On September 11, a small group of terrorists inflicted the level of death and destruction some feared might result from an attack by terrorists using sophisticated weapons of mass destruction (WMD). The skill of this group lay not in its ability to acquire exotic weapons materials but rather in its planning, organization, teamwork, and commitment to achieve a diabolic objective.

In the span of one hour, a group of 19 men, supported by others whose numbers are still not clear, fundamentally changed the national security landscape of the United States. The number of Americans killed on U.S. soil in these attacks raised a profound and frightening question about the defense of the country: are the suicide hijackings of September 11 just another step in an escalatory process that may lead radical anti-American terrorists to use nuclear, biological, or chemical weapons against American interests at home or abroad?

Since the 1995 attack by the Japanese cult group Aum Shinrikyo against the Tokyo subway with liquid sarin, the United States has had a heightened fear of terrorist use of weapons of mass destruction. One particular worry has been that Osama bin Laden and the al Qaeda network might exploit the chaos in Central Asia to seek to acquire WMD capabilities from former Soviet republics. The indictment of bin Laden for his alleged involvement in the bombing of U.S. embassies in Kenya and Tanzania claims that he has tried to acquire nuclear and chemical weapons, and one of the prosecution’s witnesses in the bombing trial revealed that he had sought to acquire radioactive material on behalf of bin Laden and al Qaeda.

But turning radioactive material into a nuclear bomb is a hard task, even for a state with considerable industrial infrastructure and expertise, and the six years since the Tokyo subway attack have made that incident seem more like an aberration than a paradigm-breaking event that others copy. Aside from Aum Shinrikyo, open-source literature to date references no other significant terrorist organization that has used unconventional weapons repeatedly. Although attacks with weapons of mass destruction are possible, the historical record of states and terrorist groups using exotic unconventional weapons is quite limited. Terrorists appear more likely to use what they can readily acquire rather than to go through the difficult process of making weapons from scratch or stealing them from a state’s arsenal.

In the last 25 years, terrorist use of conventional explosives has consistently proved far more deadly than the few instances of terrorism involving unconventional weapons. Many more people died or were injured in the attacks on the Murrah Federal Building in Oklahoma City and the U.S. embassies in East Africa than in the Tokyo subway attack. Although there is some evidence that, in recent years, terrorists have shown an interest in unconventional weapons, thus far they have employed more readily available means in ever more dramatic and deadly ways.

Nevertheless, the consequences of a successful WMD attack on American soil could be so catastrophic that serious government attention is warranted. In recent years, much of the emphasis has been on responding to the consequences of such an attack rather than preventing terrorist use or acquisition of weapons of mass destruction. Given the relative cost of prevention versus response,
this emphasis seems misplaced. In a climate in which officials will go to extraordinary lengths for
counterterrorism, spending smart is more important than just spending big.

Non-proliferation measures, cooperative threat reduction, and other arms control initiatives can help
limit the opportunities for terrorists to acquire or develop WMD. Although the ability of arms control
measures to help in the fight against terrorism should not be oversold, it must not be ignored either.

At the most basic level, the non-proliferation treaties provide normative prohibitions that are
valuable. Fundamentally, the Biological Weapons Convention (BWC) and the Chemical Weapons
Convention constitute declarations that the international community bans germ and chemical
weapons as taboo instruments of war. The norm against nuclear weapons contained in the nuclear
Non-Proliferation Treaty is more ambiguous because it allows some states to retain nuclear weapons
while prohibiting others from acquiring them. Nevertheless, its prohibitions, combined with the
strictures of the International Atomic Energy Agency, nuclear-weapon-free-zones, and other
agreements, have contributed to a worldwide belief that nuclear weapons are not acceptable tools of
war.

All of these norms have, of course, been violated at times by certain states that had pledged to
uphold them, but they still matter. Norms do not shape the behavior of all states or individuals, but
they shape that of some. In a struggle to limit the spread of WMD, every tool available must be used.
Stigmatizing state acquisition, production, stockpiling, or use of chemical and biological weapons
helps stigmatize them for individuals as well.¹

The central limitation of using the current arms control regime to prevent terrorists from acquiring
weapons of mass destruction is that treaties proscribe and prohibit the activities of states, not
subnational groups. They focus on thwarting proliferation between states and provide only limited
value for preventing proliferation of weapons and weapons materials to terrorists and other substate
entities.⁴ The most effective treaties are those that require signatories to pass national implementing
legislation, but even those agreements are hampered by the variances across countries in such
legislation and states’ failures to provide the financial and political support to law enforcement
authorities that is critical for effective implementation.

It remains to be seen whether the Bush administration will make use of arms control agreements
and programs in its fight against terrorism. During the first eight months of his presidency, George
W. Bush was decidedly less than enthusiastic about many arms control measures, including the Anti-
Ballistic Missile Treaty, the protocol to strengthen the BWC, and even cooperative threat reduction.
But it is possible to take a preliminary look at how certain existing arms control regimes can be used
or may have been impacted.

Strategic Policy and Missile Defense: The impact of the attacks on the World Trade Center and the
Pentagon will probably not change the Bush administration’s approach to broad strategic issues
related to missile defenses and nuclear weapons. In fact, Bush’s ballistic missile defense plans may
have been given a boost. Less than two weeks after the attacks, Senator Carl Levin, chairman of the
Armed Services Committee, dropped his effort to reduce missile defense funding and restrict testing.
Instead, he restored the funding the administration had requested and removed the testing
restrictions in order to underscore bipartisan support for the president during this period of national
crisis.

However, the political context in which the administration pursues its strategic agenda is likely to
change. The administration may expend valuable political capital on the war on terrorism and find
itself politically indebted to other nations—and therefore needing to make concessions on elements
of its national security agenda. Alternatively, the tremendous level of cooperation could spill over to
areas, like missile defense, that have been the source of some international consternation. A
combination of both scenarios is probably the most likely outcome: the unique cooperation
developing between the United States and Russia could, for example, give both countries a sense of
how to collaborate on devising a new strategic framework.

The Biological Weapons Convention: The great concern over the possibility of bioterrorism suggests
the Bush administration will take new initiatives to fight the proliferation of germ weapons. Recent
negotiations on a protocol for the BWC, which lacks any enforcement mechanisms, aimed to strengthen the accord with a variety of implementation tools. The United States rejected the text that resulted from these negotiations as inadequate for preventing the proliferation of biological weapons and has called for new tools that are appropriate to the challenge.³ States trying to strengthen the BWC will meet in November. Even though the Bush administration has rejected the current draft text of the protocol, it will need to describe alternative measures to counter the biological weapons proliferation problem.

In lieu of an alternative treaty, the administration will probably describe a number of initiatives. Although the administration is still working on its approach, it will probably fashion a package of measures that include some traditional arms control measures and, given the nature of biological weapons, some measures from the health arena. When the Bush administration rejected the draft protocol for the BWC, it indicated that strengthened export control, increased global disease surveillance, and criminalizing possession and use of biological weapons were ideas warranting further examination.

The administration could salvage some components of the draft protocol that it endorsed and launch them as part of an alternative approach. One component of the protocol that merits attention is the provision for inspections of suspicious outbreaks of disease.⁴ Enhanced global disease surveillance and internationally agreed-upon rules for investigating suspicious outbreaks are initiatives that would complement one another. Additionally, regulations on international commerce in pathogens must be improved to prevent theft or diversion. This objective must be balanced with the need to permit legitimate scientific and commercial research. Achieving the maximum benefit from this collection of measures will probably require a multilateral approach of some sort.

**Cooperative Threat Reduction:** One arms control initiative that has helped and will continue to help combat terrorism is the U.S.-Russian cooperative threat reduction effort. Since the breakup of the Soviet Union, there has been tremendous concern about unconventional weapons materials or know-how proliferating to terrorists or states that support terrorism. The United States has undertaken a major effort with the states of the former Soviet Union to increase security at weapons-storage and -production facilities, destroy weapons, convert military facilities, and keep scientists from selling their expertise to states or subnational groups.

After a review of the overall cooperative threat reduction efforts for the republics of the former Soviet Union, the Bush administration endorsed the fundamental character of the effort, but ordered portions of the program cancelled.⁵ The administration’s 2002 funding request cut $100 million from Energy Department programs and diminished support slightly for the Pentagon’s programs.

Every year, Congress and the executive branch struggle over the funding for cooperative threat reduction. Given increasing budget pressures that loomed prior to September 11 and the additional costs of the new war on terrorism, the struggle over funding levels for these programs will probably continue regardless of their worthiness. The fiscal year 2003 budget is an opportunity for the Bush administration and Congress to sustain and to augment particular programs in the overall effort. The entire program for the republics of the former Soviet Union should be re-examined to determine how to enhance safeguards against proliferation of materials and know-how to terrorists.

Additionally, given the heightened concern with the threat of chemical and biological weapons proliferation to terrorists, more emphasis needs to be placed on destroying and safeguarding the former Soviet Union’s chemical and biological weapons capabilities. Tremendous improvements in threat reduction can be achieved in the chemical and biological weapons area for a fraction of the cost involved in the nuclear weapons area. Many of the scientists in the chemical and biological weapons programs have skills relevant for non-weapons work and could transition to jobs in the commercial sector. Although programs exist to address these dangers, they receive a small fraction of the overall funding.⁶ A better balance between the various weapons material is needed.

**Non-Proliferation in South Asia:** How the United States manages the search for the perpetrators of the September 11 attacks and the nations that support terrorism may have implications for states that harbor ambitions to develop unconventional weapons capabilities. The implications for the
integrity of U.S. non-proliferation policy will be particularly tested in Pakistan and India.

The Bush administration’s decision to lift sanctions imposed on India and Pakistan following their tests of nuclear devices in 1998 is a significant change in U.S. non-proliferation efforts. Many in the administration have long had a dim view of sanctions as a policy tool, and prior to the terrorist attacks, a top policy priority for Undersecretary of State for Arms Control and International Security John Bolton was to repeal the sanctions against India. However, the administration struggled with how to drop sanctions against India and not those against Pakistan until recent events made it easy to lift restrictions against both in order to encourage them to assist with U.S. efforts to destroy al Qaeda operations in Afghanistan. Additionally, the administration has encouraged multilateral lending institutions to provide loans to Pakistan, which provide some much-needed economic relief.

From one perspective, the lifting of sanctions is a setback for non-proliferation policy because it reinforces the perception that countries can get away with violating international non-proliferation norms. Yet, the sanctions against India and Pakistan were not dissuading either country from pursuing nuclear weapons capabilities. Moreover, given the magnitude of the attack against the U.S. homeland, this trade-off is justified.

But the Bush administration will need to manage any military operations in the region so that counterterrorism objectives are accomplished without abandoning U.S. non-proliferation goals or contributing to the nuclear danger by undermining the Pakistani government. The Bush administration would face an even more difficult situation if Pakistan collapsed into a failed state, unable to provide safe and secure control over its nuclear capabilities. Fears of nuclear weapons and materials leaking out of a collapsed Pakistan would present a twist on the security dilemma that the United States has faced in Russia and the other former Soviet republics. Although the United States may make progress on the anti-terrorism front in the short run, it must guard against longer-term proliferation dangers.

Two major conflicts in the last 20 years that provided impetus for enhancing preventive security measures provide some perspective on what may be possible. Following Iraqi use of chemical weapons during the Iran-Iraq War in the mid-1980s, a number of countries with major chemical industries formed the Australia Group to enhance coordination of export control policies on chemicals and chemical-production equipment that could be used to produce chemical weapons.

The experience of the Persian Gulf War and revelations about the Iraqi nuclear, biological, and chemical weapons programs provide a second major boost to the development of the non-proliferation regime. The international community successfully concluded negotiations on the Chemical Weapons Convention shortly after the conflict. The attacks of September 11 may also spur the development of new non-proliferation tools, but it is not yet clear what impact the attacks will have on the Bush administration’s non-proliferation policy.

President Bush is marshalling all the tools available to the commander-in-chief to demonstrate the resolve of the nation to respond to the attackers and to defend the freedom of Americans to live without fear of attack. The implications for a range of policy tools important to the country’s security are difficult to discern at this juncture. Over the longer term, however, the United States should re-examine the contribution that non-proliferation, cooperative threat reduction, and arms control can make to its counterterrorism goals. Improvement of existing preventive tools and the addition of others can help limit the opportunities of terrorists to acquire weapons of mass destruction.

John Parachini is a policy analyst in the Washington office of RAND. The views expressed here are his own.
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