

## Strategic Insight

### Negative Security Assurances and the Nuclear Posture Review

by [James A. Russell](#) and [James J. Wirtz](#)

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Policymakers and academics are now debating the Bush administration's [Nuclear Posture Review \(NPR\)](#), which was unveiled in January 2002. One issue that has generated commentary is the relationship between the NPR and "negative security assurances," i.e., statements made by U.S. policymakers that the United States will not use nuclear weapons against non-nuclear weapons states that are also signatories of the Non-proliferation Treaty (NPT). This policy was restated in a November 1997 Presidential Decision Directive: "the United States reaffirms that it will not use nuclear weapons against non-nuclear-weapon States Parties to the [NPT] except in the case of an invasion or any other attack on the United States, its territories, its armed forces or other troops, its allies, or on a State toward which it has a security commitment, carried out or sustained by such a nonnuclear-weapon State in association or alliances with a nuclear-weapon State." Critics allege that these so-called negative assurances have been called into question by some of the states identified as potential nuclear targets by the NPR. But the relationship between the NPR and negative security assurances is more complex than many critics suggest because it highlights the interaction between disarmament, deterrence and counter proliferation policies.

The NPR names five states -- Iran, Iraq, Syria, Libya and China -- that could be involved in "immediate" or "potential" contingencies involving nuclear weapons. These countries, however, cannot be placed in the same category when it comes to the negative security assurances associated with the NPT. China is an acknowledged nuclear power that actually has a small force of intercontinental ballistic missiles capable of striking the United States. Negative security assurances offered by the United States were never intended to apply to China. Iraq and North Korea are signatories of the NPT, but both countries are not considered in "good standing" when it comes to their obligations under the treaty. Iraq and North Korea are suspected of developing clandestine nuclear arsenals. U.S. officials thus have little alternative but to treat Iraq and North Korea as de facto nuclear weapons states. Iran, Syria and Libya are believed to have significant chemical weapons arsenals.

Critics of the NPR state that U.S. use of nuclear weapons against nonnuclear countries would constitute a U.S. violation of its pledge not to use nuclear weapons against states that lack a nuclear arsenal. The Bush administration has stated publicly that it intends to continue abiding by its policy of negative security assurances, but, like previous administrations, it has suggested that ambiguity exists in situations where the United States or its military forces had been subjected to an attack by weapons of mass destruction (WMD). In other words, significant use of chemical, biological or radiological weapons against the United States or its forces undermines the policy of offering negative security assurances. Because the United States abides by its treaty commitments to forego developing or employing chemical or biological weapons, it cannot respond in kind in the aftermath of chemical or biological attacks that inflict thousands or even millions of casualties. If the United States is going to respond to a mass casualty attack by using a weapon of mass destruction, its only remaining choice is to use a nuclear weapon.

What critics of the NPR fail to understand is that the inability of disarmament institutions and agreements to stop the proliferation of significant chemical, biological and nuclear capabilities -- not the NPR itself --

lies at the heart of the debate about negative security assurances. The negative security assurances offered by the United States were made in the context of the NPT to foster nonproliferation efforts and to reward states that agreed not to acquire nuclear weapons and in a more general sense for abiding by international norms against using nuclear, chemical or biological weapons on the battlefield. These negative security assurances were not intended to undermine similar efforts to block the spread of chemical and biological weapons (i.e., the Chemical Weapons Convention and the Biological Weapons Convention). If one follows the logic of critics of the NPR, states that employ chemical or biological weapons need not fear retaliation in kind (because these weapons are banned by international agreement) or nuclear retaliation because of the negative security assurances associated with the NPT. States that violate international agreements would thus be given a "free ride" when it comes to threatening to use or actually using chemical or biological weapons. Giving free rides to states that violate international nonproliferation norms and agreements is not conducive to bolstering global efforts at disarmament.

### **New Threats and Targets**

The whole issue of negative assurances has been subsumed by the new threat environment, which in turn underlies a major premise of the NPR: that nuclear weapons could be used in a wider number of circumstances on different kinds of targets than had previously been the case. States that have signed the NPT are offered no potential "relief" from being targeted if they attempt to build or use weapons of mass destruction. The negative assurance issue also has been subsumed by the new targeting requirement to hit underground storage facilities and mobile targets. With the movement of WMD facilities underground to avoid being targeted and destroyed by precision-guided conventional weapons, a new nuclear targeting requirement has been created that the United States cannot ignore if it is to maintain a credible deterrent. Conventional munitions cannot hold all deeply buried targets at risk, hence the efforts identified by the NPR to modify existing nuclear weapons to increase their ability to destroy suspected WMD facilities that are hidden underground.

### **Conclusions**

Concerns that the United States will violate its NPT negative security assurances are being blown out of proportion. Critics seem to extend these assurances to states that have overt or clandestine nuclear arsenals and to states that violate international norms and treaties against developing, stockpiling or using biological and chemical weapons. Clearly the Bush administration has voiced no intention to be the first to use nuclear weapons against states that lack weapons of mass destruction. The administration's preference is not to use nuclear weapons -- hence the stated intention in the NPR to use conventional weapons in a "strategic" context. The NPR debate, however, does focus attention on a disturbing international trend. Even as the United States and Russia reduce their strategic nuclear arsenals, other state and non-state actors continue in their quest to bolster their nuclear, chemical and biological weapons capabilities. Whenever policies that are intended to foster disarmament -- such as the negative security assurances associated with the NPT -- confront flagrant efforts to obtain weapons of mass destruction, the connection between policy and reality will be strained. The inability of disarmament policies to cope with these circumstances has more to do with bad situations, not the bad intentions of U.S. policymakers.

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