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Part IV: Assessing The Present Prospects For Nuclear CBMs cont'd

Strategic (Operational) CSBMs

Operational confidence-building measures concern changes to the deployment and operational practices of, in this case, nuclear weapons. Operational CSBMs have the advantage over Declaratory CSBMs of being more open to observation and verification. While this advantage will tend not to be of great relevance to the NNWSs calling for the delegitimation of nuclear weapons, it is important to ensuring the participation of the United States, at least, in the development of any such CSBMs. The Operational CSBMs suggested in the various documents surveyed above fall into three general types. The first is further negotiated arms reduction agreements, both between the US and Russia, and among all the NWSs. The second concerns deployment strategies, in particular the withdrawal of non-strategic (so-called tactical and battlefield) nuclear weapons from active deployment. The third set of proposals are those for the de-alerting/de-mating of strategic nuclear weapons.

Negotiated Arms Reductions

The Canberra Commission, the New Agenda Coalition and the SCFAIT Report all call for further negotiated arms reductions between Russia and the United States and for the other NWS to be brought into the arms reduction discussions.[43] While the NPT does not explicitly call for such negotiations, both are implicit in the language of Article VI and, in conditions in which a nuclear weapons convention is not immediately possible, such negotiations represent the most pragmatic approach to real disarmament. It is worth noting, however, that negotiated arms reductions are not generally considered to be confidence-building measures. Raising them in the context of a discussion of confidence-building, however, can lead us to ask slightly different questions about such negotiations than are common, questions about the confidence-building effect of actual disarmament measures.

The first point to raise is the effect on the other three (or five) nuclear weapon states of further negotiated reductions in Russian and US arsenals. To the degree that any other nuclear weapon state feels threatened by the arsenals of the former superpowers, such negotiated reductions will have a direct, security-building effect, making reductions in their own arsenals more likely. This should mean that renewed reductions in the Russian and American arsenals will increase the likelihood of Chinese reductions. Similarly, India has long tied its willingness to relinquish its nuclear capability to disarmament among the NWSs, and so further US-Russian reductions can only assist in bringing about Indian disarmament. The situation for the UK and France is rather more ambivalent. The European NATO allies have traditionally been supportive of superpower arms reductions, while at the same time expressing concerns that such reductions do not effect the decoupling of the United States from NATO Europe. Given the continued emphasis on that coupling in the recent Strategic Concept, the ambivalence towards further Russian and American

reductions must remain. However, it is likely that domestic and pan-European political pressures for Anglo-French reductions would grow if the United States and Russia embarked on another round of deep cutting to their nuclear arsenals.

The second point that emerges from viewing arms reduction through the confidence-building lens concerns the effect of the three secondary NWSs joining the Russians and Americans in a disarmament process. When negotiated arms reduction is considered as a disarmament, rather than a confidence-building measure, moves to include the UK, France and China are seen as of minor importance. In relation to the arsenals of the former superpowers, these secondary NWS arsenals have been considered too small to make a substantial difference to aggregate reductions. Seen through a confidence-building lens, however, the question of relative size loses most of its importance. In terms of confidence-building, the important question is whether a measure is seen to be fulfilling the NWSs Article VI obligations, and particularly whether it contributes to the delegitimation of nuclear weapons as an instrument of security. Through this optic, having the three secondary NWSs join Russia and the United States in arms reduction is much more important. Such negotiations would clearly indicate a practical willingness to fulfil the obligations of Article VI, and so would serve the community-building function of CSBMs. Put more simply, if the time is not right for a broad nuclear weapons convention, then the next best thing is a nuclear arms reduction process that includes all the nuclear weapon states.

The last point raises the difficult question of how to treat India and Pakistan. Logically, a process of multilateral nuclear disarmament should aim to include all states with nuclear weapons. The political problem is clear, however: including India and Pakistan in a nuclear arms reduction negotiation with the five acknowledged nuclear weapon states would be tantamount to recognising their status as NWSs, which only France among the NWSs **might** be willing to concede. While ultimately it will be necessary to engage with India and Pakistan - perhaps even in terms of nuclear weapon states - for the time being it is best to begin by excluding them from a process which would be limited to the five NWSs. This could be done by housing the negotiations within the NPT Review framework, rather than either as autonomous negotiation or in the CD. Autonomous discussions would make the exclusion of India and Pakistan clear and potentially galling - at least to the Indians. Housing the negotiations in the CD would make excluding India all but impossible, and turn the discussions into a negotiation on a nuclear weapons convention. The NPT Review process, on the other hand, necessarily excludes India and Pakistan, and does so through their own choice in not joining the NPT. Furthermore, it is clearly justifiable to fulfil the commitments of Article VI within the review process. Finally, such a negotiation would substantially enhance the standing of the NPT Review process, which would in turn tend to community-building among the NNWSs.

De-alerting / De-mating

The New Agenda Coalition followed the Canberra Commission Report in recommending the removal of strategic nuclear weapons from alert status (de-alerting), and furthermore the physical removal of warheads from nuclear-tipped missiles (de-mating):

> "Terminating nuclear alert would reduce dramatically the chance of an accidental or unauthorised nuclear weapons launch. It would have a most positive influence on the political climate among the nuclear weapon states and help set the stage for intensified cooperation. Taking nuclear forces off alert could be verified by national technical means and nuclear weapon state inspection arrangements. In the first instance,

> reductions in alert status could be adopted by the nuclear weapon states unilaterally."
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> "The physical separation of warheads from delivery vehicles would strongly reinforce the gains achieved by taking nuclear forces off alert. This measure can be implemented to the extent that nuclear forces can be reconstituted to an alert posture only within known or agreed upon timeframes, much as is the case with bomber forces today. Adequate response to nuclear threats would remain certain, but the risk of large scale preemptive or surprise nuclear attack and the imperative for instantaneous retaliation would be obviated. Further, the barriers against inadvertent or accidental use would be greatly strengthened. The range of verification procedures which are already in place between the United States and Russia could likely be applied as the basis of a regime to ensure that no state would have a meaningful advantage in terms of the ability to reassemble its nuclear force for a first strike capability."

De-alerting and de-mating can usefully be considered as part of a single measure - as the Canberra Commission notes, de-mating would 'strongly reinforce' de-alerting.[44] The goal of such a measure is to remove strategic nuclear weapons as far as possible from active alert status - in other words, to increase the time and effort necessary to launch a strategic nuclear weapon. The most important concrete example we have of a de-alerting measure is the decision to remove US and Russian bombers from alert status, and the subsequent unloading and storage of the bombs from the planes (a de-mating measure). It is possible to consider the 1994 agreement between Russia and the United States to stop aiming their strategic missiles at each other as a de-alerting measure, but the real effect is minimal because of the amount of time it takes to reload targeting computers.[45]

The limitations of the de-targeting agreement point to the importance of de-mating for effective de-alerting. De-mating nuclear warheads from nuclear missiles presents a real, physical obstacle to the rapid launch of nuclear missiles. It does not make it impossible, by any means, but rather increases the time it would take for a nuclear weapon to be prepared for launch. It has the added bonus of being the most readily verified de-alerting measure.

The proponents of de-alerting often follow the Canberra Commission and tie it to the reduction in the likelihood of accidental war - removing nuclear weapons from the 'hair trigger' as a recent *Scientific American* article puts it.[46] While this is almost certainly true, it is also probably irrelevant and serves as a potential point of purchase for opponents to delegitimise the proposals.[47] It is true that any increase in the steps needed to prepare a missile for launch reduces the chances of accident; it is irrelevant because the key to de-alerting is what the Canberra Commission calls the positive influence on the political climate: in other words, its confidence-building effect.

Genuine de-alerting, principally de-mating, would serve to draw nuclear weapons further back from being an instrument of routine security. By making nuclear weapons more difficult to launch, de-alerting and de-mating make nuclear weapons more obviously weapons for extreme circumstances. Such an effect will both improve the security situation of any potential adversary of a nuclear weapon state, and serve to delegitimise nuclear weapons as instruments of routine state security. Thus, de-alerting functions as both a classical and community-building CSBM.

There is one potential danger with de-alerting that is worth raising. Because

it has the effect of making nuclear weapons more obviously weapons of extreme circumstances, if not last resort, the act of re-alerting these weapons becomes more symbolically potent. A move by a NWS to put its weapons on alert, by re-mating the warheads, for example, would be particularly provocative. This problem has been raised, for example, by US Senator Bob Smith. "The very act of restoring de-alerted forces to a higher alert status would be viewed as provocative and destabilizing. Thus, de-alerting should be considered a permanent act of disarmament...."[48] Smith is overstating the case to argue that de-alerting is a permanent act of disarmament; weapons taken off alert are not destroyed, and so can be reactivated. However, the perceptions to which he refers mean that, even more than the physical limitations to launching imposed by de-mating, the political limits are raised by de-alerting weapons. This suggests both that de-alerting is a particularly important measure, and that there will be notable political obstacles to achieving it.

Overcoming the political obstacles represented by Smith's statement, and by the Bailey and Barish article reporting it, requires a shift in the language in which de-alerting and de-mating are considered. The argument that Bailey and Barish make, for example, is firmly rooted in the logic of Cold War deterrence theory. Thus they conclude:

> "There are a host of problems associated with de-alerting, including, increased incentive for pre-emption, lack of verifiability, increased instability during crises, and incentives for a 'regeneration race.' Most importantly, de-alerting diminishes the effectiveness of the nuclear deterrent by reducing survivability."[49]

This passage, as does the article from which it was taken, reads like something out of a strategic studies text from 1980. Talk of pre-emption, verifiability, crisis instability and arms races assumes the continued presence of a large, nuclear-armed adversary. Survivability, in particular, assumes an adversary with a nuclear arsenal large enough to threaten a substantial portion of the US nuclear missile force. Such arguments seem plainly anachronistic, but they still have some potency, particularly in the United States. For these reasons, it would be as well to couch arguments for de-alerting in language other than that of Cold War deterrence theory. This is the problem, for example, with defending de-alerting and de-mating in terms of accidental nuclear war. De-alerting is about the transformation of the strategic environment such that 'incentives for pre-emption', 'crisis instability', 'survivability' and even 'accidental war' are no longer the issue. Such a result would build tremendous confidence, and be firmly in keeping with the need to delegitimise nuclear weapons.

Proponents of de-alerting and de-mating must, therefore, adopt an alternative language when framing their arguments. The ICJ has provided the possibility of such an alternate language in its judgement on the legality of the threat or use of nuclear weapons. As I argued above, the Court's judgement can be read as outlawing strategies of general deterrence because these strategies threaten the use of nuclear weapons when the survival of the state is not at stake. Nuclear weapons that are kept on alert, with their warheads mated to the delivery system, implicitly project a general deterrent threat. De-alerting and de-mating make it possible for strategic nuclear weapons to be reserved for those circumstances in which extreme measures are warranted - and might even be legal in the terms set out by the ICJ. Therefore, arguments in favour of de-alerting and de-mating should be made in terms of the legal uses of nuclear weapons, rather than in terms of the dangers of accidental nuclear war. These legal arguments tend to undermine the very claims to Cold War deterrence theory to which opponents of de-alerting and de-mating can appeal to in response to the accidental war arguments.

Removing Non-Strategic Weapons from Deployment

As with the suggested de-alerting/de-mating of strategic nuclear weapons, the Canberra Commission was followed by the New Agenda Coalition in recommending the removal of non-strategic weapons from deployment. In fact, the logic of the two positions is closely tied, as the removal of tactical nuclear weapons from deployment can be seen as the functional equivalent of de-alerting strategic arms. This is a point made by the Canberra Commission in its succinct defence of such a measure:

> "The nuclear weapon states should unilaterally remove all non-strategic nuclear weapons from deployed sites to a limited number of secure storage facilities on their territory. This would be a logical follow-on to the 1991 unilateral declarations of the United States and the Soviet Union, whereby each pledged to remove all non-strategic nuclear weapons from ships and submarines and store them on shore. As regards NATO, with the dissolution of the Warsaw Pact and all that has followed in its wake, the nuclear threat long felt by the alliance has evaporated. United States tactical nuclear weapons deployed in Western Europe serve no security purpose. To the contrary, they send a subtle but unmistakable message that Russia is still not to be trusted, thus feeding the fears that NATO harbours aggressive designs against it. These nuclear weapons can be returned to US territory and stored so that, much like strategic forces removed from alert, they can not be readily redeployed."

The confidence-building features of this proposal are readily seen. In a classical sense, the removal of tactical weapons, particularly from Europe, serves much the same function as conventional moves towards non-offensive defence. In the present context, it serves as a gesture of trust in Russia, against whom the weapons were originally deployed. In terms of community-building, such measures have the effect of denuclearising routine security policy, and thus tending to the delegitimation of nuclear weapons. While tactical weapons are deployed, particularly while they are deployed on the territory of non-nuclear allies, they appear to be weapons of early resort, if not first resort. Once they are placed into secure storage, they become weapons to be used only in extreme circumstances.

The greatest single obstacle to such a measure, as implied by the Canberra Commission, is the continued place of tactical nuclear weapons in ensuring the transatlantic link of NATO. Once again, the discussion returns to the NATO Strategic Concept and highlights once more the importance of effecting change in NATO strategy.

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[43] In its response to the SCFAIT Report, the Canadian Government largely endorsed the Committee's position, supporting both the continued START process between Russia and the United States and the incorporation of the other NWSs into future arms reduction discussions.

[44] In its response to the SCFAIT Report, the Canadian Government endorsed proposals for both de-alerting and de-mating. See the response at point 5.

[45] See Bruce G. Blair, Harold A. Feiveson and Frank von Hippel, "Taking Nuclear Weapons off Hair-Trigger Alert", *Scientific American*

[46] Blair, Feiveson and Hippel, "Taking Nuclear Weapons off Hair-Trigger Alert".

[47] Kathleen Bailey, a leading commentator on nuclear issues and a former member of ACDA, for example, in a paper she co-wrote for Lawrence Livermore and which has subsequently been published by *Comparative Strategy* bases much of her opposition to de-alerting on the argument that

Russian command and control are much more robust than many in the West give them credit. See Kathleen Bailey and Franklin Barish, "De-alerting of US Nuclear Forces: A Critical Appraisal" .

[48] Quoted in Bailey and Barish, "De-alerting of US Nuclear Forces."

[49] Bailey and Barish, "De-alerting of US Nuclear Forces."

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