

IPI Blue Papers

Weapons of Mass Destruction

Task Forces on
Strengthening Multilateral
Security Capacity

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Weapons of Mass Destruction



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CONTENTS

Foreword, <i>Terje Rød-Larsen</i>	vii
Acronyms	x
Executive Summary	1
The Challenge of Weapons of Mass Destruction	4
Ideas for Action	10
I. TAKE CONCRETE STEPS TO RENEW SUPPORT FOR NUCLEAR DISARMAMENT AND NONPROLIFERATION	
II. START CONSULTATIONS AMONG THE P5 ON NUCLEAR ISSUES	
III. ANTICIPATE FUTURE CHALLENGES	
IV. IMPROVE TRANSPARENCY AND TRUST	
V. LINK TRANSPARENCY INITIATIVES TO INCENTIVES	
Conclusion	18
Endnotes	19
Further Reading	20
Annex 1: Background Non-paper	21
Annex 2: Reflections from the Opening Plenary Meeting	27
Annex 3: Methodology and Timeline	31
Annex 4: Task Force Participants	34



Foreword

We live in difficult times. Rapid socioeconomic changes, demographic bulges, and intertwined security crises are affecting us all, and most especially the poor. Criminal and violent organizations are gaining control over territory, markets, and populations around the world, complicating peacemaking and generating insecurity. States with ineffective and corrupt institutions prove too weak to deal with interlinked threats ranging from transnational organized crime to infectious disease. Meanwhile, the number of actual and aspirant nuclear-armed countries is growing, as is the likelihood that nonstate actors will acquire weapons of mass destruction through illicit global trade.

Global warming and environmental degradation particularly distress already impoverished regions. Fluctuating food and energy prices put people and governments to the test, while the demand for resources—notably water and energy—increases due to unprecedented development and population growth.

To this already gloomy picture, the year 2008 added tectonic shifts in the economic landscape. A devastating financial crisis is producing dramatic consequences with likely long-term impacts on economic development, aid, and emerging markets alike.

Yet, at a time when common efforts are needed more than ever, division and discord can be spotted in many multilateral institutions, from the United Nations to NATO and the European Union. Peace operations are under serious stress, while political disunity undermines the authority and effectiveness of the Security Council. The optimistic embrace of a “flat” world of responsible sovereign states is challenged by those who push for a return to exclusive state sovereignty and jealously guarded territorial integrity.

However, crises provide unparalleled opportunities for change. These moments are transitory, but they need to be seized upon to

put ideas into action, to strengthen the capacity to meet the challenges we face, which in today's globalizing world means more responsive, effective, and efficient multilateral mechanisms and policies.

In response to these challenges, IPI launched the **Task Forces on Strengthening Multilateral Security Capacity** in 2008. The purpose of these Task Forces was to suggest ideas for action to strengthen the capacity of the United Nations (UN) and its partners to deal effectively with emerging, multifaceted, and global challenges to peace and security. The Task Forces addressed not only the policy steps that are needed, but also the political and institutional strategies required to implement them. This strategic perspective has too often been the missing link in efforts to strengthen the UN system.

Given the links among security, development, and environmental challenges, the initiative opened with a symposium on Development, Resources, and Environment. The symposium provided a larger context for the work of the subsequent Task Forces, which focused on two core dimensions of the security concerns facing the UN and its partners: (1) Transnational Security Challenges and (2) Inter- and Intra-state Armed Conflict (see Annex 3 for details of the process).

The **IPI Blue Papers** are the product of this intense process of consultation, which engaged more than sixty UN member states, half of them at ambassadorial level, and seventy experts in a variety of thematic areas. It included the preparation of more than twenty-five background papers and fourteen multiday meetings. Each Blue Paper includes a section on why action to strengthen capacity in a particular area is needed and a section with ideas for action. The content is based on the Task Force discussions, but does not necessarily represent all the views articulated during the entire process. Although the institutional focus of the Task Forces was primarily the UN, this report aims to assist key stakeholders to prioritize and leverage the comparative advantages of the UN

and other multilateral institutions, including their ability to forge productive and sustainable partnerships with other groups and organizations.

While policy discussions on related topics are taking place in other fora, IPI brings to this initiative nearly forty years of constructive collaboration with the United Nations and its membership, as well as a more long-term strategic perspective than in-house and intergovernmental processes can offer. With these Blue Papers, IPI hopes to continue a process that will produce concrete steps toward stronger multilateral capacity in peace and security.

Despite the difficulties ahead, we believe that tomorrow's world needs more multilateral capacity, not less. It needs a stronger UN, capable of adapting and strengthening its capacity to address the realities of the twenty-first century. It needs a UN able to work with its partners and in particular with member states, which remain the first line of response to many of the threats discussed here.

This is the purpose of the IPI Blue Papers, and I am very pleased to introduce them to you.

Finally, I would like to thank most warmly the co-chairs of the Task Forces, the member-state participants, the experts, and IPI staff, without whose hard work and intellectual contributions the IPI Blue Papers would not have seen the light of day.

Terje Rød-Larsen
President, *International Peace Institute*
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Acronyms

AP	Additional Protocol
BTWC	Biological and Toxin Weapons Convention (full title: Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological [Biological] and Toxin Weapons and on Their Destruction)
CD	Conference on Disarmament
CTBT	Comprehensive Nuclear-Test-Ban Treaty
CWC	Chemical Weapons Convention (full title: Convention on the Prohibition of the Development, Production, Stockpiling, and use of Chemical Weapons and on Their Destruction)
DPRK	Democratic People's Republic of Korea
FMCT	Fissile Material Cut-off Treaty (a proposed treaty)
IAEA	International Atomic Energy Agency
IPI	International Peace Institute
NPT	Nuclear Non-Proliferation Treaty (full title: Treaty on the Non-Proliferation of Nuclear Weapons)
OPCW	Organization on the Prohibition of Chemical Weapons
P5	Permanent 5 members of the Security Council
PrepCom	Preparatory Committee
UN	United Nations

UNODC	United Nations Office on Drugs and Crime
UNSC	United Nations Security Council
UNSCR	United Nations Security Council Resolution
WMD/s	Weapon/s of Mass Destruction

Executive Summary

The spread of weapons of mass destruction (WMDs) remains a key challenge to international peace and security. Yet the member states of the United Nations are still deeply divided on how to meet this challenge:

- Three nuclear powers remain outside the Nuclear Non-Proliferation Treaty (NPT); nine countries have not yet joined the Chemical Weapons Convention (CWC); thirty-one are outside the Biological and Toxin Weapons Convention (BTWC); and—within the nuclear regime—the current crises with North Korea and Iran are still unresolved.
- The discriminatory structure of the NPT, inherited from the Cold War, is not as well accepted today; the lack of recent progress in disarmament has become a source of increasing frustration; and opinions continue to diverge on how to strengthen international verification mechanisms in the context of an expanding nuclear industry.
- Important gaps remain in national legislation and law-enforcement mechanisms to prohibit proliferation, and much needs to be done to prevent access to biological, chemical, nuclear, and radiological weapons and related technologies by terrorist groups.

There is an urgent need within the UN system to give higher priority to nonproliferation and disarmament, and to build a consensus on these issues.

IDEAS FOR ACTION

- I. **Three key steps to renew support:** In order to restore trust in the nuclear regime, efforts should be renewed to break the deadlocks over three key international instruments:

- *Ratification* and entry into force of the *Comprehensive Nuclear-Test-Ban Treaty*.
 - *Universalization* of the International Atomic Energy Agency (IAEA) Additional Protocol.
 - *Negotiations* on a Fissile Material Cut-off Treaty.
- II. **Consultations among the P5:** The five nuclear powers recognized by the NPT—China, France, Russia, the United Kingdom, and the United States—should renew their commitment to nuclear disarmament, and should start consultations together on nuclear issues. These should include measures to build confidence and enhance transparency concerning their doctrines and their weapons stockpiles.

Complementary Ideas for Action by Member States and by the United Nations

- III. **Anticipation of future challenges:** States should, together with the IAEA and the broader nuclear industry, assess the prospects for expansion of nuclear energy and the steps and resources needed to ensure safety and prevent proliferation.
- IV. **Transparency and trust:** The UN and its member states, including those with nuclear weapons, should promote better information sharing and strengthen verification arrangements for nonproliferation and disarmament.
- V. **Incentives:** Efforts to promote greater transparency should be linked to incentives, such as assistance for capacity building and for the prevention of access to WMDs by terrorist groups.

WHY ACTION IS NEEDED

The Challenge of Weapons of Mass Destruction

1. In contrast to other transnational security challenges, the United Nations has a long history of involvement with efforts to combat the danger posed by weapons of mass destruction.¹ Many powerful tools for containing proliferation and effecting disarmament already exist, including strong institutions (from the International Atomic Energy Agency to the Security Council) and norms (from the Nuclear Non-Proliferation Treaty of 1968 and the Biological and Toxin Weapons Convention of 1972, to the Chemical Weapons Convention of 1993).
2. The priority today is to renovate and reinforce these tools and to adapt them to a changing technological and political context.
3. **Developments in biological, chemical, and nuclear technologies**, each with the potential for dual use, pose new challenges to nonproliferation regimes aimed at preventing a possible military use of these technologies. The revolution in biotechnology, for instance, carries the risk that new kinds of weapons will be created through genetic recombination. Technological innovation also creates possibilities for the militarization of new chemical agents.
4. These challenges are particularly acute in the nuclear field. In the context of climate change and the search for new energy sources, a significant expansion of the civilian nuclear industry is anticipated by many analysts. According to the scenarios developed by the IAEA, nuclear electricity generation may grow by 15 to 45 percent by 2020 and by 25 to 95 percent by 2030, with much of the future growth expected to take place in the developing world.² The prospects of this “nuclear renaissance” raise the question of how to ensure the civilian nature of these activities.

5. But the main difficulty resides in the **gap between existing treaties and collective security needs** in relation to WMDs. In particular, these treaties do not adequately account for states that already possess, or are suspected of developing, WMD technologies and capabilities:
 - Three nuclear-armed states (India, Israel, and Pakistan) remain outside the Non-Proliferation Treaty and one (North Korea) decided to withdraw from it in 2003. Within the NPT, the current crisis with Iran shows the complexity of effectively addressing the issue of compliance with the treaty.
 - Among the thirty-one states that remain outside the Biological and Toxin Weapons Convention (BTWC) and the nine that are outside the Chemical Weapons Convention (CWC), some are suspected of having capabilities that these treaties restrict.
6. In recent years, specific **steps toward disarmament have stalled**. Within the CWC, the destruction of chemical weapons stockpiles is lagging behind schedule. In the nuclear field, progress toward implementing Article VI of the NPT on disarmament—for which there is no evaluation or verification mechanism—has been limited. Many states argue that the NPT, as it is currently implemented, privileges nonproliferation over disarmament, to the advantage of those who already possess nuclear capabilities. The *Comprehensive Nuclear-Test-Ban Treaty* (CTBT) is not yet in force and the negotiation of a Fissile Material Cut-off Treaty (FMCT) has not yet begun.
7. There is **increasing frustration with, and distrust in, the verification mechanisms**. The failure of inspections to detect hidden nuclear programs in Iraq (in the late 1980s), in Libya, and in Iran has undermined confidence in existing verification and inspection arrangements. More recently, questions raised by the IAEA about the Dair Al Zour site in Syria have remained unanswered. Efforts to establish a verification mechanism for biological activities have failed, and there is still no agreement on this issue. The parties

to the CWC have never used the procedure of “challenge inspections,” which allows the conduct of on-site visits to investigate possible noncompliance with the convention.

8. The Additional Protocol to the IAEA Safeguards Agreement gives the agency increased authority to conduct inspections, but a number of states with significant nuclear activities—or plans for such activities—have not yet signed and implemented it. Concerns have been expressed about the ability of the agency to continue to carry out its responsibilities and take on new ones with existing resources. Many states are also reluctant to accept any new constraints on fuel-cycle activities, which they believe would increase the discriminatory nature of the NPT.
9. **The role of the Security Council in addressing WMD issues remains complex.** In the 1990s, the Council oversaw the successful dismantlement of Iraq’s WMD programs. But its initial lack of reaction to North Korea’s decision to withdraw from the NPT, its divisions in dealing with Iraq, and its apparent lack of leverage over Iran have raised doubts about its ability to ensure nonproliferation.
10. The gaps in the existing multilateral regimes and the lack of recent progress in nonproliferation and disarmament illustrate the high premium that states continue to attach to the possession of WMDs. For states which possess WMDs—as well as for those which are trying to acquire them—these weapons remain key to their security interests, either to affirm their global or regional status or to deter aggression (including conventional attacks).
11. The current strategic context, marked by the transition from America’s dominance to the progressive emergence of a multipolar world, has not lessened the strategic and political value of WMDs and may, in some cases, have increased it. In fact, over recent years, most nuclear powers—whether

recognized by the NPT or not—have continued modernizing their weapons and their means of delivery. Suspicions remain about biological and chemical programs, in particular in the Middle East. If the current proliferation crises in North Korea and Iran are not resolved, several countries may be tempted to reconsider their nonnuclear status.

12. The challenge for the United Nations and for the other international bodies is to find ways to better address these security needs. States are willing to adhere to nonproliferation or disarmament instruments only when they can trust that their security is better ensured without weapons than with them. Specific action is required to reinforce and adapt the existing instruments, and restore trust in them. But progress on WMD issues depends foremost on what larger progress can be achieved in easing global and regional tensions, and on what contribution the multilateral system can make in supporting this goal.
13. Another important challenge arises from **attempts by terrorist groups to acquire weapons technology and expertise**, as well as from the involvement of nonstate actors in their trafficking. This was illustrated by experiments conducted by al-Qaida in Afghanistan before 2002 (and by terrorist networks in western Europe more recently) to develop biological and chemical weapons. The use of chlorine in attacks conducted by insurgents in Baghdad in 2007 is another example of how nonstate actors are attracted to nonconventional weapons, even with rudimentary technology.
14. Steps have been taken to prevent proliferation involving nonstate actors, such as the reporting arrangements under United Nations Security Council Resolution 1540.³ But these mechanisms have been criticized by some for having led to “paper compliance.” Not enough is being done to address concretely the risks of WMD use by terrorist groups.

Adjustments may be required to ensure the ongoing legitimacy and effectiveness of these arrangements.

15. There may be an opportunity for the UN to reframe the issues relating to WMDs as *transnational* security challenges, implying the involvement of nonstate actors, and not just as international challenges, involving only states. This would lead the UN and other international bodies to work more closely with new partners—including actors in the industry or in the scientific community—to address these problems. Such cooperation would, for instance, be useful in raising awareness about steps needed to avoid the misuse of dual technologies.
16. Changing attitudes toward nuclear, chemical, and biological technologies, especially in light of climate change and the need to reduce carbon emissions, suggest an increased role for these industries in years to come. But it remains unclear how the international community can support the potential positive contribution of each industry to sustainable development while effectively addressing the proliferation risks linked to them.

WHAT SHOULD BE DONE

Ideas for Action

I. TAKE CONCRETE STEPS TO RENEW SUPPORT FOR NUCLEAR DISARMAMENT AND NONPROLIFERATION

17. **Build new momentum:** There is a need for new momentum to promote both disarmament and nonproliferation. Efforts should be made to reduce the dissonance between those who believe that too much has been done in the nonproliferation field and not enough to encourage disarmament, and those who make nonproliferation their priority but neglect their commitment to disarmament. One should not have to choose, as both are urgently needed.
18. **Explore ways to move beyond current stumbling blocks:** Informal discussion among policy experts and opinion makers would help to identify how to move forward globally. The Shultz et al. initiative may provide an opportunity to embed the disarmament discussion in nuclear-weapons states in a way that has not been possible for many years.⁴ Such discussion would prepare the way for more formal consultations among the P5 on nuclear issues (see below). At the regional level, track II contacts may also be useful to promote confidence-building measures and to explore the possibilities of specific regional arrangements.
19. **Resolve the stalemates over three key international instruments**—the Comprehensive Nuclear-Test-Ban Treaty, the IAEA Additional Protocol, and the Fissile Material Cut-off Treaty. In the short term, this should be a top priority to help restore confidence in the nonproliferation and disarmament regime. Efforts should be redoubled to convince the non-NPT states to support these key instruments. Three key steps need to be taken:
 - a) **Ratification of the Comprehensive Test-Ban Treaty and completion of its verification mechanism.** The CTBT has

been signed by 178 states and ratified by 144. But it will enter into force only when forty-four nuclear capable states listed in the treaty have ratified it. Nine of these forty-four countries have not yet done so: India, North Korea, and Pakistan still have not signed the treaty, and China, Egypt, Indonesia, Iran, Israel, and the United States have signed but are yet to ratify it. If one of these signatories decides to ratify the treaty, others may follow. These countries may also be encouraged by the fact that the verification mechanism already in place has proved its reliability by successfully detecting the North Korean test in 2006.

The position of the new US administration and Congress will be essential in this regard. A ratification by the United States could be followed by matching steps by those countries—including some non-NPT states—willing to demonstrate a responsible attitude. To further encourage the remaining countries to join the CTBT, nuclear suppliers could make nuclear exports to them conditional on their ratification of the treaty.

b) Universalization of the IAEA Additional Protocol.

Eighty-eight states have concluded and brought into force additional protocols, which provide the IAEA with the authority to verify declared and undeclared activities. But several countries with significant nuclear activities (such as Algeria, Argentina, Belarus, Brazil, Egypt, India, Iran, Israel, Pakistan, Syria, the United States, and Venezuela) have not yet signed or implemented the additional protocol. Adherence of these states—including non-NPT states—to the strengthened safeguard system remains essential for nonproliferation efforts.

Here also, a move by some of these countries, and in particular the United States, could help transform the prevailing dynamic. Nuclear suppliers could also make implementation of the additional protocol a condition for their exports (see below).

c) Opening of negotiations on the Fissile Material Cut-off Treaty. Little progress has been achieved since the UN General Assembly recommended in 1993 the negotiation of a verifiable treaty banning the production of fissile material

for nuclear weapons. Such a treaty remains a priority. In conjunction with the *Comprehensive Nuclear-Test-Ban Treaty*, it would effectively limit the development of new weapons and the expansion of nuclear arsenals. Efforts should continue to remove preconditions and to start without delay negotiations of the FMCT in the Conference on Disarmament. Meanwhile, all nuclear powers should establish an immediate moratorium on the production of fissile materials for nuclear weapons.

20. **Work toward consensus at the NPT 2010 Review Conference:**

New momentum should also come from the preparation of the NPT Review Conference which will take place in New York in spring 2010. States should make extra efforts to rebuild a consensus and restore confidence in the regime. Nuclear powers should reiterate concretely their commitment to disarmament. But cross-regional coalitions of states, combining nuclear-weapons states and non-nuclear-weapons states, could also drive forward specific agendas, in particular access to civilian use of nuclear energy.

II. START CONSULTATIONS AMONG THE P5 ON NUCLEAR ISSUES

21. **Renew the NPT commitment:** The five nuclear powers recognized by the NPT should renew their commitment to nuclear disarmament. Further reductions in nuclear arsenals are needed, and bilateral Russian-American negotiations will remain pivotal in this process, as the two countries possess more than 95 percent of global stockpiles.

22. **Identify the key issues and build trust:** In the short term, the P5 should start consultations on nuclear issues. These consultations could help to progressively build trust between nuclear-armed states and to ultimately identify steps to move toward nuclear disarmament while preserving global stability and security. They could include the following:

- a) **Develop an understanding of doctrines:** A dialogue on nuclear doctrines could be a first step to starting substantive consultations on nuclear issues among the P5. This could include an exchange of views on deterrence, as well as on related issues, such as missile defense and strategic conventional weapons—areas where mistrust remains high.
 - b) **Bring transparency to nuclear stockpiles:** Due to the very nature of deterrence, authoritative and precise data on nuclear arsenals are seldom available. Distinctions by some states between their strategic and tactical forces, and between their operational and reserve warheads, also add to the complexity of the issue. Greater transparency is needed to better assess the current situation, evaluate past efforts at arms reduction, and identify a way forward.
 - c) **Reduce risks of accidental nuclear war:** The “de-alerting” of nuclear weapons (i.e., the removal of weapons from high-alert status, thus allowing for more time for authorities to decide on the use of weapons) has long been advocated as a way to reduce the risk of accidental nuclear war. How to combine “de-alerting” with strategic stability is less clear, and consultations among the P5 on this topic are needed. As a first step, efforts to promote better information sharing about ballistic missile launches, such as the project of a US-Russia Joint Data Exchange Center, should be accelerated and could be extended to all P5 countries. This issue could also be part of a larger dialogue among the P5 on nuclear doctrines.
 - d) **Assess verification needs:** P5 members should engage in discussions of ways to verify effectively nuclear disarmament. Dialogue on this issue could start with an assessment of past and current measures in arms reduction or dismantlement of facilities. The P5, in conjunction with nonnuclear states, should then start exploring the requirements for an international verification regime for nuclear disarmament.
23. **Engage non-NPT states:** In parallel to P5 consultations, nuclear-armed states that are not party to the NPT should be encouraged to consider steps toward arms control and disarmament, including adoption of transparency measures and confidence-building measures.

III. ANTICIPATE FUTURE CHALLENGES

24. **Clarify how existing WMD norms apply to the new realities of a resurgent nuclear industry:** States could work on such clarification through informal discussion and independent policy research, through the NPT Review Conference or through the Security Council. This may include clarification of how the acquisition and development of specific nuclear technologies are treated under the NPT (or, for that matter, outside the treaty in the case of India, as provided for by the recent Indian-US nuclear agreement and by similar arrangements between India and other nuclear suppliers).
25. **Involve industry actors in the process of developing or clarifying norms:** Industry actors should work with UN member states and with the IAEA to better assess the prospects of a “nuclear renaissance,” and to consider what frameworks for safety, training, waste disposal, and other issues should be in place. Industry actors could be encouraged to view support for nonproliferation and disarmament as part of their efforts to demonstrate corporate social responsibility.
26. **Develop regional cooperation:** States, the industry, and the IAEA could collaborate on developing regional and other international mechanisms for providing states with safeguarded access to nuclear fuel, enrichment, supervision, management, and disposal arrangements. Regional arrangements may be particularly important here. States could also consider articulating specific disarmament arrangements at the regional level, for example, through nuclear-weapons-free zones or enrichment-and-processing-free zones.
27. **Anticipate crisis scenarios:** Drawing lessons from the North Korean crisis, the international community needs to examine how it would react to a state announcing its decision to withdraw from the NPT. Informal and discreet

reflection among members of the Security Council is needed concerning such a scenario. A state which would withdraw from the NPT should be held accountable for violations committed prior to its withdrawal. Thought should also be given to the legal consequences of a withdrawal. For instance, the nonproliferation regime does not specify how the equipment and material acquired by a state prior to its withdrawal from the NPT should be treated. This gap needs to be addressed.

28. **Keep a close focus on biological and chemical issues:** Efforts should be pursued in the chemical and biological fields to ensure that the international regimes keep up with the evolutions of technologies and their potential dual use. Industry and science actors should be involved to better assess the needs for adaptation of norms and for resources to implement them.
29. **Encourage a universal ethic against biological and chemical weapons:** Efforts should be stepped up to promote universal adherence to the Biological and Toxin Weapons Convention and to the Chemical Weapons Convention. The number of states that currently remain outside these conventions (thirty-one and nine respectively) is a worrisome sign that there is not yet a universal taboo surrounding the possession of these weapons.

IV. IMPROVE TRANSPARENCY AND TRUST

30. **Promote transparency:** Greater transparency is needed to restore confidence in the nonproliferation and disarmament regimes. On the arms-control side, this means bringing greater transparency to nuclear stockpiles and to defense doctrines (the nuclear-weapons states should open a dialogue on these topics, [see above]). And on the nonproliferation side, this means bringing greater transparency to research and industry activities.

31. **Strengthen verification and inspection arrangements:**

Efforts are needed to increase political, as well as financial, support for existing nonproliferation verification and inspection arrangements. In particular, nuclear suppliers could promote improved verification mechanisms by making the supply of materials and equipment contingent on the signature of the IAEA Additional Protocol and on its implementation. In cases of noncompliance, the IAEA needs to be granted more robust verification rights that go beyond the Additional Protocol. States should provide the agency with appropriate resources to allow it to effectively carry out its verification activities.

32. **Improve information sharing within the United Nations system:** States should work with the relevant international bodies (including UNODC, the IAEA, the Organization on the Prohibition of Chemical Weapons [OPCW], the Biological and Toxin Weapons Convention's implementation support unit, and the 1540 Committee) to find mechanisms to build a safer and otherwise improved method of information sharing:

- a) **On illegal trafficking:** Better information sharing can be an important tool in the fight against the illegal trafficking of sensitive material or expertise. Appropriate mechanisms could be devised to make it easier for relevant authorities in member states to alert their counterparts in cases of theft or disappearance of sensitive materials or equipment. Specialized UN bodies could play a role in supporting such information sharing, building on the experience of the IAEA's illicit trafficking database for nuclear or radiological materials. Means of enhancing information sharing on trafficking of precursor materials for chemical and biological weapons could also be explored.
- b) **On global proliferation trends:** There also may be a need to improve information sharing on developments in the field of proliferation between the Security Council and the IAEA and the OPCW. Thought should be given to ways to improve

such dialogue while respecting the mandate of each of the institutions.

V. LINK TRANSPARENCY INITIATIVES TO INCENTIVES

33. **Alleviate reporting fatigue:** The prospects for greater transparency will be increased if the costs of transparency arrangements and reporting are reduced—and even more so if they are linked to positive incentives. Improved information sharing among the various UN subsidiary bodies would help.
34. **Strengthen the role of the 1540 Committee:** The Security Council could consider how reporting under resolution 1540 could be more closely linked to capacity-building assistance and other positive incentives. Resolution 1810, which extended the mandate of the 1540 Committee in April 2008, has opened new possibilities in this field. More could be done to
 - a) **Facilitate capacity building:** States should support the 1540 Committee by giving it (in coordination with other Security Council committees concerned) a greater role as a “switchboard,” matching capacity-building needs with available supplies from donor states or assistance by relevant international bodies (such as UNODC or the IAEA).
 - b) **Ensure real compliance:** The 1540 Committee reporting process could be revisited to ensure real and effective compliance, rather than just paper compliance. This may require considering how the 1540 Committee can better access information held by member states, UNODC, IAEA, and others to identify illicit trafficking. It may also require encouraging visits to member states by the experts of the 1540 Committee (if possible, coupled with visits by experts from other relevant Security Council committees).
 - c) **Involve member states:** The 1540 Committee should also continue to develop its outreach toward the general membership of the UN, for example by allowing member states to sit in as observers or by engaging in peer-review processes.

Conclusion

35. There is an urgent need for new momentum within the UN system to tackle WMD issues. The lack of progress toward disarmament remains a source of frustration. Further proliferation of WMDs would greatly undermine international stability and security, as is currently shown by the crises with North Korea and Iran. Insufficient resolve in preventing the dissemination of WMD technologies could also lead, one day, to access to these technologies by terrorist groups.
36. In the overall effort to address the risks posed by WMDs, much will depend on how the current proliferation crises are resolved. Much will also depend on the progress that can be achieved by member states in easing the political rivalry and tensions, both globally and regionally, that give a premium to the possession of WMDs.
37. In parallel, efforts should be undertaken to restore confidence in disarmament and nonproliferation instruments and to adapt them to growing economic needs, including the prospect of expansion of the nuclear industry.
38. The present paper proposes an incremental approach. The twin priorities are (1) to resolve the stalemates over key instruments (in particular the CTBT and the IAEA Additional Protocol) and (2) to develop and engage in more intensive and far-reaching modes of international cooperation (ranging from consultations on doctrines, to cooperation in capacity building). These feasible and concrete steps will require efforts from all quarters. In focusing on them, the UN and its member states have a rare opportunity to establish a new and much more positive dynamic.

Endnotes

1. This report reflects task force discussions which focused mostly on nuclear issues, due to developments in this field and the prospect of the upcoming NPT review conference.
2. International Atomic Energy Agency, “20/20 Vision for the Future: Background Report by the Director General for the Commission of Eminent Persons,” Vienna, February 2008.
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Annex 1: Background Non-paper

APRIL 1, 2008

1. What are the current policy and institutional shortcomings in multilateral security capacity on these issues?

- *Membership* in treaties or conventions:
 - ◆ All three—the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), the Biological and Toxin Weapons Convention (BTWC), and the Chemical Weapons Convention (CWC)—are heavily subscribed. But there are four nuclear-weapons states that are outside the NPT; and several states remain outside the BTWC and/or CWC, some of which are suspected of having prohibited weapons or capabilities.
- *Scope* of the existing treaties:
 - ◆ Treaty-based disarmament arrangements are inadequate: NPT disarmament obligations are disputed; the Comprehensive Nuclear-Test-Ban Treaty (CTBT) has yet to enter into force; and the Fissile Material Cut-off Treaty (FMCT) is still under negotiation.
 - ◆ Multilateral efforts to prevent transfer of WMD-related materials to nonstate actors are still in early stages, notably UNSCR 1540.
- *Verification* of compliance with treaties/conventions:
 - ◆ There are limits on the IAEA's ability to detect clandestine weapons programs. This is addressed through the Additional Protocol, but many states have not signed it—as of this writing, about 100 states have an AP in force.
 - ◆ The disarmament obligations of the NPT are not subject to evaluation or verification.
 - ◆ There is no agreement on BTWC verification mechanisms.
 - ◆ Certain technical issues, especially in the NPT and BTWC, remain unresolved.
 - ◆ Destruction of chemical weapons is slower than the CWC requires.

- *Ability* to address cases of noncompliance:
 - ◆ The Security Council is responsible for assuring compliance but is hampered in this role by both the politics of the Council, and a lack of effective tools.
- *Implications* of growth and change in nuclear power and biotechnology industries:
 - ◆ There is much uncertainty about how the multilateral system can address proliferation risks without hampering the positive role of these technologies in economic development.

2. How have previous attempts to address these shortcomings failed?

- *Membership*: There have not been serious efforts to adapt the NPT regime to address the problem of nuclear-weapons states outside the Treaty. It is a difficult problem, and there is great reluctance in the international community to pursue any fundamental changes in the NPT regime, for fear this might put the whole structure at risk. Thirty-one states remain outside the BTWC; and nine outside the CWC; secretariats work with nonsignatory states to facilitate their membership, but some nonsignatories are assumed to hold prohibited weapons that would complicate their membership.
- *Scope*: The meaning of disarmament obligations in the NPT is contested. The CTBT has not come into force largely because of the reluctance of key states—including some nuclear-weapons states both within and outside the NPT. Similarly, the FMCT could create real constraints on vertical proliferation, and various states are reluctant to move forward for that reason. The BTWC and CWC completely prohibit these classes of weapons. UNSCR 1540 seeks to prevent access by nonstate actors to biological, chemical, and nuclear weapons; it faces many challenges, but has only recently been put in place, and its ultimate utility is difficult to assess.
- *Verification*: On the nuclear side, information about the Iraq and DPRK programs gave momentum to a process, already underway, of strengthening safeguards. This led eventually to the development of the Additional Protocol (AP). But states are not required to adopt the AP, so the IAEA is not able to inspect

for undeclared nuclear materials in non-AP states.

- ◆ There are serious technical issues to resolve involving the verification of compliance with treaty commitments, particularly related to nuclear and biological weapons. Some of these are difficult and need sustained attention; and the inevitable trade-offs between certainty and practicality are easily influenced by political issues.
 - *Noncompliance*: The Security Council's role in addressing noncompliance was not invoked until the early 1990s. Inspections and program dismantlement in Iraq, carried out under the authority of the Council, were effective. But the Council's ongoing role in Iraq became highly politicized. Future referrals of noncompliance revealed both limits to the Council's tools of enforcement, and the difficulties of achieving effective consensus. Noncompliance cannot be determined under the BTWC, because states party to the convention have not agreed on verification measures.
 - *Implications of growth and change in nuclear power and biotechnology industries*: There have been recent attempts to address the dilemmas posed by the possible proliferation implications of an expansion of nuclear power. Voluntary agreement among specific countries/suppliers may occur. But prospects for genuine multilateral solutions are uncertain at best, especially if those solutions would require states to forego future rights to develop sensitive elements of the nuclear fuel cycle. The challenges of biotechnology are even greater—the technology is changing rapidly, and tools are limited for verifying a changing, and widely distributed, set of activities. It is likely that control of biological weapons will require parallel activity of a nontreaty nature.
3. **What policies and institutional renovations, including legal frameworks and financial arrangements, are needed?**
- The incorporation of weapons-holding states into existing regimes;
 - Wider agreement on technical requirements of nuclear- and bio-weapons verification, which is then translated into institutional form;

- New avenues of funding to support inspections and verification, as well as state-led efforts to implement 1540;
- An improved process for moving disarmament discussions forward, parallel to NPT debates if necessary;
- More effective and legitimate Security Council action in addressing noncompliance;
- More generally, is it time to rethink, at least unofficially, the underlying structure and dynamics of multilateral efforts to reduce WMD dangers? Would a regional approach be useful and appropriate here?

Developments that will affect prospects for achieving these changes:

- How the Iran issue is resolved. The nature of any such resolution, what it implies for the core issues of nuclear power/ nuclear weapons, inspections and verification; and what it means for the possibility of proliferation in the Middle East.
- How the DPRK issue is resolved. With implications similar to above.
- How the 2010 NPT Review conference, and PrepComs for it, play out—are they less contentious and more productive than in recent years? Does the political climate for discussion of these issues improve or worsen?
- How the US-India nuclear deal is resolved.
- Progress—or lack thereof—in acceptance of the Additional Protocol.
- The nature of BTWC activities and conferences, including but not limited to the question of verification.
- Quality and effect of the disarmament discussion that is developing among foreign-policy elites in the West.
- Possibly enhanced prospects for CTBT ratification in the US, following the November 2008 elections.
- Decisions—or lack of decisions—about proposals to guarantee fuel supplies to states that are developing nuclear power.

4. What strategy is needed to achieve these renovations?

- On the nuclear side, the IAEA is the central player in the verification and fuel cycle/fuel supply issues. Is there room for more initiative in New York, for example, on the issues involved in universalization of the AP?
- Progress on the technical issues of nuclear and biological weapons verification could contribute to a climate that is more conducive to addressing these issues. Could more be done by the UN to promote progress on a narrowly defined set of technical issues?
- Elements of the UN system—notably the IAEA and the Security Council—are already main actors in the Iranian issue, with their own dynamics underway. The IAEA will be key in any DPRK settlement as well. But the Iranian issue continues to suffer from a lack of clear ideas about a resolution, and of the political support for pursuing those ideas. Probably there is no official role for the UN here beyond the IAEA and Security Council on these issues, but would it be possible to contribute to the thinking about the short- and long-term elements of a lasting resolution?
- An effective strategy to extend the planning horizon of the 1540 Committee could help to assure rigorous planning, implementation, and evaluation of 1540 activities.
- There may be new opportunities in the emerging discussion of disarmament among foreign-policy elites in the West. To date, this discussion has included senior leadership from Vienna and New York, but it could be useful—and help to inform those discussions—if a broader set of UN actors were engaged, particularly to strengthen the representation of views of non-nuclear-weapon states.
- There are two issues of urgent concern that are hard for the UN to address further, but which might benefit from more unofficial work among states. These are the need for universality of membership in treaties/conventions; and the difficulties faced by the Security Council in addressing referrals of noncompliance. If some set of UN members could facilitate such discussions, this could be useful in laying the groundwork for more constructive but politically realistic discussions of how to handle these two

difficult issues.

- More generally, the political dynamics surrounding WMD issues are often frayed and, in recent years, have often been counterproductive. Nonetheless, the underlying issues are very important and very difficult, and should not be reduced to political dynamics only. We need careful thought about the future shape of WMD regimes. Is there a way to do this that does not undermine confidence in existing regimes? Could a few UN members or officials begin an informal discussion of the larger, long-term questions about regime adequacy—a discussion that is unofficial and outside of ongoing negotiations?

Christine Wing with IPI

Annex 2: Reflections from the Opening Plenary Meeting

APRIL 6, 2008

Discussions at the Task Force One Opening Plenary Meeting, held at the Greentree Foundation Conference Center on April 2-4, 2008, showed a great convergence among the participants with the main points of the non-paper prepared for the occasion by Christine Wing. There was, in particular, a commonality of views on the assessment of the shortcomings of the multilateral system and on the renovations that are needed. In addition to these, views were expressed on the following points:

- 1. Current policy and institutional shortcomings in multilateral security capacity.**
 - There is a sense of frustration and urgency regarding institutions that deal with disarmament and proliferation;
 - The current situation is characterized by a lack of trust: lack of trust in the efficiency of the regime and lack of trust between non-nuclear-weapon states and nuclear-weapon states;
 - While nuclear nonproliferation and disarmament are two sides of the same coin, the issue has been interpreted and institutionalized principally in terms of proliferation;
 - The instruments of the nuclear regime were put in place during the Cold War. The challenge is to adjust those instruments to an environment driven by a different set of political dynamics—to balance efforts to strengthen existing regimes and mechanisms with the need to reconceptualize the underlying dynamics of the nuclear regime.

- 2. Policies and institutional renovations that are needed, including legal frameworks and financial arrangements, and possible strategies to achieve these renovations.**
 - *Verification of compliance with treaties/conventions:*
 - ◆ One area into which the multilateral system should put more effort is the issue of verification (in the field of

- nonproliferation, as well as in the field of disarmament).
- A major cause of the lack of trust in the nonproliferation regime is the failure to detect significant hidden programs in Iraq, Libya, and Iran.
 - The prospect of a “nuclear renaissance” also increases the need for improved verification mechanisms.
 - ◆ The Additional Protocol gives the IAEA increased authority to verify nondeclared equipment.
 - The questions remain of how to promote universal adherence to the Additional Protocol, and of what role the UN can play to encourage it.
 - Indeed, a number of states with significant nuclear activities have not yet signed an Additional Protocol.
 - Nuclear suppliers can play a role in promoting improved verification mechanisms; for example, a supplier engaged in negotiations on a new bilateral nuclear agreement could request that the recipient state have an Additional Protocol in force before delivery can take place.
 - ◆ The IAEA may need to be granted more robust verification rights that go beyond the Additional Protocol, especially in cases of noncompliance.
 - *UNSCR 1540*
 - ◆ Beyond the current discussion on UNSCR 1540 at the Council in April 2008, there is a need to take a longer view on 1540 and on its monitoring mechanism.
 - ◆ Thought should be given to the UNSC’s comparative advantage in the field of capacity building, to coherence with other UNSC activities in counterterrorism, and to ways to increase broader participation of member states in these activities.
 - ◆ The methodology on nuclear material and trafficking assumes a separation from organized-crime networks. Greater attention should be paid to the role of illicit networks and quasi-state actors, such as A. Q. Khan in the proliferation of nuclear material.

- ◆ Greater attention needs to be paid to mechanisms for encouraging the exchange of information, regarding tracing equipment, materials, and trafficking networks. Is the information compiled by the IAEA sufficient, or is there a need to establish a specific network alert, not only for nuclear materials but also for biological and chemical materials?
- *Noncompliance*
 - ◆ Efforts should be made to ensure that the Security Council is well-prepared to act in cases of noncompliance.
 - ◆ Concrete ways to increase the Security Council's access to information could include:
 - More regular briefings by the IAEA and by OPCW (Organization for the Prohibition of Chemical Weapons).
 - The establishment of an inspection capability for the Council, which would bridge the current lack of inspection capability for bioweapons and missiles. Alternatively, a mechanism could be developed to create a roster of experts available to the Council at short notice on a case-by-case basis.
 - ◆ The Council should reflect on what actions it will take when a state withdraws from the NPT.
 - The fact that the Council did not react when DPRK withdrew from the NPT has affected trust in the regime.
 - Furthermore, neither the NPT nor the IAEA safeguards specify how to regulate equipment and material acquired by states while still members of the regime.
 - The adoption of a generic UNSC Resolution could set standards for such a case and guidelines for addressing the equipment and material acquired by states when they withdraw from the regime.
- *Disarmament*
 - ◆ Lack of progress on the issue is a major cause of the deterioration of trust in the nonproliferation regime.
 - ◆ The current discussion on disarmament among policy thinkers, as well as recent positions expressed by the UK and

by France, may offer an opportunity to generate momentum on the issue.

- ◆ The CTBT remains a decisive test of the determination of nuclear-weapons states to move toward disarmament. The US position is key in this process, and possible ratification of the CTBT following the November 2008 elections would have a large impact.
- ◆ Regional arrangements to ban nuclear proliferation should be given further attention. The establishment of Nuclear Free Zones is an example of a regional approach which is dependent on the creation of favorable political conditions.
- ◆ Thoughts should be given to ways to engage nuclear-weapons states which are not party to the NPT in, inter alia, taking steps to reduce the risks of accidental nuclear war, ratifying the CTBT, and supporting negotiations for the FMCT.

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Annex 3: Methodology and Timeline

Four questions guided the Task Forces in helping IPI to generate policy and institutional ideas for action:

1. What are the current policy and institutional shortcomings in multilateral security capacity on these issues?
2. Why have previous attempts to address these shortcomings failed?
3. What policies and institutional renovations, including legal frameworks and financial arrangements, are needed?
4. What strategy is needed to achieve these renovations?

The Opening Symposium on Development, Resources, and Environment served as an essential backdrop to the Task Forces. By examining these critical related issues, the symposium provided a larger geopolitical and economic context for the work of the subsequent Task Forces on security challenges. The two Task Forces, convened sequentially, addressed two thematic clusters of issues, each of which were broken down into smaller roundtables, as follows:

Task Force One

Transnational Security Challenges

1. Transnational Organized Crime
2. Weapons of Mass Destruction
3. Global Terrorism
4. Small Arms and Light Weapons
5. Biosecurity

Task Force Two

Inter- and Intra-state Armed Conflict

6. Peace Operations
7. Mediation and Peace Processes
8. Peacebuilding
9. Conflict Prevention and the Responsibility to Protect

Each Task Force consisted of members drawn from UN member states, academia, and policy-research institutions. The composition of each group ensured a broad range of perspectives regarding multilateral security capacity on the issues in question. Through this intensive work process, the Task Forces constituted core groups of stakeholders with an interest in developing practical strategies for addressing the institutional and policy shortcomings in these areas.

Task Force members met in opening and closing plenary sessions, as indicated below. Experts, in collaboration with IPI, prepared a series of non-papers, serving as a basis for discussion. Smaller groups gathered between the plenary sessions in roundtables, along with invited guest experts, for more in-depth, topic-specific discussions. Following each roundtable IPI produced a summary reflecting the group's discussions that served as a guide for the closing plenary session. Likewise, IPI drew on the Task Force deliberations to produce the final reports, detailing practical and achievable steps for strengthening multilateral action in the area in question. As noted, the content of these reports is the responsibility of IPI, and does not necessarily represent the positions or opinions of individual Task Force participants.

TIMELINE

Opening Symposium “Development, Resources, and Environment: Defining Challenges for the Security Agenda”
February 7-8, 2008 [Greentree Estate, Long Island]

Task Force One: Transnational Security Challenges

Opening Plenary Meeting

April 2-4, 2008 [Greentree Estate, Long Island]

1. Roundtable on **Transnational Organized Crime**
April 10-11, 2008 [Millennium UN Plaza Hotel, New York]
2. Roundtable on **Weapons of Mass Destruction**
April 24-25, 2008 [IPI, New York]

3. Roundtable on **Global Terrorism**

May 1-2, 2008 [IPI, New York]

4. Roundtable on **Small Arms and Light Weapons**

May 8-9, 2008 [Millennium UN Plaza Hotel, New York]

5. Roundtable on **Biosecurity**

May 21-22, 2008 [IPI, New York]

Closing Plenary Meeting

May 28-30, 2008 [Greentree Estate, Long Island]

Task Force Two: Inter- and Intra-state Armed Conflict

Opening Plenary Meeting

June 11-12, 2008 [Greentree Estate, Long Island]

6. Roundtable on **Peace Operations**

June 16-17, 2008 [IPI, New York]

7. Roundtable on **Mediation and Peace Processes**

June 30-July 1, 2008 [IPI, New York]

8. Roundtable on **Peacebuilding**

July 2-3, 2008 [IPI, New York]

9. Roundtable on **Conflict Prevention and the
Responsibility to Protect**

July 8-9, 2008 [IPI, New York]

Closing Plenary Meeting

October 15-16, 2008 [Greentree Estate, Long Island]

Annex 4: Task Force Participants

Co-Chairs

H.E. Mr. Abdullah M. Alsaïdi, *Permanent Representative of the Republic of Yemen to the United Nations*

H.E. Mr. Dumisani Shadrack Kumalo, *Permanent Representative of the Republic of South Africa to the United Nations*

H.E. Mr. Claude Heller, *Permanent Representative of Mexico to the United Nations*

H.E. Mr. Peter Maurer, *Permanent Representative of Switzerland to the United Nations*

H.E. Mr. John McNee, *Permanent Representative of Canada to the United Nations*

H.E. Mr. Vanu Gopala Menon, *Permanent Representative of the Republic of Singapore to the United Nations*

H.E. Mr. Heraldo Muñoz, *Permanent Representative of Chile to the United Nations*

H.E. R.M. Marty M. Natalegawa, *Permanent Representative of the Republic of Indonesia to the United Nations*

H.E. Mr. Christian Wenaweser, *Permanent Representative of the Principality of Liechtenstein to the United Nations*

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Colombia	Malaysia	Switzerland
Costa Rica	Mexico	Tanzania
Cuba	Morocco	Turkey
Czech Republic	Mozambique	Uganda
Denmark	Netherlands	United Kingdom
Egypt	New Zealand	United States of America
Ethiopia	Niger	Uruguay
European Union	Nigeria	Viet Nam
Finland	Norway	Yemen
France	Pakistan	
Germany	Palau	



Expert Moderators and Contributors

Chronic Underdevelopment

Said Djinnit, *Commissioner for Peace and Security, African Union*

Raymond Gilpin, *Associate Vice President, Sustainable Economics, Center of Innovation, United States Institute of Peace (USIP)*

Anke Hoeffler, *Research Officer, Centre for the Study of African Economies, Oxford University*

Arvind Panagariya, *Jagdish Bhagwati Professor of Indian Political Economy, Professor of Economics, Columbia University*

John Sender, *Emeritus Professor of Economics, University of London; Senior Research Fellow in Development Studies, University of Cambridge*

Ronald J. Waldman, *Professor of Clinical Population and Family Health, Professor of Clinical Epidemiology, Columbia University*

Ngaire Woods, *Director of the Global Economic Governance Programme, Oxford University*

Energy and Resource Scarcity

Albert Bressand, *Executive Director, Center for Energy, Marine Transportation and Public Policy, Columbia University*

Nikhil Desai, *Consultant, World Bank and German Agency for Technical Cooperation (GTZ)*

Antoine Halff, *Adjunct Professor of International and Public Affairs, Columbia University*

Monty P. Jones, *First Executive Secretary, Forum for Agricultural Research in Africa*

Roberto Lenton, *Chair of the Technical Committee, Global Water Partnership*

Richard Matthew, *Director, Center for Unconventional Security Affairs, University of California Irvine*

Environment and Climate Change

Scott Barrett, *Professor of Environmental Economics and International Political Economy; Director, International Policy Program; Director, Global Health and Foreign Policy Initiative, Johns Hopkins University*

Reid Detchon, *Executive Director, Energy and Climate, UN Foundation*

Mark Goldfus, *Head of Public Policy, Merrill Lynch*

Peter Haas, *Professor of Political Science, University of Massachusetts - Amherst*

Maria Ivanova, *Assistant Professor of Government and Environmental Policy, College of William & Mary; Director, Global Environment Project, Yale Center for Environmental Law and Policy*

Adil Najam, *The Frederick S. Pardee Chair for Global Public Policy, Boston University*

Cynthia Rosenzweig, *Senior Research Scientist, NASA Goddard Institute for Space Studies*

Task Force One on Transnational Security Challenges

Transnational Organized Crime

Phil Williams, *Professor, Graduate School of Public and International Affairs, University of Pittsburgh (Expert Moderator)*

Peter Gastrow, *Cape Town Director, Institute for Security Studies (ISS)*

Chizu Nakajima, *Director, Centre for Financial Regulation and Crime (CFRC), Cass Business School*

Weapons of Mass Destruction

Christine B. Wing, *Senior Research Fellow, Center on International Cooperation, New York University (Expert Moderator)*

Chaim Braun, *Fellow and Affiliate, Centre for International Security and Cooperation (CISAC), Stanford University*

Sue E. Eckert, *Senior Fellow, The Watson Institute for International Studies, Brown University*

Alaa Issa, *Fellow, Weatherhead Center for International Affairs, Harvard University*

Geoffrey Wiseman, *Acting Director, USC Center on Public Diplomacy, the Annenberg School for Communication, University of Southern California*

Jing-dong Yuan, *Director of the East Asia Nonproliferation Program (EANP), James Martin Center for Nonproliferation Studies, Monterey Institute of International Studies*

Global Terrorism

Eric Rosand, *Senior Fellow, Center on Global Counterterrorism Cooperation (Expert Moderator)*

Sue E. Eckert, *Senior Fellow, The Watson Institute for International Studies, Brown University*

Peter Neumann, *Director, International Centre for the Study of Radicalisation and Political Violence (ICSR), King's College London*

Matthias Sonn, *Head, Task Force, International Co-operation on Counterterrorism, Foreign Office, Federal Republic of Germany*

Curtis A. Ward, *President, Curtis Ward Associates LLC*

David Wright-Neville, *Associate Professor, Global Terrorism Research Centre, Monash University*

Small Arms and Light Weapons

Herbert Wulf, *Adjunct Senior Researcher, Institute for Development and Peace, University of Duisburg/Essen; Associate, Bonn International Center for Conversion (BICC) (Expert Moderator)*

Cate Buchanan, *Head of Negotiating Disarmament, Centre for Humanitarian Dialogue*

Patrick McCarthy, *Coordinator, Geneva Forum*

Mohammad Masoom Stanekzai, *Senior Fellow, Jennings Randolph Fellowship Program, United States Institute of Peace*

Rachel Stohl, *Senior Analyst, Center for Defense Information (CDI)*
Valerie Yankey-Wayne, *Associate with the “Armed Groups Project,”
University of Calgary*

Biosecurity

Jean Pascal Zanders, *Director, BioWeapons Prevention Project
(Expert Moderator)*
Sergey Batsanov, *Director, Pugwash Conferences on Science and
World Affairs, Geneva Office*
Jennifer Runyon, *Executive Director, International Council for the
Life Sciences*
Jonathan B. Tucker, *Senior Fellow, James Martin Center for
Nonproliferation Studies, Monterey Institute of International
Studies*
Ronald J. Waldman, *Professor of Clinical Population and Family
Health, Professor of Clinical Epidemiology, Columbia University*

Task Force Two on Inter- and Intra-state Armed Conflict

Conflict Prevention and the Responsibility to Protect

Colin Keating, *Executive Director, Security Council Report
(Expert Moderator)*
Steve Crawshaw, *UN Advocacy Director, Human Rights Watch*
Nicole Deller, *Director of Programs, Global Center for the
Responsibility to Protect, Ralph Bunche Institute for International
Studies, CUNY Graduate Center*
Kathleen Hunt, *UN Representative, CARE International*
Juan Méndez, *President, International Center for Transitional
Justice (ICTJ)*
William G. O’Neill, *Program Director, Conflict Prevention and
Peacebuilding Forum, Social Science Research Council*
Thomas G. Weiss, *Presidential Professor of Political Science;
Director, Ralph Bunche Institute for International Studies, CUNY
Graduate Center*

Mediation and Peace Processes

Fen Osler Hampson, *Director, The Norman Paterson School of International Affairs, Carleton University* (Expert Moderator)

Betty Bigombe, *Distinguished Scholar, Woodrow Wilson International Center for Scholars*

Priscilla Hayner, *Director, Peace and Justice Program, International Center for Transitional Justice (ICTJ)*

Gilbert M. Khadiagala, *Head of the Department of International Relations and Jan Smuts Professor of International Relations, University of the Witwatersrand*

Kalle Liesinen, *Executive Director, Crisis Management Initiative*

William Zartman, *Professor Emeritus, The Paul H. Nitze School of Advanced International Studies, Johns Hopkins University*

Peace Operations

Ian Johnstone, *Associate Professor of International Law, Tufts University* (Expert Moderator)

Salman Ahmed, *Visiting Research Scholar, Princeton University*

Major General Patrick Cammaert (Ret.), *Former UN Force Commander*

Mark Malan, *Peacebuilding Program Officer, Refugees International*

'Funmi Olonisakin, *Director, Conflict, Security and Development Group, King's College London*

Peacebuilding

Charles T. Call, *Assistant Professor of International Relations, American University* (Expert Moderator)

Elizabeth Cousens, *Director of Strategy, Centre for Humanitarian Dialogue, New York Office*

Graciano Del Castillo, *Adjunct Professor of Economics, Columbia University*

Michael W. Doyle, *Harold Brown Professor of International Affairs, Law and Political Science, Columbia University*

Amos C. Sawyer, *Associate Director and Research Scholar, Indiana University; Former Interim President of the Republic of Liberia*

Susan L. Woodward, *Professor of Political Science, The Graduate Center, City University of New York; Senior Fellow, FRIDE, Madrid*

Cross-Cutting Experts

Joseph Chamie, *Research Director, Center for Migration Studies*

Sue E. Eckert, *Senior Fellow, The Watson Institute for International Studies, Brown University*

Dirk Salomons, *Director, Humanitarian Affairs Program, School of International and Public Affairs, Columbia University*

Curtis A. Ward, *President, Curtis Ward Associates LLC*

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Conveners

Terje Rød-Larsen, *President*

Edward C. Luck, *Senior Vice President and Director of Studies*

Task Force Leaders

James Cockayne, *Senior Associate*

Francesco Mancini, *Deputy Director of Studies*

Program Staff

François Carrel-Billiard, *Deputy Director of External Relations*

Farah Faisal, *Program Officer*

Naureen Chowdhury Fink, *Senior Program Officer*

Alison Gurin, *Program Assistant*

Marilyn Messer, *Special Assistant to the Senior Vice President and Director of Studies*

Christoph Mikulaschek, *Program Officer*

Njambi Ouattara, *Program Administrator*

Jenna Slotin, *Senior Program Officer*

Adam Smith, *Senior Program Officer*

Pim Valdre, *Special Assistant to the President*

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Beatrice Agyarkoh, *Events Officer*

Meiko Boynton, *Events Officer*

Marvin E. Trujillo, *Events Officer*

Leading *Rapporteur* of this Report

François Carrel-Billiard, *Deputy Director of External Relations*





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777 United Nations Plaza New York, NY 10017-3521 USA

TEL +1-212 687-4300 FAX +1-212 983-8246

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