges**

The NPT crisis has received a great deal of attention in recent months due to two inter-related developments. First, the Iranian and North Korean nuclear programmes have proceeded apace without effective hindrance from the international community. Defying calls by the UN Security Council to denuclearise, North Korea conducted its second nuclear test in May 2009, which was both preceded and followed by missile tests. It declared itself a nuclear weapons state and pulled out of the Six-Party Talks, though it signalled renewed readiness to negotiate at the beginning of 2010. As for Iran, it failed to respond positively to Obama’s policy of engagement, and it has rejected Russia’s offer to act as a guarantor for its dealings with the West. In September 2009, Iran admitted to building a previously undeclared uranium enrichment facility at Qom, south-west of Tehran. The Iranian government has since threatened to further reduce cooperation with the International Atomic Energy Agency (IAEA) and accelerate its enrichment efforts.

Second, the eighth quinquennial NPT Review Conference is due to take place in New York in May 2010. Judging by the experience of the last Review Conference in 2005, the upcoming meeting will be a make or break moment for the non-proliferation regime. Inability to reach a consensus to combat proliferation and on ways of achieving this would signal to NPT violators that their activities will go unpunished and may encourage others to ignore their treaty obligations.
Structural weaknesses of the NPT  
At least in the eyes of advocates of the ‘credibility thesis’, the NPT represents a grand bargain. In exchange for agreeing not to acquire nuclear weapons, the NNWS are granted the right to employ nuclear technology for civilian purposes and to benefit from a comprehensive exchange of equipment, materials, and information to that end. Furthermore, the NWS are obliged to ‘negotiate in good faith’ with a view to achieving ‘general and complete’ disarmament. The treaty thus consists of three pillars: non-proliferation, civilian nuclear research, and disarmament. However, ever since its inception in March 1970, disagreements have arisen on the question of whether all three pillars are equally important. The NNWS believe they are, while the NWS are inclined to focus more on the first pillar (non-proliferation) than on the third one (disarmament).

Initially, the NPT seemed to work well. During the 1980s, Argentina and Brazil abandoned their nuclear weapons programmes and later joined the treaty as NNWS. South Africa did the same in 1991, after destroying six bombs that it had clandestinely built under the apartheid regime. Three Soviet successor states – Belarus, Ukraine, and Kazakhstan – voluntarily transferred their nuclear weapons to Russia and became non-nuclear signatories to the NPT. China joined the treaty in 1992 and substantially reduced its support to the Pakistani nuclear programme, of which it had been the principal sponsor.

Important though these successes were, they disguised three underlying flaws in the NPT, which have never been fully remedied. The first is its reliance on the willingness of states to cooperate with non-proliferation efforts. When the treaty was drawn up in the 1960s, it was assumed that the highest risk of proliferation was posed by countries with well-funded scientific communities, such as Germany. In the Cold War bipolar system, this risk could be managed, since the US and the Soviet Union pressured their allies into the NPT, while offering alternative security guarantees. The NPT’s architects did not anticipate, however, the rate at which scientific knowledge would spread from the developed to the developing world. They did not take into account the possibility that developing states with relatively closed systems of government might wish to acquire nuclear weapons as a symbol of national prestige and progress. Accordingly, the treaty’s verification clauses were relatively weak and remained loosely enforced.

The inability to confirm compliance with non-proliferation com-
The nuclear and the non-nuclear world
to whether such a country’s nuclear programme poses a threat to international peace is a subjective one if the country can make a plausible claim that it was only conducting civilian nuclear research. Thus, ever since Iran was confronted about its undeclared nuclear activities in 2002, it has claimed they were intended for power generation and medical research. As an increasing number of countries have expressed interest in using nuclear energy lately, the dual-use issue is a growing problem.

The third handicap of the NPT has been its non-universality. While North Korea withdrew from the treaty in 2003, three de facto nuclear powers – India, Israel, and Pakistan – have never joined it. All three countries have been conditioned by successive security crises to think about their national survival in existential terms. Nuclear weapons have thus remained central to their strategic planning.

A second flaw with the treaty has been its tendency to gauge the legality of nuclear research based on its intent. Since most nuclear technology is dual-use, having both civilian and military applications, this means that a state can reach threshold status (the point at which it can manufacture a bomb) without technically violating the NPT. The assessment as

Risk of a nuclear domino effect
These structural weaknesses of the NPT have translated into growing proliferation challenges, especially since the Cold War came to an end. Without the bloc discipline of the bipolar international system, it has become ever more difficult to keep
The spectre of a regional nuclear arms race first appeared in East Asia. North Korea’s withdrawal from the NPT at the time of the 2003 Iraq invasion and its first nuclear test in 2006 signalled its intention of going nuclear. Taiwan and South Korea have intensified their research into missile technology in the wake of these developments. Japan has made clear its commitment to non-proliferation is anchored in the extended nuclear deterrent provided by Washington. Should this

### Nuclear weapons stockpiles

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<tr>
<th>COUNTRY</th>
<th>Strategic nuclear forces</th>
<th>Non-strategic nuclear forces</th>
<th>Operational warheads</th>
<th>Non-deployed warheads</th>
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Source: The Nuclear Threat Initiative
deterrent lose credibility, and North Korea get away with building a bomb, all three US allies are likely to intensify ‘peaceful nuclear research’.

Alarm bells have also been sounded in the Middle East over the Iranian nuclear programme. Numerous countries in the region have announced plans to launch nuclear power projects. Two of these, Egypt and Saudi Arabia, have indicated strong unease about having a nuclear-armed Iran in their neighbourhood. More than a nuclear attack or even a military invasion, they are concerned that Shi’ite Iran would use its nuclear weapons to shield an aggressive foreign policy that would contravene their own interests. Syria and Turkey, too, may feel compelled to join a regional nuclear arms race should Tehran really develop nuclear weapons.

The empowerment of non-state actors poses additional challenge to the non-proliferation regime today. The A.Q. Khan network, which was unearthed in 2003/4, is a good example. For over 20 years, Khan, a Pakistani scientist, sold nuclear technology to Iran, North Korea, and Libya. This kind of nuclear trafficking represents a new category of proliferation threat that was not foreseen when the NPT was drawn up. Unless the treaty can adapt to such changes in the international environment and provide a basis for action against nuclear proliferators, there is risk of a nuclear knock-on effect.

Breakdown of international consensus

Even as proliferation challenges have grown in recent years, there has been a breakdown of international consensus on how to deal with them and strengthen the non-proliferation regime. Cooperation between the NNWS and the nuclear powers has decreased over the past two decades, with detrimental effects for the NPT. This development was closely linked to the controversial question of the relevance of disarmament within the treaty.

At the 1995 NPT Review Conference, the US government was keen to have the NPT extended indefinitely. Having completed its stipulated 25-year lifespan, the treaty was scheduled to lapse. In exchange for getting the NNWS to agree to the extension, the US and other nuclear weapons states reiterated their commitment towards achieving nuclear disarmament. Many NNWS concluded that, even if the NPT had previously failed to represent a trade-off between non-proliferation and disarmament, it certainly did after 1995. The ‘grand bargain’ had been formalised. Such views were cemented at the 2000 NPT
be accommodated within the nuclear club if they behaved responsibly and affirmed their commitment to non-proliferation. However, numerous critics have argued that the Indo-US deal undermined the non-proliferation regime. India had not transferred nuclear technology to third countries, but had engaged in proliferation by building a nuclear arsenal in the first place. Although the country was not an NPT signatory, and thus was within its rights to build nuclear weapons, it had foregone the right to civilian nuclear trade. By ignoring this latter aspect and offering technical support for India’s civilian nuclear programme, the US implied that non-proliferation norms could be bent to accommodate friendly countries, while being rigidly upheld against hostile ones like Iran. A perception was fostered that the NPT had become a vehicle for pushing forward nation-specific interests rather than multilateral agendas.

The NPT Review Conference in 2010 will clearly need to take action in order to resuscitate the treaty. There is no consensus, though, as to the priority issues to tackle. For the NWS, the main measure for strengthening the non-proliferation regime ought to be the uplifting of the Additional Protocol as the standard for all IAEA verifications. Yet, important NNWS such as Iran, Egypt, Algeria,
Syria, and Brazil have so far rejected such proposals. Grievances range from the Indian deal to the claim that Israeli participation in the NPT has remained an unfulfilled pledge of the NPT extension bargain in 1995, but their main demand is that the NWS should finally get serious about disarmament. It is here that Obama’s new approach to non-proliferation comes into the picture.

**Resurrecting disarmament**

The redefinition of US foreign policy under President Obama (see Chapter 1) includes US non-proliferation policy. While non-proliferation has remained a high-priority issue in Washington, the discourse surrounding it has grown more conciliatory. The Obama administration is ready to ‘listen to and talk with’ hostile regimes, provided it can advance its own foreign policy goals. It also seeks to strengthen the NPT and support enhancement of the treaty’s verification and compliance clauses through consensus-building, based on a strong US commitment to nuclear disarmament.

Obama’s administration has emphasised the link between non-proliferation and nuclear disarmament far more than any previous US government. The president has long been an advocate of disarmament and as early as 2005 underlined the need for the US to demonstrate its commitment to disarmament if it wanted to win international support for non-proliferation. Once in office, he forged a new relationship between these two policy issues by outlining an ambitious agenda for both non-proliferation and disarmament in his Prague speech of 5 April 2009. Further weight was given to his approach when he presided over a historic UN Security Council summit on 24 September 2009. Marking the first comprehensive Security Council statement on nuclear issues since the mid-1990s, the resulting Resolution 1887 referred to both non-proliferation matters and disarmament, effectively marking an endorsement of Obama’s ‘linkage’ approach on the multilateral level.

Obama’s focus on disarmament has met with a predominantly favourable domestic response. Leading strategic thinkers have increasingly questioned the practical utility of nuclear weapons in recent years. US military commanders have found nuclear weapons to be of little use in operational planning, since their use is loaded with caveats. These commanders would prefer to focus on conventional war-fighting. Here also, improvements in the explosive yield of non-nuclear munitions have reduced the tactical value-addition of nuclear bombs.
Lastly, the overwhelming conventional superiority of the US means that there is little that cannot be achieved by manoeuvre warfare and application of air-land battle doctrines. Accordingly, there are strong pragmatic grounds for nuclear disarmament from the US perspective, even without considering its possible effects on non-proliferation.

There is widespread recognition of the need for new approaches to non-proliferation. The Bush administration has failed to defuse existing proliferation challenges. The sole achievement of the ‘preventive war’ approach against Iraq may have been Libya’s 2004 decision to renounce nuclear weapons, but even this is a disputed claim. As for the Proliferation Security Initiative (PSI), which dates back to May 2003, there has been some success in intercepting suspected shipments of nuclear material and technology. However, the PSI is about operational counter-proliferation and cannot address the strategic challenges of non-proliferation. The same holds true for the Global Initiative to Combat Nuclear Terrorism that was jointly formulated by Russia and the US in July 2006. Measures to regain the initiative on the strategic level have thus been lacking from the US perspective. Obama’s break with Bush’s low-priority approach towards verifiable nuclear disarmament must be interpreted in this context.

Towards a post-START agreement
The most vigorously pursued aspect of Obama’s disarmament agenda in 2009 concerned the negotiations with Russia over a successor agreement to the Strategic Arms Reduction Treaty (START I) of 1994, which expired on 5 December 2009. Whereas talks between the US and Russia on a possible follow-up agreement during the Bush presidency had led nowhere, Obama was quick to relaunch negotiations during his meeting with President Dmitry Medvedev on 1 April 2009 and in the form of a framework agreement signed at a bilateral summit three months later. He did so by making important concessions to Moscow, allowing for potentially deeper cuts in warheads and delivery vehicles than Bush had envisaged.

The proposed terms of the post-START treaty were more stringent than the 2002 Moscow Treaty on Strategic Offensive Reductions (SORT). Under the latter arrangement, nuclear arsenals were to be cut down to a total of 2,200 strategic warheads by 31 December 2012 – the very same day SORT was due to expire. There were no additional systems of verification beyond those
already in place for START I, and there was no limit on the number of strategic delivery vehicles or reserve warheads each side could possess. In contrast, the framework agreement for the post-START treaty negotiations explicitly limits the number of strategic warheads to less than 1,675 and the number of strategic delivery vehicles to 1,100 (down from the 1,600 permitted under START I). The latter reduction is intended to assuage Russian concerns that the US might load conventional warheads onto long-range missiles and thereby increase the disparity between both sides’ conventional capabilities.

Obama’s willingness to pay a strategic price relative to Russia indicates that he considers a post-START agreement a key vehicle to achieve broader objectives. Washington will try to use a post-START deal as a basis for subsequently launching much more ambitious arms control and disarmament talks, which may include other nuclear powers like China. The significance of the envisaged new treaty, however, goes beyond disarmament. These bilateral negotiations also play a large role in US efforts to ‘reset’ relations with Russia, which had deteriorated sharply during the Bush period (see Chapter 1). Moreover, the US

Russo-American nuclear armament and disarmament 1945–2009

Source: Nuclear Notebook, Bulletin of the Atomic Scientists

- US
- Soviet Union
Non-proliferation and Disarmament

Moscow during the Bush presidency. The US abrogation of the Anti-Ballistic Missile Treaty in 2002 and, above all, the agreements with Poland and the Czech Republic to station booster rockets and an X-band radar in Europe to intercept a potential intercontinental missile from Iran met with a very hostile response from the Kremlin. Claiming that increased US strategic capabilities in Europe could undermine the credibility of its own deterrent power, Russia responded by threatening a new arms race and used the missile defence issue as a wedge to divide NATO allies.

In September 2009, the US announced that it would scale down its missile defence project, dropping plans to station missile defence assets in Poland and in the Czech Republic and focusing on existing missile defence systems instead. It did so partly on the basis of revised assessments of the Iranian missile programmes. Since the main danger zone currently extends from Southeastern Europe to the Eastern Mediterranean, a revised and more traditional region-specific missile defence strategy would be feasible and more cost-effective, considering the technologies involved.

Again, however, there was also much political calculation behind this decision. The extent to which this move
will pay off in this regard remains to be seen. The way Russian Prime Minister Vladimir Putin linked the signing of a post-START agreement with further changes in US missile defence plans at the end of 2009 must have frustrated decision-makers in Washington. Uncertainty also prevails about how far Russia is prepared to go in terms of efforts to isolate Iran in the nuclear crisis. Moscow is still far less concerned about the hypothetical threat of an Iranian nuclear attack than the actual threat of a nuclear attack by the US, which has 2,200 warheads while Iran presently has none. Furthermore, even if Obama’s engagement policy vis-à-vis Russia did persuade Medvedev to support tougher sanctions against Iran, it is far from clear that this would cause Tehran to change its behaviour.

Ratifying the CTBT and pursuing a treaty on fissile material

In addition to bilateral strategic arms reduction with Russia and the unilateral decision to revise the US missile defence strategy, Obama has also sought to pursue multilateral disarmament. Above all, this concerns his pledge to obtain ratification of the Comprehensive Test Ban Treaty by the US Senate as soon as possible. Opened for signature in 1996, the CTBT intends to prohibit all nuclear weapon test explosions. It is an important complementary treaty to the NPT, limiting vertical proliferation (modernisation of, and increases in, existing nuclear arsenals) and serving as a barrier to horizontal proliferation (the spread of nuclear weapons to new states). Although the treaty has been signed by 182 states and ratified by 150, it can only come into force once all 44 identified nuclear-capable states have ratified it. Of these 44, nine states have not done so yet: China, Egypt, India, Indonesia, Iran, Israel, Pakistan, North Korea, and the US.

The US Senate rejected ratification in 1999, citing concerns about verifying compliance. These can now be discounted, since sensory technology has vastly improved and a dense network of monitoring stations has been constructed. Even so, it remained uncertain throughout 2009 whether the US administration could garner the 67 votes needed for ratification, which is why the second ratification attempt has been put off. Should Obama eventually succeed in having it ratified, the US would be well positioned to strengthen global norms against nuclear proliferation – provided the president will not have to water down US commitments to the CTBT by making concessions to those sceptics who insist on the need for modernisation options to preserve the credibility of the US nuclear deterrent.
Parallel to throwing his weight behind the CTBT, Obama has also made the case for finally starting serious negotiations on the long-discussed Fissile Material Cut-off Treaty that verifiably ends the production of fissile materials for weapons purposes. The UN Security Council in its Resolution 1887 called upon the Geneva-based Conference on Disarmament to work out such a treaty. However, problems are bound to arise here, too. As the US already has enough stocks of fissile material to make more bombs, China in particular might interpret this initiative as an attempt to cap its nuclear arsenal rather than a move towards disarmament. Non-NPT NWS are bound to be equally sceptical. Conversely, calls to include the reduction of already existing fissile material stocks in the treaty are likely to be rejected too.

Global zero?

Of all disarmament initiatives, Obama’s Prague speech calling for a world without nuclear weapons received by far the most public attention. Having declared his support for the total dismantlement of nuclear arsenals ever since the 1980s, he found fertile domestic ground to do so as US president as well, particularly since leading strategic thinkers such as Henry Kissinger and George Shultz have embraced the ‘global zero’ vision in recent years.

Obama is aware that complete nuclear disarmament is unlikely to be accomplished, as his proposal only referred to long-term perspective. He also maintained that as long as any country retained nuclear weapons, the US would, too. Indeed, those experts advocating the abolishment of nuclear arsenals may have come up with some plausible ways to deal with the security rationales behind these weapons, but they tend to underestimate the political significance and prestige of nuclear power status in today’s world. That said, there is no doubt that the US has gained moral ascendancy with Obama’s vision.

This concerns not only its position in the non-proliferation debates. Rather, the global zero vision also has worked as a cover for the controversial calls by members of the Obama administration for all countries that are not parties to the NPT to accede to it as NNWS. This new US position, which has even become part of UN Security Council Resolution 1887, has caused great irritation in India, Pakistan, and Israel and nourished concerns about strategic abandonment by the US in some circles. Such irritation is a price
that Obama, who has been careful not to become personally associated with this aspect of US disarmament policy, seems willing to pay as he seeks to demonstrate to the NNWS that he is serious about their grievances with NPT realities.

The way forward
The return of disarmament to the international agenda has been an important development in 2009. From a non-proliferation perspective, initial signs are that the new US administration’s emphasis on disarmament is paying off. During May 2009, the NPT Review Conference Preparatory Committee (PrepCom) was able to agree on a conference agenda for 2010. This was in stark contrast to the paralysis that gripped the 2004 PrepCom and the 2005 Review Conference. Furthermore, countries that had actively criticised the nuclear powers in 2005, such as Egypt and Iran, were more restrained at the 2009 PrepCom. However, improved atmospherics are unlikely to produce diplomatic breakthroughs by themselves. The task of strengthening the non-proliferation regime will remain an uphill struggle.

Limitations of disarmament
There are two reasons why Obama would be ill-advised to focus too much on disarmament as a means of securing non-proliferation. First, the ‘credibility thesis’, according to which more disarmament would lead to progress in non-proliferation, may be less solid than its advocates suggest. There is little historical evidence for such a link, as indicated by the proliferation developments in the 1990s, a period of considerable US and Russian disarmament. Some have even made the opposite argument that deep cuts in the nuclear arsenals of the US and Russia will increase the value of small deterrents and encourage more countries to strive for nuclear weapons. More importantly, it seems likely that some of those NNWS that have refused to support measures such as the Additional Protocol to strengthen the NPT on the grounds that the NWS have neglected their duty to disarm may in fact be motivated much more by sovereignty concerns and the desire to retain their nuclear option. No matter how much the NWS disarm, these NNWS might still be unwilling to cooperate. Nor may they become more supportive of tough measures against Iran and North Korea.

Second, even if disarmament should work as a consensus-building tool for non-proliferation, Obama faces the problem that he may not be able to present substantive results in terms of disarmament when the next NPT
persist on how far key NNWS such as Egypt and Brazil are prepared to endorse stronger verification measures. Iran is likely to resist any statement that restricts the range of its current policy options. Whether this would extend to blocking even innocuously-worded statements that might have a remote bearing on its own situation remains to be seen.

There is thus a need for some fresh thinking on viable non-proliferation measures. Beyond stressing engagement and dialogue in dealing with the challenges of Iran and North Korea, Obama so far has paid relatively little attention to this aspect, compared to his emphasis on disarmament. It is true that he has come up with proposals in 2009. He has talked of a ‘new framework for civil nuclear cooperation’ and an international fuel bank to enable NNWS to gain access to nuclear power without increasing the risk of proliferation. He has also suggested that the Proliferation Security Initiative and the Global Initiative to Combat Nuclear Terrorism, which today comprise 95 and 80 states respectively, could be turned into durable international institutions. In addition, he has formulated the extremely ambitious objective for the US to secure nuclear installations across the world within four years. With the situation in Pakistan becoming a major
concern, he announced a Global Summit on Nuclear Security to be held in spring 2010.

Yet, overall, Obama has remained vague on these issues so far. Lending them more substance in 2010 and integrating them with the disarmament initiatives to achieve a comprehensive approach may be the best way forward towards strengthening the non-proliferation regime – or towards making progress in multilateral and bilateral schemes outside the NPT, should the Review Conference once again end in stalemate.
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