

**IN SEARCH OF SECURITY:
FINDING AN ALTERNATIVE TO NUCLEAR DETERRENCE**

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According to the President just elected, nuclear proliferation and nuclear terrorism represent the single most important threat to US and global security.

I wrote that sentence three weeks ago, well before the election results were known, and yet I knew it would be true — because it was one of the key issues on which Senator Kerry and President Bush — and, for that matter, most other world leaders — agreed.

That said, fundamental differences of opinion remain on how to deal with this ever growing menace to our survival. Should we opt for diplomacy or for preemption? What are the relative merits of collective versus unilateral action? Is it more effective to pursue a policy of containment or one based on inclusiveness?

These are not new questions, by any measure. But they have taken on renewed urgency as nations struggle, both regionally and globally, to cope with an extended array of conflicts, highly sophisticated forms of terrorism, and a growing threat of weapons of mass destruction.

The Treaty on the Non-Proliferation of Nuclear Weapons (NPT) remains the global anchor for humanity's efforts to curb nuclear proliferation and move towards nuclear disarmament. There is no doubt that the implementation of the NPT continues to provide important security benefits — by providing assurance that, in the great majority of non-nuclear-weapon States, nuclear energy is not being misused for weapon purposes. The NPT is also the only binding agreement in which all five of the nuclear-weapon States have committed themselves to move forward towards nuclear disarmament.

Still, for all of us who have been intimately associated with the implementation of the Treaty for over three decades, it is clear that recent events have placed the NPT and the regime supporting it under unprecedented stress, exposing some of its inherent limitations and pointing to areas that need to be adjusted. Today I would like to discuss some of the lessons that can be taken from recent experience, and a number of possible ways for moving forward.

THE IRAQ EXPERIENCE: WHAT CAN WE LEARN?

Of all the recent actions to address nuclear proliferation and other security concerns, the most dramatic have taken place in Iraq. Naturally, it remains too early to judge the final outcome of the Iraq War, but I believe there are some insights to be gained already from the events that led up to the war and those that have transpired since.

The first point to be made is that the inspections were working. The nuclear inspection process — while requiring time and patience — can be effective even when the country under inspection is providing less than active cooperation. When international inspectors are provided adequate authority, aided by all available information, backed by a credible compliance mechanism, and supported by international consensus, the verification system works. The report recently issued by the Iraq Survey Group confirmed the conclusions the IAEA was providing to the United Nations Security Council before the war — when we said we had found no evidence to suggest that Iraq had reconstituted any element of its former nuclear weapon programme.

But inspections are only of value when the results are accepted in good faith and taken into account in future action. Unfortunately, the Iraq inspection process was not given the time required, nor were its findings given due recognition. It is true that the record and mode of behaviour of Saddam Hussein's regime did not inspire much confidence; but it is also true that we had not seen any clear and present danger involving weapons of mass destruction, after months of intrusive inspection.

The second point to be made is that we need to exercise maximum restraint before resorting to military force. In 1841, the US Secretary of State, Daniel Webster, characterized preemptive military action as being justified only when the prospect of an attack made clear that “the necessity of that self-defence is instant, overwhelming, and leaving no choice of means, and no moment for deliberation.” Naturally, times have changed, but the exhortation for restraint expressed in those words remains valid. The Iraq experience should tell us that unless extreme conditions exist to justify preemptive action against a suspected weapons of mass destruction programme, diplomacy in all its forms, including maximum pressure, coupled with credible verification, should be the primary avenue of choice. In my view, loosely defining what justifies pre-emptive action by individual nations could become an invitation for all countries to use force in a garden variety of situations, and render a severe setback to the UN Charter effort to limit the use of force to cases of self-defence of the type Webster described, and to enforcement actions

authorized by the Security Council. And in this context, I should recall Henry Kissinger's remark: "It is not in the American national interest to establish preemption as a universal principle available to every nation."

The third point to be made is that no one gains when we are divided on crucial issues such as the use of force. Like the international community as a whole, the Security Council was deeply divided in its views in the run-up to the Iraq War — and, after years of collective decisions on Iraq, the Council's role and authority was set aside by the decision of the Coalition to take military action. But one lesson has been made very clear by the Iraq experience: when the international community and the Security Council are divided on matters of war and peace, everyone loses. The Coalition lost in credibility in some people's eyes by proceeding to use force without the endorsement of the Security Council. The United Nations lost in credibility as the body driving the action against Iraq on behalf of international legitimacy, and as a result has come to be perceived in some quarters — particularly by many in Iraq — as an adjunct of the Coalition force, and not as an independent and impartial institution. And perhaps it is the Iraqi people who have lost the most; after years of suffering under a brutal dictatorship, and after enduring the hardships brought on through an extended period of sanctions, they have had still more misery brought on by the ravages of war and the unforeseen and extended period of insurgency and civil disorder.

OTHER LESSONS FROM RECENT VERIFICATION EXPERIENCE

Of course, the Iraq experience is the most glaring recent case relevant to nuclear proliferation and security, but unfortunately not the only one. The IAEA's efforts to verify undeclared nuclear programmes in Iran, Libya and the Democratic People's Republic of Korea have also provided considerable insights and a number of lessons.

The first lesson is that, for nuclear verification to be successful, IAEA inspectors must have adequate authority. The "any time, any place" authority granted by the Security Council in the case of Iraq was extraordinary, and it is not likely that countries would voluntarily grant the IAEA such blanket rights of inspection. Moreover, the IAEA's authority under the NPT is limited to verifying that nuclear material has not been diverted for non-peaceful uses — and we have no clear-cut mandate to search for *weaponization* activities, per se, unless we have reason to believe that nuclear material has actually been diverted to those activities.

Nonetheless, within the NPT framework, adequate authority can be achieved in those countries that accept the so-called ‘additional protocol’ as a supplement to their NPT safeguards agreement. The additional protocol provides the Agency with significant additional authority with regard to both information and physical access. As illustrated by the IAEA’s experience in Iraq before the first Gulf War, without the authority provided by the protocol, our ability to verify nuclear activities is mostly limited to the nuclear material already declared — with little authority to verify the absence of undeclared, or clandestine, nuclear material or activities. By contrast, our recent efforts in Iran and elsewhere have made clear how much can be uncovered when the protocol is applied.

The second lesson is that international efforts to limit the spread of technology through the use of export controls have left much to be desired. The most disturbing insight to emerge from our work in Iran and Libya has been the revelation of an extensive illicit market for the supply of nuclear items. The relative ease with which a multinational illicit network could be set up and operated demonstrates the inadequacy of the present export control system. The fact that so many companies and individuals could be involved (more than two dozen, by last count) — and that, in most cases, this could occur apparently without the knowledge of their own governments — points to the shortcomings of national systems for oversight of sensitive equipment and technology. It also points to the limitations of existing international cooperation on export controls, which relies on informal arrangements, does not include many countries with growing industrial capacity, and does not include sufficient sharing of export information with the IAEA.

But more importantly, it is time to change our assumptions regarding the inaccessibility of nuclear technology. In a modern society characterized by electronic information exchange, interlinked financial systems, and global trade, the control of access to nuclear weapons technology has grown increasingly difficult. The technical barriers to mastering the essential steps of uranium enrichment — and to designing weapons — have eroded over time. Much of the hardware in question is ‘dual use’, and the sheer diversity of technology has made it much more difficult to control or even track procurement and sales.

The only reasonable conclusion is that the control of technology is not, in itself, a sufficient barrier against further proliferation. For an increasing number of countries with a highly developed industrial infrastructure — and in some cases access to high enriched uranium or plutonium — the international community must rely primarily on a continuing

perception of security as the basis for the adherence of these countries to their non-proliferation commitments. And security perceptions can rapidly change.

In fact, a country might choose to hedge its options by developing a civilian nuclear fuel cycle — legally permissible under the NPT — not only because of its civilian use but also because of the ‘latent nuclear deterrent’ value that such a programme could have, both intrinsically and in terms of the signal it sends to neighboring and other countries. The unspoken security posture could be summarized as follows: “We have no nuclear weapons programme today, because we do not see the need for one. But we should be prepared to launch one, should our security perception change. And for this, we should have the required capacity to produce the fissile material, as well as the other technologies that would enable us to produce a weapon in a matter of months.” Obviously, the narrow margin of security this situation affords is worrisome.

The third lesson, as amply illustrated by the North Korean situation, is that the international community cannot afford not to act in a timely manner in cases of non-compliance, and before available options are narrowed. Beginning in the mid-1980s, North Korea took seven years to fulfill its obligations under the NPT to conclude a safeguards agreement with the Agency. In 1992, shortly after this agreement was concluded and the IAEA began inspections, we sounded the alarm that North Korea had not reported its total production of plutonium. From that time forward, despite the Agreed Framework concluded with the United States, North Korea has been in continuous non-compliance with its NPT obligations, and has not allowed the IAEA to fully verify its nuclear programme. At the end of 2002, North Korea capped that non-compliance by ordering IAEA inspectors out of the country, dismantling the monitoring cameras, breaking IAEA seals and, a few weeks later, declaring its withdrawal from the NPT.

Naturally, all of these actions were promptly reported by the Agency to the Security Council — but with little to no response. This lack of timely action may have complicated finding a solution, and may have conveyed the message that breaking the non-proliferation norms with impunity is a doable proposition — or worse, that acquiring a nuclear deterrent will bring with it a special treatment.

Lesson four: insecurity breeds proliferation. It is instructive that nearly all nuclear proliferation concerns arise in regions of longstanding tension. In other words, nuclear proliferation is a *symptom*, and these symptoms will continue to persist and worsen as long as we leave unaddressed the underlying *causes* of insecurity and instability — such

as chronic disputes which continue to fester, the persistent lack of good governance and basic freedoms, a growing divide between rich and poor, and newly perceived schisms based on ethnic or religious differences.

It is in this context that I have begun to stress not only the value but also the limitations of the IAEA's role. While the Agency can use verification effectively to bring to closure questions of compliance with legal and technical requirements, the long term value of these efforts can only be realized to the extent that they are reinforced by all other components of the non-proliferation regime, and followed by the necessary political dialogue among concerned States to address underlying issues of insecurity, and to build confidence and trust. I should note that verification, supported by diplomacy, has been an important part of the success so far in Iran and Libya, and in that sense I can only hope that the continuation of the six-party talks on the North Korean nuclear programme will yield results that will include, inter alia, full IAEA verification.

EXPLOITING THE WINDOW OF OPPORTUNITY

Clearly, the world has changed. The key features of the international security landscape have been altered significantly over the past two decades. Whatever value the concept of nuclear deterrence may have served during the Cold War, as the volatile currency on which the standoff between two superpowers was balanced, they have now become the ultimate "elephant in the parlor". For the five countries recognized as nuclear-weapon States under the NPT, their nuclear arsenals are increasingly becoming either a focal point for resentment or cynicism among the nuclear 'have-nots', or, worse, a model for emulation for States that wish to pursue clandestine WMD programmes, hoping that this will bring them security and status.

It is the height of irony that, in today's security environment, the only actors who presumably would find the world's most powerful weapons useful — and would deploy them without hesitation — would be an extremist group. A nuclear deterrent is absolutely ineffective against such groups; they have no cities that can be bombed in response, nor are they focused on self-preservation. But even as we take urgent measures to protect against nuclear terrorism, we remain sluggish and unconvinced about the need to rapidly rid ourselves of nuclear weapons.

Why? The answer, in my view, is that the international community has not been successful to date in creating a viable alternative to the doctrine of nuclear deterrence as the

basis for international security. Nuclear weapons will not go away until a reliable collective security framework exists to fill the vacuum. The aftermath of the Cold War should have served as the logical lead-in to such an effort. The resulting changes to the international security landscape have been obvious; it is only that we have not acted to adapt to these changes.

If there is any silver lining to this dark cloud, it is that the window of opportunity is still open. The efforts to counteract Iraq's phantom weapons of mass destruction, to unveil a clandestine nuclear weapon programmes in Libya, to understand the extent and nature of Iran's undeclared nuclear programme, to bring North Korea back to the NPT regime and dismantle any nuclear programme they may have, and to prevent nuclear terrorism have all brought worldwide attention to bear on issues of nuclear non-proliferation and nuclear security. That energy is ours to harness. If we are ever to build a global security culture based on human solidarity and shared human values — a collective security framework that will serve the interests of all countries equally, and make reliance on nuclear weapons obsolete — the time is now.

THE RESPONSIBILITY FOR ACTION

The question remains, how? Whose responsibility is it to create this collective security framework? Is this an initiative for policy makers? The UN Security Council? The scientific community?

The answer, of course, is that it will take all of us. Progress must be made on all fronts — political, scientific and societal. We must all take the responsibility for action.

Sidney Drell comes to this problem as a physicist, and I come to it as a lawyer and diplomat, but we have arrived at the same basic conclusion: that reliance on nuclear weapons is a recipe for self-destruction. I find it encouraging that people from all sectors of society have been coming forward with proposals on how to address the challenges of nuclear proliferation and nuclear arms control.

In my view, this could be the beginning of a much needed discussion on security — and we should do all we can to stimulate this dialogue, move it forward, and keep it in public focus. I would like to spend my remaining minutes outlining what I see as the types of actions that must be taken.

Creating the Framework: the Political and Policy Front

Let me first turn to the political and policy front. In this area, leadership must be focused on restoring and strengthening the credibility of multilateral approaches to resolving conflicts and threats to international security — conflicts and threats ranging from preserving the environment to ensuring respect for human rights, working for sustainable development, and controlling weapons of mass destruction — which, in our globalized world, can only be resolved through a collective and multilateral approach, in which competing interests and powers can be contained and harmonized. The system of collective security hoped for in the United Nations Charter has never been made fully functional and effective. This must be our starting point.

For some years now, efforts to achieve Security Council reform have been mostly focused on the question of whether additional countries should be given a permanent seat. In my view, such a change would be helpful in making the Council more representative of today's global realities, and in removing the current correlation — in that the same five countries recognized under the NPT as nuclear weapon States hold the five permanent seats on the Security Council.

But more importantly, for the Security Council to take the leadership role for which it was designed, its reform must be focused on more than issues of membership. The Council must be able and ready to engage swiftly and decisively in both preventive diplomacy and enforcement measures, with the tools and methods in place necessary to cope with existing and emerging threats to international peace and security. This should include mechanisms for preventive diplomacy to settle emerging disputes within and among nations. The genocide in Rwanda and the appalling situation in Darfur, where 10 000 people are dying every month, are two prime examples of the lack of early and decisive intervention by the Security Council.

The Security Council should also have, at the ready, 'smart' sanctions that can target a government without adding misery to its helpless citizens, as we have seen in Iraq. The Council should have adequate forces to intervene in the foreseeable range of situations — from maintaining law and order, to monitoring borders, to combating aggression. And yes — in my view, the Security Council should be able to authorize collective pre-emptive military action when the imminence and gravity of the threat merit such action.

Increasing the effectiveness and relevance of the Security Council is an essential step towards a functional system for collective security. Such a system is the only alternative to the reliance that some nations, including nuclear weapon States and their

allies, now place on nuclear deterrence — in a “good guys versus bad guys” approach that inevitably leaves some nations seeking to achieve parity. A functional system for collective security is the only alternative to the current hodge-podge of approaches to addressing security issues — ranging from inaction or late action on the part of the international community, to unilateral and ‘self-help’ solutions on the part of individual States or groups of States.

With a viable system of collective security in place, policy makers and political leaders may find it easier to make progress on the nuclear arms control front, such as bringing into force the Comprehensive Nuclear Test Ban Treaty, and negotiating an internationally verifiable Fissile Material (Cut-Off) Treaty.

In my view, every effort should be made, starting at the 2005 NPT Review Conference and continuing in other venues, to agree on benchmarks for non-proliferation and disarmament. These benchmarks should include: urging all States to bring the additional protocol to IAEA safeguards agreements into force; tightening and formalizing the controls over the export of nuclear materials and technology; working towards multilateral control over the sensitive parts of the nuclear fuel cycle — enrichment, reprocessing, and the management and disposal of spent fuel; and ensuring that States cannot withdraw from the NPT without clear consequences, including prompt review and appropriate action by the Security Council. The international community should also work rapidly to reduce the stockpiles of high enriched uranium and plutonium around the globe, and to strengthen the protection of existing nuclear material and facilities.

An essential benchmark will be that a concrete roadmap for verified, irreversible nuclear disarmament, complete with a timetable, and involving not only the NPT nuclear weapon States but also India, Pakistan and Israel, is at last put in place.

Just over a month ago, the foreign ministers of Brazil, Egypt, Ireland, Mexico, New Zealand, South Africa and Sweden spoke out jointly, saying: “Nuclear non-proliferation and disarmament are two sides of the same coin, and both must be energetically pursued.” Thirty years after the enactment of the NPT, with the Cold War ended and over 30 000 nuclear weapons still available for use, it should be understandable that many non-nuclear-weapon States are no longer willing to accept as credible the commitment of nuclear-weapon States to their NPT disarmament obligations.

In my view, we have come to a fork in the road: either there must be a demonstrated commitment to move toward nuclear disarmament, or we should resign ourselves to the fact that other countries will pursue a more dangerous parity through proliferation. The difficulty of achieving our ultimate objective — the elimination of all nuclear weapons — should by no means be underestimated. But at the same time, it should not be used as a pretext for failing to start the process of drastic reductions in existing nuclear arsenals, and simultaneously to explore the development of collective response mechanisms that will be needed against any future clandestine nuclear proliferation efforts.

The Scientific Front: Roles for Researchers and Inventors

I would also like to emphasize the role of scientists in advancing non-proliferation and disarmament objectives, and the responsibility for action that lies with the scientific community. Science brought us the atom bomb. And if we are to rid ourselves of nuclear weapons, we will need an equally intensive effort on the part of scientific researchers — to develop innovative tools for nuclear verification and mechanisms for reducing the proliferation potential of nuclear material and technology.

In the area of nuclear verification, for example, advances in environmental sampling and analysis techniques are enabling IAEA inspectors to determine, with far greater precision, the nature and origin of individual particles of uranium — and thereby to help us detect undeclared activities. Satellite imagery technology and advanced information analysis techniques have also broadened the range of inspection capabilities. And in the long run, science may be able to develop additional innovative ways and means to neutralize the impact of nuclear and other weapons of mass destruction.

The Responsibility of Concerned Citizens

The proliferation of nuclear weapons — “*The Gravest Danger*”, in the words of Sidney Drell and James Goodby — is a legacy we all share, and ultimately, every concerned citizen also shares the responsibility for action. In countries ranging from the most powerful to some of the least developed, the voice of the citizen is increasingly a force in the political debate. It is vital that we engage individuals from all sectors of society in a public dialogue on international security — to remind them of the continued danger of nuclear war, to explain to them possible alternatives, and to offer avenues for involvement. We must continue to develop and refine proposals for action, to bring them to the attention

of governments and opinion leaders, and to promote public discourse on nuclear non-proliferation and disarmament that will become too forceful to be ignored.

And here I am pleased to recognize the important role played by CISAC as a force in the field of international security and cooperation. Your efforts to develop proposals that aim to move us away from a reliance on nuclear weapons and nuclear deterrence has never been more urgent or more relevant.

CONCLUSION

For centuries, perhaps for millennia, security strategies have been based on boundaries: city walls, border patrols, and the use of racial and religious groupings or other categories to separate friend from foe. Those strategies no longer work. The global community has become interdependent, with the constant movement of people, ideas and goods. Many aspects of modern life — global warming, Internet communication, the global marketplace, and yes, the war on terrorism — point to the fact that the human race has walked through a door that cannot be re-entered.

Yet with all the strides we have made to connect on many levels, we continue to think disconnectedly on others. We think globally in terms of trade, but we continue to think locally in terms of security. We cherish our connectivity on the Web, but turn away from solidarity in matters of extreme poverty. James Morris, Executive Director of the World Food Programme, recently pointed out, “There are about 800 million hungry people in the world today, about half of them children” — yet the governments of the world spent \$900 billion on armaments last year. Could it be that our priorities are skewed?

This is a mindset we must change. In this century, in this generation, we must develop a new approach to security capable of transcending borders — an inclusive approach that is centred on the value of every human life. The sooner we can make that transition, the sooner we will achieve our goal of a planet with peace and justice as its hallmark.