



30.06.2013

LIFE AFTER DEATH

Nº2 2013 April/June

VLADIMIR ORLOV

Vladimir Orlov is the founder and now Special Advisor at the PIR Center (Russian Center for Policy Studies); Director of the Center for Global Trends and International Organizations at the Diplomatic Academy of the Ministry of Foreign Affairs of the Russian Federation; member of the UN Secretary General's Advisory Board on Disarmament Matters. He participated in the NPT Review Conferences of 1995, 2000, 2005, 2010, and 2015.

ALEXANDER CHEBAN

Alexander Cheban is Research Fellow at PIR-Center.

WILL THE NUNN-LUGAR PROGRAM GIVE WAY TO NEW PARTNERSHIP?

Some view it as a panacea which helped avoid the leakage of nuclear materials and a brain drain from Russia in the wild 1990s; others, as a convenient invention by the U.S. intelligence community intended to give it access to the holy of holies of the Russian nuclear complex, taking advantage of a temporary weakness of the “potential enemy.” Extremes aside, just as painting things in black and white, although many different kinds of things have happened over the last two decades: millions in aid, corruption scandals, attempts to ferret out secrets under the pretext of trying to help, and paranoia about keeping secrets where there are none.

Anyway, we bid farewell to the Nunn-Lugar Cooperative Threat Reduction program. Twenty years have passed, and it has died quietly. We propose a festive funeral, with music, a kind of New Orleans-style celebration. After all, this program has played a significant role in strengthening nuclear security and maintaining the U.S.-Russian strategic dialogue.

TWENTY YEARS AFTER

The program was devised through the efforts of Senators Sam Nunn and Richard Lugar, who managed to draw the attention of the American leadership to the need to urgently address problems related to nuclear weapons and nuclear materials in the Soviet Union and later in post-Soviet Russia. The program was given the green light on June 17, 1992, when presidents George H.W. Bush and Boris Yeltsin signed an official document with a very long name: "Agreement between the Russian Federation and the United States of America concerning the Safe and Secure Transportation, Storage and Destruction of Weapons and the Prevention of Weapons Proliferation." For the sake of simplicity, I will refer to it as "the June 17, 1992 Agreement."

The agreement remained in effect for seven years and was extended for another seven years twice – in 1999 and 2006. It expires on June 16, 2013. In 2012, U.S. officials proposed extending the Nunn-Lugar program in its current format to 2017. However, in October 2012 Russia declared it would not extend it. This decision caused fears among some Western experts that the relations between the United States and Russia, tense as they are, will become even more complicated after one of the few smoothly running mechanisms of interaction stops working. Experts believe that after that there will remain almost nothing that could bring the parties' positions closer together. As a result, the countries may slide into a situation that would be similar to the Cold War era.

Russia is not happy that the program gave Americans the opportunity to visit its secret nuclear facilities. Moscow had to allow these visits because the vital work to improve physical protection and nuclear safety was financed by the U.S., and therefore U.S. officials regularly visited restricted access facilities in Russia to monitor the spending of the allocated money. Moscow put up with these intrusive visits in the difficult 1990s, but now this practice is humiliating. Russia was especially annoyed at the excessive privileges enjoyed by U.S. citizens involved in the Nunn-Lugar program. Particularly outrageous was that they were exempt from any responsibility for damage, even intentional, inflicted on Russian territory. Russia tried several times to change the situation, but to no avail. According to the June 17, 1992 Agreement, Americans involved in the Nunn-Lugar program still have the right to inflict damage, with impunity, on Russian facilities which they are allowed to visit for opposite purposes, as a matter of fact – namely, to provide assistance in improving their nuclear safety.

However, the Barack Obama administration showed neither panic nor irritation. The tone was set by the president who said last December that nothing serious had happened and that it was time to look for new forms. U.S. officials, who attended a meeting of the PIR-Center Working Group on Nuclear Security in March this year, also admitted that Washington is aware of the need to replace the outdated mechanism with a more modern format. Negotiations are already under way. Issues of "life after Nunn-Lugar" were discussed during the February visit to Moscow of the U.S. Acting Under Secretary for Arms Control and International Security, Rose Gottemoeller, and later at her meeting with Russian Deputy Foreign Minister Sergei Ryabkov in April in Geneva. Although much work is yet to be done, there are already signs of progress. As the Advisor to the Rosatom General Director, Vladimir Kuchinov, put it: "Rails have not been laid yet, but we are already placing railroad ties." But what rails? And why? Does Russia still need U.S. help?

The issue is now heatedly debated, and we have decided to propose our own vision of where the new railroad track should lead, so that Russia have not short-term but long-term interest in cooperation with the U.S., and so that Russia have as much interest in it as the United States. Our proposal is based on a research project now underway at PIR-Center.

We believe that there is only one option regarding the Nunn-Lugar program – its dismantling, including legal mechanisms and actual implementation. The program's potential is exhausted, and Russia's position here looks sound.

But this dismantling should be done without time gaps, which would be detrimental to efforts to strengthen the international non-proliferation regime and nuclear security.

INTERACTION: PRIME AREAS

We believe that Nunn-Lugar should be replaced with a new Russian-American program, limited to ten years but which can be extended. This program should involve fewer projects and less funding. Let us call it New Partnership. Its main principle should be equality, rather than patronizing through money infusions from donors. Ten years ago, the PIR-Center, in a report prepared jointly with the Washington-based Center for Strategic and International Studies (CSIS), proposed moving over from "didactic patronage to real partnership." Dividing partners into "seniors" and "juniors" and into donors and recipients is inadmissible as regards not only the choice of areas of interaction but also funding and legal issues.

Interaction areas (projects) should equally meet national interests of both Russia and the United States. New Partnership would include only projects that will meet the interests of both countries. In 2013, such projects do not number more than ten, and even they can be reduced to five. But these should be advantageous militarily, politically or commercially, or in terms of image (the use of "soft power" tools in third countries).

First, the elimination of chemical weapons should be done with bilateral and international participation. Today, the work in this field in Russia is nearing completion, and it is now funded from the Russian state budget. In the future, the experience in this area of Russian-American cooperation could be used in third countries.

Second, efforts to ensure the security of nuclear weapons should be stopped. Their goals have been achieved, so there is no point in continuing them. The U.S. funding has helped Russia to improve the security of its nuclear warheads stored at 50 nuclear facilities of the Navy, 25 storage facilities of the Strategic Missile Forces, and two arms factories of Rosatom. Efforts to improve the physical protection of nuclear weapon depots were completed in 2008, and now Russian specialists undergo U.S.-assisted training in maintaining security systems. The training program expires in 2013.

Third, it is time to stop joint efforts to improve physical nuclear security at nuclear industry facilities. This task can now be addressed without U.S. involvement. The Rosatom State Corporation is engaged in large-scale activities to ensure physical

protection of nuclear materials and facilities, to organize their guarding, and prevent terrorist acts. In addition, thanks to the U.S. assistance, many of the problems pertaining to physical protection have already been solved, and now there is no need to allocate significant funds for these purposes.

In addition to the United States, significant contributions to improving the physical protection of nuclear facilities have been made by Canada (\$63.1 million), the UK (£11.54 million) and Germany (63.4 million euros). Thus, Russia has received assistance from a broad international community in addressing nuclear industry problems. Now these problems have largely been solved, and the remaining ones are not catastrophic and can be further addressed by Russia on its own.

Fourth, New Partnership should be applied to **Russian-U.S. cooperation in strengthening physical nuclear security in third countries**, primarily in the former Soviet Union: Ukraine, Kazakhstan, Central Asia and, later, in the South Caucasus (including Georgia). Bilateral Russian-American cooperation in Central Asia, where the two countries already undertook joint initiatives, may prove particularly efficient. For example, the presidents of the United States, Russia and Kazakhstan made a joint statement at the March 2012 Nuclear Security Summit in Seoul on trilateral cooperation at a former nuclear test site near Semipalatinsk. Russia and the United States also cooperated in Uzbekistan in addressing the problem of nuclear research reactors, whose spent fuel had been transported to Russia. It should be noted, though, that Moscow is lagging far behind Washington in implementing nuclear projects in Central Asia. However, Russia's active involvement at this stage would not be belated.

There are areas for cooperation in neighboring countries, too. These may include joint programs in Pakistan, to which the U.S. has long been giving much money to prevent thefts of nuclear materials. Their implementation would be useful, albeit politically sensitive as well. In Afghanistan, it might be interesting for Russia to train, jointly with the United States, specialists in export control and in Second Line of Defense. Russia and the U.S. could help efforts to increase the level of radiation monitoring on Afghanistan's borders and implement programs to prevent thefts of nuclear materials and their illegal transit via Afghanistan. Russia's experience in using its Yantar radiation detectors may also be useful.

Using the positive Nunn-Lugar experience in implementing projects in third countries should become a priority. By withdrawing U.S. assistance programs from Russia, Moscow will not only eliminate an anachronism but will also automatically remove painful problems, such as liability for damage, immunities, etc. Rules of the game in third countries should be set by the two powers together.

Fifth, in the Middle East, Russia may be interested in **retraining nuclear scientists, military chemists and biologists from Iraq and Libya**. Although the U.S. has already done a lot in this field without Russia's involvement, Iraq and Libya will have to address problems similar to those faced by Russia not long ago as regards the elimination of chemical weapons and nuclear security. Therefore, the experience of Russian specialists may prove invaluable.

Sixth, in Sub-Saharan Africa, Russia and the U.S., within the framework of New Partnership, could **launch cooperation in preventing biosecurity threats emanating from there** – namely, natural and, possibly, artificial epidemics. For example, assistance is needed for a medical research center in Kenya and a virological research institute in Uganda, which work, among others, on the Ebola virus. This cooperation would be particularly important, considering that radical Islamist groups are active in the Sahel region (Mauritania, Mali, Chad and Niger), which at some point displayed interest in a possibility to acquire the Ebola virus.

International cooperation is the only way to achieve positive results in preventing bioterrorism. A Russian-U.S. initiative on Africa within the framework of New Partnership could be a new and notable move in this respect, especially as it would be initiated by Moscow.

Seventh, in Southeast Asia, joint efforts to strengthen physical nuclear security and train local nuclear specialists could be of priority interest. Several Southeast Asian countries (Indonesia, Malaysia, Vietnam and Thailand) have announced plans to develop nuclear energy even though they have neither experience nor specialists. Russia and the United States could cooperate in building nuclear reactors, exporting spent nuclear fuel from these countries, utilizing numerous ionizing radiation sources in Indonesia and Vietnam or ensuring their safe storage.

Eighth, efforts to counter nuclear terrorism, and threat assessment and modeling should also be part of New Partnership. Parameters of cooperation have already been outlined. The Global Initiative to Combat Nuclear Terrorism (GICNT), whose organization was jointly announced by the U.S. and Russian presidents on July 15, 2006 in Russia's St. Petersburg, is one of the most effective tools in this field. The GICNT, which now unites 85 countries, will until 2015 be co-chaired by Russia and the U.S. This factor opens up broad prospects for bilateral cooperation. The two countries have already held joint meetings of security officials within the GICNT framework, which discussed ways to prevent acts of nuclear terrorism (Khabarovsk, 2007), joint seminars and an international demonstration exercise, Guardian-2012 (Moscow and Dmitrov, near Moscow, September 27-28, 2012). The exercise, which involved security officers from more than 50 countries, was aimed at sharing experience in preventing the illicit trafficking of nuclear materials and radioactive sources.

The aforementioned formats of cooperation should include two more projects. These are **joint assessment of cyber threats to ensure security of nuclear facilities and efforts to counter the financing of WMD terrorism and proliferation** within the framework of decisions taken by the Financial Action Task Force (FATF), where Russia will assume Presidency from July this year.

Ninth, the development of Russian-U.S. **cooperation on nonproliferation in the field of education** is a New Partnership area that is the least controversial and least politicized and that is in great demand already today. Exchanging experience and jointly sharing knowledge with the younger generation would help reduce tensions in relations between the two countries. The joint master's degree program offered by leading Russian and U.S. research centers and universities – MGIMO in Russia and Middlebury

College in the U.S. – could be an optimal format for that. Such a program would be especially helpful if it focuses on training not only Russian and American young professionals but also specialists from third countries where the nuclear power industry is developing and where, therefore, proliferation risks are growing.

INTERACTION: PRIME ISSUES

We are not naive. Given the present froideur in Russian-U.S. relations, it takes rose-colored glasses to expect that the New Partnership train will soon be smoothly running on the new rails and that legal differences, which marred the program, now coming to a close, will be settled instantly. Not all of the afore-proposed areas of New Partnership will start working this year, even if diplomats of both countries do their best. New Partnership requires patience and step-by-step solutions. And there are some more important things that need to be done, if we do not want to make mistakes even before the project starts.

Firstly, all current projects under the Nunn-Lugar program that have not been completed yet should be completed as planned, without interruption (but without starting new projects or new phases of existing projects). This follows from the Russian-U.S. Agreement of June 17, 1992, which is still in effect. Article 14 says that upon the agreement's expiry Articles 6, 8 and 12, which imply the continuation of unfinished projects, will remain in effect unless there is another agreement in writing between the parties.

Behind this dry wording of an official document is a lively interest of many Russian institutes. Over the decades that the Nunn-Lugar program has been in effect, some Rosatom enterprises and nuclear research institutes have become hooked on foreign aid and are horrified by the proposal to stop the foreign funding of the Russian nuclear power industry. Their reaction is understandable. They fear that, once the U.S. aid is cut off, the Russian government may fail to find funds in the national budget to compensate for the absence of foreign aid. The lack of funding will be a blow to the staff of these institutes and also to thousands or even millions of Russian citizens.

Now, for example, Russia is completing work to dismantle and decommission radioisotope thermoelectric generators (RTGs). Radioactive materials must be urgently removed from damaged shells and placed in special storage facilities in order to prevent radioactive contamination of the environment. The Americans continue funding the decommissioning of RTGs in view of their vulnerability to terrorists. Both Russia and the United States are interested in eliminating these dangerous devices in the coming years. Neither country wants the process to drag on for decades, which may happen due to Russian financial difficulties if the U.S. aid is suddenly cut off. Therefore projects like the dismantling and decommissioning of RTGs should be allowed to be completed with U.S. assistance. These projects are few (mostly they provide for improvement of the physical protection of Russian nuclear research institutes), and they can be completed soon.

Secondly, Russian companies and industries should become one of the main driving forces behind the implementation of New Partnership projects, just like U.S. companies close to the Pentagon and the Department of Energy (Raytheon, Parsons, Halliburton,

Bechtel and others) were key drivers of the Nunn-Lugar program. American businesses continue to act proactively, and Russian companies should not fall behind them. Russia should develop principles for a public-private partnership which should help broaden opportunities for financing projects in third countries. In the future, Moscow should be ready to cooperate with Washington in third countries on equal footing (including the financing). Otherwise, the very idea of equal partnership would be compromised. Adequate funding of projects by Russia will help attract more Russian companies.

Lawyers and politicians will have to work hard to overcome the remaining legal obstacles, such as liability for nuclear damage, the way it should be done, rather than it used to be done – that is, to the detriment of Russia's interests. There has been progress in this field, but the negotiations have not been smooth. However, a new implementing agreement, adapted to the current context, may be concluded already by June.

Neither Russia, nor the United States will allocate funds for cooperation for cooperation's sake. Cooperation must rest on ***concrete mutual interest, and allocations must pay back***. For example, joint efforts to improve the quality of nuclear education of specialists from countries planning to develop nuclear power industries would bring commercial benefits for the U.S. and Russia, because countries embarking on nuclear power have enough money to pay for the training of their nuclear specialists.

Thirdly, neither the aforementioned harsh political realities, nor legal difficulties in the way of concluding new arrangements should serve as a pretext for wrecking the very possibility of New Partnership by delaying bringing it into being. ***There is no time to lose***. Presidents Putin and Obama will meet in Northern Ireland at a G8 summit in June this year. A few months later, in September, the U.S. president will visit Russia's St. Petersburg to attend a summit of the G20. Obama said that on the eve of the summit he is ready to hold a bilateral summit with President Putin.

In mid-April, Washington made it clear to Moscow: if the two parties agree on a legal framework for continued Cooperative Threat Reduction efforts by June, that would be a strong signal confirming their mutual readiness to cooperate at home and in third countries in ensuring the security and destruction of weapons of mass destruction.

There is nothing that may prevent Moscow from responding to this signal positively. So, the period between the summer and autumn of this year is a good time for the first train to roll down a new railroad track.

#non-proliferation #nuclear weapons #russia and usa