



Disarmament and Globalisation Project

The Centre for International Studies and Diplomacy at SOAS

This paper is co-authored by Alyson Bailes (University of Iceland and SOAS), Poul-Erik Christiansen (CISD, SOAS), Dan Plesch (CISD, SOAS) and Brian Wood (Amnesty International).

It is supported by Peter Archer, Kennette Benedict, Ken Booth, Stephen Chan, Neil Cooper, Chris Cramer, Jayantha Dhanapala, Andy Haines, Brendon Hammer, David Hannay, Frank von Hippel, David Mutimer, Alexander Nikitin, David Ramsbotham, Rebecca Peters, Richard Smith, Ron Smith, Jeff Waage, Gert Weisskirchen, and Shirley Williams.



Executive Summary

The renewed interest in the United States in achieving a nuclear weapons free world, led by the NTI group including Henry Kissinger and George Shultz and now spearheaded by President Obama, indicates that the tide may have turned in the United States.

We believe that there is a great opportunity to improve international security development and international law through a renaissance in disarmament. Such a renaissance should be based partly on the new wisdoms of weapons control developed over the last decade but should have at its core a development of the tremendous existing achievements and continuing practices of disarmament. In particular, the period 1987-1996 represents a golden decade where numerous effective and verifiable treaties were made to reduce and remove armaments of many kinds. The daily humanitarian devastation caused by major conventional weapons and small arms and the unanticipated return to conventional warfare in the conflicts in Iraq and Afghanistan should focus the international community's attention to produce an integrated strategy of general disarmament using the realistic and proven mechanisms already created.

Such an approach is the necessary positive response to the laundry list of problems: **the breakdown in US-Russian relations and associated arms agreements**, the continuation of civil wars in some of the poorest parts of the world and the continued militarization – including nuclear weapons developments – amongst both strong and weak states and terrorist organizations. A reappraisal of the disarmament agenda which places it firmly in its humanitarian context will provide a stimulus to stakeholders (both governmental and non-) **in the lead-up to the UN meeting on Disarmament and Non-Proliferation in 2010**. The international challenge is to ensure that this is not a false dawn similar to the rejection of nuclear weapons by General Butler and others in the mid-1990s.

Introduction

Disarmament had almost disappeared from Western-led academic, civil society, and international political debate until the recent revival triggered by the election of President Obama. The weak progress on disarmament by the international community since the end of the Cold War compounds the current real world problems of conventional and low-intensity war and the threat of nuclear war. Destabilising accumulations of weapons damage the balance of rich economies and the development of poorer ones. This project is designed to help re-energise an international constituency capable of carrying through a realistic risk-based global disarmament agenda with an effective trajectory for arms control based on applied international and development studies and public policy. It aims to link in with existing government-led diplomacy, such as the New Agenda Coalition, and civil society initiatives including the Nuclear Threat Initiative in the U.S.

Twenty years ago, international political and strategic studies included a major focus on nuclear and conventional disarmament, arms control and non-proliferation. Indeed, disarmament had been a significant feature of international public policy since before the First World War. Today, while the topic has broadened to include biological and chemical weapons, as well as some transfer control initiatives on conventional weapons and small arms, it is almost exclusively studied under the title of 'non-proliferation'. Efforts to control small arms, landmines and the trade in conventional weaponry tend to fall within the fields of humanitarian, peace and development studies, but the current management of existing stocks, production, holdings and institutional uses of conventional weapons are neglected except for sporadic efforts in post conflict disarmament, demobilization and reintegration (DDR) programmes. After a renewed Cold War, the 'golden decade' of disarmament between 1987 and 1997 saw an unprecedented series of measures that ensured the verified destruction, control and outright prohibition of various types of weapons of mass destruction and conventional weapons. Yet, the increasing frequency and risk of civil, interstate and regional wars has exacerbated the negative forces of re-armament and growing arms expenditure on economic and political development, especially in the developing world. The end of

bipolarity and ensuing focus on the acquisition of key technologies by secondary and tertiary producers in the developing world have spawned new and more ‘promiscuous’ weapons flows.

The academic shift away from disarmament as a whole in favour of a compartmentalized approach follows changes in governments’ strategies. One by one the painfully created foundations of global security are being undermined, discarded, halted in mid-construction or simply allowed to decay: ABM, BWC protocol, IAEA protocol, START, INF, CFE, NPT, NSG are all examples. Opportunities to move further on tactical nuclear arms or space weapons have been lost. At the same time new nuclear weapons, missile defences and space weapons are being developed by a number of states and agreements such as that between the U.S. and India on nuclear technology threaten those foundations of arms control that have so remained intact.

The continuation of the Nunn-Lugar programme and recent initiatives to revive the FMCT talks are positive signs. Useful innovations in practical – including non-violent – methods of controlling dangerous commodities including nuclear materials, for example in transport and logistics, have come piecemeal as the disarmament and arms control mainstream has both dwindled and split. Efforts to create new initiatives for example on the “illicit trade” in small arms and light weapons are floundering on narrow conceptions of security sector reform (SSR) and the international rule of law.

A successful international coalition will build upon the important work of the Canberra Commission, the Blix Commission, governmental initiatives by the likes of Norway, Germany and the UK, and non-governmental efforts from nuclear threat reduction to small arms and disarmament, demobilisation and reintegration approaches. The project will develop research and public policy to address these problems in consultation with governments, security service officials, academics, relevant business associations, non-governmental organisations and wider civil society.

Where we are today

Not only has disarmament work been marginalized, but its narrowing flow has become split and fragmented in various ways. These include:

- Disjointed coverage across different weapons types: collapse of strategic nuclear controls, some UNSC measures on WMD at one end and small arms and light weapons/mines at the other, but a total lack of focus on major conventional weapons.
- Disarmament and non-proliferation concepts have become separated and out of balance, and their characteristic methods are diverging. Non-proliferation is increasingly sought by non-treaty routes or with disregard for relevant international law (some ‘peaceful’ and practical, like export controls and US led-cooperative threat reduction programmes, others aggressive and coercive), with results that sometimes cut across, as well as devalue, the traditional treaty method.
- In the context of low-intensity conflicts and weak states, efforts at joining up the SSR and DDR approaches are in their infancy. There is a failure by intervening states either to draw the lessons of SSR/DDR for themselves (e.g. the U.S. military aid often cuts across all peace-building objectives) or to go far enough in exporting their own experiences of classic arms control and confidence building.

What is needed is not to set aside the useful aspects of the new, piecemeal approach towards proliferation, but to reunite them with a renewed ‘classical’ process based on strategies towards disarmament and the use of treaty and rule of law methods - with the associated principles of equity, objectivity, universality and transparency. This new combination could achieve a more rational division of labour and subsidiarity. Such an approach should fill dangerous gaps in the pattern of coverage and effort, and minimise the double-think and double standards that are rife in current policies and practices.

With respect to conventional arms, the overwhelming vote in the General Assembly in December 2006 for a coordinated UN process to consider the feasibility, scope and parameters of a global Arms Trade Treaty reflects an increased international concern in arms control debates with humanitarian, human rights and development standards and impacts. However, to achieve these ends, this concern needs to also be directed at initiatives to reduce holdings of major weapons systems, ordnance stocks and production, and not only to the control of the conventional weapons trade. Moreover,

the parallel surge of interest by the international donor community, reflected in the OECD Development Assistance Committee, in using such standards to measure the success of security sector reform requires the development of an integrated, risk-based approach to equipment and weaponry, and hence to disarmament, in the re-shaping of military, security and policing institutions – one without the other will not deliver sustained security.

Project Rationale

In this project we use an inclusive definition of disarmament that encompasses arms control and non-proliferation as means towards disarmament- this process will necessarily incorporate security sector reform (SSR). Bringing disarmament back to the centre-stage today means bringing it into an arena that has been transformed by globalising processes, including the growing power and role of non-state actors in security (both for better and worse). In particular, ownership and development of potentially destructive technologies has been diffused out of the hands of relatively few Northern hemisphere governments to a much wider range of developed and developing states, and from government in general towards the private sector.

At the same time, the modern understanding of security has widened to include not only arms control and disarmament but internal law and order (including respect for an increasingly wide range of human rights), border and immigration controls, other aspects of terrorism and anti-crime policy, infrastructure security, energy security, environmental security and the management of climate change. Setting policy priorities and resource choices is no longer just a matter of choosing between defence and development but rather between reforming traditional defence and law enforcement at one end, and integrating a risk-based approach to sustained security with realistic strategies towards achieving good governance and social and economic development at the other end. Attempts to adequately conceptualise these different dimensions- for example through the important new category of ‘human security’- have yet to be achieved, although there is important new thinking emerging; especially from the perspective of human rights law. Overall, very little research and analysis has been done on either what the traditional disarmament/ development equation means in a 21st

century context, or how it relates to the more general agenda of SSR and the more 'functional' dimensions of security mentioned before.

Using an integrated approach to security, the latent threat of all WMD, stockpiling and proliferation of major conventional weapons are as relevant to the analysis of disarmament and arms control strategies as the easy availability and persistent misuse of small arms, security technologies and torture equipment. The increased threat of non-state armed groups and transnational terrorist networks, often fuelled by dysfunctional security and justice sectors, has added to the number of variables that need to be taken into account. In a replay of NATO policy towards the Warsaw Pact, some states are seeking a nuclear insurance against Western conventional supremacy. Imposing a ban on their deterrent while accepting none on the real world armed threats they face can easily be seen as another form of Western domination and hence is a recipe for failure in disarmament diplomacy. Ironically, the wider Europe is able to enjoy a sustained peace dividend as a result of the complex network of conventional force controls created at the end of the Cold War, but never shared with Europe's neighbours. But even this network has been suffering neglect and is now coming under some threat.

To prepare for a renaissance of disarmament, it is necessary to refine the conceptual approach and strengthen epistemic communities – the different policy-making, opinion-forming and resource-controlling circles who need to rediscover the profound logic of disarmament and its integration with the full spectrum of arms control measures for their mutual interests as well as those of states and people at large. The building blocks and the potential grass-roots support exist for fashioning a new integrated approach to sustained security with disarmament- the key is to make use of what appear to be disparate elements, reconstruct their connections and re-energise what has been achieved thus far.

Old Wisdoms

The traditional means of achieving multilateral arms control and disarmament treaties for non-conventional weapons produced many effective results, negotiated through the established UN mechanism the Conference on Disarmament (CD) and its antecedents. The Nuclear Non-Proliferation Treaty, the Biological and Toxic Weapons Convention,

and the Chemical Weapons Convention are the major instruments for regulating weapons of mass destruction. Yet since completing its work on the Comprehensive (Nuclear) Test Ban Treaty in 1996, the CD has been unable to make headway on a number of projects on its tables, hamstrung by political wrangling by major powers in the traditional fora. The argument that these old-fashioned approaches do not tackle the contemporary problems of terrorism and ‘rogue states’ is common and invalid. At the same time, the sceptics of agreements argue that it is these states from which terrorists may obtain weapons, leaving aside the conceptual and empirical precision with which such monumental judgements need to be made. The focus is on the supposed rogue states at the expense of a universal system of controls.. In reality, attempting to tackle WMD by focusing only on the small potential of Third-World states and terrorists ignores the full extent of the crisis in human affairs. Non-state actors can best be caught in a web of well calibrated law and well resourced, fully accountable law enforcement - even the Bush regime found it necessary to promote new legal instruments e.g. UNSCR 1540. But the rule of law only works if the ‘good guys’ also respect and obey it.

In 2009 START expires, SORT has no effective content and INF is in jeopardy. If it is possible to revive the unprecedented achievements of the Reagan-Gorbachev era it is doubtful that it can be done on a bilateral basis. For example, both Russian and U.S. conservatives have attacked the INF on the basis of the need to counter third parties. In this context the globalisation and extension of START/INF provisions has considerable attraction. Indeed, looking back, NATO may privately regret refusing Gorbachev’s Third Zero that would have included Soviet Scud-class weapons. In terms of the political-psychology of states, the prospect of joining the superpower process of arms regulation and elimination may serve as a strong incentive, overcoming “have and have-not” concerns.

Building on new wisdoms

The post-Cold War disarmament, arms control and non-proliferation efforts have only maintained momentum (but crucially, have innovated) in several areas. These include the U.S.-led Proliferation Security Initiative and the Global Threat Initiative; country specific measures with respect to Iran, Iraq, Libya and North Korea; a new UN emphasis on Security Council mandates for national legal actions to control

proliferation to non-state actors (resolutions 1540 and 1673); national and regional efforts to control small arms; the recent civil-society driven moves towards the development of a UN-based Arms Trade Treaty on conventional arms transfers; and renewed efforts directed at inhumane weapons.

Efforts to eliminate inhumane weapons have also been important in some aspects –notably the establishment of new CCW protocols, the anti-personnel landmines treaty, the current initiative to ban cluster munitions. However, international efforts to control the trade in small arms and light weapons (SALW), crystallized in the UN Programme of Action on SALW, are seriously hampered by a failure of political will and a lack of institutional capacity in many states.

In addition, there needs to be a refinement and wider extension of strategic technology and export controls, enhanced security and safety in dual-use technologies, and cooperative threat reduction- style control and destruction programmes, some promoted at the regional level. Broader acceptance of these approaches can be obtained by also extending CFE/CSBM-style approaches to demonstrate that core Western states will accept stringent controls on their own capabilities, including on the introduction of foreign forces into a region. DDR approaches can be supplemented by constructive defence reforms that include CSBMs and wider arms control.

The changing role of civil society in globalisation has not only added new security threats without coherent remedies, but has also opened up new approaches to promoting global security. The latter is well reflected in the encouraging progress in the UN General Assembly of the proposed Arms Trade Treaty (ATT) where the Control Arms Campaign and its agenda (see for example ‘Arms without Borders’, 2007), has highlighted key problems caused by the globalisation of the arms trade that need to be met by a reciprocal ‘globalized’ response. Many governments appear to be taking up the challenge with 153 votes in favour of an ATT process in the general Assembly in December 2006, and almost 100 submissions from states to Secretary General Ban Ki-moon on the ATT since then. A majority of state submissions refer to the relevance of including in an ATT existing principles of international law, not only disarmament and United Nations law, but also international human rights and humanitarian law. The latter has been reinforced by agreements by all governments at the International Red

Cross/Crescent Assembly on respect for international humanitarian law in states' approval of arms transfers.

This new enthusiasm for treaty approaches is, however, still weak. Regional initiatives have often been undermined by relying merely on political agreements or on poorly drafted legal instruments that are not implemented. A case in point was the ECOWAS Moratorium on Small Arms and Light Weapons, which was routinely ignored by most governments and unable to prevent huge influxes of such arms into the region, especially into Sierra Leone, Liberia and Cote d'Ivoire during their civil wars and the systematic war crimes committed in those wars. A new, legally-binding ECOWAS Convention on SALW has now been agreed in order to address this, but despite its ambitious provisions the Convention remains to be incorporated into most domestic laws.

Even where measures are legally enforceable there has been a real problem of implementation by states at the national level. UNSCR 1540 (and later 1673) seek to address this but the challenges often depend on security sector and justice reform and, moreover, the wider problem includes the unfinished business of disarming the Cold War stockpiles and bringing the existing and potential nuclear states into a global security structure, particularly through regional and sub-regional arrangements.

Modelling success stories

The 1990s witnessed unprecedented successes in negotiating the Chemical Weapons Convention, Nuclear Test Ban, the Mine Ban Treaty, the Conventional Armed Forces in Europe Treaty and promoting confidence- and security-building measures. The Nunn-Lugar programme demonstrated the effectiveness of legislature driven initiatives and has become a foundation of nuclear security. EU and NATO expansion has led to the export of existing economic, political and security structures - but not yet the proven arms control measures (such as in the CFE) that have demilitarised large swathes of Western Europe. There is also the Open Skies Treaty, which did much to redefine security issues between East and West. NATO gave a unilateral denuclearization and partial demilitarization commitment regarding the East part of Germany and all new NATO allies - but the current US Administration's unilateral

plans for both conventional and missile defence bases in CE Europe are rightly seen by the Russian Federation government as calling its sincerity and value into question- something that is also corrosive for NATO internally.

These experiences show that treaties promoting security in Europe, notably the CFE, are templates by which other successful and new conventions can be translated into a progressive global system to regulate and reduce conventional and non-conventional arms. A focus on the considerable problem of holdings would do much to complement the existing models and experience gained from European negotiations including the Dayton Accords. The implementation of the latter by SFOR and then EUFOR has been far from satisfactory when one considers the surplus arms re-exported from Bosnia to conflict areas and which cannot all be accounted for. Thus, a post-modern re-visiting of the promising treaties must look also at resources and institutional capacity for implementation- not just at a narrow interpretation of enforcement.

In the U.S. action by the legislative branch through the Nunn-Lugar program as well as private philanthropic initiatives such as NTI and major university centres have reached out and made positive impact internationally. In non-US discussions, debates tend to concentrate on state-based and human-rights or development oriented NGO approaches, however these U.S. examples are themselves models of forms of twin and multi-track politics.

Images of modern conflict in the Third World tend to focus on the impact of roving militiamen armed with rifles (such as the Janjaweed in Sudan), yet the reality is that these are often supported by heavy armaments- tanks on the hilltops or jetfighters- that wind up in stricken or failing states from far abroad. Even in the absence of formal conflict, the mix of weaponry and munitions used by state forces, armed gangs and individuals can contribute to levels of repression and social violence with casualty levels much higher than many formal armed conflicts. The security sector reform agenda can and should address many of the underlying causes of such violence, including the creation of institutions and standards to control conventional arms transfers, and to secure and reduce holdings and production of such arms, according to objective and fair criteria based on the rule of law. Much of the general law to help achieve this already exists – its specific application in an integrated approach to

sustained security is what presents the challenge.

Again, what is needed here is the integration and reconciliation of currently fragmented approaches, especially with a view to filling dangerous gaps. The humanitarian and development imperatives that have brought so much of international civil society to support work to control the trade in conventional arms, address small arms proliferation and mobilise resources for landmine-UXO removal should also be applied to the reduction in holdings of major conventional armaments and to help shape the institutional reforms to secure safer uses and sustainable disarmament. But the reworking of conceptual and policy frames needs to go deeper.

Project Structure

Specific areas of public policy oriented applied research and education

A] Implementing the existing disarmament agenda:

1. Implementing the Blix Commission proposal on a world summit on disarmament and proliferation in 2009 ahead of the NPT summit in 2010. This idea may be a main focus of mass public diplomacy supported by educational materials on the achievements and potential of disarmament at all levels.
2. Opening negotiations on the full implementation of Article VI of the NPT at the NPT Review Conference or an earlier summit. This work will be used in combination with public diplomacy to engage both traditional nuclear centred constituencies and those concerned with conventional arms to engage the NPT process, seeking to engage Northern NGOs with listening to a traditional demand of the developing world.
 - Paper and web-based educational materials for constituency building will be published by end 2008.
 - The SCRRAP concept will be formulated as a proposal by the end of 2009
 - Timetables for nuclear disarmament end of 2009
3. Continuing development of research and constituency development on the Weapons of Mass Destruction Free Zone in the Middle East project.
 - Funding permitting, the project will examine the impact of conventional warfare on proposed civil nuclear reactors in the region with a publication in 2010 prior to the NPT summit.

B] Developing new agendas through proposals and recommendations

I] Near term

4. In response to the impending demise of START and deployment of ABM defence systems, the project will discuss multi-power and global options in longer range missile control and disarmament in the context of START, INF, SORT and MTCR. NATO and the Shanghai Cooperation Council are examples of target institutions for regional approaches to these issues. This will build on ideas for a globalisation of INF proposed by former President Gorbachev and others.
 - The project will prepare a report on this topic for early 2009.

5. Extending CFE-style constraints (cuts and ceilings) and CSBMs to smaller calibre ordnance and ordnance on naval platforms and the potential and options to integrate naval controls extended from both WMD and land/air conventional agreements; relationship of constraints on conventional power projection with WMD related issues.
 - The project will prepare a report for mid-2009

6. Potential for extension of conventional/small arms controls and codes to address ordnance stocks and manufacturing; IAEA and START/INF production control precedents for the conventional arena.
 - The project will prepare a report for mid-2009

7. Further preventative methods through greater focus on stocks and holdings of weapons/ammunitions, and on production/manufacture through verification/monitoring.
 - A policy project to provide governments with the means to include quasi disarmament mechanisms in an Arms Trade Treaty linked to the need to prevent "destabilising and excessive accumulations" of conventional arms, and drawing from the lessons of the CFE and Dayton Accords (inter alia)

8. Development of synergy between conflict management and disarmament approaches, going beyond SSR/DDR by adding lasting arms control and CSBMs dimensions (national, regional) and mainstreaming arms control compliance into SSR models

- A research project with AI on arms transfers and human rights, drawing on AI's research and documentation
9. Options for prompt and effective cooperative destruction of surplus weapons and ordnance (conventional as well as WMD) in the greater Europe and elsewhere; reconciling international security concerns of illicit stock transfer and stock safety with cost factors and the difficulty and expense of environmentally neutral destruction.
- A facility for academics and others to easily obtain up to date conventional arms transfer data based upon official customs and export/import statistics; (some software has been designed for this)
 - A research project on international arms supply chains, including logistics, ports, carriers, companies, case studies of what goes wrong - a database could be (and is slowly being) developed from this exciting databank

Generally, we will prepare a series of papers and interim workshops for introducing these ideas to Arms Trade Treaty and Small Arms networks from mid-2008, with a view to involving them in the 2010 process.

II] Longer term

10. Relating the development and application of the concept of 'global public goods' to disarmament per se and any treaties concerning disarmament in part as a response to and development of the idea of 'global public bads'
11. Economic impact of the 'disarmament dividend', including public health and foreign aid opportunity cost. An important subset will be consideration of individual 'health economic' components as they relate to the other specific research areas (e.g. holdings and manufacture of weapons, the cost of stockpiles/re-armament or involved in the development of SSR approaches)
12. The applicability of macro-modelling reductions in, or changing patterns of, arms spending being channelled through the health sector, and changes through

globalisation to the trade in arms impacting differentially upon countries' health directly and economies indirectly through health and other avenues.

The project will develop concrete proposals and actions to 'reach out' to:

- NGOs and other civil society groups
- National government arms control implementation office/ bureaucracies
- Media and public opinion
- Educational circles and the young
- Corporate actors seeking risk reduction in market development

Project parameters and products

- Will not duplicate reporting of general diplomatic activity or distribution of news services as this work is well done by NGOs and universities.
- Include **one large annual conference** plus around **5-10 special workshops** and other private discussions per year. These will develop particular themes over several years. Public proceedings will be pod-cast and arrangements will be made to publish the results of workshops.
- A **major 'findings document'**, possibly drafted as an ideal outcome for a UN Disarmament conference.
- Periodic **written outcomes** from each of the four sub-programmes summarising progress on individual research topics.
- Production of **draft communiqués, resolutions** for key UN, European and other institutions, perhaps including competitions open to experts, students, officials and legislators.
- An **online newsletter**.
- A **public information policy**, including close partnerships with NGOs.
- Introduction of postgraduate teaching on disarmament.
- The educational dimension: subject matter to be fed into SOAS (and possibly other Bloomsbury) courses and student dissertations to support research programmes. The project will develop **web-based and interactive educational materials** explaining the achievements and ongoing effectiveness of

disarmament agreements. This will be developed for a range of audiences from the general public to decision makers and opinion formers. Resources permitting it will also have multi-lingual dissemination (it is easily forgotten by native English speakers that even in continental Europe, English is only common amongst elite communities).