

Proposed wording

The United States federal government should move towards elimination of nuclear weapons from its arsenal by changing its nuclear posture in one or more of the following ways:

Ratifying and implementing one or more extant bilateral or multilateral agreement(s) on nuclear disarmament

Implementing a declaratory policy substantially restricting the use of nuclear weapons

Implementing substantial reductions in its deployed nuclear forces

Negotiating and implementing substantial and verifiable bilateral restrictions on the use and/or deployment of nuclear forces

Rationale

A typological list of all the categories of arms control Affirmatives was created¹, then we tried to write a topic that could accommodate the ones we think people voted for. No wording is perfect, but after several hours we concluded that a short resolution like the WMD topic is very hard to word in a way that both allows every ‘core’ Affirmative type and excludes very small or otherwise undesirable Affirmative types.

Affs our wording seeks to avoid:

1) Small security guarantees. Affirmatives that are unilateral versions of Affs from the Middle East topic. If one combines all of the various security assurance types: unconditional no first use, no first WMD use, no first nuclear use, no first use conditioned on target state behavior (no attack on a US ally, no terrorist attacks on US assets, etc.) with the various countries that could be reassured, it creates a very large number of Affs.

2) Positive assurance. Non-use is a negative assurance. Positive security assurances include both non-use/non-aggression pledges and “dual key” measures that restrict/reduce/limit US unilateral nuclear options, requiring the consent of the other country (or countries) for nuclear use in certain contingencies. Since this is a mechanism for enlarging the US nuclear umbrella (extended deterrent), it makes the topic bidirectional. Both no first use against China and giving an explicit nuclear guarantee to Taiwan should probably not be T.

¹ Our typology:

Quantitative arms control (cuts in deployed forces)

- New agreements
- Ratify existing agreements
- Unilateral cuts/force structure changes

Qualitative arms control

- De-alert
- CTBT or other restrictions on modernization
- Time/place restrictions – like withdraw TNWs from Europe

Declaratory policy

- No First Use/Security Assurances

Doctrine

- Targeting
- Command and control/decision-making process

3) New multilateral treaties. Unilateral disarmament is defensible Affirmative ground, especially for K teams. But allowing the negotiation of a global abolition agreement, or other drastic global cuts, as well as big regional arms control packages is a bridge too far. Allowing both new bilateral and new multilateral treaties makes the topic too large. Multilateralism would still be debated given existing treaties - CTBT, NPT and FMCT - and the multilateralization CP.

2010 NPT proposals proves multiple new initiatives are topical – limiting affirmatives to US ratification of existing treaties provides ample affirmative flexibility while maintaining some limit on potential cases

Spies Acronym Institute for Disarmament Diplomacy ‘9

(Michael-, Spring, Disarmament Diplomacy, “Towards 2010 and Beyond Proposals, Positions and Prospects: Issues facing the 2010 NPT Review Conference”, #90, <http://www.acronym.org.uk/dd/dd90/90nptms.htm>; Jacob)

This review, commissioned by the Acronym Institute, provides a comprehensive guide to major disarmament, non-proliferation and related issues that have been raised thus far in the context of the Nuclear Non-Proliferation Treaty (NPT) review cycle. Drawing on proposals that have been submitted to the first two PrepCom meetings of the present NPT review cycle, particularly-but not exclusively-those that have been submitted in working papers, the survey offers a preview of what is likely to be on the table at the Review Conference (RevCon) in 2010. The survey below focuses on five areas: disarmament; nuclear weapon nuclear free zones and security assurances; non-proliferation; other issues; and institutional issues. For each topic, a brief history of the issue within the NPT context is provided, followed by a description of the principal related proposals that have been tabled or re-tabled during the present review cycle, and the positions of relevant and key governments, where appropriate. Drawing from statements and working papers from the 2007 and 2008 sessions of the Preparatory Committee (PrepCom)[1], the survey deals primarily with the significant proposals and initiatives related to future steps, new agreements or other measures that affect or seek to modify the operation of the Treaty, and does not try to comprehensively chronicle every recommendation or call for action that NPT Parties have made with regard to the NPT and its review process.

It is rare that consensus forms around new commitments, though the outcomes of 1995 and 2000 continue to set the model for what can be achieved. In 2005, the likelihood of a successful outcome was complicated not only by the lack of implementation, but by the repudiation of those commitments by a small number of governments. Parties even disagreed over the nature of those commitments. Moving forward toward 2010, many delegations have resubmitted initiatives from 2005 and put forward a number of new proposals that include commitments to enhance, modify and strengthen the operation of the NPT regime.

Part I. Nuclear Disarmament

Grand Bargains

In connection with the decision to indefinitely extend the Treaty, in 1995 NPT parties agreed to a package of decisions, including a set of principles and objectives related to nuclear non-proliferation and disarmament. The 2000 RevCon agreed to 13 "practical steps for the systematic and progressive efforts to implement article VI of the Treaty on the Non-Proliferation of Nuclear Weapons and paragraphs 3 and 4 (c) of the 1995 Decision on 'Principles and Objectives for Nuclear Non-Proliferation and Disarmament'." The 2005 RevCon, however, could not even agree to include review of these past agreements in its mandate.

Moving beyond the 2005 impasse, in the present review cycle governments have called for additional arms reductions and demanded further progress in implementing the 1995 and 2000 commitments. Beyond these calls, some governments have called for a variety of next steps. Others have suggested that the international community should move beyond or reassess past agreements in light of "the current security environment".

Proposal: New implementation baseline

Intended as a "brainstorming piece" to "rekindle a sense of common purpose in the international community", Germany has proposed a "New Implementation Baseline."[2] The Baseline, intended to be "result oriented", consists of a two-track approach reflecting the fundamental bargain underlining the NPT. Germany claims it is designed to strengthen non-proliferation and to give new momentum to nuclear disarmament.

The non-proliferation track includes: a commitment to compliance and support for diplomatic efforts aimed at solving regional proliferation risks; improvement of verification, especially through making the International Atomic Energy Agency (IAEA) Additional Protocol the verification standard; prevention of misuse of civilian nuclear programmes for military ends, in particular through a solution to the risks posed by the nuclear fuel cycle; development of a joint understanding on withdrawal from the NPT; institutionalizing UN Security Council resolution 1540 (2004) with the NPT; and strengthening the role of the UN Security Council as "the final arbiter on the consequences of non-compliance."

The disarmament track endeavours to: overcome the deadlock in the Conference on Disarmament, including negotiations on a fissile materials cut-off treaty (FMCT); foster dialogue between Russia and the United States on a follow-up to START and SORT; establish an incremental arms control approach to non-strategic nuclear weapons; promote the entry into force of the Comprehensive Test Ban Treaty (CTBT) and reaffirm the moratorium on nuclear test explosions; establish other commitments in implementation of the "cessation of the nuclear arms race" obligation through the establishment of accountability and reporting obligations and the capping of nuclear arsenals; recommit to existing security assurances and explore ways of formalizing them; and to bring all existing nuclear weapons free zone (NWFZ) treaties into force.

Without this limit – the following affs would be topical:

Amend the ICC

Johnson ‘9

(Rebecca-, Spring, Disarmament Diplomacy, “Towards 2010 and Beyond Security Assurances for Everyone: A New Approach to Deterring the Use of Nuclear Weapons”, #90, <http://www.acronym.org.uk/dd/dd90/90sa.htm>; Jacob)

How to outlaw the use of nuclear weapons

There are several approaches that could be taken. One route could be to amend the definition of 'crimes against humanity' in the 1998 Rome Statute that established the ICC. Another option, advocated by Max Kampelman, would be to get legislation through the Security Council to recognize or make the use of nuclear weapons a crime against humanity.

A total ban on nukes treaty

Moxley Nuclear Weapons Law Fordham ‘8

(March, Statement of the Lawyers’ Committee on Nuclear Policy, “Ending U.S. Reliance on Nuclear Weapons and Achieving their Global Elimination: Wise Policy and Required by Law”, <http://lcnp.org/disarmament/LCNPstatement2008.pdf>; Jacob)

Success is also essential for preservation of the system of collective security and international law centered on the United Nations Charter. Absent success, that system may be fatally undermined by the doctrine of preventive war against allegedly emerging but not imminent nuclear weapons threats employed to rationalize the invasion of Iraq and possible military action against Iran. Preventive war is contrary to the UN Charter, which permits use of force only in self-defense against actual or imminent attacks or by authorization of the Security Council. It also is extremely dangerous. Wars are unpredictable; they may give rise to dire circumstances in which one side or the other would consider resort to use of nuclear weapons. Further, the United States retains the option of use of nuclear weapons against another state’s nuclear, biological or chemical weapons capabilities. Especially in combination, the doctrine of preventive war and the doctrine of preemptive or preventive use of nuclear weapons are fundamentally incompatible with the existence of international legal constraints on the use of force; they imply a world of chaos and nihilism. The path of promoting and complying with the UN Charter, disarmament and non-proliferation obligations, and the law of armed conflict is incomparably superior.

Conclusion

The use and threat of use of nuclear weapons are unlawful; their disastrous effects are morally unacceptable; and their possession by some nations but not others is inherently destabilizing. **The time has long since come for the United States to end its policy of reliance on nuclear weapons and to take global leadership in eliminating them. It is time to achieve and implement a convention formally banning, worldwide, the possession, threat of use, and use of nuclear weapons.**

A New FMCT-type treaty

Kimball Executive Director Arms Control Association U.N. Conference on Disarm ‘6

(August, Accelerating the Entry Into Force of the Comprehensive Test Ban Treaty and Securing a Fissile Material Cut Off Agreement”, http://legacy.armscontrol.org/pdf/20060821_Kimball_CTBT-FMCT.pdf)

If the Conference on Disarmament fails by the end of this year to take up the new U.S. proposal on the FMCT, the United States and other states should consider a new approach to break the deadlock.

Based on the recent U.S. draft FMCT proposal, the United States in conjunction with other leading states should invite China, France, Russia, the United Kingdom, India, Israel, and Pakistan to a diplomatic conference to initiate negotiations toward a multilateral treaty—with modest verification and transparency provisions—banning the further production of fissile material production for weapons purposes as a first step toward a verifiable global fissile production cutoff treaty. As this initiative is pursued, further work at the CD on the FMCT and/or other issues could move forward.

An international initiative on disarm education

Spies Acronym Institute for Disarmament Diplomacy '9

(Michael-, Spring, Disarmament Diplomacy, "Towards 2010 and Beyond Proposals, Positions and Prospects: Issues facing the 2010 NPT Review Conference", #90, <http://www.acronym.org.uk/dd/dd90/90nptms.htm>; Jacob)

Proposal: Consideration of steps to promote disarmament and non-proliferation education

Japan has suggested that efforts on education in the NPT context should include "deepening discussions among security and disarmament experts on the security benefits of and challenges to the NPT regime, and providing knowledge on these issues to the public," and that these efforts should hold the need to develop critical thinking skills in an informed citizenry as one of the objectives. Japan further recommended that experiences in education efforts should be shared among member states, international organizations, and civil society.[111]

Positions. In a personal capacity, Japan has called for the recommendations in A/57/124 to be reaffirmed and followed. In order to implement the recommendations, Japan suggested that humankind should "share as objective information the experiences of nuclear devastation and the persistent effects of radiation on the environment and human health" and that governments should support such efforts by civil society.

On behalf of the group of eight referred to above, plus the twelve co-sponsors[112] of the 2006 UN General Assembly resolution supporting the UN study on disarmament and non-proliferation education, Japan also called on all states to join such initiatives.[113] The NAM likewise supported steps and actions to promote disarmament and non-proliferation education.[114]

Change implementation of current agreements

Spies Acronym Institute for Disarmament Diplomacy '9

(Michael-, Spring, Disarmament Diplomacy, "Towards 2010 and Beyond Proposals, Positions and Prospects: Issues facing the 2010 NPT Review Conference", #90, <http://www.acronym.org.uk/dd/dd90/90nptms.htm>; Jacob)

Following the failure of the 2005 NPT RevCon, seven governments-Australia, Chile, Indonesia, Norway, Romania, South Africa and the United Kingdom-sought to reinvigorate disarmament efforts in the context of the 2005 UN World Summit. Despite the failure of their efforts to affect the outcome of the Summit, the seven nations reaffirmed their initiative in the NPT context, stating that it should be considered as a basis for consensus in 2010.[4] Their July 2005 Joint Declaration is based upon the following elements:

- * maintaining the integrity of the three pillars of the NPT;
- * achieving full compliance and universality;
- * guarding against the spectre of nuclear terrorism through strengthened measures, with emphasis on UN Security Council resolution 1540 and the Convention on the Physical Protection of Nuclear Material (CPPNM);
- * upholding the right to nuclear energy in the context of the NPT;
- * encouraging universal application of the IAEA Additional Protocol;
- * establishment of mechanisms to guarantee the supply of nuclear fuel;
- * development of means to address "defection" from the Treaty and to respond to non-compliance; and
- * other measures including "practical, systematic and progressive efforts to advance nuclear disarmament globally", increased "transparency and security of their fissile material holdings", early entry into force of the CTBT, and negotiation of an FMCT.[5]

Positions. In February 2008, the government of Norway in cooperation with the Nuclear Threat Initiative and the Hoover Institution hosted a conference in Oslo on "Achieving the Vision of a Nuclear Weapon Free World". The conference proposed five principles and ten recommendations. The recommendations included:

- * personal engagement of national leaders and key domestic stakeholders;
- * deep reductions in the US and Russian arsenals (down to hundreds rather than thousands of warheads);
- * non-nuclear weapon state (NNWS) cooperation in developing technology needed to verify disarmament;
- * early entry into force of the CTBT;
- * starting negotiation of an FMCT and consideration of a supplementary Fissile Material Control Initiative on a voluntary basis;
- * ratification of all relevant instruments related to nuclear non-proliferation, safety and security, including comprehensive safeguard agreements and the IAEA Additional Protocol;
- * steps by the NWS to ensure their nuclear weapons "do not fall into unauthorized hands";
- * creation of a non-discriminatory system of nuclear fuel supply; and
- * convening a high-level intergovernmental panel on nuclear disarmament.[6]

A Nuclear Weapons Convention

Spies Acronym Institute for Disarmament Diplomacy '9

(Michael-, Spring, Disarmament Diplomacy, "Towards 2010 and Beyond Proposals, Positions and Prospects: Issues facing the 2010 NPT Review Conference", #90, <http://www.acronym.org.uk/dd/dd90/90nptms.htm>; Jacob)

Proposal: Nuclear Weapons Convention

Costa Rica and Malaysia circulated a revised version of the NGO-drafted Model Nuclear Weapons Convention as a discussion piece "to assist States parties to the NPT in their deliberations with respect to the implementation of article VI".[16]

Positions. Due to the complexity of achieving global nuclear disarmament, many western governments are reluctant to endorse the concept of such a convention at the present time, though many see it as the eventual goal. Notably, however, following its change of government, Australia vocalized support for the eventual goal of a nuclear weapons convention.[17] The NAM supports an annual resolution at the UN General Assembly calling for a nuclear weapon convention.

4) Increases in conventional forces or qualitative modernization for the nominal purpose of enabling future cuts.

5) Cuts in hypothetical systems. Allowing the Aff to unilaterally ban a weapon that is not in the arsenal and may never actually get built (e.g. a restriction on a hypothetical future USFG action) is a huge burden to add on top of the debate about cutting existing systems. Affs may even be able to claim advantages based on the 'signal' sent by preemptive restrictions on hypothetical future weapons, such as fusion bombs. These Affs lend themselves to conspiracy theories about exotic weapons.

6) Cuts in delivery systems, but not warheads. Topic paper authors noted that converting Tridents to carry conventional warheads shouldn't be an Aff. More worrisome is an Aff that restricts dual-capable systems that have both conventional and nuclear capabilities. The F-15 and F-16 are dual capable, as are the B-52, B-1 and B-2 and BGM-109 (Tomahawk). There are some very technical arguments against just stripping the dual capability requirement, but leaving the systems deployed. Beyond bidirectionality, I think this switches the topic from nuclear forces to conventional force structure.

Affs we sought to include:

1) Unilateral cuts to deployed systems, including unilateral disarmament, should be core ground under any wording. This is consistent with the paper, and logical, since it is the most basic form of Aff. How we do cuts is just as important as how much we cut, and there are lots of options here, including permanent dismantlement, leaving the launcher intact but not the warheads, the operational reserve, strategic escrow, virtual nuclear arsenals, etc. Each leg of the triad is an Aff, as is each type of non-strategic weapons.

2) Ratifying existing arms control agreements, including CTBT and FMCT and their verification systems. CTBT has the added benefit of allowing us to debate stockpile stewardship in great detail, but without the risk of bidirectionality. (verification discussion is below)

[1 and 2 are consistent with topic paper author comments]

CTBT

Arms Control Association, 2009—Alexei Arbatov, Superseding U.S.-Russian Nuclear Deterrence, <http://www.armscontrol.org/print/1719>

The United States should ratify the CTBT, which the U.S. Senate rejected in 1999. A common position between the great powers would ensure that India, Pakistan, and Israel, which do not belong to the NPT but have nuclear weapons, join the pact. Thus, a limit would be established for improvements and, to a significant degree, production of nuclear weapons in the nations that have already created them, and a serious barrier would also be established to the creation of nuclear weapons by other countries. Nuclear nonproliferation efforts would be further buttressed with the conclusion of a treaty prohibiting the production of fissile material for military purposes (see page 25).

FCMT – US has not ratified

Kimball, 2006—August, Daryl, Executive Director of the Arms Control Association, for the 18th UN Conference on Disarmament Issues, http://legacy.armscontrol.org/pdf/20060821_Kimball_CTBT-FMCT.pdf

Like the CTBT, progress toward a global, verifiable fissile material cut off (FMCT) is stalled, but for different reasons. Ending the production of fissile material—plutonium and highly enriched uranium—for weapons purposes has been on the international arms control and nonproliferation agenda for decades.

The FMCT would reinforce the nuclear Nonproliferation Treaty (NPT) and lock in the halt on production of fissile material for weapons currently observed by the five established nuclear-weapon states: China, France, Russia, the United Kingdom, and the United States.

Perhaps more significantly, a verifiable FMCT would cap the supply of bomb material available to NPT holdouts India; its nuclear rival, Pakistan; and Israel.

[Continues...]

John Carlson, *Arms Control Today*, January/February 2005.) The United States in the minority on the verifiability of an FMCT and should be more flexible with respect to achieving a verification and transparency regime that would satisfy other states.

One useful way in which the CD might follow up its recent dedicated discussion on the FMCT would be to initiate a series of technical workshops on strategies to verify a fissile cut off. Such workshops should also involve International Atomic Energy Agency safeguards experts.

In addition, states supportive of a verifiable FMCT and skeptical of allowing civil nuclear trade with India could use their leverage in the context of the NSG. Before granting an exemption for India from the NSG full-scope safeguards standard, NSG member states should secure a commitment from the United States to reconsider its policy on the verifiability of the FMCT and its opposition to the “A-5” proposal.

Treaty of Rarotonga – US has not ratified

Nonproliferation Studies, Treaty of Rarotonga,

http://www.nti.org/e_research/official_docs/inventory/pdfs/spnfz.pdf

The US government signed the protocols without reservation, but its spokesman said that “certain declarations and understandings” would be proposed to the Senate for incorporation in the resolution of ratification. The United States stated that its practices and procedures in the South Pacific were not inconsistent with the Treaty and its protocols. However, it has yet to ratify the protocols. The United States said it would not accept any limitation on the right of passage of its nuclear vessels and aircraft in the region. The Treaty of Rarotonga is considered an improvement upon the Tlatelolco Treaty in preventing the dumping of nuclear wastes and banning nuclear explosions even for peaceful purposes. Developments 2006: The UN General Assembly adopted a further resolution (60/58) ‘Nuclear weapons free southern hemisphere and adjacent areas,’ similar to previous resolutions from 1996 through 2004. The resolution speaks of the consolidation, strengthening, and expansion of nuclear-weapon-free zones, the prevention of nuclear proliferation, and the achievement of a nuclear-weapon-free world. In addition, the resolution congratulates the states that participated in the Conference of States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones (often referred to as the NWFZ Conference) and encourages further cooperation between the existing NWFZs towards establishing a southern hemisphere NWFZ. 2005: On 26–28 April 2005, Mexico hosted the Conference of States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones in Tlatelolco, that included all the parties to the Treaty of Rarotonga. The states issued a joint statement to the Conference on Disarmament on 11 July 2005 concerning the consolidation, strengthening, and expansion of nuclear-weapon-free zones, the prevention of nuclear proliferation, and the achievement of a nuclear-weapon-free world. In the statement, the states reaffirmed their commitment to their respective NWFZs, called upon all states mentioned in the relevant protocols to ratify them, urged the nuclear weapon states (NWS) to issue comprehensive negative security assurances (NSAs) to non-nuclear weapon states and they expressed serious concern over both the failure of the NWS to move forward with their obligations under Art. VI of the NPT and the continued failure of some states to accede to the NPT. In addition, the conference established a process for continuing communication, cooperation, and collaboration between the zones that will seek to encourage the adoption of effective joint measures that benefit the international disarmament and nuclear nonproliferation regimes. Each of the four regional treaties will take turns at coordinating this work.

The Pelindaba Treaty bans the same nuclear activities in Africa for regional and non-regional nuclear states. The United States has not ratified.

NPT Tutorial, 2009 (Last Updated)—Nuclear Threat Initiatives,

http://www.nti.org/h_learnmore/npttutorial/chapter05_nwfz.html

The security assurance protocol to the Pelindaba Treaty was ratified only by China, France, and the United Kingdom. The United States has signed the protocol, but it is pending ratification. When the United States signed the protocol, a U.S. official reiterated that the protocol will not limit the options available to the United States in response to any possible future attack by an African NWFZ party using WMD.

As justification for the use of nuclear weapons in such a case, the doctrine of "belligerent reprisal" is often cited. Belligerent reprisal allows states to retaliate against illegal acts by adversaries in wartime under the law of armed conflict. The only purpose of a reprisal is to induce the enemy to cease its illegal activity and to comply with the law of armed conflict. This U.S. policy has been criticized by some arms control specialists because it undermines the negative security assurances given to the member states of all the NWFZ treaties. Libya's announcement on December 19, 2003 that it would relinquish its entire WMD program under international verification may signal a shift that prompts the United States to move toward ratifying the protocol to the Pelindaba Treaty.

The CANWFZ bans nuclear activities in Central Asia for regional and non-regional nuclear states. The United States has not ratified.

Du Preez, 2006—Jean, director of the International Organizations and Nonproliferation program at the Center for Nonproliferation Studies in the Monterey Institute of International Studies, December, Half Full or Half Empty? Realizing the Promise of the Nuclear Nonproliferation Treaty, Arms Control Association, http://www.armscontrol.org/act/2006_12/DuPreez

Instead of welcoming the signing of a long-awaited Central Asian Nuclear-Weapon-Free Zone (CANWFZ) treaty,[12] the United States, the United Kingdom, and France voted against a resolution put forward by five Central Asian states and pressured some of their allies and UN Secretary-General Kofi Annan to withhold their endorsement of the treaty. Not only is the signing of the CANWFZ treaty one of few positive developments in a maze of pessimism about the future of nonproliferation, but it clearly underlines the commitment to nuclear disarmament and nonproliferation by a group of states that previously had nuclear weapons on their territory and continue to live in a nuclear-armed neighborhood. The United States and other opponents may have legitimate concerns about some aspects of the treaty, but what they seem to ignore is that this is the first treaty that requires its members to adhere to enhanced International Atomic Energy Agency (IAEA) safeguards, which include the Model Additional Protocol. The treaty also requires its members to meet international standards for the physical protection of nuclear material.

Of course, the United States is not alone in undermining prospects for a smooth start to the next review cycle. Tehran's continued intransigence to cooperate fully with the IAEA and heed resolutions by the IAEA board and the UN Security Council has already divided the NPT membership and could make Iran the focal point of the first preparatory session in 2007. What is now most needed is a responsible approach by the leadership in Tehran. It needs to prove to the international community that Iran can be a responsible possessor and user of nuclear material and technology.

3) New bilateral agreements with verification. Adding these makes the topic larger, but there is a strong argument for inclusion. There is a very large and interesting normative literature on new agreements, or modifying existing agreements (like SORT) to make them stronger and more transparent.

Given that all topics allow Affirmatives to make unilateral cuts, if new agreements are out, the Aff cannot add verification or transparency measures, which are manifestly not restrictions on use/role/reliance. They would be at a minimum extra-topical under nearly every proposed wording.

Based on my knowledge of the literature base, I do not believe that unilateral arms control measures are defensible in the face of a conditional negotiation CP that adds verification and transparency measures. Because Bush supported cutting the arsenal but opposed adding verification, there is a robust US-specific literature that provides strong offensive arguments against unilateral cuts. Sadly, most of the responses to those alternatives are inconsistent with claims basic to most arms control IACs. Many can be obviated with careful CP wordings and the Neg's ability to add non-nuclear concessions (like aid or trade).

Furthermore, if transparency and verification are not topical, none of the existing treaties are topical. Most of CTBT's text deals with compliance issues, not the restrictions on weapon use, and I would venture a guess that the same is true of FMCT. The small number of unratified nuclear treaties where this is not the case are more obscure and less defensible. Excluding verification from new agreements would make them similarly indefensible. I see little harm in adding this issue to the topic, since verification bad, including 'monitoring bad' K arguments are good negative ground.

This is also the only way to allow the Aff to de-alert that doesn't also allow the Affirmative to make merely cosmetic changes to nuclear doctrine (see "doctrine" and "role" discussion below). De-alert is much more defensible if the Aff has the option of a binding agreement that restrict re-alert racing.

START

Kimball - EXECUTIVE DIRECTOR, ARMS CONTROL ASSOCIATION – ‘9

Daryl, NEXT STEPS IN U.S.-RUSSIAN NUCLEAR ARMS REDUCTIONS: THE START FOLLOW-ON NEGOTIATIONS AND BEYOND, April 2

Now, since 1991, the U.S. and Russian leaders have missed opportunities to implement additional agreements, START II, START III and the Strategic Offensive Reductions Treaty of 2002, to achieve deeper, irreversible and verifiable cuts in their nuclear and missile stockpiles. And **as a result, today we have nuclear weapons arsenals and doctrines and capabilities that remain largely the same as they were at the end of the Cold War, and mutual suspicions linger.**

Now, even though both sides surpassed START's numerical ceilings years ago, **START still provides valuable predictability and transparency, which is all the more important given that the SORT Treaty, the Strategic Offensive Reductions Treaty, which calls for no more than 2200 strategic deployed warheads by December 2012, expires. The SORT Treaty expires the same day the treaty limits take effect. And that treaty provides no additional verification provisions.**

Now, U.S. and Russian experts began discussions on a START follow-on in March 2007. But they made little progress by the end of last year. At their inaugural meeting on April 1 of this year, President Barack Obama and President Dmitry Medvedev committed their governments to negotiate a new and far-reaching nuclear arms reduction treaty to replace START by the end of this year. They called on their teams to report on progress by the time they meet next, which will be July 5 and 6 in Moscow.

Now, **if a new treaty is not concluded,** and the 1991 START agreement is allowed to expire as scheduled on December 5-15 years after it was concluded-**there will be effectively no limits on the two countries' still bloated nuclear stockpiles. And the loss of START would add yet another dangerous irritant to already strained U.S.-Russian relations.** In addition, as President Obama noted in his stirring Prague speech on April 5, **a new START agreement has additional value, as one of the immediate concrete steps towards a world without nuclear weapons, which is vital in the context of building support for additional measures to strengthen the Nuclear Non-Proliferation Treaty, which is up for review at the May 2010 NPT review conference next year.**

New bilats at the heart of NPT literature

Crocker - James R. Schlesinger Professor of Strategic Studies at Georgetown University's Walsh School of Foreign Service and serves on the board of its Institute for the Study of Diplomacy – ‘9

Chester, Toward a Diplomatic Action Plan on Nuclear Issues, Hoover Institute

A successful diplomatic launch also requires a landing pad in a legitimate institutional forum. Some of the steps toward a world less influenced by nuclear weapons will be negotiated bilaterally. But **bilateral success will then become the basis of leverage for moving the entire international nuclear agenda forward.** As this dynamic builds, **progress can be registered after the fact in an appropriate multilateral forum.** To illustrate, **a signed U.S.-Russian accord providing for significant additional cuts in deployed warheads and strengthened transparency on counting rules can become the basis for pressing to achieve some parallel steps by other nuclear weapon states and an agreement at the 2010 NPT review conference on mandatory, universal acceptance of the additional protocols of the IAEA** (enhanced beyond current provisions) **and on strengthened verification capacity at the IAEA. Improved cooperation on nuclear safety, adherence to the CTBT, and progress toward an internationalized fuel cycle could create momentum for a successful 2010 NPT review conference.** A capstone step toward delegitimizing nuclear weapons could be envisaged *after* a positive NPT review conference: for example, a General Assembly resolution outlining and adopting the vision of a nuclear weapons-free world.

Given that all topics allow Affirmatives to make unilateral cuts, if new agreements are out, the Aff cannot add verification or transparency measures, which are manifestly not restrictions on use/role/reliance. They would be at a minimum extra-topical under nearly every proposed wording. Based on my knowledge of the literature base, I do not believe that unilateral arms control measures are defensible in the face of a conditional negotiation CP that adds verification and transparency measures. Because Bush supported cutting the arsenal but opposed adding verification, there is a robust US-specific literature that provides strong offensive arguments against unilateral cuts.

The Economist – ‘8 What to do with a vision of zero

There is wide agreement now that convincing others of the five’s commitment to their NPT promises requires movement on several fronts. These include deeper weapons cuts; more effort to bring into force a test ban and negotiate a long-awaited fissile-material cut-off treaty; efforts not only to devalue nuclear weapons as a currency of power and but also to tackle the regional insecurities that drive nuclear competition; and work on globally applicable verification techniques and enforcement mechanisms that would give both nuclear and non-nuclear states the assurance (even long before zero is in sight) that weapons, once dismantled, stay that way, and that cheats can be dealt with. Of these, cutting weapons numbers is both easiest and symbolically most eye-catching. American and Russian stockpiles are anyway set to drop further. By 2012 they will be down to the 1,700-2,200 deployed warheads apiece agreed six years ago in the Moscow Treaty. America has also been pruning the weapons held in reserve for spares: its nuclear arsenal will by 2012 be less than a quarter its size at the end of the cold war. A cut to a round 1,000 would inconvenience neither side. **But how to go about it? George Bush was hammered for preferring unilateral cuts and so agreed to a treaty with Russia. Setting 1,000 as a target, give or take weapons in reserve, while offering to negotiate along these lines would reassure all round (as would the binding new verification rules Mr Obama is expected to seek before existing ones run out next year). Cash-strapped Russia always worries that unilateral American cuts can easily be reversed. But after the Georgia crisis, many of America’s friends would like to see Russia held to tight treaty limits too.** Expect anxieties from the Baltic states to Turkey, if Mr Obama acts early on to remove America’s last few tactical nuclear weapons from Europe (where Russia has many more).

The small number of ungratified nuclear treaties where this is not the case are more obscure and less defensible. Excluding verification from new agreements would make them similarly indefensible.

Pifer - Visiting Fellow, Foreign Policy, Center on the United States and Europe – May ‘9

Steven, Beyond START: Negotiating the Next Step in U.S. and Russian Strategic Nuclear Arms Reductions, Brookings

SORT has no counting rules. It implies an actual loading count rather than the maximum attributed number, but only the United States knows exactly how many warheads are on its ICBMs and SLBMs, just as only Russia knows the number on its strategic ballistic missiles. START by itself offers no way for the Russians to confirm the number of warheads on any U.S. missile, nor for American inspectors to confirm the number of warheads on any Russian missile. Given that the sides will want confidence in their ability to monitor the other’s compliance with warhead limits, U.S. and Russian negotiators will most likely need START-type counting rules for the follow- on treaty. Each type of SNDV should be attributed with a specific number of warheads for counting purposes. The sides might agree, for example, to attribute each Trident II with five warheads (see the downloading discussion below), relying on START verification procedures to allow Russian inspectors to confirm that Trident II missiles are deployed with no more than that number. While there may be some interest in counting actual warhead loads (which could vary from missile to missile), it is difficult to see how such a counting rule could be monitored without extremely intrusive verification measures. Sadly, most of the responses to those alternatives are inconsistent with claims basic to most arms control IACs. Many can be obviated with careful CP wordings and the Neg’s ability to add non-nuclear concessions (like aid or trade). Furthermore, if transparency and verification are not topical, none of the existing treaties are topical. Most of CTBT’s text deals with compliance issues, not the restrictions on weapon use, and I would venture a guess that the same is true of FMCT.

I see little harm in adding this issue to the topic, since verification bad, including ‘monitoring bad’ K arguments are good negative ground. This is also the only way to allow the Aff to de-alert that doesn’t also allow the Affirmative to make merely cosmetic changes to nuclear doctrine (see “doctrine” and “role” discussion below). De-alert is much more defensible if the Aff has the option of a binding agreement that restrict re-alert racing.

Larsen –Senior Scientist at SAIC, Adjunct Professor of International Studies at the University of Denver, and Adjunct Professor of National Security Studies at Northwestern University – April ‘9

Jeffrey, Arms Control in the Obama Administration: Coming in from the Cold, www.ccc.nps.navy.mil/si/2009/Apr/larsenApr09.asp

Removing prompt responding systems like ICBMs from alert may be more art than science. Very prompt systems were postured the way they were in the Cold War for good reasons. Those reasons rested not on the merits of the system, but rather squarely on the state of the underlying relationship between the parties. While the Cold War is over, there are many who are not yet convinced the relationship between the United States and Russia has reached a state where de-alerting is possible. Further, de-alerting, which imposes delays in these prompt systems and could, if miscalculated, lead to the operational loss of that system, requires stronger means of verification, particularly in a world of fewer nuclear weapons and delivery systems.

Same with de-posturing

Larsen –Senior Scientist at SAIC, Adjunct Professor of International Studies at the University of Denver, and Adjunct Professor of National Security Studies at Northwestern University – April ‘9

Jeffrey, Arms Control in the Obama Administration: Coming in from the Cold, www.ccc.nps.navy.mil/si/2009/Apr/larsenApr09.asp

As with de-alerting, shrinking forces to these levels at an accelerated pace will require strong verification of reciprocal actions. Without reciprocity, or the ability to confidently ensure that these forces are not seen as threatening in a world where small numbers of nuclear weapons are consequential to stability and deterrence calculations, de-posturing will be a challenge.

3C) Bilateralism can be worded to restrict the Affirmative to negotiating with countries that could “use” or “currently deploy” nuclear forces.

This limits the Affs to the declared nuclear states, and excludes Iran, Syria, Israel, Taiwan, Germany, Ukraine and the other ‘virtual’ or potential nuclear states. Only France, Britain, Russia, China, Pakistan, India, and North Korea are topical. To hedge against smaller Affs like something obscure with France, or North Korea, there are robust multilateral options (NATO, Six Party talks). The core of the bilateral literature is China and Russia, and the wording here would effectively constrain the Aff to focusing there.

Medalia – March ‘9

Jonathan, CRS, Nuclear Weapons R&D Organizations in Nine Nations fpc.state.gov/documents/organization/120973.pdf

Since 1945, seven nations—China, France, India, Pakistan, Russia, the United Kingdom, and the United States—have developed and currently deploy nuclear weapons. In addition, North Korea tested a low-yield nuclear explosive device in 2006, and Israel is generally thought to possess nuclear weapons, although it maintains a policy of ambiguity on this matter.¹ This report

describes the organizations controlling research and development (R&D) on nuclear weapons (i.e., nuclear explosive devices, as distinct from the bombers and missiles that carry them) in these nations, and presents a brief history of the organizations controlling nuclear weapons R&D in the United States. It discusses whether these organizations are civilian or military, though in many nations the lines between civilian and military are blurred. This information may be of use to Members of Congress and their staff interested in nuclear weapons, nuclear proliferation, and arms control matters.

This last section will address some key questions raised during the last few weeks

Modularity, not a list topic. This is not intended as a list topic, because there seems to be an emerging consensus against them. It is intended to provide the committee with a way to include or exclude categories of Affirmatives. It could thus yield two or three wordings, like the 3-5-7 vote on Treaties. We broke it into discrete modules because we think there is a trade-off between limits, use of technical terminology grounded in the law/defense policy, viable Affs (see the verification discussion) and resolution brevity.

Why “restrict?” Restrict is good word because it is a legal term that specifically refers to restrictions on uses. (See: <http://dictionary.law.com/default2.asp?selected=1835&bold=|||> ‘Limit’ is a vague term that did little to shrink the high school topic, and ‘reduce’ is awkward on a topic where the object of action includes non-quantifiable characteristics. Restriction, when combined with ‘substantial’ and a statement of goal ‘elimination of nuclear weapons’ also meaningfully constrains small and/or bidirectional Affirmatives.

‘Declaratory policy’ limits out covert changes to doctrine, but allows global no first use Affs, as well as – arguably – de-alerting. The bilateral section would allow de-alert to defend a codified de-alert agreement.

We use the word **“reductions”** because this portion of the topic is specifically supposed to refer to numerical cuts.

‘Deployed nuclear forces’ is intended to limit the Aff to existing, rather than hypothetical systems. For this reason, we use it in the bilateral wording to limit the Aff to dealing with countries that have already deployed nuclear weapons.

Other alternatives – ‘role’ and doctrine’: Some community members we spoke to proposed using the term “doctrine.” Sometimes debaters overuse the phrase “term of art,” referring to any set of terms used repeatedly in a body of literature. “Doctrine” is a technical term with a specific meaning for the Defense Department. Whether you think legal or policy process definitions are dispositive, you should regard this as significant because DoD is responsible for implementing every conceivable topical plan. I learned this the hard way, when I referred to “doctrine” in a conversation with a military planner, and he demanded a citation. The DoD definition is: <http://www.dtic.mil/doctrine/jel/doddict/data/d/3840.html> (DOD) Fundamental principles by which the military forces or elements thereof guide their actions in support of national objectives. It is authoritative but requires judgment in application.

Doctrine serves a narrowly specified role in the defense policy process, and that role does not lend itself to debate. Doctrine is formulated according to a process mandated by internal DoD regulations, and it is used to guide planning, educate new service members, structures training, and puts in place general principles. Nuclear doctrine is related to other processes guided by separate doctrines. As a result, the it refers, in turn, to at other doctrinal publications – the planning and generic operations doctrines, for example.² For example, the nuclear doctrine says that Public Affairs personnel are responsible for preventing public panic during crises, but the role of Public Affairs is defined by JP 03-53 – Psychological Operations and JP 03-13 - Information Operations.

Fiat is not consistent with the process. At the front end: years of debate about wording and phrasing, and intense inter-agency consultations go into writing new doctrine. At the tail end: doctrine is not “binding” (it isn’t “directive”). It should be followed, but a commander isn’t bound to it in a suicide pact. This is a core Western military principle – giving flexibility to commanders, since no generalized principles can be linearly applicable to every emergent situation. To maintain relevance and give commanders and planners options, doctrine is worded as vaguely as possible. It tends to say everything and nothing all at once. If you read the manual I posted below, you’ll see what I mean.

Doctrine is also implemented technocratically. If you stripped counterforce targeting from our nuclear doctrine (see below), no changes in deployed platforms would be required. Only secret plans would be revised, and no declarations or reciprocation would be necessary. Experience from high school topics strongly suggests Affs that change targeting and process (command and control/delegation, core components of doctrine) are very hard to debate compared to arms control agreement Affs.

The doctrinal manual for nuclear operations is JP 03-12. It is long. Giving the Affirmative the option to change any of its already-vague provisions to any other more restrictive or limiting wording would create a virtually infinite number of options

² All operational manuals start with 03, so counterinsurgency operations is 03-24, and the overall operations manual is 03-0

separate from treaties and unilateral cuts to the arsenal (the purported core of the topic). See: http://www.fas.org/nuke/guide/usa/doctrine/dod/jp3_12.htm#pageGL-2

Doctrine defines the practical implementation of roles and missions of military forces. Thus, topics including the word “role” are very similar to a doctrine topic. At a minimum, the Topic Committee should be careful to research how the military understands the term “role” and its relationship with doctrine (general principles) and missions (specific tasks).

Role is independent of force size. A division of infantry and an infantry battalion have the same role; they do the same job, but the division is many times more capable of doing it and has different equipment. By way of example, if a university cuts a team’s funding (force size) it does not mean that it expects the team to switch its function (role) - from NDT to parl, or from debate to IE. Reductions in deployed forces are not a reduction in role, unless the Aff explicitly claims to prevent the military from accomplishing a doctrinally mandated function. Even then, the Aff might reduce capability/effectiveness but not reduce role. Forcing the Aff to defend forcing a mismatch between doctrine and capability is a bit silly.

Military roles are defined by “roles and missions” documents. One example is the Key West Agreement. It clarified the division of Army and Air Force airborne forces, giving primary responsibility for fixed wing aviation to the Air Force, and rotary wing aviation to the Army. Defining roles and missions did not require a specific number of Army helicopters or a specific number of Air Force planes. See:

<http://www.airforce-magazine.com/MagazineArchive/Pages/2008/November%202008/1108roles.aspx>

"Roles" and "missions" are often used interchangeably, but, to be precise about it, roles are the broad and enduring purposes of each service, as established in law by Congress. Since 1956, the legal basis for roles has been Title 10 of the US Code. From that starting point, the President and Secretary of Defense assign primary and collateral missions—the specific tasks that amplify those statutory responsibilities.

Title 10 **distinguishes** between force structure – the number of warheads and deployed delivery vehicles in this case – and the question of roles and missions:

http://uscode.house.gov/download/pls/Title_10.txt

10 USC Sec. 113

01/08/2008

(e)(1) The Secretary shall include in his annual report to Congress under subsection (c) -

- (A) a description of the major military missions and of the military force structure of the United States for the next fiscal year;
- (B) an explanation of the relationship of those military missions to that force structure; and
- (C) the justification for those military missions and that force structure.

This strongly suggests that a topic that uses the word “role” exclusively in the action phrase excludes changes to force structure, e.g. most of what the community thinks it voted for.

The Stem

Our version of the 'goal' statement is modeled on language in the preamble of the NPT. Our research showed that the NPT is the only agreement specifying a commitment to eventual disarmament ratified by the US.

A. Move towards elimination of nuclear weapons is a term of art that is consistent with core affirmative ground

Cirincione-Carnegie-97 New Initiatives Towards a World with Fewer Nuclear weapons

There is a growing international expert consensus for **moving rapidly and seriously towards the elimination of nuclear weapons. One immediate step towards that goal**, recommended in a number of expert reports, **would be for the United States and Russia to end the cold war practice of maintaining thousands of nuclear missiles on "hair -trigger" alert**, ready to launch on fifteen minutes notice. **The United States public strongly supports eliminating or greatly reducing the levels of nuclear weapons. There is also growing support among military leaders, both retired and active duty, for reducing the nuclear weapon stockpiles and budgets**. The policies of the governments of the nuclear-weapon States do not yet fully reflect this public and military consensus. It is our task to help bring these government policies in line with the desires of their citizens.

Ford, United States Special Representative for Nuclear Nonproliferation,⁷
<http://www.state.gov/t/isn/rls/other/81943.htm>

For its part, the United States is committed to reducing its reliance upon nuclear weapons. The United States has been **moving toward** this goal since the issuance of its Nuclear Posture Review (NPR) in 2001, which directed movement away from the traditional Cold War-era nuclear "Triad" of nuclear strike systems to a "New Strategic Triad."

THE CANBERRA COMMISSION ON THE ELIMINATION OF NUCLEAR WEAPONS
<http://www.ccnr.org/canberra.html>

The United States and Russia must continue to show leadership in reversing the nuclear accumulations of the Cold War. Their purpose should be to **move toward nuclear force levels for all the nuclear weapon states** which would reflect unambiguously the determination to eliminate these weapons when this step can be verified with adequate confidence.

B. The stem has important limiting functions

The stem is there to establish unidirectionality and an exclusive focus on nuclear weapons (not delivery systems, or conventional weapons). This means an Aff that trades quantitative reductions for qualitative nuclear modernization - in the plan text - is not topical. You could not, say, ratify CTBT and do an even bigger RRW than we will do now as part of "implementation," say that would wreck the treaty and claim breakout/testing good, or RRW good. This means that Affs that explicitly boost conventional forces, or that modify our ambiguous declaratory policy with a more stringent conventional threat are not topical. I think a more relevant example is that an Aff can't exchange weapons cuts for NMD (NMD isn't nuclear posture), or cut delivery systems and not warheads, or convert delivery systems (Trident) from the nuclear role to the conventional role.

Frankly, if you word the "action parts" of the resolution well enough (and we might have already come close), this might not be necessary. If people really want brevity, that might be worth working on.

How does "implement" function?

Implement means that the Aff has to do what it says it is going to do and can't make a fake offer to the other country. If the other country accepts, we have to abide by the agreement and actually implement the concessions that the plan says we're willing to grant. A commitment to negotiating and implementing an arms control agreement includes more than just being willing and able to cut the arsenal. For example, you can't argue that the US will deliberately scuttle the talks, because that would not be a "resolved" "move towards.... disarmament" through "negotiating and implementing" a bilateral agreement.

Can you make an offer the country will reject and claim advantages based on the perception of the offer - like the "strikes good" Aff? I guess so. But other topic wordings have this DA too: it isn't any different from running No First Use and reading evidence that says we'll lie and use first anyway in the 1ac. You can also read ratify CTBT then read cards about how the nuclear labs won't certify the arsenal and claim that causes us to pull out of the treaty, destroying it and the norm against testing and causing prolif and modernization both of which are good because deterrence is good.

The check on the less ridiculous of these Affs (e.g. the ones the community debated on the Middle East topic) is that nothing involving a bilateral agreement with Iran - or any country like Iran - is topical under this wording. You can only negotiate with a country that has deployed nuclear forces, which means the P-5, India, Pakistan and North Korea. You have to cut our forces as well as their forces in the agreement, so just mediating Indo-Pak nuclear issues is out.

So, you might be able to run the Iran Aff but with North Korea except:

- 1) The fact that we've been making offers and getting turned down or screwed over by the North since 1994 kind of non-uniques the "engagement causes support for containment" - the reasons why other countries don't like us containing the North have nothing to do with "soft power" or our nonproliferation credibility and the Europeans aren't involved.
- 2) It's a nuclear topic. Counterproliferation is an issue. Striking North Korea is pretty much the best real world example of what a real military counterproliferation operation would do. If you can't win that striking the North to stop its nuclear program or change the regime is bad, you're screwed anyway.
- 3) Obama means these Affs are less viable, maybe irrelevant. To win these advantages, you'd have to win that Obama wants to attack or coerce the country in question but lacks the diplomatic capital to do so. That was easy with Bush, and is impossible with Obama for all of the relevant countries (see "deployed forces" above). You certainly can't fiat out of this problem topically - especially with the disarm stem.
- 4) The non-nuclear CP is huge. On the Middle East topic, it was hard to win on a strategy that offered other concessions that would be rejected and solve a strikes good case. But in this case, you could offer lots of concessions that are not nuclear - like a bilateral treaty ending the Korean War and all the trade and sanctions stuff the North asks for - and solve the internal link. A contrived nuclear DA or politics would win that debate for the Neg.

Why verifiable?

The affirmative should have to defend verification/transparency. If they don't they have to defend agreements with no verification, and that isn't defensible. Arms control advocates generally don't favor unilateral cuts, but they REALLY don't like agreements that aren't verifiable or transparent. If verification isn't in the topic, then it isn't topical, which means CTBT and FMCT aren't topical. Only unilaterally ending testing (not inherent, arguably) or ceasing to produce fissile material would be topical. Similarly, START has some very lengthy inspections provisions. They don't cut nuclear forces or reduce use, or change doctrine, etc. so it's not topical to do anything like START, which is silly. The more you cut the arsenal, the more threatening break-out is, so the more verification you need to have. Hence, smart Affs will not run deep cuts without verification - except as a K.

The Aff could not run SORT the way the Bush people negotiated SORT, no. That's because SORT had no verification measures. You could run SORT if the agreement had verification measures and it actually reduced deployed nuclear forces on both sides (which SORT did not). To clarify, I'm arguing that SORT's verification provisions were "nonexistent," not "sucky."

Theoretically, the Neg could go for T by arguing that a certain version of de-alert isn't in a technical sense, verifiable. One example I can think of has to do with pinning certain hatches on land based missiles open. Still, kind of like "Rwanda says no, so your Aff doesn't increase aid" wasn't a common T argument in 2000-2001, I do not think that intentionally mixing budens to win a T argument will be common under this wording. Nonetheless, I think the threat of the de-alert example is another reason to include this word in the topic because it's almost like adding another "substantial." It means that whatever the Aff does has to be detectable by other countries, so you can't run a covert Aff, and you can't do something meaningless and imperceptible. Rather than run the risk of losing on T, people will most likely opt for slightly larger Affs.

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