

## Arms control in a unipolar world

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*The new U.S. push on a fissile material cut-off treaty is an attempt to sidestep more urgent issues like weaponisation of space and the development of 'usable' nuclear weapons.*

After unsigning the Comprehensive Test Ban Treaty, sabotaging the verification protocol of the Biological Weapons Convention, and taking the arms race into Outer Space, the United States has finally settled on a multilateral arms control measure it can support — a treaty to curtail the production of fissile material necessary for the manufacture of nuclear weapons. True to form, however, the latest U.S. approach is aimed more at increasing its already overwhelming relative military dominance by restricting the behaviour of others, rather than actually tackling the very real dangers posed to the world by nuclear weapons and their means of delivery.

On May 18, a senior State Department official, Stephen G. Rademaker, presented to the [Conference on Disarmament \(CD\)](#) — the Geneva-based United Nations disarmament negotiating body — a draft Fissile Material Cut-off Treaty (FMCT) and urged the countries present to adopt it by the end of the year. In the 'take it or leave it' style so typical of the Bush administration's approach to diplomacy, Mr. Rademaker [threatened that if the CD were unwilling to adopt the treaty in 2006](#), its "continued existence ... as a meaningful international negotiating forum" would be in doubt and the U.S. itself could withdraw from its deliberations altogether.

The [American draft FMCT](#) is a short and simple document. Fissile material for non-explosive purposes is not included in its scope. Unlike the CTBT, the proposed FMCT will enter into force on the day all five nuclear-weapon states as defined by the Nuclear Non-Proliferation Treaty (NPT) accede to it. While none of these provisions is controversial, many countries are likely to object to two other aspects of the draft. First, the U.S. proposal would leave existing stocks of fissile material unaffected, thus doing nothing to address the threat posed by the enormous overhang of bomb-grade material currently in the possession of nuclear weapon states. Secondly, in line with the Bush administration's aversion to non-discriminatory international verification rules, the draft FMCT contains no provisions for monitoring compliance.

Even without these two omissions, the American FMCT initiative is problematic on a number of counts. First and foremost is the attempt to push the control over fissile material production as the most pressing arms control measure to the exclusion of all the other urgent questions the CD needs to take up.

Since everyone in the world except the five nuclear weapon states (U.S., Russia, China, Britain, and France) and the four non-parties to the NPT (India, Pakistan, Israel, and North Korea) are legally barred from producing fissile material, the proposed FMCT applies

essentially to these nine countries alone. Of the big five, all except China are already observing a moratorium. China, too, is believed to have ended the active accumulation of fissile material but nobody can really be sure. In any case, it should be obvious that the purpose of the FMCT is to make sure China as well as India, Pakistan, North Korea, and Israel end fissile material production. Put another way, the American interest in an FMCT is to ensure that the Chinese arsenal remains relatively small (compared to the U.S. one) and that the Indian and Pakistani nuclear weapons programmes remain bounded by the amount of fissile material accumulated to date. In themselves, these are unobjectionable goals. But when they are combined with a drive to develop an ambitious missile defence programme, militarise space, produce new kinds of “usable” nuclear weapons, and increase manifold the lethality and flexibility of U.S. conventional arms, it becomes clear that what Washington is looking for is not disarmament or even arms control but “full spectrum dominance.”

Under the Shannon mandate, the CD is tasked with adopting a “non-discriminatory, multilateral and internationally and effectively verifiable” FMCT that bans the production of fissile material for weapons or explosive purposes. But for the past few years, the Conference has been deadlocked by the refusal of the U.S. and its allies to allow the CD to also take up three urgent but contentious issues that form an integral part of its mandate. These are general nuclear disarmament, the prevention of an arms race in outer space (PAROS), and negative security assurances, that is, multilateral, legally binding assurances that non-nuclear weapons states will never be subject to nuclear attack.

Of these four tasks, each of which is important, it is evident that PAROS is the most pressing. The U.S. missile defence programme has direct implications for the weaponisation of space and recent budgetary appropriations indicate the U.S. military is pressing ahead with research aimed at developing an offensive capability in outer space such as the [Starfire anti-satellite system](#). Every year since 1968, the U.N. General Assembly has passed a PAROS resolution calling on countries to use space for peaceful purposes and oppose its weaponisation. After abstaining for years, the U.S. in 2005 [voted against the resolution](#) for the first time. [A study by the Center for Defense Information and the Stimson Center](#) in March 2006 found one billion dollars had been set aside for military space matters in the financial year 2007. [According to Victoria Samson of the CDI](#), “These systems, while ostensibly for other matters, could provide a dual-use space weapons capability. And a few of them — the Space Test Bed for starters — are flat-out space weapons programs.”

China and Russia, which are the primary targets for the U.S. drive to militarise space, have rightly sought to tie progress on an FMCT with progress towards a treaty banning an arms race in outer space. This has been unacceptable to the U.S. Phased disarmament and security assurances to non-nuclear weapon states is also not part of Washington’s scheme of things. After years of deadlock, a way forward emerged in the form of the [“five ambassadors’ proposal”](#) to have the CD establish four ad hoc committees for each of the separate disarmament or arms control goals. But even this proposal was unacceptable to the U.S. Now it has signalled its intention to press for an ‘FMCT or nothing’ and threatened the CD with irrelevance if its warning is not heeded.

Even on its merits, however, the U.S. FMCT draft is so weak as to render inoperative the international desire for a treaty controlling fissile material. Both the FMCT and the CTBT spring directly from the treaty obligation of nuclear weapon states to disarm. The purpose of the CTBT is “quality capping” and the FMCT is “quantity capping.” In reality, however, the CTBT, by allowing sub-critical tests, hydrodynamic tests, and computer simulation exercises,

does not effectively prevent the “qualitative” enhancement of nuclear weapons by an advanced nuclear weapon state like the U.S. On its part, the draft FMCT, by leaving out stockpiles and verification, will also only “quantity cap” the smaller nuclear weapons states.

India has all along advocated a verifiable FMCT, [a position that was reiterated by Ambassador Jayant Prasad](#) at the CD a day before the U.S. unveiled its draft text. Apart from standing its ground on this issue, New Delhi would do well to pursue some of the interesting proposals contained in the [working paper submitted by Japan](#) to the CD last month. Specifically, Japan is arguing that any ban on the future production of fissile material must lead to the permanent shutting down or conversion of military facilities currently used for the production of such material. Naturally, there would have to be a verifiable ban on their re-conversion. Also, the diversion of existing and future stocks of fissile material for civilian purposes to nuclear weapons purpose should be explicitly banned. This, in turn, has two implications. First, fissile material voluntarily declared as “excess” should never be reverted to nuclear weapons. Secondly, the voluntary safeguards agreements the five nuclear weapon states have signed with the International Atomic Energy Agency would have to be amended to ban the withdrawal of civilian nuclear material from international safeguards.

The Japanese proposal does not explicitly say so but eventually, all nuclear facilities in the nuclear weapons states other than those expressly designated as containing fissile material for military use must come under an IAEA safeguards regime identical to the one in force for non-nuclear weapons states.

It is in this context that the U.S. opposition to multilateral verification needs to be understood. Ambassador John Bolton says international verification will never be effective and is a ‘Maginot Line’ that will give the international community a false sense of security. But in the absence of non-discriminatory, transparent rules, what will emerge is a ‘law of the jungle’ compliance mechanism. A country such as the U.S., with the most advanced national technical means, would be free to level accusations of cheating against any country it likes. But the world will be powerless to verify U.S. compliance.

For all these reasons, the U.S. draft FMCT can hardly be considered an acceptable text. If there is to be an FMCT, the international community must insist on a suitable verification mechanism and a formula for steady disposition of existing stocks in line with the Article 6 disarmament obligations of nuclear weapons states under the NPT. India should also join other countries at the CD in pressing for quick progress on a treaty banning the weaponisation of outer space.

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