

CHAPTER 16

DIALOGUE ON NUCLEAR ISSUES: ROAD TO FAILED PARTNERSHIP

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The world-renown classic of the American literature Gore Vidal once sarcastically noted: 'The American democracy is a two-winged eagle, and its both wings are right'. Is the same true about U.S. nuclear nonproliferation and arms control policy? Would an expert gain much from observing the sequence of Republican and Democratic Administrations to forecast U.S. actions in the nonproliferation and disarmament fields? Does any administration follow a certain inherited 'operational code'?¹

The chapter explores the consistency of the U.S. policy in the field of nuclear disarmament, nonproliferation, and peaceful uses of nuclear energy under different administrations. The authors believe there exists an 'operational code' in U.S. nuclear decision-making, embodied by career bureaucrats in the agencies in charge of U.S. nuclear policy. *De facto*, notwithstanding political appointments of the high-level leadership, senior-level officials with significant expertise retain their offices and continue to influence policymaking. U.S. nuclear policy is tightly intertwined with the idea of U.S. global dominance and aspiration for complete invulnerability, lying at the core of Washington's strategy for national security. The operational code implies using the tactics of engaging Moscow in the strategic dialogue on nuclear arms control supported by a 'success' on the track of peaceful use of nuclear energy and nonproliferation.

¹ Leites N. The Operational Code of the Politburo. New York: McGraw-Hill Book Co., Rand Corp. Research Study, 1951.

United States in Pursuit of Absolute Security

In discussions on the current challenges to nuclear arms control and nonproliferation of weapons of mass destruction (WMD) experts usually characterize these regimes as suitable to the long-gone system of bipolar world order. Accordingly, it is worth analyzing basic narratives on the current world order and prospects for its further evolution, as they lay down a framework for Russia-U.S. polemics on the essence of nuclear deterrence and international security.

In the period of bipolarity, the nuclear parity of the two superpowers, or as Winston Churchill called it 'the balance of fear' served as the stabilizing factor in the international relations even taking into account the never-ending arms race and numerous peripheral conflicts. The collapse of the USSR gave rise to a new geopolitical reality. According to American neoconservatives, the world upon the end of the Cold War was defined as 'unipolar'. The most vivid and figurative approach was formulated in the articles by Charles Krauthammer, a well-known American political observer and Pulitzer prize winner who coined the term 'unipolar moment'. In the same-name article published in 1991² he stated that the world had entered the period of superiority of the United States as the sole superpower. According to the author, 'military, diplomatic, political and economic assets' constitute the foundation of the American superiority based on which the United States gained the power to play the decisive vote 'at any point of the globe, wherever it wishes to interfere'.³

According to Krauthammer, three basic aspects of the world order that took shape in the 1990-s were its unipolar nature, revival of the American isolationism and WMD proliferation. The author considered the latter as a more serious threat even compared to the revival of the aggressive nationalist power, so-called 'Weimarer' Russia, in the post-Communist space. The reason for that was the possibility of WMD falling into possession of the so-called 'weapon states,' particularly Iraq, DPRK and Libya, as well as of the countries potentially close to being a 'weapon state' — Argentina, Pakistan, Iran and South African Republic. The researcher proposed the following recipes to counter the above-mentioned threat.

² Krauthammer, Charles (1991) 'The unipolar moment,' *Foreign affairs*, N.Y., Vol. 70, N 1., P. 23 – 33.

³ *Ibid.* P. 24.

First, to develop a regime similar to the Coordinating Committee for Multilateral Export Controls (COCOM). Then place the countries that gained access to WMD in circumvention of the regime under external control with subsequent disarmament of these countries. The final step should be to develop a missile and air defense system to protect the Western countries against the 'weapon states'.⁴

Nevertheless, in the early 1990-s Krauthammer who called the period of the United States' dominance a 'moment', stated that it would be replaced by multipolarity with new regional centers emerging in the world arena.⁵ Assumingly, the transition to multipolarity was to occur a decade later.⁶ However, Krauthammer and the majority of American neoconservatives believed that chaos, not a stable multipolar world, was the alternative to the unipolar world order headed by the United States. In this context they viewed the Messianic role of the United States as the sole country setting the rules for the future world order and ensuring a smooth transition to it by other states.

Charles Krauthammer was confident that the challenge to unipolarity originates not in an external medium but from the United States itself. The 9/11 attack was the litmus test demonstrating the asymmetry of power between the United States and others, particularly Russia and China. First, the attacks provoked Washington to demonstrate a qualitative leap in the development of the American military might. Second, the terrorist attacks gave birth to a new form of U.S. power — the ability to recuperate, which transformed the substance of the American sense of invincibility: the perception of its own impermeability to external strikes was replaced by the confidence in its ability to maintain resilience against such strikes. Third, 9/11 resulted in the consolidation of great powers around the United States: Moscow and Beijing also supported Washington.⁷ The alignment of neutral states became an additional evidence of the historically unprecedented nature of the American unipolarity. Yet the Americans wasted the trust of the international community that they enjoyed following the tragic events. Implementation of the 'with-us-or-against-us' ultimatum; pre-emptive attack and regime

⁴ Krauthammer, Charles (1991) 'The unipolar moment,' *Foreign affairs*, N.Y., Vol. 70, N 1. P. 32.

⁵ *Ibid.* P. 23–24.

⁶ *Ibid.* P. 26.

⁷ *Ibid.* P. 7–8.

change that became a marker of the 'unprecedented' U.S. freedom to act and establish a new American unilateralism had simultaneously provoked the crisis of unipolarity.⁸

The assault of President George Bush-Jr. against multilateralism caused discontent among other members of the world community. Similar processes triggered the formation of the multi-order, per Trine Flockhart, system.⁹ But unlike the multipolar system that existed from the end of the 18th century till the first half of the 20th century, when all the states-poles shared the European identity, today the international community lacks common identity. No similarity is observed between these orders.

In this context we could agree with Flockhart's conclusion on the need to create new 'primary and secondary institutions' for management of complicated and intermingled interstate relations.¹⁰ Such work implies rejecting universalization of liberal values and the 'establishment of new forms of relations along the fracture lines on a more equal basis'.¹¹ The readiness to work in a *partner* mode becomes a prerequisite for a successful response to multiple modern challenges, including such sensitive areas as nonproliferation and arms control. Yet the partners should recognize common interests which would outweigh the contradictions existing between them. Unless this condition is met, the international regimes and organizations become the instruments for implementing foreign policy by the most powerful actor and a forum for propaganda battles.

It is also worth noting that in the period of 'unipolarity' the United States stagnated in its international and legal nihilism, as well as lost its readiness and skills to listen to its partners and reach agreement with them. Although the situation in the world arena is changing and new power centers are being formed, the balance of the key powers' military potentials is to a lesser extent subject to transformation, which contributes to preserving the inertial nature of thinking by the military and political elite. Therefore, one could hardly expect a more measured and nuance-oriented approach from those who still consider themselves as the most powerful player in the Thucydides

⁸ Ibid. P. 8.

⁹ Flockhart, Trine (2016) 'The coming multi-order world,' Contemporary security policy, Maastricht, Vol. 37, N. 1, P. 3 – 30.

¹⁰ Flockhart, Trine (2016) 'The coming multi-order world,' Contemporary security policy, Maastricht, Vol. 37, N. 1, P. 3 – 30.

¹¹ Ibid. P. 23 – 25.

scenario 'the strong one does what it can, and the weak one tolerates what it should tolerate'. Washington establishment's long-term orientation and goals – the attainment of superiority, the so-called 'threat-free status' and 'absolute security' in the framework of mutual deterrence of Russia – remain *a priori* unchanged.

As Alexey Miller and Fyodor Lukyanov justifiably noted:

The world events clearly demonstrate: the 'classic' problems that were not resolved at the end of the 20th century – the power disbalance, absence of the undisputed international hierarchy, erosion of the commonly accepted rules, the world order that failed to form – constantly remind us of their existence, not allowing to consolidate the efforts to address new challenges. Without addressing them, the leading players would once and again return to the same models of behavior.¹²

The Law of Force or the Force of Law?

The nonproliferation regime is an indispensable component of the global security system. The initial aim of the nonproliferation regime was to provide for efficient coexistence of the two poles of the world policy in the conditions of nuclear deterrence. Restructuring of the international relations system and subsequently of the global security system upon the end of the Cold War, the emergence of at first the sole superpower – the United States – and in the years to follow the crisis of unipolarity and active development of the so-called 'power centers' in the world regions resulted in the loosening of the mechanisms ensuring the international security.

The nonproliferation regime is facing a serious crisis caused primarily by the U.S. desire to maintain its exclusivity and unipolar world order which results in the aggravation of a whole set of geopolitical challenges and threats, which the existing international regimes fail to cope with. Washington's adaptation of the institutions and agreements to its own national interests leads to the weakening of their productivity, and hence loss of the authority among its members. The international community is pushed to the triumph of 'the

¹² Miller, Alexey; Lukyanov, Fyodor (2016) 'Remoteness instead of confrontation: post-Europe Russia in search for self-sufficiency,' SVOP, Moscow, P. 15, available at http://svop.ru/wp-content/uploads/2016/11/miller_lukyanov_rus.pdf (17 May, 2021).

law of force against the force of law'. Under such conditions, it seems obvious that Russia and the United States, two of the three depositaries of the NPT, bear special responsibility for the implementation of the Treaty, and – what is especially pressing in the modern conditions – for its preservation.

The readiness of Moscow and Washington to begin negotiations on arms control is *inter alia* determined by their common and undisputable interest in nonproliferation and their obligations under Article VI of the NPT. Yet one might have an impression that the U.S. military and political elite feels no such responsibility: a strive to adapt all the existing security mechanisms to their own interests for the sake of attaining the U.S. absolute exclusivity 'blocks the vision' of Washington's establishment.

Regrettably, the authors are unanimous with Andrey Kortunov in witnessing a mirror-like embodiment of the well-known formula that 'politics is war continued by other means'. Today's crisis of arms control is partially predetermined by the victory of the paradigm of war over the paradigm of diplomacy. 'A traditional goal of foreign policy is addressing the international issues. Maybe not ideally, maybe temporarily and maybe not absolutely just, – points Kortunov. – The goal of a war is to inflict the maximum damage to the adversary. We also witness that the military consciousness starts replacing the political one'.¹³ It is manifested by the establishment of the black-and-white picture of the world and intolerance to dissidence.

Same Game, Different Players – Same Song, Different Chorus

The most striking example of U.S. nuclear policy continuity is the 2018 Nuclear Posture Review (NPR), the United States' fundamental doctrinal document in the sphere of nuclear policy, including the construction of the national forces of strategic containment. The 2010 NPR defined the goals and objectives for the development of SNF within the New START framework. In its turn, the 2018 NPR was supposed to be a reflection of a seemingly different situation in the strategic dialogue between Russia and the United States –

¹³ Kortunov, Andrey (2018) 'Politics as continuation of war using other means?' RIAC, M., available at <https://russiancouncil.ru/analytics-and-comments/analytics/politika-kak-prodolzhenie-voyny-inymi-sredstvami/> (17 May, 2021).

implementation by both parties of the New START in absence of a constructive dialogue on its replacement as well as Washington's 'verdict' on the collapse of INF Treaty.

If one follows the logical pattern of the distinctive approach of each Republican and/or Democratic Administration to the bilateral relations with Russia, such different external conditions of planning the nuclear defense construction, as well as the fact that Donald Trump replaced Barack Obama in White House, should have radically changed the fundamental principles of the Nuclear Posture Review. But in reality, the foreword of the 2018 NPR signed by the then Secretary of Defense James Mattis notes:

This review confirms the findings of previous NPRs that the nuclear triad ... is the most cost-effective and strategically sound means of ensuring strategic deterrence. The triad provides the President flexibility while guarding against technological surprise or sudden changes in the geopolitical environment. To remain effective, however, we must recapitalize our Cold War legacy nuclear forces. By the time we complete the necessary modernization of these forces, they will have served decades beyond their initial life expectancy. This review affirms the modernization programs initiated during the previous Administration to replace our nuclear ballistic missile submarines, strategic bombers, nuclear air-launched cruise missiles, ICBMs, and associated command and control.¹⁴

This is not a reference to the 'nuclear-free world' slogans by the Barack Obama Administration, but to the text and specific provisions of the 2010 NPR. For example, in the similar foreword dated April 6, 2010, Robert Gates, the predecessor of General Mattis, highlights:

As long as nuclear weapons exist, the United States must sustain a safe, secure and effective nuclear arsenal — to maintain strategic stability with other major nuclear powers, deter potential adversaries, and reassure our allies and partners of our security commitments to them. The NPR calls for mak-

¹⁴ Nuclear Posture Review-2018. P. II.

ing much-needed investments to rebuild America's aging nuclear infrastructure..., represent a credible modernization plan necessary to sustain the nuclear infrastructure and support our nation's deterrent.¹⁵

Therefore, the direct continuity of the 2018 Trump's NPR with the Obama administration's 2010 NPR testifies that, despite the changes in tactics and methods of implementing the strategic course of nuclear policy due to the external conditions,

It could be assumed that in reality U.S. government officials (Department of Defense, Department of Energy, State Department, special services) who prepare the doctrinal concepts and formulate Washington's policy in the nuclear sphere are not dependent on the fluctuations of the tactical course related to the emergence of new leaders, but rather use them to level the impact of the restrictions incorporated in agreements of any kind. Under the pretext of changing administrations and 'transformations in the external political conditions', the United States either does not bring to the logical completion its own initiatives involving new players (as was the case with CTBT) or disavows its previously made commitments. There are quite a few examples to that. The most blatant was the U.S. withdrawal from the 1972 ABM Treaty which was the cornerstone of strategic security, and INF Treaty.¹⁶

¹⁵ Nuclear Posture Review-2010 P.I. The relevant sections of the document devoted to ensuring strategic deterrence, strengthening regional deterrence and support of nuclear arsenal directly referred to mandatory preservation of the triad structure of U.S. SNF, implementing a long-term program for creating a new nuclear powered submarine to replace the Ohio class submarines, LEP programs for W-76 nuclear warheads and B-61 bombs (and initiating a similar one for W-78 warhead), maintaining the capabilities of advanced deployment of F-35 fighters and B-2 and B-52H bombers equipped with B-61 bombs, allocating the funds to construct the Uranium Processing Facility at the Y-12 Plant in Oak Ridge and the Chemistry and Metallurgy Research Replacement Project at Los Alamos Laboratory.

¹⁶ The agreements between Moscow and Washington in the field of arms control and reduction of strategic potentials established the long-term qualitative and quantitative limitations on maintaining and modernizing strategic nuclear forces (SNF), systems for their management and concepts of combat application. The decisive role is played by the fashion in which the transparency and verification procedures are organized, and the offensive and defensive systems are interlinked (a propos – the preamble of new START fixes this interrelationship, traditionally ignored by the U.S. partners).

U.S. Nuclear Posture Reviews on Russia

“Adjusting U.S. immediate nuclear force requirements in recognition of the changed relationship with Russia is a critical step away from the Cold War policy of mutual vulnerability and toward more cooperative relations.” (Nuclear Posture Review 2002).

“In the event that U.S. relations with Russia significantly worsen in the future, the U.S. may need to revise its nuclear force levels and posture.” (Nuclear Posture Review 2002).

“While policy differences continue to arise between the two countries and Russia continues to modernize its still-formidable nuclear forces, Russia and the United States are no longer adversaries, and prospects for military confrontation have declined dramatically. The two have increased their cooperation in areas of shared interest, including preventing nuclear terrorism and nuclear proliferation.” (Nuclear Posture Review 2010).

“Russia is not an enemy, and is increasingly a partner in confronting proliferation and other emerging threats.” (Nuclear Posture Review 2010).

“The United States and Russia have in the past maintained strategic dialogues to manage nuclear competition and nuclear risks. Given Russian actions, including its occupation of Crimea, this constructive engagement has declined substantially.” (Nuclear Posture Review 2018).

“In this regard, Russia continues to violate a series of arms control treaties and commitments. In the nuclear context, the most significant Russian violation involves a system banned by the Intermediate-range Nuclear Forces Treaty. In a broader context, Russia is either rejecting or avoiding its obligations and commitments under numerous agreements, and has rebuffed U.S. efforts to follow the New Strategic Arms Reduction Treaty (START) with another round of negotiated reductions and to pursue reductions in non-strategic nuclear forces.” (Nuclear Posture Review 2018).

Gain an *Inch* and Ask for a *Yard*

If one chronologically compares the periods of active Russia-U.S. negotiation processes in the sphere of strategic stability and arms control on the one hand, and the dates of launching joint initiatives and concluding agreements on nonproliferation and peaceful

use of nuclear energy on the other hand, a certain regularity could be observed. Firstly, the United States uses the tactics of creating a positive atmosphere in bilateral relations, engaging Russia under the slogan of combatting nuclear proliferation and WMD-terrorism, or boosting international cooperation on the peaceful uses of nuclear energy. Secondly, they are trying to use the positive climate in the bilateral relations to start discussing initiatives on limitation and reduction of nuclear weapons with the ultimate goal being to get access to Russian nuclear weapons complex objects.

In early 2004, U.S. President George Bush proposed a moratorium on the activities related to creating the key stages of the nuclear fuel cycle (NFC) in the third world countries (e.g. enrichment of uranium for nuclear fuel production, reprocessing of irradiated nuclear fuel to extract plutonium). It was suggested that exporting countries should not transfer such technologies to these countries, although the IAEA safeguards were applied in full scope to all their nuclear activities. Instead it was recommended that joint production of relevant nuclear materials should be organized in industrially developed countries under international control that would simultaneously guarantee unrestricted, unobstructed supply of the products. The negative reaction of importing countries to such proposal was quite grounded because they justifiably regarded this proposal not only as a violation of their rights under Article IV of the NPT, but also as the U.S. desire to ensure its military, political and economic interests.

In late 2005, the United States launched a new initiative that developed the idea of the previous one – the Global Nuclear Energy Partnership (GNEP). Washington declared the following GNEP ideas: to facilitate the economic growth of exporting countries, to ameliorate the environment, to introduce new technologies for reprocessing nuclear fuel which pose no threat to nonproliferation, and to produce additional energy while reducing waste generation. It was assumed that the partner states with advanced NFC capabilities would provide the services related to reactor operation to the countries wishing to develop their own nuclear power, and the latter would not need to create their own NFC. Meanwhile, it was obvious to the Russian experts at the Ministry of Foreign Affairs, Rosatom, and other interested agencies that the U.S. ultimate goal was to establish kind of a 'global nuclear cartel' in which the United States would play the leading role. Contrary to the NPT principles, such cartel would limit

the possibility to pursue independent export policy for many countries exporting nuclear technologies and services.¹⁷

At the same time Russia's participation in the Global Nuclear Energy Partnership (GNEP) was preconditioned by its support for multilateral approaches to NFC, and also by the fact that it was positioned as one of the forms of implementing the Joint statement by the Presidents of Russia and the United States on nonproliferation and peaceful uses of nuclear energy, made at the G8 summit in Saint-Petersburg in 2006. However, the United States started orienting the Partnership at working out and defining such norms and criteria for international cooperation at the NFC market that would be beneficial to Western companies (AREVA, URENCO, GE, Toshiba, Westinghouse). For that purpose, active efforts were taken to institutionalize GNEP mechanisms into a new international organization. Meanwhile its sphere of interests incorporated various issues falling under the IAEA competence. Additionally, Washington attempted to bring under the GNEP 'umbrella' other international projects in the field of NFC, particularly the IUEC which would disempower the Center and lead to the reorientation of its goals and objectives.

Russia is one of the major suppliers in the global NFC market. Russia's cooperation with the leading countries is preconditioned by a set of bilateral agreements, treaties and statements. Accordingly, the Russian position at that period reflected its commitment to multilateral approaches to NFC as one of the crucial and most prospective mechanisms of nonproliferation that could allow anyone without exception to develop and use its own nuclear capacities, and at the same time not to depend on the world market situation, and not strive to create the closed NFC. In 2007, in the framework of such approach Russia and Kazakhstan established the International Uranium Enrichment Center (IUEC). The Center is open to membership by other states with no discriminatory conditions and aims at meeting the participants' demand for nuclear fuel. Belarus joined the Center in 2008, and serious interest was expressed by various industrially developed countries in all regions of the world. The same year the head of the Rosatom State Atomic Energy Corporation Sergey Kiriyenko delivered a statement at the IAEA General Conference in which he announced the Russian initiative on creating a stockpile of LEU at the IUEC to ensure guaranteed deliveries to IAEA member-states in

¹⁷ Clause 3 Article II, Clause 2, Article IV.

case they have no opportunity to purchase fuel at the world market, whatever the reason for that failure is (e.g. for political reasons).

The Bush Republican Administration's approaches to the non-proliferation issues were also manifested at the 2005 NPT Review Conference. The Americans focused on the nonproliferation compliance by non-nuclear states and elaboration of the international mechanisms to restrict the access of the 'unreliable' (i.e. unfriendly to the United States) countries to the global market of nuclear materials and technologies. According to Washington, the countries that failed at any time to observe their nonproliferation commitments should not in future claim or aspire to preservation of unrestricted access to the benefits of the 'peaceful atom'. The U.S. delegation also spoke in favor of universalizing the 1997 Additional Protocol to the Agreement on IAEA safeguards and promoting the norms according to which joining the AP should be considered as a mandatory condition when exporting nuclear materials and technologies.

At the same time the United States persistently denied the justified criticism for engaging in activities on new nuclear warheads development under the pretext that the relevant conceptual studies were part of a long-term plan of response to potential threats related to the unpredicted changes in the geopolitical situation, which, in view of the United States, would not lower the threshold for nuclear arms use. Naturally, the developing countries and the so-called 'nuclear radicals' considered such approach as one-sided because it was based on a demand for additional nonproliferation obligations and restrictions on their part with absence of the U.S. reasonable arguments regarding its activities in the nuclear sphere. The injustice was obvious to most participants of the 2005 NPT RevCon and largely resulted in growing contradictions in their attitudes. The Review Conference failed to adopt a substantial final document, which was considered by the international community as a fiasco and serious symptom of the general crisis of nonproliferation. It can be said that the 2005 NPT RevCon was the first 'ring bell' which is turning by the 10th NPT RevCon into an alarm bell warning of the regime stability in general.

At the same time, it was the United States who laid the foundation for changing the rules of the Nuclear Suppliers Group (NSG) that Russia had been long criticized for — primarily in relation to its cooperation with Iran. In early 2004, the U.S.-India negotiations resulted in the signing of the agreement on strategic partnership that

did not exclude transfer of American nuclear technologies to India. Meanwhile, Washington seemed to forget that the principle of comprehensive safeguards had been till recently the cornerstone of the U.S. export policy. Precisely from this position the United States had sharply criticized the Russia-India agreement on deliveries of uranium fuel pellets to the Indian Tarapur NPP in 2001 and 2003, as well as construction by Russia of new units at the Kudankulam NPP in 2002. Looking ahead, it should be noted that the 2004 U.S.-India agreement finally served a groundwork for introducing changes in the NSG Guiding Principles and in the long run lifting restrictions on cooperation with India (non-member of the NPT) in the nuclear sphere.

Pursuing mutual understanding with Russia on multilateral venues, the United States further proceeds to engaging Russia in bilateral formats of interaction on the matters that are of most interest for Washington.

Against the background of joint promotion of initiatives in the field of multilateral approaches to NFC, a new impetus was given to discussions on the need to conclude an agreement between Moscow and Washington on peaceful uses of nuclear energy — the so-called 123 Agreement. In the late 1990s — early 2000s, the Americans rigidly linked the conclusion of this agreement with Russia renouncing peaceful nuclear cooperation with Iran, particularly on the Bushehr NPP construction. For instance, in mid-November 1998 during the APEC summit in Kuala Lumpur U.S. Vice President Albert Gore told Russian Prime Minister Evgeny Primakov that Russia should choose its nuclear cooperation partners between Iran and the United States.¹⁸

Following a successful round of negotiations involving six international mediators and Iran on the situation around the Iranian nuclear program in 2006 in Vienna, the Americans ultimately entered the negotiations on 123 Agreement with Russia. The draft was prepared by early 2007, initialized in June of the same year, and signed by the Presidents in May 2008. However (allegedly due to a 'technical error' by the George Bush administration), it was submitted to Congress in such a manner that did not allow its ratification in accordance with the established procedure due to lack of session days. The Agreement was later recalled from the Congress in connection with the situation in Georgia in August 2008.

¹⁸ Cited by: Khlopkov, Anton (2011) 'Russia-U.S. 123 Agreement went into force: what could we wait for?', available at www.cenuss-russia.org (17 May, 2021).

The Obama administration's policy on the 123 Agreement with Russia was no different. The United States made it plain that 'ratification of the New START was a priority compared with the 123 Agreement, therefore the latter would be once again submitted to Congress no earlier than the completion of the New START talks and submission of the agreed treaty to the Senate'.¹⁹ As a result, both agreements were submitted to the American legislative bodies simultaneously, with Senators John Kyl and John McCain taking efforts to 'bury' both documents.

Further, in furtherance of earlier agreements on peaceful uses of nuclear energy the U.S. side puts forward initiatives aimed at getting access to Russian nuclear weapons complex facilities and restricting their further development.

In 2010, Russia and the United States signed the second additional protocol to the 2000 Agreement on utilization of plutonium that entered in force in 2011. Adoption of this document was intended to give the 'green light' to the disposal program that had been agreed upon but could not start for technical reasons for a decade. Russia and the United States were to utilize 34 MT of the weapon grade material. However, the following development of the situation showed that the American side was initially not ready to fulfill its obligations. Again under the pretext of addressing the vital issue of consolidating the nonproliferation regime and fulfilling the disarmament obligations under Article VI of the NPT, the United States obtained Russia's consent to modify the design of the BN-800 fast reactor under construction (the reactor was put into operation in December 2015) to be further used for burning plutonium as a component of MOX-fuel.

The U.S. installation for irreversible burning of plutonium – the Mixed Oxide Fuel Fabrication Facility – at the Savannah River site was never constructed. The announced reason for that was an extremely high cost of the project. The Americans attempted to propose to the Russian side an alternative – downblending and disposal of its own material; meanwhile such approach radically contradicted the spirit and letter of the initial agreement, leaving a possibility for its return into operation as part of the nuclear weapons production complex. As a result, while the United States failed to start fulfilling

¹⁹ Khlopkov, Anton (2011) 'Russia-U.S. 123 Agreement went into force: what could we wait for?', available at www.cenoss-russia.org (17 May, 2021).

its obligations, and in the context of the response to unilateral sanctions and unfriendly actions taken by Washington against Russia in 2015–2016, in October 2016 Moscow announced its suspension of the Agreement on plutonium utilization.

Another case in point is the development by the Barack Obama administration of the concept of international Nuclear Security Summits. The first one took place in Washington practically simultaneously with the start of the 'reset' epoch and entry in force of the New START in 2010. The diplomatic preparations for the event and work on draft resolutions and proposed initiatives that are often more important than protocol events, ran parallel to the last rounds of the negotiations on a new nuclear disarmament agreement. In such conditions Moscow was ready to respond to Barack Obama's appeal to intensify international efforts to strengthen nuclear security and the NPT regime in general.

At first the Summits that were convened every two years (a total of four summits were held) underlined the importance of international cooperation on peaceful use of nuclear energy as the global agenda issue. While discussing the advantages of peaceful atom during the Summit sessions, the leaders of the participating countries largely succeeded in leveling the consequences of the 'Fukushima syndrome' and restoring the tattered reputation of nuclear energy in public opinion. New sounding was given to the previously launched initiatives of multilateral approaches to NFC. Introduction of 'best practices' in the sphere of nuclear security and safety on the national level based on the Summits results was an unconditional priority for both exporting countries and those wishing to develop nuclear energy.

At the same time, in preparation for the Summits and during the sessions the Russian diplomats had to repeatedly 'purge' from the draft documents the American initiatives which were designed to obtain a prospective access to Russian nuclear facilities – primarily the nuclear weapons complex, to negatively evaluate nuclear security in Russia and its partnering countries (e.g. the NTI project on 'international index of nuclear security'), to intercept the IAEA functions on elaborating the relevant standards and recommendations through the U.S.-guided international NGOs (specifically, the World Institute for Nuclear Security – WINS established in Vienna 'at the IAEA'). Logically, the Summits finally became obsolete. Russia did not participate in the last Summit held in Berlin in 2016.

Utilitarian Ethics in Action

Our hypothesis on Washington's solely utilitarian approach to the international mechanisms in the field of nuclear nonproliferation can be further supported by historic evidence. This approach serves a basis for a unified long-term strategy, independent of the changes in the White House, under which the United States creates the required conditions for deliberately pushing their partners to new negotiations, with the intention to revisit its obligations later in the future.

The Joint Comprehensive Plan of Action (JCPOA), a deal that was concluded with active participation of large U.S. interagency delegations on diplomatic settlement of the situation around the Iranian nuclear program, and subsequent Washington's withdrawal from the agreement is a case in point. Study of these complicated negotiations and U.S. approaches to the issue remain outside the scope of our analysis, therefore we focus on specific aspects that could verify the hypothesis.

In October 2013, Iran entered a new stage in the long history of diplomatic settlement of the situation around its nuclear program with the international mediators by expressing the clear position of the newly-elected President Hassan Rouhani — to find the points of compromise with the West, and make certain concessions to the U.S. and E3 demands aimed at both removing the international sanctions against Iran and validating the right to develop nuclear power²⁰.

The participants achieved a breakthrough by the end of November of the same year, when an intermediate agreement was presented in Geneva: the Joint Plan of Action (JPOA) implied a certain softening of the sanctions in return for a number of restrictive obligations on Teheran's part regarding its nuclear program. Another twenty months of negotiations based on the 'step-by-step' approach adopted by the parties resulted in concluding on July 14, 2015 of what then was called a landmark agreement — the JCPOA. The final agreement provided for a complete removal of the international sanctions against Iran in return for the intrusive and verified restriction of its nuclear program.

Although the JCPOA negotiations were from time to time on the brink of collapse, for two years a constructive international cooperation on nonproliferation, peaceful use of nuclear energy and arms

²⁰ See Chapter 6 for more details regarding JCPOA

control was once again considered as a trend. The long-awaited positive outcome of these talks succeeded in levelling the disappointment caused by a cynically obstructed NPT RevCon. The reason for the failure was a refusal by the United States to accept the final document under the pretext of disagreement with its section on establishing of a WMD-free zone in the Middle East. On the tide of the success in the diplomatic resolution (as it seemed at that moment) of one of the key crisis points on the nonproliferation agenda, many experts expressed the rosy expectations of a possibility 'to move further' by applying the obtained experience to the negotiations on the nuclear problem on the Korean Peninsula and seeking a 'JCPOA' for this region.

We leave beyond our article the attempts to find out at what particular moment of negotiations on the JCPOA the U.S. government developed the understanding of its provisional nature and decided to later on deny its obligations under this deal. One way or another, Washington attempted to benefit from the existing positive conditions at the onset of another stage of active dialogue on diplomatic settlement of Iran's nuclear program to push Moscow to new arrangements that did matter to the United States.

On June 20, 2013 at the Berlin G8 Summit U.S. President Barack Obama proposed a more profound — compared to those stipulated by the New START provisions — reduction of the strategic offensive weapons arsenals — to one thousand warheads, a number that could later decrease to 300-400 while including tactical nuclear weapons (TNW). Naturally, the case was primarily about reducing this type of the Russian weapons arsenal in exchange for reducing the number of the U.S. nuclear warheads on the territory of NATO member states.²¹ As is known, control and reduction of the Russian TNW — with no linkage to the U.S. Prompt Global Strike capabilities and missile defense systems in Europe — remained a cherished and unattainable goal of Washington since the time of the New START negotiations.

In 2013-2016, in the positive conditions created by the JCPOA negotiations the U.S. administration considerably intensified its efforts to engage Moscow in another discussion on nuclear disarmament. Even despite the rollback in the relations resulted from the situation in Ukraine and reunification of Crimea with Russia, in April 2016, following the Nuclear Security Summit in Washington Barack

²¹ 'Disarmament one could hardly reject,' *Kommersant*, 20.06.2019, № 105.

Obama gave new signals on the U.S. intention to continue and advance its dialogue with Russia on lowering the limits for nuclear warheads and delivery systems.²²

Conclusions

If the terminology of the game theory is applied to describe the current situations, today Russia is pulled into *zero-determinant strategies*²³ – under which an altruistic strategy does not work because one of the actors simultaneously strives to assume the functions of a judge while attempting to force the other one to be satisfied with a lesser stake. Russia's Foreign Minister Sergey Lavrov described the U.S. attempts to ensure one-sided geopolitical advantages while preserving the status of the sole decision-making center this way: 'The rules are being changed not just in the course of the game, but when the game is over, once the result that satisfies everybody has unanimously been fixed at the UN Security Council'. Washington's strive to adjust the arms control regimes to its mercenary goals facilitates the erosion of the established international security architecture based on the WWII results, aggravation of tension and lowering the level of strategic trust.²⁴ One should not consider this trend as irreversible, but it is not up to Russia to improve the current situation. Russia's disarmament proposals, including the idea of jointly drafting a new 'security equation', as President Vladimir Putin put it, 'are on the table, and the door is open'.²⁵

²² 'Obama informed on the intention to continue nuclear disarmament dialogue with Russia,' Lenta, 2016.

²³ Zero-determinant strategies are a new class of probabilistic and conditional strategies that are able to unilaterally set the expected payoff of an opponent in iterated plays of the Prisoner's Dilemma irrespective of the opponent's strategy (coercive strategies)

²⁴ 'Sergey Lavrov spoke at the Primakov Readings and responded to the questions' (2019) *Mezhdunarodnaya Zhizn* magazine, Moscow, available at <https://interaffairs.ru/news/show/22757> (17 May, 2021).

²⁵ 'Putin demanded not to initiate disarmament negotiations with the USA' (2019) RIA Novosti, Moscow, available at <https://ria.ru/20190202/1550290150.html> (17 May, 2021).