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Should there be an Alternative to the United Nations for the Regulation of Nuclear Weapons?

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Should there be an Alternative to the United Nations for the Regulation of Nuclear Weapons?

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Abstract:

In this thesis, I examine the question “Should there be an alternative to the United Nations (UN) for the regulation of nuclear weapons?” The UN is notorious for issues with conflict of interest between the nuclear powers also being the permanent members of the security council. This allows the special interests of nuclear weapon holding states to influence the role of the UN in the path towards disarmament and accountability. A case study is conducted to assess each country’s reaction to UN disarmament initiatives, specifically three treaties: The Comprehensive Test Ban Treaty (CTBT), the Non-Proliferation Treaty (NPT), and the Treaty on the Prohibition of Nuclear Weapons (TPNW). The case study assesses whether the nuclear powers complied with the conditions of each treaty and if they were effective in working towards disarmament. The approach of UN led disarmament initiatives namely the NPT and TPNW are contrasted with state led initiatives like the Strategic Arms Reduction Talks (START) and the Strategic Arms Limitation Talks (SALT) The analysis discusses the results of the data as well as connections between the data and events around the treaties that connect the parties to issues such as conflict of interest. The results show that the UN is not a fit entity to regulate nuclear weapons because of its long history of corruption and favoritism for certain parties, in this case the nuclear powers. The nuclear powers must create a solution where they can accurately show their interest in moving towards disarmament and have a method of enforcement and accountability. My proposal for how this is best done is through a state-led approach instead of a UN based approach.

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Introduction:

The UN is notorious for issues with conflict of interest between the nuclear powers also being the permanent members of the security council which have veto power. This allows the special interests of nuclear weapon holding states to influence the role of the UN in the path towards disarmament and accountability. Because of this, I'm examining if the UN should continue to regulate nuclear weapons or if there should be an alternative solution. First, I examine the literature surrounding the idea of either reforming the UN to fix its issues or creating an alternative solution. This is done by looking at the historical backgrounds of nuclear programs in the five main nuclear powers: the United States (US), the United Kingdom (UK), China, Russia (formerly the Soviet Union or USSR), and France. Then I conduct a case study to assess each country's reaction to three treaties: The Comprehensive Test Ban Treaty (CTBT), the Non-Proliferation Treaty (NPT), and the Treaty on the Prohibition of Nuclear Weapons (TPNW). The case study assesses whether the nuclear powers complied with the conditions of each treaty and if they were effective in working towards disarmament. Then the approach of UN led disarmament initiatives is contrasted with state led initiatives like the Strategic Arms Reduction Talks (START) and the Strategic Arms Limitation Talks (SALT). The CTBT combines both approaches as it was introduced by individual states and eventually passed on to the UN for regulation. The analysis discusses the results of the data as well as connections between the data and events around the treaties that connect the parties to issues such as conflict of interest.

Historical Background:

United States:

The American nuclear program began during World War II (WWII) when the Allied Powers were afraid their rivals were going to develop weapons first which sparked the

Manhattan Project, a project created by the American government to develop nuclear weapons. The growing arms race between the US and the Soviet Union resulted in both parties acquiring nuclear weapons and increased the threat for a potential nuclear attack. In August of 1945, the US dropped the first atomic bomb ever used for combat on Japan. This bomb was dropped on Hiroshima and killed around 140,000 people of Hiroshima's population of 250,000 with many more affected by the long lasting effects of the radiation poisoning.¹ Three days later the US dropped another bomb on Nagasaki which killed 74,000 people of its population of 240,000 and also had thousands of deaths afterward due to the effects of radiation.² The bombs resulted in the cities having a ground temperature of 4000 degrees celcius and had shockwaves that obliterated infrastructure. The US claimed the attacks were to persuade Japan to surrender however many speculations believe Japan was already ready to surrender and the US wanted to boast about its possession of nuclear weapons to create a line of defense through the idea of mutually assured destruction (MAD). The US remains the only country to ever deploy a nuclear attack.

President Eisenhower founded the International Atomic Energy Association (IAEA) in 1957 to help oversee the development of "peaceful" use of nuclear power like nuclear energy. He claimed this institution would be essential in preventing nuclear threats and would help prevent the proliferation and spread of nuclear weapons.

The Cuban Missile Crisis of 1962 was when US intelligence uncovered that the Soviet Union had missiles under construction in Cuba and as a result the US had a blockade surrounding Cuba until the Soviet Union eventually agreed to remove the missiles. At the time, it

¹ "Hiroshima and Nagasaki: 75th Anniversary of Atomic Bombings." BBC News. BBC, August 8, 2020. <https://www.bbc.com/news/in-pictures-53648572>.

² Press, The Associated. "By the Numbers: The Atomic Bombing of Nagasaki." Tribune. San Diego Union-Tribune, August 9, 2015. <https://www.sandiegouniontribune.com/sdut-by-the-numbers-the-atomic-bombing-of-nagasaki-2015aug08-story.html>.

was not commonly known that the US had missiles in Turkey due its strategic location with proximity to the USSR, but in exchange for the USSR agreeing to remove the missiles from Cuba, the US agreed to remove their missiles from Turkey.

Under President Nixon, the US signed the Strategic Arms Limitation Treaty (SALT I) in 1972 to create an agreement between the US and USSR to limit their nuclear arsenals. There was another SALT (SALT II) between Presidents Carter and Brezhnev to continue the limitations on their arsenals.³

United Kingdom (UK):

The UK was the first country to show interest in developing a nuclear weapons program and created the MAUD committee which showed potential for fission weapons. “The British Mission” as it was called also contributed to the US’s Manhattan Project. In 1946, the creation of the Atomic Energy Act separated the US and British nuclear programs. When looking for testing sites, Britain used the Monte Bello Islands off the coast of Australia. 1954 marked the development of the hydrogen bomb under Churchill. The UK’s first successful test of the hydrogen bomb was in 1957 and had a yield of 1.8 megatons. The Atomic Energy Act was amended in 1958 restarted the cooperation between the British and American nuclear programs. After the tests of 1958, the UK stopped conducting tests independently however, the UK still used the US’s Nevada test site to conduct joint tests and based many of their weapons off of US designs.⁴

The UK has a history of not disclosing the progression of its arsenal so the progression over time is uncertain. However, in 2010 a statement was released stating that the UK’s arsenal

³ “The History of Nuclear Proliferation.” Council on Foreign Relations. Council on Foreign Relations. Accessed December 1, 2021. <https://world101.cfr.org/global-era-issues/nuclear-proliferation/history-nuclear-proliferation>.

⁴ Britain goes nuclear. Accessed December 1, 2021. <https://www.atomicarchive.com/history/cold-war/page-10.html>.

will not exceed 225 warheads. That cap was later increased followed by a statement declaring that the UK will “no longer give public figures for our operational stockpile.” It is likely that the UK will revive retired warheads or parts of them to increase the size of their arsenal in the contemporary race for nuclear power. Much of the UK’s nuclear program is dependent on the US in terms of storage and deployment strategy and the UK tends to use the US as a nuclear deterrent against potential threats.⁵

France:

France’s nuclear program was a result of the arm’s race between the US and the USSR following WWII. France was the fourth country to develop nuclear weapons and conducted its first test in 1960. The US influenced France to keep the nuclear program secret and while developing its independent nuclear program, France is a major contributor to research on nuclear power and currently generates a majority of its electricity from nuclear power plants.

In the early days of its development the invasion by Germany in the 1940’s halted the program for a while until French liberation when the scientists felt safe enough to return and their science became a symbol of patriotism against the German forces. The bombings of Hiroshima and Nagasaki created a focus on nuclear power and the usage of the technology to benefit mankind, especially since France’s reserves of coal and oil had been depleted. After the construction of the Marcoule plants, which are large scale plutonium plants, France began mining domestic uranium and importing some from its colony, Madagascar. The French government created “Comité des Applications de l’Energie Atomique” by combining efforts from the Ministry of Defense and the Commissariat of Atomic Energy (CEA) as pressure to

⁵ authors, All, Hans M. Kristensen & Matt Korda, Additional information Funding This research was carried out with grants from the John D. and Katherine T. MacArthur Foundation, and Borger. “United Kingdom Nuclear Weapons, 2021.” Taylor & Francis. Accessed December 1, 2021. <https://www.tandfonline.com/doi/full/10.1080/00963402.2021.1912309>.

build a bomb increased. At this time the UK and US had agreed to not share information regarding nuclear programs with France or West Germany.

The militarization of nuclear power came with the creation of the Force Nucléaire Stratégique (FNS) as a result of President Charles de Gaulle's disappointment from being excluded from the dealings between the US and UK. France is notorious for its nuclear testing in Algeria and the effects it had on surrounding communities and resources. France hoped that conducting these tests would allow them to enter the fold between the UK and the US however, the US was only willing to share details on their program within the North Atlantic Treaty Organization (NATO) prompting France to join then withdraw in 1966 and then join again in 2009.⁶

Russia:

The Russian nuclear program originated during the time of the USSR in WWII. The USSR's nuclear program towards the beginning was drastically smaller than the US's Manhattan Project. After learning of the Trinity Test, Stalin worked to speed up the Soviet nuclear program and encouraged Truman to use nuclear force on Japan.

The first successful test of a Soviet nuclear device was on August 29, 1949. Much of the Soviet Union's nuclear development and militarization can be attributed to the Cold War arms race and their rival the US's efforts to develop nuclear weapons. An example of this being the US developing a hydrogen bomb and the USSR following this with their own hydrogen bomb development program.

There are many speculations about espionage and the role it played in the Soviet's nuclear program and many of the real figures remain uncertain. However, one of the most

⁶ "French Nuclear Program." Atomic Heritage Foundation, February 14, 2017. <https://www.atomicheritage.org/history/french-nuclear-program>.

notable spies is Klaus Fuchs who was accused of delivering information about the bomb's design and technical specifications to the Soviets. He was discovered in the 1950's and the US Congressional Joint Committee on Atomic Energy stated that he had "accomplished greater damage than any other spy not only in the history of the United states but in the history of nations."⁷

China:

The Chinese nuclear program began following the Sino-Soviet Treaty of Friendship and Alliance being signed by Stalin and Mao Zedong. China faced threats of a nuclear strike from the West and especially the US after the invasion of South Korea by Chinese backed North Korea. The Chinese nuclear program was able to gain access to Western research. It also received a lot of support from the Soviet Union as a result of Khrushchev agreeing to provide "full assistance in the fields of nuclear physics and peaceful uses of atomic energy." The Sino-Soviet alliance split because of Khrushchev's secret speech to the Congress of the Communist Party for denouncing the crimes of Stalin, whom Mao admired. In 1959, Khrushchev declared "Under no circumstances should the Soviet Union continue to transfer atomic secrets to the Chinese."

After the split from the Soviet Union, Mao launched project 596 which was meant to establish nuclear independence. In 1964, China tested its first successful atomic bomb and the Chinese government stated that this big achievement is to increase the national defense capability in opposition to the US's "nuclear blackmail and nuclear threats." China was the first nation to declare a "no first use" policy meaning a nuclear attack will not be a first line of attack strategy nor will it initiate a nuclear attack as an offensive tactic. China has not signed the

⁷ "Soviet Atomic Program - 1946." Atomic Heritage Foundation, June 5, 2014. <https://www.atomicheritage.org/history/soviet-atomic-program-1946>.

Limited Test Ban Treaty and is currently a member of the Nuclear Supplier Group (NSG) in which it limits the export of nuclear materials to countries who support non-proliferation.⁸

CTBT:

The idea of an agreement banning nuclear testing was first proposed by Indian Prime Minister Nehru in 1954 and then passed onto the UN Disarmament Commission. Not long after, the USSR proposed a nuclear test ban which is a monumental step taken by one of the world's only nuclear powers at the time. The Comprehensive Test Ban Treaty (CTBT) was a result of the Conference on Disarmament that was held in 1994.

The CTBT was opened for signature in 1996 and prohibits “any nuclear weapon test explosion or any other nuclear explosion.” The treaty cannot be fully entered into force until China, India, Pakistan, the US, North Korea, Egypt, Israel, and Iran ratify it. The preamble of the treaty covers general long term goals in terms of disarmament and non-proliferation. It works to constrain “the development and qualitative improvement of nuclear weapons and ending the development of advanced new types of nuclear weapons.” The treaty has unlimited duration and states are allowed to withdraw if they wish. Each state can propose an amendment and the amendment requires the vote of the majority to be approved.

The Comprehensive Nuclear-Test Ban Treaty Organization (CTBTO) is established by Article II, the CTBTO was created to help maintain implementation and provide a forum for cooperation between states. It has two governing bodies: the Executive Council which is decided by votes of the states-parties and the Technical Secretariat which is responsible for the implementation of provisions. The treaty also establishes the International Monitoring System (IMS) which was created to detect nuclear explosions and a state-party has to clarify any

⁸ “Chinese Nuclear Program.” Atomic Heritage Foundation, July 19, 2018. <https://www.atomicheritage.org/history/chinese-nuclear-program>.

suspicious activity reported to the Executive Council. Violations of the treaty could result in financial penalties as well as suspension from the privileges of being a state-party as well as any other administrative roles the party had in the CTBTO.⁹

NPT:

The Treaty on the Nonproliferation of Nuclear Weapons (NPT) was opened for signature in 1968 and worked to prevent further proliferation of nuclear weapons by states who did not already have a nuclear program. All signatories agree to not assist any non nuclear weapon holding state in the development of nuclear weapons. It has the long term objective of achieving disarmament and has been extended indefinitely. The treaty went into effect in 1995 and has 191 states that have joined including the five nuclear powers. Article III of the treaty calls for it to be reviewed every five years at the NPT Review and Extension Conference.¹⁰

TPNW:

The Treaty on the Prohibition of Nuclear Weapons (TPNW) calls for the prohibition of all nuclear weapon activities. This is an initiative to create a legally binding agreement to prohibit the ability to test, produce, acquire, possess, stockpile, use, develop, or threaten the use of nuclear weapons. The treaty was a result of a UN conference which led to UN Resolution 71/258 and Resolution 72/258 called for the Secretary General to be the designated depository of the Treaty. The Secretary General is also responsible for transmitting the declarations from the Review Conferences to states-parties.¹¹

⁹ Daryl Kimball, "Fact Sheets & Briefs." Comprehensive Test Ban Treaty at a Glance | Arms Control Association. Accessed December 1, 2021. <https://www.armscontrol.org/factsheets/test-ban-treaty-at-a-glance>.

¹⁰ "Treaty on the Non-Proliferation of Nuclear Weapons (NPT) – UNODA." United Nations. United Nations. Accessed December 1, 2021. <https://www.un.org/disarmament/wmd/nuclear/npt/>.

¹¹ "Treaty on the Prohibition of Nuclear Weapons – Unoda." United Nations. United Nations. Accessed December 1, 2021. <https://www.un.org/disarmament/wmd/nuclear/tpnw/>.

UNODA:

The United Nations Office of Disarmament Affairs (UNODA) was established in January of 1998 as a form of reform suggested by the Secretary General. The General Assembly had recommended this division in the Second Special Session on Disarmament (SSOD II). The UNODA's goal is to support multilateral initiatives to work toward complete disarmament and international control of nuclear weapons. It also works to acknowledge the humanitarian impact of conventional weapons and emerging weapon technologies that have received increased attention from the international community. The UNODA serves as a vessel for organizational support through the General Assembly and First Committee which is the Disarmament Commission, the Conference on Disarmament and other entities regarding disarmament. The UNODA also works to provide current information regarding disarmament activities to the public and to the member states. The UNODA is in support of developing and implementing practical measures towards disarmament and integrating such initiatives with civil society.¹²

Literature Review:

The existing literature around the topic of nuclear disarmament and the UN's failures when it comes to this crisis include various speeches highlighting issues such as conflict of interest and special relationships. It also includes studies assessing UN initiatives throughout history in comparison with the actual result of whether or not initiatives impacted nuclear powers and their arsenals. Many other scholars focus on critiquing or commending the UN's actions, but even within the critiques a clear assessment of if an alternate solution would be favorable is not addressed thoroughly.

Favoritism of the Nuclear Powers in the United Nations

¹² "About Us – UNODA." United Nations. United Nations. Accessed December 1, 2021. <https://www.un.org/disarmament/about/>.

The United Nations, while regarded as an institution meant to create peace, has been subject to many criticisms by the field of international peace and security. One of the common criticisms is the nature of favoritism and cliques developed by the member states; the foundations of where this process began can be seen in Former Secretary General Gladwyn Jebb's speech from 1953. Jebb discusses the differences in relationships between the U.S., U.K., and France and the U.N. versus countries like Russia. The context in which the UN was created plays a large role in how this polarized "either you're with us or you're against us" mentality formed. As Jebb states "So long as this enormous mass is dominated by men of the mentality of the Stalinist imperialists there can, in other words, really be no "security," collective or other, United Nations or no United Nations." The anti-communist and anti-east sentiment is what resulted in many of the wealthy western countries working together to grab a disproportionate amount of power under the guise of playing the saviors and protecting the world from communism. This idea of certain powers having weapons of mass destruction being seen as maintenance of peace and security while the idea of others having weapons of mass destruction being seen as a threat leads to massive inconsistency in terms of enforcement of policy and direction of which parties need to be regulated.¹³

Elke Krahnemann, a political scientist and writer for the International Studies Review, discusses the implication of this conflict in the context of peace and security after 9/11. She refers to the U.S.'s reaction to 9/11 being imperialistic and how because the US is such a powerful player in the UN, NATO, IMF, and World Bank, the US has the capability to "pursue hegemonic and imperialist policies." In the current political climate, states that once used to be rivals like China and Russia have begun to join the coalition and even help the US's proactive

¹³ Gladwyn Jebb, "The Free World and the United Nations - Jstor.org." Accessed December 1, 2021. <https://www.jstor.org/stable/pdf/20030972.pdf>.

policies. One of the most notable being Russia providing intelligence that facilitated the US invasion in Afghanistan. Initiatives like the “war on terror” have resulted in major powers like the US having the power to establish labels of good or bad on states. Because the US has had support from other major powers within the UN namely the UK and France, there has been little to no accountability when it comes to human rights violations such as calculated drone strikes against civilians. The US has taken a preemptive approach to addressing potential threats in the Middle East which has resulted in 100,000’s of civilian casualties from collateral damages. How is US foreign policy related to the UN? When multiple of the most powerful members of the UN condone atrocious military action and arms acquisition when it’s in their favor and condemn it for other countries like Iran and Iraq, it demonstrates how clearly the UN serves the interests of a small group.¹⁴

The US’s disproportionate amount of power in institutions like the UN is significant because it allows the US to execute dangerous foreign policy measures without repercussions. This was seen in the lack of accountability after the Hiroshima and Nagasaki tragedies where the US essentially faced no punishment for the use of nuclear weapons and is seen again through the US’s pre-emptive approach in the Middle East. The pre-emptive factor is often associated with US imperialistic ideals and not commonly used. This ability to make foreign policy decisions without facing many, if any, repercussions sets a dangerous precedent for the extent of the US’s power. Especially concerning is how other dominant powers within the UN like France and the UK don’t denounce violations committed by the US. The US having this kind of leverage over the highest authorities within the UN demonstrates how conflict of interest is a major issue in terms of enforcing accountability and compliance.

¹⁴ Elke Krahnmann, “American Hegemony or Global Governance ... - JSTOR HOME.” Accessed December 1, 2021. <https://www.jstor.org/stable/3699673>.

Jan Wouters, the President of the United Nations Association (UNA), delivered a speech in 2004 elaborating on the relationship between the European Union (EU) and the UN. He specifically mentions how “this relationship has nowadays become a very comprehensive one, stretching from development, human rights, humanitarian aid to fields like security, terrorism, or at least the fight against terrorism.” He specifically touches on the representation of the EU states in the UN and how actively involved they are as member states. This is an interesting factor to consider because generally the UN’s vision is to have a democratic system that values equality and fairness. However, this collaboration with the EU raises the question of if collaborations with entities like the EU is even appropriate because it creates disproportionate power distributions. This also raises concern over having a group referred to as the “Permanent five (PF)” and only granting certain states veto power essentially creating an imbalance of power. Many countries with less economic pull like Albania and Kosovo have strived to join the EU for a long time, but have not been granted the privilege. Some of these countries are member states of the UN so this again raises the question of which nations specifically are able to have significantly more influence within the institution because of participation in groups like the EU that allows them to have a “special relationship.” The internal logistics of which members of the EU have more authority than others also causes complications with which members of the group get to steer the direction of the collaboration between the EU and the UN.¹⁵

John Carlson, an advisor to the Nuclear Threat Initiative (NTI), describes how many of the disarmament initiatives from the NPT went unfulfilled and compares the status of disarmament agendas between the TPNW and NPT. He describes how “there have been no

¹⁵ “The United Nations and the European Union: An Ever Stronger Partnership.” Egmont Institute, May 17, 2004. <https://www.egmontinstitute.be/events/atlantic-rendez-vous-a-ground-breaking-programme-of-satellite-linked-policy-debates-between-brussels-washington-d-c/>.

multilateral negotiations on nuclear arms reductions, and no negotiations seriously addressing how to achieve nuclear disarmament.”¹⁶ He also mentions how the nuclear powers have shown no interest in working towards disarmament. Carlson highlights Article VI of the NPT which calls for working towards disarmament and how many claim it’s vague and does not clearly describe the details of arms reduction and disarmament. The International Court of Justice (ICJ) interpreted Article VI as “not only an obligation to pursue negotiations in good faith, but an obligation to bring these negotiations to an effective outcome, leading to nuclear disarmament in all its aspects under strict and effective international control.” For the TPNW, Carlson highlights how it polarized the international community and how nuclear weapon holding states rejected the provision. The addition of a special protocol in the TPNW for ex-nuclear weapon holding states and not non-nuclear weapon holding states contradicts the NPT’s declaration that for a nuclear-free world additional protocols should apply to all states. Carlson also emphasizes how it is unrealistic to expect nuclear powers to eliminate nuclear weapons “by a date set by others” especially with nuclear deterrence largely influencing national security concerns.

Carlson details a potential step-by-step approach to reach disarmament and this plan consists of:

Step 1: Joint Declaration between the US and Russia that a nuclear war must never be fought

Step 2: Nuclear-armed states declaring a no first use policy and affirm that the purpose of nuclear weapons is to deter attacks not initiate them

Step 3: Creating a multilateral negotiation process between NPT and non-NPT nuclear-armed states

¹⁶ Carlson, John. “The 2020 NPT Review Conference and the TPNW Factor - VCDNP.” Accessed December 16, 2021. <https://vcdnp.org/wp-content/uploads/2020/02/ILF-NPT-and-TPNW-2019-John-Carlson.pdf>.

Step 4: Removing nuclear weapons from launch-on-warning status (immediate launching system)

Step 5: Strengthen checks on authorities responsible for the launch of weapons

Step 6: Agreement between the US and Russia to extend START (arms reduction) and possibly negotiate another future START agreement

Step 7: Reduce and dismantle deployed and excess nuclear weapons

Step 8: Transfer excess military fissile material to benefit civilian use or dispose of it, ensure irreversibility of this process

Step 9: Bring CTBT into force

Step 10: Negotiate treaty cutting off fissile material

Step 11: Develop long-term verification, confidence-building, and transparency measures for nuclear reduction and elimination processes

Carlson supports the ideas of navigating disarmament and arms reduction being difficult due to the nuclear powers and the TPNW and NPT being ineffective in their current condition. His proposal for a potential solution highlights the points at which disarmament needs to be addressed. Many of his steps are also dependent on action by individual states or cooperation between states instead of resorting to the UN. Examples of this being the renewal of START between the US and Russia, reducing deployed nuclear weapons, and transferring excess fissile material to civilian uses. This is significant because he asserts how it is crucial to consider that the nuclear powers will not comply with vague multilateral initiatives if it doesn't align with their interests at the time. As well as how it is essential to establish a system of enforcing accountability.¹⁷

¹⁷ Carlson, John. "The 2020 NPT Review Conference and the TPNW Factor - VCDNP." Accessed December 16, 2021. <https://vcdnp.org/wp-content/uploads/2020/02/ILF-NPT-and-TPNW-2019-John-Carlson.pdf>.

Focus on Reform Instead of Abandonment:

Expanding the view beyond just how the United Nations handles disarmament, there are many fundamental issues that make it an organization that is unequipped to handle global crises in general. Legitimacy and trust play a major role when it comes to delegating an institution to govern the world's most powerful weapons and the UN has demonstrated on numerous accounts that corruption and fraud run rampant throughout its branches.¹⁸

In terms of arms control, Brett Schaefer, an expert on the UN and foreign policy, refers to how many UN treaties regarding disarmament are flawed in that they cannot accomplish the goals they set due to some countries refusing to join or because there is compelling evidence that states that have joined are not honoring the treaty obligations. One example Schaefer uses is the “zero yield” test ban in the Comprehensive Test Ban Treaty (CTBT), he points out that there is not a way to truly verify that a country is conducting zero tests. An example of this is the UK, while the UK stopped conducting tests independently, it still relied on the American nuclear program and the tests they conducted.

According to Schaefer “Given the flawed products that the conference has produced, its susceptibility to from non-governmental organizations (NGOs), and its lack of productivity in recent years, the UN should abolish the Conference on Disarmament, as proposed by the United States Institute of Peace’s Task Force on the United Nations.” He claims that the best approach is to have smaller initiatives that concern less countries at once since creating resolutions for all states (who have different nuclear weapon holding statuses) makes way for broad and vague goals with little ability for accountability.

¹⁸ Beigbeder Dijkzeul, “Rethinking International Organizations.” Google Books. Google. Accessed December 1, 2021.

<https://books.google.com/books?hl=en&lr=&id=B8vYDwAAQBAJ&oi=fnd&pg=PA166&dq=corruption%2Bwithi n%2Bunited%2Bnations%2B&ots=p101LXpRqI&sig=jR-IkUQnMqpakynUu9dIWwV611c#v=onepage&q=corrupt ion%20within%20united%20nations&f=false>

Schaefer also critiques UN affiliated organizations that are not in the UN itself like the IAEA. He claims that the IAEA is monopolistic especially since it is the only authority responsible for managing the safeguard system in the NPT. He uses examples of Libya and Iraq to refer to the IAEA's incompetency when it comes to verification of suspicious activity regarding nuclear weapons and failure to discover shipments of nuclear-related materials. He proposes that the best answer to the monopolistic behavior is for the US to "lead an effort by interested states to create a competing international institution to perform the safeguard mission."¹⁹

Further research on what a feasible alternative would look like needs to be conducted, but it's very difficult considering the fact that many existing institutions are a result of the West attempting to obtain more global power. The process of finding a way to establish a system of checks and balances that has integrity has not been formally detailed by scholars in the field. This research will help frame if issues need to be addressed by reforming the UN's approach to nuclear disarmament or taking them into consideration when developing an alternative solution. My topic will bridge the gap between critiques of the UN's approach to nuclear disarmament and the various issues that have leaked into other sectors such as imbalance of power, special interests, and lack of enforcement. It will also declare a final consensus on whether the UN in regards regulating nuclear weapons must be abolished and a new solution should be implemented or it just needs to be reformed in order for nuclear weapons to be regulated or eliminated appropriately.

Case Study:

¹⁹ Schaefer, Brett D. "Chapter 9." Essay. In *Conundrum: The Limits of the United Nations and the Search for Alternatives*. Lanham, MD: Rowman & Littlefield, 2009.

There are five permanent members to the United Nations Security Council (UNSC) which are: the United States, The United Kingdom, Russia, France, and China. As permanent members they have “veto power” which they can use to reject any resolution by the UNSC. An example of this being when the US vetoed a resolution that called for the prosecution, rehabilitation, and reintegration of those that have engaged in terrorism-related activities. These five states are also the world’s nuclear powers. In order to assess if the UN is ineffective in responding to the threat of nuclear weapons, we must look at what the controlling powers have done in response to the different treaties and if UN facilitated treaties have more or less of an impact than state led treaties. This will help determine where their interests lie and if the UN should continue to regulate nuclear weapons or if its inefficiency calls for an alternate solution.. This case study will assess the reactions of each government of the five nuclear powers to the CTBT, NPT, and TPNW as well as account for the state led START and SALT initiatives.²⁰

United States:

The US owns 3,800 stockpiled nuclear warheads as of 2019 and has 2,385 warheads waiting to be dismantled. During the Conference on Disarmament in 1979, the US was interested in further discussion towards disarmament, a treaty establishing fissile material cut-off, preventing an arms race in space, and security assurances. According to the US Department of State, In 1999 the Senate’s reaction to the test ban treaty was that it was ultimately impossible to ensure other states are complying with the ban and the US should therefore continue testing

²⁰ “The UN Security Council.” Council on Foreign Relations. Council on Foreign Relations. Accessed December 1, 2021. <https://www.cfr.org/backgrounder/un-security-council>.

instead of unilaterally signing on as promised.²¹ The senate was unable to receive the two thirds of votes needed to ratify the treaty and the status of signed but not ratified stands today.²²

In more recent years, there have been accusations between the US and Russia that the other has violated the CTBT. This is significant because they both want an advantage over the other and one party violating the treaty serves as leverage for the other to retaliate by not complying to the treaty.²³

US's reaction to the CTBT:

The US's reaction to the CTBT was that it aligns with the US's views towards reaching disarmament, the US particularly would have an advantage because the treaty does not call for surrendering weapons in its current arsenal. During the Clinton administration the Democrats wanted to get a Senate vote that would allow for ratification, but a republican majority prevented this. However, more recently the Bush administrations showed no interest in ratification and while the Obama administration wanted to propose the treaty to the Senate again, no progress has been made towards ratification.

US's reaction to the NPT:

The US's reaction to the NPT was in support of the treaty, but also stated that it wanted to strengthen US leadership in arms control and nonproliferation regulation. It claims that the treaty is essential for future disarmament goals and by "Working closely with our partners and allies

²¹ Helen Dewar, The Washington Post. WP Company. Accessed December 1, 2021. <https://www.washingtonpost.com/wp-srv/politics/daily/oct99/senate14.htm>.

²² Daryl Kimball, Arms control Today. In: U.S. Questions Russian CTBT Compliance | Arms Control Association. <https://www.armscontrol.org/act/2019-07/news/us-questions-russian-ctbt-compliance>. Accessed 1 Dec 2021 .

²³ Miles, T. (2019, July 30). *Washington denies it plans to Quit Nuclear Test Ban Treaty*. Reuters. Retrieved December 1, 2021, from <https://www.reuters.com/article/uk-russia-usa-missiles/washington-denies-it-plans-to-quit-nuclear-test-ban-treaty-id UKKCN1UP13A>.

around the world, the United States will address 21st century challenges while preserving and strengthening the Treaty for future generations.”²⁴

However recently, there have been concerns from non-nuclear weapon holding signatories that the nuclear weapon holding signatories are not accurately following the provisions from the treaty, this concern was especially raised after all five nuclear powers strongly opposed the treaty on the prohibition of nuclear weapons (TPNW).^{25 26}

US's reaction to the TPNW:

The US's reaction to the TPNW was that it had voted to oppose the resolution that suggested the treaty multiple times. Similar to many of the other nuclear powers, the US states does “not accept any claim that [the TPNW] contributes to the development of customary international law.” Also, when the TPNW went into force in 2021, the US called upon signatories to withdraw from the treaty, but none have followed through on this sentiment.²⁷

Russia:

Russia's Reaction to the CTBT:

Russia ratified the CTBT in 1996 and ratified it in 2000, the reactions of Russian officials and regimes have varied over time. In 2000, the Foreign Ministry released a statement declaring

²⁴(2021) Nuclear non-proliferation treaty - united states department of state. In: U.S. Department of State. <https://www.state.gov/nuclear-nonproliferation-treaty/>. Accessed 1 Dec 2021

²⁵ O'Hanlon ME, Einhorn R, Pifer S, Rose FA (2020) Experts assess the Nuclear Non-Proliferation Treaty, 50 years after it went into effect. In: Brookings. <https://www.brookings.edu/blog/order-from-chaos/2020/03/03/experts-assess-the-nuclear-non-proliferation-treaty-50-years-after-it-went-into-effect/>. Accessed 1 Dec 2021

²⁶ “The United States and the CTBT: Renewed Hope or Politics as Usual?” The Nuclear Threat Initiative, November 6, 2019. <https://www.nti.org/analysis/articles/united-states-and-ctbt/>.

²⁷ “United States.” ICAN. Accessed December 1, 2021. https://www.icanw.org/united_states#:~:text=National%20position,at%20the%20earliest%20possible%20date%E2%80%9D.

how Russia's position on the treaty is an indicator of how the regime is in support of non-proliferation and disarmament. The statement also included an emphasis on the treaty being put into force in a timely manner and having a barrier that will help enforce accountability. Russian Foreign Minister Sergey Lavrov denounced how the US has not ratified the treaty yet and referred to it as a "crude provocation." This was affirmed by Foreign Minister Igor Ivanov's statement where he claimed "the ball is now in the court of the United States."²⁸ Many point out the US's failure to ratify and Communist Deputy Ivan Nikitchuk, a notoriously conservative prominent Russian political official, even claimed that "here has been a deliberate movement aimed at depriving Russia of its status as a nuclear power. Banning nuclear tests is just another step in that direction..."²⁹ These statements show how polarized the Russian government was in terms of the elimination of nuclear testing and how the US's lack of compliance was seen as a motivator to also default.

Russia's reaction to the NPT:

Russia's reaction to the NPT showed disinterest in following many of its provisions. Initially, Russia was in support of working with the US to make stricter rules regarding the withdrawal option of the treaty, but this position changed after its involvement in the conflict in Crimea. Similarly, Russia was in favor of solidarity between existing nuclear weapon holding states until it sided with Arab delegations when the issue of making the Middle East a nuclear-weapon free zone arose. In meetings regarding the NPT between the five nuclear powers, Russia is reported to show a passive and imaginative role.³⁰

Russia's Reaction to the TPNW:

²⁸ Daryl Kimball, "Arms Control Today." U.S. Questions Russian CTBT Compliance | Arms Control Association. Accessed December 1, 2021. <https://www.armscontrol.org/act/2019-07/news/us-questions-russian-ctbt-compliance>.

²⁹ Russian ratification of the CTBT. Accessed December 1, 2021. <http://www.acronym.org.uk/old/archive/ctbduma.htm>.

³⁰ Einhorn, Robert. "Prospects for U.s.-Russian Nonproliferation Cooperation." Brookings. Brookings, July 28, 2016. <https://www.brookings.edu/research/prospects-for-u-s-russian-nonproliferation-cooperation/>.

Russia's reaction to the TPNW is different from the reactions to the other two treaties. When those were put forward for signature Russia claimed to be committed to working towards disarmament and non-proliferation. However, when faced with a strict ban on even the possession of nuclear weapons this became more complex as Russia viewed the possession of nuclear weapons as a strategic method of defense. The Russian government has been split on how to approach the TPNW between: to sign on and being in support which its not currently interested in, to publicly support the treaty in the media without signing on, to oppose the treaty actively which would likely result in backlash from the international community, to combine the non-acceptance of the treaty while refraining from a vocal opposition, or to promote constructive engagement with the TPNW and hope to reach more of a compromise long term. This indecisiveness questions the previous claims made by the Russian government claiming they want to work towards disarmament. If the claims were true then the decision would seem relatively simple which would be to comply.³¹

SALT:

The Strategic Arms Limitation Talks (SALT) were negotiations between the US and USSR that worked to reduce the manufacturing of arms and curtail the arms race. Two of the main agreements that resulted from these talks were the SALT I signed in 1972 and SALT II signed in 1979. However, the most notable accomplishments of these talks were the Treaty on Anti-Ballistic Missile (ABM) Systems and the Interim Agreement and Protocol on the Limitation of Strategic Offense Weapons. Nixon and Brezhnev both signed these agreements. The ABM treaty limited the US and the USSR to one ABM deployment area respectively and 100 interceptor missiles. The anti ballistic missiles mentioned in the treaty had the purpose of

³¹ Vladimir Baranovsky, "The TPNW: Russia's Perspectives - Toda." Accessed December 1, 2021. https://toda.org/assets/files/resources/policy-briefs/t-pb-100_vladimir-baranovsky_tpnw-russian-perspective.pdf.

destroying potential intercontinental ballistic missiles (ICBMs). The US Senate and USSR ratified the ABM treaty in 1972. The Interim Agreement halted the production of ICBMs for both sides and required that their amount of ICBMs remain at the current level for five years. This provision did not require ratification, but was approved by the US Congress as a joint resolution. Both of these proved to be effective as bilateral agreements and resulted in timely compliance from both sides. The second Strategic Arms Limitations Talks, now between Carter and Brezhnev, resulted in the Interim agreement being replaced with a more long term agreement that prohibited the development of new missile programs. It specifically concerned those that have parameter abilities five percent better than current missiles.³²

START:

The Strategic Arms Reduction Talks (START) were negotiations to control arms between the US and USSR and worked to reduce their arsenals of nuclear weapons. The first START negotiations resulted in the START I treaty which permitted the US and Russia a total of 7,950 warheads and 1,900 delivery vehicles. Verification measures for this treaty included on-site inspections, monitors at the ICBM factories and access to details of missiles being tested. The START I treaty was signed in 1991 and expired in 2009.

The START II was proposed in 1992 and attempted to call for the reduction of strategic warheads to 3,800-4,250 by 2000 and 3,00-3,500 by 2003. This proposal would also require the elimination of multiple independent reentry vehicles (MIRVs) from ICBMs. The START II never actually entered into force even though it was ratified by the US in 1996 because of Russian distaste towards Western policy. Additionally, when the US withdrew from the ABM treaty the Russian Duma refused to engage with START II.

³² Lawrence Freedman, "Anti-Ballistic Missile Treaty." Encyclopædia Britannica. Encyclopædia Britannica, inc. Accessed December 16, 2021. <https://www.britannica.com/event/Anti-Ballistic-Missile-Treaty>.

The START III or Strategic Offensive Reductions Treaty (SORT) negotiations began in 1997 where Clinton and Yeltsin agreed to reduce the number of warheads down to 2,000-2,500. Both sides showed progress and this was followed by the SORT which was ratified without resistance by both the US and Russia in 2003. SORT worked to reduce the number of nuclear weapons to 1,700-2,00 by the end of 2012. It did not require delivery systems to be eliminated and allowed for the storage of non deployed warheads instead of requiring destruction of the excess.

The New START negotiations began in 2009 under Obama and Medvedev and initially called for the reduction of warheads down to 500-1,000. However, negotiations faced some difficulties and resistance from both sides so it was later decided that each side would be permitted 1,550 deployed strategic warheads and up to 800 delivery devices. These limits were required to be met seven years after ratification, the US ratified the New START in 2010 and Russia ratified it in 2011.³³

United Kingdom

UK's Reaction to the CTBT:

The UK's reaction to the CTBT was that it was "a cornerstone of international efforts to prevent nuclear proliferation." They signed on to the treaty in 1996 and ratified it in 1998 and is not known for conducting any tests after ratification. The UK also used this statement to re-assert its alliance with France stating: "I am pleased that we were able to ratify jointly with France, demonstrating our close cooperation on such issues."³⁴

UK's Reaction to the NPT:

³³ Lawrence Freedman, "Start III/Sort." Encyclopædia Britannica. Encyclopædia Britannica, inc. Accessed December 16, 2021. <https://www.britannica.com/event/Strategic-Arms-Reduction-Talks/START-III-SORT>.

³⁴ "Disarmament Diplomacy." Disarmament Diplomacy: - UK & France CTBT Ratifications. Accessed December 1, 2021. <http://www.acronym.org.uk/old/archive/25france.htm>.

The UK's reaction to the NPT was that it plans to work within the NPT to stop the spread of nuclear weapons and promote the peaceful use of nuclear technology. They claim that they are committed to working towards the long term goal of a world without nuclear weapons and claims to have significantly reduced its stockpile. In their statement regarding the NPT, they also emphasize the role of the five major nuclear powers in the road towards disarmament and how they "play a leading role in researching how nuclear disarmament can be monitored and verified." They have also encourage all states to ratify the treaty so the Safeguards Support Program, that is heavily funded by the UK, can monitor nuclear usage can ensure that nuclear technology is being used for peaceful purposes.³⁵

UK's Reaction to the TPNW:

The UK's reaction to the TPNW was that while it publicly supports the treaty, it did not participate in any negotiation efforts at the UN and did not adopt the treaty. In 2016 the UK also voted against a resolution that called for the discussion of a legally binding agreement that could result in having to disarm their arsenal. They have also actively discouraged other states, especially their colonies, from supporting this sort of resolution.³⁶

France:

France's Reaction to the CTBT:

France's reaction to the CTBT was enthusiastically supportive. A statement released by the Director of Disarmament from the Ministry of Foreign Affairs emphasized the "option zero" provision proposed by France which would ban nuclear testing completely.. Similar to the UK,

³⁵ Foreign, Commonwealth & Development Office. "Nuclear Non-Proliferation Treaty (NPT): An Overview of UK Action." GOV.UK. GOV.UK, November 2, 2021. <https://www.gov.uk/guidance/nuclear-non-proliferation-treaty-npt-an-overview-of-uk-action>.

³⁶ "United Kingdom." ICAN. Accessed December 1, 2021. https://www.icanw.org/united_kingdom#:~:text=National%20position,at%20the%20earliest%20possible%20date%E2%80%9D.

France emphasizes their alliance with the UK throughout the statement and claims “The British and ourselves think that in order to stimulate others' ratification of the CTBT and implementation of this Treaty, setting the example would represent an important lever.” However, they claim they are in full support of facilitating the CTBT to reach the long term goal of disarmament and view the systems for monitoring nuclear activity to be very effective.³⁷.

France's Reaction to the NPT:

France's reaction to the NPT was that it supports the prevention of the spread of nuclear weapons and the peaceful use of nuclear technology however it does not support the complete ban of nuclear weapons. France has decreased their arsenal by over a third and participates in the Proliferation Security Initiative (PSI) which works to develop international cooperation in monitoring the delivery systems of nuclear weapons.³⁸

France's Reaction to the TPNW:

France's reaction to the TPNW is that it views the treaty as not suitable in the context of international security. They claim it's not a practical solution due to the renewed nuclear threats. France also points out the idea that the nuclear powers would be reluctant to sign on to a legally binding treaty since the possession of nuclear weapons is used as a deterrent and banning them completely “undermines a realistic, step-by-step approach to disarmament.”³⁹

³⁷ “Disarmament Diplomacy.” Disarmament Diplomacy: - UK & France CTBT Ratifications. Accessed December 1, 2021. <http://www.acronym.org.uk/old/archive/25france.htm>.

³⁸ Ministère de l'Europe et des Affaires étrangères. “Speech of the President of the Republic Emmanuel Macron on the Defense and Deterrence Strategy (07 Feb. 20).” France Diplomacy - Ministry for Europe and Foreign Affairs. Accessed December 1, 2021. <https://www.diplomatie.gouv.fr/en/french-foreign-policy/security-disarmament-and-non-proliferation/news/2020/article/speech-of-the-president-of-the-republic-emmanuel-macron-on-the-defense-and>.

³⁹ “Macron Proposes European Role for French Nuclear Weapons, Won't Meet with Hiroshima Survivor.” ICAN. Accessed December 1, 2021. https://www.icanw.org/macron_proposes_european_role_for_french_nuclear_weapons_won_t_meet_with_hiroshima_survivor.

China

China's Reaction to the CTBT:

China's reaction to the CTBT was that it was essential in the steps towards disarmament and supports the treaty. While China has signed onto the treaty, they have not ratified the treaty. They tend to shift the focus on the supporting actions China has taken and how it intends to continue working with the CTBTO to help maintain the monitoring system.⁴⁰

China's Reaction to the NPT:

China's reaction to the NPT was that it agrees to strictly follow its restrictions and continues to promote the “non-proliferation of nuclear weapons, progress in nuclear disarmament and promotion of peaceful uses of nuclear energy.” China reports to abide by the treaty by not advocating, encouraging, or engaging in the proliferation of nuclear weapons nor facilitating another state from developing or acquiring nuclear weapons.⁴¹

China's Reaction to the TPNW:

China's reaction to the TPNW was that the Chinese priorities were “fundamentally in line with the purposes of negotiations on the nuclear weapons ban treaty.” China did not participate in any of the negotiations for the TPNW and deems a legally binding ban on nuclear weapons unacceptable. Currently, they have no intention of committing to disarming its arsenal similar to its fellow nuclear powers.⁴²

The Comprehensive Test Ban Treaty:

⁴⁰ China's position on CTBT. Accessed December 1, 2021.
<https://www.fmprc.gov.cn/ce/cgvienna/eng/dbtyw/cjyjk/CTBT/t127376.htm>.

⁴¹ Report of China on the implementation of NPT. Accessed December 1, 2021.
https://www.mfa.gov.cn/ce/ceun//eng/chinaandun/disarmament_armscontrol/npt/t196288.htm.

⁴² Tong Zhao, Raymond Wang. “China and the Nuclear Weapons Prohibition Treaty.” Carnegie Endowment for International Peace. Accessed December 1, 2021.
<https://carnegieendowment.org/2017/09/21/china-and-nuclear-weapons-prohibition-treaty-pub-73488>.

The chart below shows the amount of nuclear tests conducted by each of the five countries over time from before the treaty was signed all the way to the present. The data is listed in increments of a five year period and then annually around the time of the treaty to more accurately gauge the progression of nuclear testing leading up to the treaty. The green row is the year the CTBT went into effect and the red cells refer to when each country ratified the treaty. France and the UK became the first two countries to ratify the treaty in 1998.

Key:	
	Treaty went into force
	Year of ratification

Table1: Nuclear Tests Over Time

Year	United States	USSR/ Russia	United Kingdom	France	China
1945 - 1950	6	1	0	0	0
1951 - 1955	61	23	3	0	0
1956 - 1960	127	59	18	3	0
1961 - 1965	236	161	5	14	2
1966 - 1970	231	87	0	23	9
1971 - 1975	119	119	1	26	6
1976 -1980	88	131	7	47	10
1981 - 1985	87	102	6	47	5

1986 - 1990	62	47	4	39	4
1991	7	0	1	6	0
1992	6	0	0	0	2
1993	0	0	0	0	1
1994	0	0	0	0	2
1995	0	0	0	5	2
1996	0	0	0	1	2
1997	0	0	0	0	0
1998	0	0	0	0	0
1999-2005	0	0	0	0	0
2006-2019	0	0	0	0	0
Total	1,030	715	45	210	45

Source: "Fact Sheets & Briefs." *The Nuclear Testing Tally* | Arms Control Association. Accessed December 1, 2021. <https://www.armscontrol.org/factsheets/nucleartesttally>.

The Nuclear Nonproliferation Treaty:

The table below shows the amount of nuclear warheads owned by the five nuclear powers over time. The row highlighted in green is the year the NPT went into force. The red cells indicate the year (five year range) that country ratified the treaty and the blue cells for the US, Russia, and France refer to how these nations signed on and ratified the treaty in the same time increment it was put into effect. Emerging nuclear powers India, Pakistan, and North Korea have not signed the treaty.

Key	
	Treaty went into force
	Ratification of treaty
	Ratification and treaty went into force in the same year

Table 2: Nuclear Warheads Owned Over Time

Year	United States	Russia	United Kingdom	France	China
1945	2	0	0	0	0
1950	299	5	0	0	0
1955	2,422	200	10	0	0
1960	18,638	1,627	105	0	0
1965	31,139	6,144	271	32	5
1970	26,008	11,736	375	36	75
1975	27,519	19,235	500	188	180
1980	24,104	30,665	500	250	205
1985	23,368	38,582	350	360	222
1990	21,392	32,980	350	505	232
1995	10,904	18,179	234	500	234
2000	10,577	12,188	280	470	232
2005	8,360	7,000	280	350	235
2010	5,066	5,215	225	300	240
2015	4,571	4,500	215	300	216
2017	4,000	4,300	215	300	270

Source: “Nuclear Notebook.” *Bulletin of the Atomic Scientists*, November 24, 2021.

<https://thebulletin.org/nuclear-notebook/>.

Analysis:

This case study will assess the impacts that three major treaties regarding nuclear disarmament have had. The Comprehensive Test Ban Treaty which is not a UN treaty will be compared to the Nuclear Nonproliferation Treaty and the Treaty on the Prohibition of Nuclear Weapons which are treaties facilitated by the UN. The responses to the UN treaties will also be compared to the SALT and START bilateral agreements between the US and Russia. This study will look at if five of the main nuclear powers: US, Russia, France, UK, and China have ratified the treaties or if they have implemented any aspects of ones they have signed on to. Because much of the world's nuclear threat and power comes from these countries, this study will assess if the UN's preventative measures are actually effective or if they are more performative and are simply another obstacle for the nuclear powers to prevent a nuclear free world.

The Comprehensive Test Ban Treaty:

The treaty was opened for signature in 1996 and so far there have been signed by 181 countries and ratified by 163 countries. Of the five in this study: The US has signed but not ratified, Russia has signed and ratified, the UK has signed and ratified, France has signed and ratified, and China has signed but not ratified.⁴³ An important fact to consider is that two countries that are emerging as nuclear weapon holding states, India and Pakistan, have not signed the treaty (even with India being the first to propose the idea). This standoff tends to be attributed to the rivalry between the two as a result of the disputed territory of Kashmir

The data from *Table 1* reflects how the CTBT was in fact effective and that the states after signing and ratifying the treaty did in fact stop nuclear testing. The US and China are

⁴³ Daryl Kimball, "Fact Sheets & Briefs." Nuclear Testing and Comprehensive Test Ban Treaty (CTBT) Timeline | Arms Control Association. Accessed December 1, 2021. <https://www.armscontrol.org/factsheets/NuclearTestingTimeline>.

particularly interesting to consider because while neither have ratified the treaty, both countries still stopped testing after they signed the treaty. President Clinton pushed heavily for the US to ratify the treaty in 1998, however even with a massive push by public opinion and civil society the treaty remains unratified by the US and any further push to do so was abandoned in 1999 by the Clinton administration. Later, the Bush administration declared that while the US plans to stay involved in CTBT initiatives like the International Monitoring System (IMS), the US has no intention of ratifying the treaty. The irony in this being that one of the initial proposals of holding a conference to discuss a ban on nuclear testing was presented by President Eisenhower in 1958.⁴⁴

The reasons for which China has yet to ratify the treaty remain unclear, but China's Mission to the UN reports that China "China supports an early entry into force of the CTBT and has signed the treaty on the first day that it opened for signature. The Chinese Government has submitted the Treaty to the National People's Congress (NPC). NPC will consider and ratify the Treaty according to the due legal procedures." Sha Zukang, a former Ambassador for Disarmament Affairs appointed in 1995 by President Jiang Zemin, claims that China would surely ratify the treaty if the US does and that the CTBT aligns with Chinese international security interests. The US and China seem to be using each other's hesitance to ratify the CTBT as a reason to indefinitely postpone this action, it resembles a game of chicken to see who will comply first in return for the other's potential compliance. Regardless, the treaty overall seems to be a success in terms of implementation.⁴⁵

SALT and START:

⁴⁴ "Comprehensive Nuclear Test Ban Treaty (CTBT)." The Nuclear Threat Initiative, October 25, 2021. <https://www.nti.org/education-center/treaties-and-regimes/comprehensive-nuclear-test-ban-treaty-ctbt/>.

⁴⁵ China's position on CTBT. Accessed December 1, 2021. <https://www.fmprc.gov.cn/ce/cgvienna/eng/dbtyw/cjyjk/CTBT/t127376.htm>.

Many of the negotiations during the SALT and START initiatives were generally agreed upon by both parties and even where there was resistance, a succession of agreements followed which helped establish more achievable boundaries. While the US and Russia show difficulty reaching the exact numbers required by the SALT and START agreements as shown on *Table 2*, there was still a significant reduction in arms. The most recent agreement, the New START, required arsenals to reduce to 1,550 warheads by seven years after ratification which was 2017 for the US and 2018 for Russia. Neither party was able to reach this goal. Russia is inconclusive because data from 2018 is not shown on *Table 2*, but because the number is far from 1,550 I'm assuming they were not able to reduce that large of an amount within a year. These negotiations represent how smaller state-led agreements are significantly more effective and realistic than a large multilateral treaty that has states with different nuclear weapon owning statuses. Even without the achievement of the specific goals outlined, both the US and Russia were able to strive towards a reduced arsenal with a gradual decrease at a pace that aligned with their respective national security interests.

The Nuclear Nonproliferation Treaty:

The NPT went into force in 1970 and was extended indefinitely in 1995. The idea of preventing the proliferation of nuclear weapons was first proposed by Ireland in 1958. In 1967 the US and Russia drafted similar treaties for the Eighteen Nation Committee on Disarmament which is a committee facilitated by the UN for preventing the spread of nuclear weapons which led to the creation of the NPT. In 1975, the UN held its first NPT Review Conference which is meant to be a conference held every five years to update and check the progress of the treaty. The NPT has three major components, non-proliferation which prevents countries that do not have nuclear weapons from developing or acquiring them, disarmament which is meant for

nuclear weapon owning countries to decrease their arsenals, and the peaceful use of nuclear energy.⁴⁶⁴⁷

The data from *Table 2* shows that while there has been a decrease in the size of the nuclear arsenals of the US, UK, Russia, and France, China seems to have increased the amount of nuclear warheads in their possession even after they signed the treaty. While those nations have decreased their arsenals, the amount of warheads they possess is still sizable and has the potential for wide scale mass destruction. Quantity is no longer the only contributing factor for the potential scale of destruction, there have been major developments in nuclear technology well after the peaks of each nation's arsenal meaning while they numerically have less weapons the potential for destruction could be more dangerous. The treaty separates current nuclear weapon holding states from states that do not own weapons. This makes it difficult to measure whether the treaty was actually successful if many of the signatories that have not proliferated weapons had no intention of doing so in the first place. This does not regulate non-signatories that have the intention to develop weapons and essentially permits them to do so. Additionally, the responsibility of disarming is left up to the nuclear powers without any enforcement or accountability allowing them to use the loophole of claiming the reduction of their arsenals is sufficient enough to signify they support disarmament. The impact of the NPT is difficult to measure because the nuclear powers are still armed, states that have not signed on like India, Pakistan, and North Korea still have the freedom to proliferate weapons, and many of the

⁴⁶ Daryl Kimball, "Fact Sheets & Briefs." Arms Control and Proliferation Profile: Russia | Arms Control Association. Accessed December 1, 2021. <https://www.armscontrol.org/factsheets/russiaprofile>.

⁴⁷ Daryl Kimball, "Fact Sheets & Briefs." Arms Control and Proliferation Profile: Russia | Arms Control Association. Accessed December 1, 2021. <https://www.armscontrol.org/factsheets/theunitedstatesprofile>.

countries that have declared not to develop or acquire weapons may never have had the intent to do so.^{48 49 50}

Treaty on the Prohibition of Nuclear Weapons:

The Treaty on the Prohibition of Nuclear Weapons (TPNW) was opened for signature in 2017 and went into force in January of 2021. The treaty prohibits all signatories from producing, manufacturing, acquiring, possessing, testing, or stockpiling nuclear weapons. None of the nuclear powers in this case study have signed or ratified this treaty. This is important to consider because the current signatories did not previously own nuclear weapons so prohibiting nations that had none does not do much other than prevent further proliferation. The effectiveness of the TPNW is difficult to measure because it was implemented recently and none of the powers in this study have signed on so there cannot be a comparison of the nuclear arsenals before and after. Nonetheless, this treaty highlights important issues such as the question of: If none of the nuclear owning states are willing to sign the TPNW did they ever intend to fully disarm? The powers declared that they were willing to work on disarming their arsenals by ratifying the NPT, but was that action performative if they cannot commit to complete disarmament? All of the nuclear powers in this study also boycotted the rounds of negotiations for the treaty in the UN General Assembly (UNGA). It appears as if the nuclear powers are trying to maintain their power while presenting the idea of a nuclear free world, or at least a world in which their rivals cannot proliferate weapons while they can continue to maintain their arsenal. The point of

⁴⁸ Daryl Kimball, "Fact Sheets & Briefs." Arms Control and Proliferation Profile: The United Kingdom | Arms Control Association. Accessed December 1, 2021. <https://www.armscontrol.org/factsheets/ukprofile>.

⁴⁹ Daryl Kimball, "Fact Sheets & Briefs." Arms Control and Proliferation Profile: France | Arms Control Association. Accessed December 1, 2021. <https://www.armscontrol.org/factsheets/franceprofile>.

⁵⁰ Daryl Kimball, "Fact Sheets & Briefs." Arms Control and Proliferation Profile: China | Arms Control Association. Accessed December 1, 2021. <https://www.armscontrol.org/factsheets/chinaprofile>.

whether to focus on the further production of weapons versus the disarming of existing weapons is controversial, but crucial to consider. Ideally both would happen, but it seems the nuclear powers are pushing for non-proliferation by other states instead of the latter to serve their own interests of keeping the leverage over others.^{51 52 53 54 55}

Conflict of Interest:

The issue of conflict of interest plays a major role when considering what institution should regulate nuclear weapons. The nuclear powers also attempted to dissuade other states from signing on, which indicates that when the UN proposes resolutions that go against the interests of the P5, they tend to respond by convincing others to work towards their interests. This shows that the members that have the most power within the UN want the UN to directionally align with their interests instead of working towards benefitting the collective good which calls the motivation of the UN into question. This can be seen in the inconsistency of the nuclear powers with their reactions to the NPT and CTBT to the TPNW. They may publicly claim to be working towards disarmament and non-proliferation, but these sentiments change when met with a binding agreement that could call for them to surrender their arsenals. This can be seen through China's claim that a legally binding ban is "unacceptable" which raises the

⁵¹ Daryl Kimball, "Fact Sheets & Briefs." Arms Control and Proliferation Profile: Russia | Arms Control Association. Accessed December 1, 2021. <https://www.armscontrol.org/factsheets/russiaprofile>.

⁵² Daryl Kimball, "Fact Sheets & Briefs." Arms Control and Proliferation Profile: The United Kingdom | Arms Control Association. Accessed December 1, 2021. <https://www.armscontrol.org/factsheets/ukprofile>.

⁵³ Daryl Kimball, "Fact Sheets & Briefs." Arms Control and Proliferation Profile: France | Arms Control Association. Accessed December 1, 2021. <https://www.armscontrol.org/factsheets/franceprofile>.

⁵⁴ Daryl Kimball, "Fact Sheets & Briefs." Arms Control and Proliferation Profile: China | Arms Control Association. Accessed December 1, 2021. <https://www.armscontrol.org/factsheets/chinaprofile>.

⁵⁵ Daryl Kimball, "Fact Sheets & Briefs." Arms Control and Proliferation Profile: Russia | Arms Control Association. Accessed December 1, 2021. <https://www.armscontrol.org/factsheets/theunitedstatesprofile>.

question of if Chinese interests actually align with disarmament since they cannot comply with complete disarmament. Additionally, the UK's response of not adopting the TPNW, but supporting it in the eyes of the media demonstrates how many of the claims that the nuclear powers are committed to working towards disarmament are performative. Many of the reactions indicate that these five nuclear powers intend to stay nuclear powers, but want to work towards disarming threats they may face or preventing rivals from developing weapons. As mentioned, this principle is seen by their reluctance to legally agree to disarming, but encouragement of other states to join the treaties.

Conclusion:

The UN should not continue to regulate nuclear weapons because its initiatives prove to be ineffective due to conflict of interest, an imbalance of power, lack of accountability, and selective enforcement of compliance. Having a "P5" who are able to dominate influence within the UN defeats its vision of being a democratic institution and allows for the nuclear powers to prioritize their interests.

What distinguishes the CTBT from the NPT and the TPNW is that the idea of a test ban was initially proposed by individual state legislations while the others started in the UN or were proposed by civil society and then taken on by the UN. This is significant because it shows how when the idea is proposed by the nuclear powers they are more likely to comply rather than when proposed by a third party. Additionally, the differences in response between the NPT and TPNW indicate that there is a level of performatism in the nuclear powers' claims to work toward disarmament. They are willing to state they are for disarmament to create a more positive public image, however when faced with a legal binding initiative for disarmament they do not follow through on their statements. They even attempt to dissuade other states from participating in the

TPNW with the hopes that their dominant role within the UN is sufficient enough to prevent having to comply with a binding agreement that eliminates nuclear weapons. State-led treaties could potentially pave the way for future realistic and successful nuclear disarmament based initiatives. However, this means that the nuclear powers would have to be in favor of disarmament initiatives and most of their political objectives do not currently align with the idea. Potential areas for future research would be determining what compels a nuclear power to disarm and if it's feasible. Additionally, an assessment of when the political interests of the nuclear powers would shift towards disarmament and what agreements between states would include. I think a more recent development that could introduce the answers to these questions is the progression of the TPNW and how responses to the treaty evolve over time.

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