The Challenges to Trust-building in Nuclear Worlds Project

Practitioners meeting Report

The House of Commons, Members' Dining Room
12 February 2010

Aims

The meeting was part of a major three-year research project 'The Challenges to Trust-building in Nuclear Worlds' awarded by the UK's Research Councils programme 'Global Uncertainties: Security for All in a Changing World'. The project's goal is to explore the contribution that multidisciplinary research on trust can make to opening up new policy options for promoting cooperation and security in the nuclear field.

The purpose was to investigate the contribution that trust research might make to promoting security between the possessors of nuclear weapons and between those states and the non-nuclear weapon states. The event brought together leading scholars from the field of international relations with officials in the nuclear field from the British Government, NGOs, and the wider political world. The meeting consisted of four joint sessions devoted to trust and verification, the nuclear stalemate with Iran, building trust between the nuclear weapon states, and the Nuclear Non-Proliferation Treaty respectively. Each of the sessions opened with short presentations by two scholars which were then followed by discussion.

This report provides a summary of the initial presentations and the main points raised in the ensuing discussion. The meeting was held under the Chatham House rule. As a result, ideas and opinions expressed in the debate are not attributed to particular speakers. The project team has also prepared an article setting out the policy implications arising from the meeting (see Jan Ruzicka and Nicholas J. Wheeler, 'Decisions to trust: Maintaining the nuclear non-proliferation regime,' RUSI Journal, Vol. 155/No. 2, 2010, pp. 20-25).

Programme

9:00 - 9:10 – Introduction and welcome

9:10-10:30 – Session 1 – 'Trust but verify'

10:45-12:15 – Session 2 – The Iranian nuclear stalemate: A problem of trust?

14:00-15:20 – Session 3 – Building trust between the nuclear weapon states

15:30-17:00 – Session 4 – Trust and the Nuclear Non-Proliferation Treaty

Session 1 – Trust and verification

<u>Speaker 1</u> opened his presentation by posing a question whether in an anarchical realm of international politics it is possible to generate trust. Specifically, he focused on the possibility of states trusting in institutions, which play a key role in upholding a system of safeguards and their verification. The viability of the Nuclear Non-Proliferation Treaty (NPT) depends not only on trusting relationships identified by Ruzicka and Wheeler in their *International Affairs* article (January 2010), but also on states' trust in the treaty and institutions which underpin it. A major problem for arms control has been the unsettled debate about its value in the United States. It has either been considered as essential with verification mechanisms built into agreements or as an anathema, because untrustworthy actors will cheat and hence arms control agreements cannot be trusted. For an arms control agreement there has to be an institution which earns confidence/trust. This is done through verification mechanisms but also through response to violations. Safeguards systems thus can generate trust, however, themselves depend on being trusted. What does it then mean to trust in this system? International Atomic Energy Agency (IAEA) has been entrusted with the task of safeguarding and verification, while reaction to violations rests on the basis of the IAEA statute with the United Nations Security Council (UNSC). What is being trusted is then legitimacy of IAEA's activity. This activity consists of: 1) technique (design of the system of safeguards); 2) process (the set up of the IAEA, its impartiality and integrity); 3) application (the system is applied in accordance with agreed rules); 4) decisions (impartial and timely); 5) constitution (consisting of the IAEA statute); 6) framework (incorporating states inside the NPT as well as those outside of the treaty). There have been instance of breakdown of trust in the institution, most notably in the early 1990s (Iraq; North Korea). They brought about a much greater involvement of states' intelligence agencies in the system. Such cases can, however, also lead to disillusion and the need to reform the safeguards system in order to restore trust in it. The idea of restoring trust itself requires a larger conceptualization of international order that allows for trust to be present. The speaker concluded that a key question for maintaining the NPT systems is how much trust states can put into it and institutions which underpin it.

<u>Discussion</u>

IAEA and the NPT

It was disputed whether it is the IAEA's job to verify the NPT. It has never been given the task explicitly. Moreover, the system of safeguards is not the same as the NPT. When the NPT was concluded, it was assumed that not the IAEA, but rather the United States and the Soviet Union would uphold the treaty. There would be a system of technical (information) and political (judgment) verification. These views were countered by others who noted that the NPT specifically referred to the IAEA and its systems of safeguards. In addition, the treaty represented a move from bilateral to multilateral safeguards. This point was recognized with the caveat that the IAEA was supposed to enter into bilateral relationships with states. The IAEA statute does not give it any authority to investigate weaponization – former director general El-Baradei wanted to circumvent this problem by making diversion of nuclear material equal to weaponization. Some were of the opinion that at present we are witnessing a regime of dysfunctional multilateralism.

Confidence and trust
What is the conceptual distinction between the two? It was proposed by one participant that trust has to be earned whereas confidence is trust which has been earned. Another participant put forward an idea that the distinction between confidence and trust rests in the availability of good evidence. In cases where one has enough good evidence one can be more confident in the future events, where in the absence of such evidence trust is needed. This part of the discussion gave rise to a series of questions on how to restore confidence in the NPT, what role do technology and scientists play in this process, can there be trust in the leaders in democratic societies. In such societies, long-term stability of long-term decision-making can produce immediate influence. Trust could be conceived as a political decision how to relate to another state.

Nuclear proliferation and conventional weapons
Doubts were expressed by some as to whether nuclear proliferation can be the sole subject of the discussion, when it is closely related to the possession of conventional weapons, which do not figure in present debates at all.

Distrust
Several participants drew attention to problem of distrust, specifically how it allows for exercising coercion internationally and produces political payoffs domestically. This was illustrated by the example of the British debate about Trident renewal, in which the discourse of distrust dominated with references to the uncertain future as well as to extreme scenarios of what could possibly happen. One participant asked if there could be a debate about this issue in Britain which would not be dominated by such extremes of distrust. Others noted how distrust is contagious and can spread from one issue area to another. It was also remarked that distrust produced a paradoxical failure of the non-proliferation regime in the case of Iraq - while there was no clandestine weapon programme, the regime did not manage to counter unfounded suspicions and prevent the outbreak of war. This was countered by an argument that Iraq neither attempted to comply nor reassure those suspicious of its intensions and activities. Instances of distrust further suggest the importance of trust, which states can and should display towards institutions, because they produce order, stability, coherence, etc.

Verification and trust
Verification is perhaps more important when it comes to horizontal as opposed to vertical proliferation. It is important to keep in mind that trust in systems might be viewed as an expression of trust in those who designed and produced them. Public trust in a system is typically fragile and can easily break down. It could be worthwhile to test institutions against Piotr Sztompka's criteria of the 'culture of trust': 1) normative coherence; 2) stability; 3) openness; 4) accountability.

Session 2 – The Iranian nuclear stalemate: A problem of trust?

Speaker 1 began her talk by providing a longer historical perspective on the US-Iranian relationship and the tensions that it has entailed. She pointed out the strong impact of domestic drivers of foreign policies in both countries, which have shown a lack of trust towards each other. This historical trajectory plays out in reasons why Iran might be seeking nuclear weapons: 1) relative affordability; 2) Israeli possession of nuclear weapons; 3) US presence in the region. Towards the end the speaker raised the question of the role of equality in a process of calculation of trust. The US-Iranian relationship has been particularly unequal, which possibly compounds to the difficulties of establishing trust between the two countries.

Speaker 2 devoted his presentation to more recent developments in the US-Iranian relationship. Since the bombing of the Khobar Towers building complex in 1996, for which the United States blamed Iran and that nearly caused war between the two countries, the relationship has gone through several stages during which cooperation seemed possible but has never developed, arguably because of lack of trust on both sides. There were windows of opportunity in the late 1990s, during and after the 2001 Bonn conference on the future of Afghanistan, and even following the Axis of evil speech by George W. Bush. The Bush administration displayed a repeated lack of trust in Iran and its actions. On both sides, there are serious domestic political problems with any bargains. In this respect, the speaker brought up the concept of trust spoilers, defined as individuals and groups undermining efforts to build mutual trust.

Discussion

Sources of distrust
> This discussion revolved around domestic sources of distrust. One participant argued that the US political system rewards distrust of others. This creates a significant obstacle to prospects of trust with regard to nuclear weapons not only in relation to Iran but also globally. On the Iranian side, it is necessary to recognize that Iran is a revolutionary state, which produces a scare, because it stands for the unsettling of the international status quo. But besides this, there might be some fundamental clashes of interests that are practically irreconcilable. Iranian regime is a threat to other regimes in the region because of its support to various political-military groups. The West, on the other hand, manifests a desire to control the region. Both sources undermine the possibility of trust. In such a worldview, moreover, any prospect of bargaining is taken as a sign of weakness. President Obama's letters and offers of negotiated solution have been taken in Iran as a sign of weakness.

Equality and trust
> One participant argued that inequality of power brings into the US-Iranian relationship a strong element of unpredictability, which in turn undermines prospects of trust-building. Another participant also noted that the inequality introduces fear into the relationship, further eroding prospects of trust.

Military confrontation

Much attention was paid to the possibility of a military confrontation between the two countries. This issue comprised of two main questions, namely why did the Bush administration not attack Iran and what will the Obama administration do. It was proposed by some that military attack did not happen due to the US military's opposition to such a move, but others disputed this interpretation. One possible explanation is also that some of the Iranian actions were not aimed fundamentally against US interests, but rather against Israel. As for the Obama administration, Iran was really taken by surprise by the Obama speech in Cairo in 2009 and did not have a clear idea how to respond to it.

Building of trust

One key question touched upon the prospects of what to do about the well entrenched distrust and how a trusting relationship could be built. One participant proposed that the demands for Iran to live up to its NPT obligations must be accompanied by dramatic steps on the part of the five recognized nuclear weapon states. These powers need to live up to their obligation to disarm; Britain should lead this effort and abandon the Trident replacement programme. It was also suggested that a process of trust-building requires a consistency of behaviour. In this respect the question about the link between trust and confidence was raised again. Can one trust when one is lacking confidence? In general, several participants remarked that both the US and Iran have isolated themselves while also cutting off mutual communication. However, for a process of trust-building communication is necessary. One way might be international control over civilian nuclear fuel cycle on Iranian territory. Nevertheless, this option faces serious difficulties both from the outside as well from Iran, which has experienced a history of unsuccessful international cooperation in this area. The internal turmoil in Iran during the past year further complicates the prospects of trust-building – the basis of operation of the current ruling elite in Iran is to reject a better relationship with the United States.

Comparison with Libya

What could be learnt from the US and British engagement with Libya which led to its giving up of a nuclear weapon programme? The relationship developed through a process of small, incremental steps. There were no large leaps of faith. Negotiations took place in secrecy because of fear of domestic opposition which could undermine the process. The UK acted as a key facilitator. The Libyan leader Qaddafi felt that he had no other choice but to negotiate. The key question then becomes, whether a similar process could be replicated in relations with Iran. While the example was noted as very relevant, another participant asked how do we know that the process was a trust-building one.

Regional implications

Iranian success could have serious repercussions for regional proliferation of nuclear weapons. Especially Egypt has been making it clear that while it might have acclimatized itself to Israeli nuclear weapons, it will not put up with nuclear

Iran. Israel aims to preserve its regional monopoly on the possession of nuclear weapons.

Session 3 – Building trust between the nuclear weapon states

Speaker 1 spoke about the recently published Report of the International Commission on Nuclear Non-proliferation and Disarmament and how it might help advance international trust-building on nuclear issues. A significant reduction in numbers of nuclear weapons following the end of the Cold War has not led to increased confidence or trust among the nuclear armed states or non-nuclear weapon states. Instead we have witnessed an increased distrust in the international non-proliferation and disarmament regimes, as well as growing entrenching of a gulf between nuclear haves and have-nots. During the last two to three years a new window of opportunity has began to open and the Commission wanted to come with a plan to utilize it and provide practical advice on dealing with nuclear weapons. Trust-building is an important part of the Report's suggestions. It could be advanced by: 1) adoption at the forthcoming NPT Review Conference of a revised version of the 'thirteen steps' of the 2000; 2) confidence-building among all nuclear armed states regarding their nuclear policies and intentions; 3) declarations that the sole purpose of nuclear weapons is to deter the use by others of nuclear weapons; 4) changing the assumption that 'extended deterrence' has to mean 'extended nuclear deterrence'; 5) deflating and delegitimizing of nuclear weapons; 6) unconditional assurances that nuclear weapons would not be used against non-nuclear weapon states; 7) assurances to other nuclear armed states in the form of a 'no first use' commitment. A combination of unconditional negative security assurances and 'no first use' commitments could potentially give far more confidence to the non-nuclear weapon states than any reduction in the size of current nuclear arsenals. This combination could also potentially produce greater confidence among nuclear weapon states and lead to further cuts in the number of weapons. The 'no first use' commitment could be made by the UNSC Resolution, unilaterally by each of the nuclear powers, or an international treaty. A draft text of a 'no first use' treaty prepared for the Commission can be found on the Commission website www.icnnd.org. North Korea and Pakistan have been threatening first use and present a significant challenge to this effort. But a progress towards this commitment would put significant pressure on both. Should a 'no first use' commitment become reality and if it were not broken, it would make possible a move to the more ambitious step of a treaty on the non-use or threat of use of nuclear weapons. This could create greater confidence among the nuclear-armed states themselves as well as in the community of nations at large, that the nuclear armed states are willing to surrender their nuclear arsenals.

Speaker 2 introduced the idea that the relationships between the recognized nuclear weapon states are can be understood as a trusting relationship. A trusting relationship is one where actors enter into a relationship where they know that as a consequence they increase their vulnerability to another actor whose behaviour they do not control with potentially negative consequences for themselves. In doing so, they make a judgement about how to relate to each other in which there is a strong expectation that they will not face the negative consequences of the decision to trust. This definition was contrasted to a so-called rationalist approach to trust in which a relationship is trusting based on calculation of interests and structure of pay-offs. The defining feature of the

rationalist approach to trust is that actors do not ascribe any particular normative value to such relationships. Thus this approach overlooks the possibility that actors might develop trusting relationships which they value independently of the pay-off structure. Without a trusting relationship between the three nuclear weapon states that signed the NPT, the latter would not have been possible. These states had a shared interest in preventing proliferation, but this interest was buttressed by the promise they have made not to proliferate in Article I. It is this combination of interests and promises that brings the NWS into a trusting relationship. The key to moving in a positive direction is to ensure that any future nuclear arms reduction regime between first the United States and Russia, and in the second phase the remaining NWS, is one based on a shared commitment to mutual security. Otherwise, the risk is that the combination of interests and promises that tie the NWS together will start to come dangerously apart. Major limits on conventional capabilities will also be required. However, this conflicts with the argument aimed at reassuring those states who are reluctant to give up on extended nuclear deterrence that these missions can be conducted with conventional weapons. This might persuade nervous allies in difficult neighbourhoods but it runs the risk of promoting distrust on the part of states like Russia and China who worry that the US interest in abolition is aimed at making the world safe for US conventional superiority. In thinking about how the relationships between the NWS might be strengthened it is important to realize that whatever payoffs bring them together, these interest-based considerations need to be strengthened by the promises that the parties have made to each other.

Discussion

Non-use of nuclear weapons
>   Rather than through an international treaty, nuclear weapons have been devalued by the normative nuclear taboo on their use. It was pointed out by several participants that the normative taboo itself rests on a habit of non-use, which is itself based on accumulated trust. This habit, however, cannot be declared because it would undermine the logic of deterrence. Moreover, there is no similar taboo on the actual possession of nuclear weapons. Some expressed a doubt whether deterrence and taboo could be sensibly put next to each other, because the former rests on the non-existence of the latter. One participant noted that the non-use was a product of a highly formalized conflict between the United States and the Soviet Union. Could such forms of conflict be established in contentious relationships like that of India and Pakistan?

Devaluation of nuclear weapons
>   Should the next step in devaluation be to declare the use as a crime against humanity? Such a move was considered by the Commission but the treaty route was deemed more promising. Others disagreed arguing that no treaty will constrain existential decisions or do away with suspicions of untrustworthiness. A recent Russian move in the direction of explicitly declaring the right to first use has moved things backwards on this front. Some were of the opinion that focus should be less on devaluation on more on the taboo as a taboo.

Relationships between the nuclear weapon states

Did they enter into the treaty only because it enabled achievement of mutually beneficial pay-offs and reflected their political hegemony and status? One participant noted that the ultimate logic of the NPT is nuclear disarmament, which in itself does not require a systemic change in international relations. Rather, it is the knowledge of the end-game that impedes upon progress towards disarmament. With regard to the NPT, a question was raised how the states which were locked up into the unequal status perceived their situation at the time of making of the treaty. Some such states did not want an indefinite treaty, leading to Article X. In terms of trust-building among nuclear weapon states, the very presence of nuclear weapons might be the key impediment, because states can afford not to communicate. This is probably most strongly observable in the India-Pakistan case. Yet, years of back-channel communication and preparation were necessary for a brief thaw in relations between the two in the late 1990s.

Impact of globalization

Some participants questioned whether current imagination of a potential conflict is not outdated and asked what would a nuclear conflict look like today, especially in the view of growing globalization. An argument was presented according to which globalization might lead to a greater recognition that security can only be achieved mutually. In this process relations of distrust would give way to processes of building of security communities. Could it be that globalization helps in forging common values and thus trust among the nuclear weapon states?

Trust in the NPT

Iran and North Korea present very important test cases for the regime. The question is whether the UNSC will be able to uphold the treaty. This raises larger questions of effectiveness of treaties and how much trust can be put into international institutions. Progress in the Middle East will have to be connected to a larger peace process.

Session 4 – Trust and the Nuclear Non-Proliferation Treaty

Speaker 1 began by distinguishing between the NPT and its regime. States might trust the treaty but the problem rests with its implementation, which creates distrust. The lack of clarity in the treaty however contributes to this distrust. It is compounded by the distrust in other states with which one negotiates. More precise interpretation of the treaty is therefore only a partial solution to the problem. Still, the treaty can be seen as incorporating three specific categories of trust: 1) Systemic trust – depending on whether the treaty delivers the goods it promises and is capable of deterring non-compliance; 2) Calculative trust – based on expectations that the treaty will be implemented; 3) Competence trust – rests on the ability to do what the treaty is for. At the present all three areas have been weakened, the process of the NPT is dysfunctional and there is no willingness to change it. The purpose of the NPT five-yearly review process is not obvious. Is the objective an agreement on a final document even at the price of avoiding difficult issues, or airing out of key issues, which is itself difficult? And how can review

conference help build trust? Under these conditions, there is a question how much does this year's review conference matter at all.

Discussion

Changing levels of trust

Historically, the levels of trust in the NPT were different. In 1995 and 2000 they were quite high, but declined sharply afterwards. There is now a potentially significant positive momentum going into this year's review conference because of talk about strengthening the regime of non-proliferation as well as making progress on disarmament. The question is, to what extent does a successful conference generate trust. Who is trusting and what is being trusted in this case? The unwillingness of one side in the treaty's grand bargain has delivered a blow to the treaty's trustworthiness.

Trust and legitimacy

Is trust in the treaty and its regime connected to the treaty's legitimacy? Initial reaction of states to the treaty was lukewarm, many stayed outside and joined only after many years. The regime has been growing mostly from the bottom up. Consensus of the members of the treaty is crucial to its legitimacy. Actions are only legitimate when all agree to them. Some non-aligned countries view restrictions on possession of nuclear weapons as illegitimate. Claims about the lack of legitimacy because of no progress towards disarmament could undermine the review conference – Egypt has been particularly vocal. These catastrophic visions and threats that the conference is the last chance to salvage the treaty do not provide any answer to the question what comes next. It is therefore imperative that we ask which steps at the conference could lead to building of trust rather than its further destruction.

Treaty enforcement

At the time of formation of the treaty, there was an understanding that the United States and the Soviet Union would tackle misbehaviour and enforce compliance. In the 1970s and 1980s, some coercion was exercised in order to make states join the treaty. Today, given the close to universal membership the focus has had to change to within. The problem is that the five recognized nuclear weapon states are themselves not in compliance on disarmament, yet they have to ensure that non-proliferation is enforced. The recognized nuclear powers are only a part of the puzzle and some arrangements will also have to be reached with regard to the de facto nuclear weapon states.