

Framing U.S.-Russian Security Cooperation: Neorealist and Neoliberal Alternatives to Navigating the New Security Terrain

BRAD MCALLISTER

Abstract: This article analyzes policy options for U.S.-Russian cooperation regarding nonproliferation and counterterrorism. It takes the limitations of unilateral action and the problematic nature of multilateral and bilateral solutions into account. First, the new threats to international security, specifically weapons of mass destruction (WMDs) proliferation and religious radicalism, with a focus on the intersection between them are examined. Second, potential policy responses to these threats from unilateral, bilateral, and multilateral perspectives, with an emphasis on the possible effects of cooperation on the international distribution of power, are reviewed. Finally, the article concludes by arguing that despite the overwhelming mutual interest in combating nuclear proliferation and religious terrorism, not all areas of policy are best dealt with cooperatively. Rather, only areas where policy is as strong as its weakest link should be subjected to multilateral and bilateral initiatives. Areas dealing with more sensitive areas of national security should be dealt with on an informal, case-by-case basis.

Keywords: arms control, counterterrorism, export controls, international relations, non-proliferation, terrorism, weapons of mass destruction

Introduction

Conflict during the Cold War revolved around decision making in two camps, each equally dedicated to neorealist foreign policy goals. The irony behind a foreign policy doctrine centered on balance-of-power considerations and national security was that it lent a degree of predictability (and hence stability) to superpower relations. Indeed, some observers have mentioned that the key behind the post-Cold War U.S.-Russian rapprochement is the fact that Moscow and Washington think alike, in large measure because of their

Brad McAllister is a doctoral candidate in political science and a lecturer in international relations, terrorism, and American politics at the University of Georgia's School of Public and International Affairs. He is also a research fellow for the Center for International Trade and Security, where he specializes in weapons of mass destruction proliferation efforts by nonstate actors. Copyright © 2007 Heldref Publications

mutual past as great powers. Continued positive relations between the United States and Russia could to some degree be attributed to this mutual understanding. Indeed, the beauty of neorealism as a driver of foreign policy is its simplicity.¹

By reducing international politics to a few key variables (the state, anarchy, power, and security), it is possible, in the context of great-power competition, to delineate categories of competition, stalemate, and cooperation. The ever-present specter of confrontation keeps these categories mutually exclusive. However, is the complexity of the post-Cold War world order so great that it challenges neorealism as the dominant paradigm of international relations? Whereas the centrality of power politics and national security has not come into serious question, the calculus of power has changed how students of foreign policy formulate responses to contemporary risks. Given contemporary threats, what should the nature of U.S.-Russian relations be in the future? Furthermore, why, and on what grounds, should cooperation occur?

Critics of neorealist foreign policy usually focus on the state-centric approach to politics it represents and counter that the threats of the post-September 11, 2001, post-Beslan reality contradict the utility of unilateral, hegemonic, or great-power politics. In particular, liberal critics of Cold War-era foreign policy point to the preeminence of terrorism, and specifically the threat of terrorist use of WMDs, as proof that multilateralism is the new security doctrine. As one specialist on U.S.-Russian relations put it, the fundamental conflict of the post-Cold War era is not a clash of ideological "alternative modernities" such as communism vs. fascism or liberalism vs. communism but rather the wholesale rejection of "modernity" in exchange for radical religion.² The policy prescription then, is international cooperation in the neoliberal tradition, specifically in the areas of law enforcement, intelligence sharing, and nonproliferation, all made possible through the propagation of international law and institutions. Unilateral attempts to further security through the U.S. invasion of Iraq or Russia's insistence on solving its Islamist problem itself only alienates the international community to the detriment of those very institutions' norms and laws that serve as a nation's best defense in a war on terrorism.

The reaction of neorealists to this argument points out the obvious: the emergence of terrorism is not a new phenomenon and its reemergence in the form of religious radicalism does not end great-power competition. Furthermore, terrorists do not represent as grave a threat to state survival as peer competitors. Thus, terrorism, although a threat to human security, is not in the strictest sense a threat to state survival, so it takes a back seat to traditional power politics. The resulting policy prescriptions, then, are those that favor freedom of action over deference to international constraints, accentuate strategic superiority, and predispose national leaders to hold other nations in contemptuous suspicion at best.

The result of competition between these two main paradigms of foreign policy are two polarized sets of policy alternatives; neither one adequately addresses the reality of the international system. Neoliberals,³ for their part, fail to address the very real impact on the distribution of power certain policies have. This is especially significant in the arena of arms-control agreements, or any agreements that limit tactical freedom, which results in unrealistic policy recommendations for states seeking to balance potential state rivals. Neorealists, on the other hand, fail to adequately account for the effect on strategic calculus that WMDs can have. Although some neorealists admit that nuclear weapons fundamentally altered the nature of bipolar conflict during the Cold War, they do not seem to

seriously grasp the degree to which the diffusion of technology has empowered nonstate actors.⁴ The result is policies that attempt to frame new threats in a traditional lens.

Instead, what is needed is a complex approach to complex political issues. There are many areas of mutual concern that require cooperative solutions and many areas of mutual interest that are best left to each individual state to solve. Concerning U.S.-Russian relations in the twenty-first century, I ask what grounds exist for security cooperation between Moscow and Washington and what form that cooperation should take to maximize effectiveness while simultaneously minimizing the abrogation of sovereignty.

Contemporary threats to the United States and Russia can be broken down into state-centric and nonstate threats. Due to the levels of military preeminence Russia and the United States hold in the international system, the common denominator between these two threats is the diffusion of technology. Thus, for both the United States and Russia, the main strategic threat stems from the vertical and horizontal proliferation of WMD technologies among states, as this is the quickest route potential peer-competitors might take as they attempt to close the power gap between themselves and Moscow and Washington. Furthermore, the threat of nonstate violence is a primary concern in both administrations. Although there are a host of lesser issues, few, if any, reach the level of importance of those aforementioned. As a result, they are not likely to spark much conflict, even in the absence of cooperation.

This article analyzes concrete policy options for U.S.-Russian cooperation with respect to nonproliferation and counterterrorism, taking into account the limitations on either party's ability to take unilateral action, along with the problematic nature of multilateral and bilateral solutions. First, I look at the new threats to international security in the post-Cold War era—WMD proliferation and religious radicalism—focusing on the intersection between them. Second, I discuss potential policy responses to these threats from unilateral, bilateral, and multilateral perspectives, emphasizing the benefits of cooperation and the possible effects of potential cooperation on the international distribution of power.

Despite the overwhelming mutual interest in combating nuclear proliferation and religious terrorism, not all areas of policy are best dealt with cooperatively. Rather, multilateral and bilateral initiatives should be limited to areas such as harmonizing border security and export controls, tracking and freezing radical organizations' financial assets, increasing the safety of WMD materials and expertise, and decreasing vulnerable nuclear inventories through arms reduction treaties. Subjects that touch on more sensitive areas of national security, such as intelligence cooperation, tactical military support, and legislation governing the conduct of each nation's respective war on terror, should be dealt with on an informal, case-by-case basis.

The Intersection of U.S. and Russian Interests

Horizontal and Vertical Proliferation

Many within the nonproliferation community suggest that threat perceptions vary so significantly between Moscow and Washington that cooperation is at best extremely difficult to obtain, and at worst a nonstarter. On one hand, the United States is developing vertically and experimenting with different designs for tactical weapons, such as low-yield tactical nuclear weapons and so-called bunker-busting nukes. The major concern for the United States is emerging nuclear powers with the potential to obtain sensitive technologies either through internal (vertical proliferation) research and development programs or, more likely,

through illicit proliferation networks (horizontal proliferation) or licit technology transfers such as those between China and North Korea, Russia and Iran, or the United States and Great Britain. Russia, on the other hand, seems more concerned with maintaining a functional nuclear deterrent as an economical alternative to massive conventional forces. The financial strains of maintaining Soviet-era inventories, however, are prodding Moscow toward material relationships such as the one it has reached with Tehran.

The intersection of U.S. and Russian interests is wholly relegated to the more parochial field of microproliferation, or countering terrorist attempts at WMD production and/or acquisition. In the meantime, Washington and Moscow agree to disagree about concerns emanating from horizontal and vertical proliferation threats. It would be a mistake to take such a superficial view, however. As it relates to the United States, Washington's obsession with emerging threats is resulting in a series of political gestures that complicate nonproliferation efforts while securing limited results in weapons development. Pertinent examples are the abrogation of the Anti-Ballistic Missile Treaty (ABM) out of fear of a limited nuclear strike from a so-called rogue state, the circumvention of the Comprehensive Test Ban Treaty (CTBT) to reserve the right to test new nuclear weapon designs, the stated desire to increase research and development into new nuclear designs, arguably in violation of P-5 obligations under the Nuclear Non-Proliferation Treaty (NPT), and the decision to engage in a strategic nuclear partnership with India, a violation of the NPT.

Although successive U.S. administrations have on many occasions maintained that the greatest threat to American security is a WMD in the hands of terrorists, the U.S. nuclear security posture seemingly ignores this emerging threat. Most experts maintain that terrorist development of a sophisticated WMD device, especially a nuclear device, is extremely improbable.⁵ Rather, most of the risk results from unnecessarily large stockpiles. The continued pursuit of tactical nuclear alternatives in the face of horizontal and vertical proliferation among states has resulted in a threatening posture, which might prompt states to maintain their Cold War-era inventories. Thus, Washington's interpretation of the state-centric threat is causing it to pursue counterproductive policies with relation to microproliferation, despite official rhetoric that the latter represents the greatest threat to national security.

Concurrently, Russia's emphasis on preventing further decline in its great-power status has the potential for strategic blowback. Russia's need for foreign capital to maintain its substantial arms industry allows it to maintain its status as a great military power in the short term.⁶ However, technology transfers to regimes such as Iran ignore the "mobius-web"⁷ of international information networks. Robert Gilpin, a noted international relations theorist, charts the demise of hegemony not in terms of absolute decline of military power, but rather as a result of relative decline stemming from the "inevitable diffusion of technology."⁸ Vertical proliferation efforts aided by the horizontal transfer of strategic information are accelerating this diffusion, allowing actors such as China, India, and Pakistan to close the strategic gap.

The rapid ascendancy of new players in South and East Asia will undoubtedly limit Russia's political movement in the near future. Although Russian policymakers are probably correct in their assumption that American fears of Iranian WMD guidance to terrorist networks are largely overblown, they are ignoring the lessons of A. Q. Khan⁹—specifically that illicit networks are hard to control and that information flows are routed in numerous directions. This flow is reversed at times, and information and materials have spread

with some ease among various nodes. Furthermore, horizontal and vertical proliferation is a self-reproducing phenomenon. Changes in the balance of power in Asia could result in Japanese rearmament, sparking an arms race in East Asia that would further diminish Russian influence. Nations such as China and India would race to expand their own air and naval power, in effect diversifying their delivery capabilities, while Russia would be left increasingly reliant on vulnerable silo-based intercontinental ballistic missile systems.

Positions on international security are immovable. The dynamics of international security warrant routine revisions. The failure to examine critically the numerous threats in the international system, and how individual states' policies might affect those threats, often results in ill-fitting and even counterproductive policies.

Micro-Proliferation: The Nexus between Terrorism and WMD

Counterterror efforts by both Russia and the United States underline the fact that a wide range of policy options is necessary to counter the threat posed by religious militants. Although unilateral policies are attractive to both Moscow and Washington for the freedom of movement they allow, unilateral efforts by both nations have been seriously flawed and in many cases have resulted in net increases in terrorism.

U.S. unilateralism is problematic for three reasons.¹⁰ First, massive improvements in U.S. border security have ensured that the vast majority of anti-U.S. terrorist attacks take place outside the United States. From Washington's perspective this is a very positive phenomenon, but the result is that most arrests and prosecutions of terrorist suspects take place outside the United States. This distances the U.S. Department of Justice from the law-enforcement dimension of counterterrorism policy, making Washington dependent on foreign legislatures and judiciaries for passing and implementing pertinent counterterror legislation and prosecuting offenders. Finally, and perhaps most poignant, America's geographic distance from the locus of terror activity means that most counterterror intelligence is gathered by foreign governments. So, although the United States might find unilateral actions to be quite attractive, the reality of the threat makes most unilateral initiatives useless. Furthermore, unilateralism in some areas might deplete the necessary political capital to facilitate bilateral and multilateral solutions in areas where Washington might benefit from foreign assistance.

Likewise, although Russia's insistence on noninterference in the Islamist situation in the Caucasus is rational from a normative/sovereignty perspective, it has not resulted in the most effective counterterror policies. Unfortunately, the nature of the terrorist threat Russia faces in the Caucasus is quite analogous to the strategic situation the United States now finds itself in with respect to the Iraqi insurgency: religious militants have successfully tied themselves to ethnonationalist extremists and, in doing so, drastically changed the method and nature of Islamist violence. Terrorist organizations, like all organizations, solve collective-action problems through in-group identity formation. The method of identity formation differs with respect to the dominant motivations for violence. Russia faces an ethnonationalist movement that has been hijacked by religious extremists, the former being among the more successful nonstate groups and the latter the most violent. Ethnonational terrorists differ from ideological extremists in that they seek to foster in-group identity formation through violence itself, waging a campaign of nation building through terror. This is done by prompting government retaliation against specific acts of terror by a minority

group. The resulting acts of government retaliation then foster in-group identity formation by serving as a catalyst for a common experience, such as government persecution. This greatly complicates counterterrorism efforts as it leaves the government with two options. It can crack down on militants and risk rallying more people to the terrorists' cause. Or, it can leave the area unperturbed, allowing organized criminal elements and protection rackets to fill the ensuing power vacuum.¹¹

Beslan represented the fusion between ethnoterritorial ambitions with the more radical religious overtures of international Islamism. One of the dangers of religious terrorism is that movements often escalate violence, when the goals of the movement are difficult or potentially impossible to achieve.¹² Thus, movements facing a very strong state, such as ethnic terrorism in Chechnya, or movements that call for esoteric and unconventional ends, such as al Qaeda, are likely to escalate to brutal violence and even use WMDs when the group begins to face reality.

This is most disturbingly illustrated by the dramatic rise in anti-Russian suicide terrorism. Terrorism in general has always represented a trial-and-error phenomenon, in which entrepreneurs across a variety of organizations learn from the mistakes and successes of others. The dramatic success rate of suicide terrorism has caused it to be adopted across a wide variety of religious movements, beginning with Hindu/Christian extremism in Sri Lanka, moving to radical Islam in Lebanon and the occupied territories, and making its way to Russia via the Islamist connection in Chechnya.

Suicide terrorism is particularly geared toward eliciting concessions from democratic governments, which are sensitive to the effects of extreme violence on a voting population. These effects aim to bring democratic policies in line with minority self-determination.¹³ Furthermore, neither concessions nor offensive actions have deterred suicide terrorism. Only one out of eleven high-profile suicide bombing campaigns has been stopped through organizational decapitation.¹⁴ The best counterterror tools, then, are defensive ones: not only those that harden potential targets, but also those that mitigate the ability of terrorists to escalate suicide bombing campaigns through the use of WMDs.

These observations show that parochial military campaigns alone cannot defeat terrorism. Rather, terrorism must be attacked simultaneously on multiple fronts. In many instances, international cooperation is necessary to secure borders; check material resources being provided to militants; prevent the free movement of persons across national frontiers; undercut the ability of radicals to obtain chemical, biological, radiological, or nuclear (CBRN) weapons; and check the ability of terrorists to commit acts of violence when it is not possible to jail or neutralize them.

Cooperation: When, Where, and How?

The worldwide diffusion of sensitive knowledge and technologies, coupled with the growth of mass-casualty terrorism in the form of religious radicalism, has sparked a shift away from fears of peer competition to fears of WMDs use by nonstate actors. Nevertheless, realist concerns regarding the international balance of power and interstate competition have not disappeared. The result is that security is largely defined by two inter-related fields: the proliferation of WMDs and international terrorism.

Although microproliferation has the highest profile in the international media, the impact of the spread of WMD technologies on the international balance of power neces-

sitates close attention to horizontal and vertical proliferation as well. Because of the interconnections between state and nonstate proliferation, nonproliferation solutions need to be “catch all” in nature and address all three forms of proliferation.

Cooperation can take many forms and the remainder of this article looks at the history of cooperation in these areas, both bilateral and multilateral, with an emphasis on successes and limitations. First, bilateral and multilateral cooperation in counterterrorism is examined; and then the much longer history of nonproliferation endeavors is discussed. The article concludes by offering recommendations for improvements in those areas found to be less than effective in the analysis section.

Counterterror Cooperation

Legal and law-enforcement cooperation as well as efforts to combat the financing of terrorism through international financial networks are relevant counterterrorism issues.¹⁵

The June 2003 G-8 summit resulted in the most pertinent example of multilateral cooperation in the area of law enforcement and legal cooperation regarding counterterrorism. As would be expected, given the nature of the threat, the G-8 Evian agreement deals with terrorism in general and efforts at microproliferation in particular. The central tenets of the agreement call for the strengthening of international nonproliferation treaties, an action plan on securing radioactive sources, a provision for the prevention of the proliferation of WMD-related technologies and materials, and the enunciation an action plan on transportation security.

Most important, regarding international cooperation in law enforcement and counterterrorism, the G-8 agreement calls for an action plan on building state capacity to fight terrorism.¹⁶ This last section envisions international cooperation aimed at using legal and law-enforcement training to increase the ability of individual states to fight terrorism. This section also foresees the creation of an International Counter-terrorism Action Group tasked with coordinating international counterterror law enforcement.

The last two sections of the 2003 agreement represent progressive steps toward international cooperation; however, the language of the document hampers efforts at effective implementation. Although the agreement suggests that this cooperation will be carried out through the UN, it says nothing about the nature of the cooperation, or about requisite funds and materials. The July 2006 G-8 Summit Declaration on Counter-terrorism strengthened this statement, and the areas for international cooperation have been expanded to include improving the international legal framework with respect to counterterrorism, ensuring national legislation is brought in line with international norms, addressing the threat of cyber-terrorism, increasing international cooperation in transport security, promoting increased screening of migration flows to prevent the free movements of suspect persons, and developing legal regimes for bringing those accused of terrorism-related crimes, among other things, to justice.

However, few concrete results have yet been realized. Whereas the 2006 St. Petersburg summit, like the Evian summit, suggests that the United Nations is uniquely situated to oversee the implementation of these agreements, little mind is paid to the institutional requirements this effort entails. The portfolio of terrorism currently belongs to the UN Office of Drugs and Crime, whose mandate involves technical assistance in counterterrorism and the monitoring (through the Counterterror Committee) of domestic

legal systems to see whether they measure up to international standards with respect to counterterrorism.

The December 2004 Memorandum of Understanding on Counter-terrorism Cooperation, signed by then-head of the Federal Bureau of Investigation (FBI), Robert Mueller, and the director of the Russian Federal Security Service (FSB), Nikolai Patrushev, best exemplifies the bilateral cooperation between the United States and Russia. Although informal agreements among executive staff lack the weight of international law, they can and do have positive effects on international cooperation. Most important, the Memorandum of Understanding strengthened the foundations for the U.S.-Russia Counter-terrorism Group, which seeks to promote “operational links between numerous US agencies and their counterparts in Russia.”¹⁷ The U.S. State Department asserts that the FBI and FSB have regularly exchanged actionable intelligence since this meeting and have undertaken several joint investigations.¹⁸

Financial Tracking/Freezing of Assets

Although much of the terrorism faced by the United States and Russia is tied to particular locales (Iraq and the Caucasus, respectively) the two are connected to international terrorism through international Islamist financial networks. Therefore, perhaps more than in any other field of counterterror operations, this one is only as strong as its weakest link. The reason for this is that counterterrorism, as it relates to freezing the financial assets of terrorists and radical organizations, is greatly complicated by deregulation, open borders, and massive increases in the volume of international trade.¹⁹

Cooperation to date can be placed into multilateral and unilateral categories, with multilateral results being only slightly better than unilateral efforts. The United States passed the International Money Laundering Abatement and Anti-Terrorist Financing Act (IMLAA) of 2001. The three core purposes of the IMLAA are to “enhance the transparency of financial transactions,” “protect international channels feeding the US financial system,” and “increase awareness in US financial institutions.”²⁰

Although IMLAA is a domestic law, certain provisions have extraterritorial reach. First, the law requires U.S. institutions abroad, as well as foreign institutions that do business in the United States, to institute a set of graduated practices to protect against money laundering.²¹ Banks and financial institutions must keep records regarding specific transactions including the persons involved, and they must obtain information regarding persons authorized to use relevant accounts, as well as those through whom payments are routed. Banks and financial institutions must obtain information regarding the ownership of any account located in the United States, and the secretary of the treasury may impose conditions on, or prohibit, accounts located in the United States that use a correspondent or payable-through account.²² Finally, the U.S. government can seize funds from a foreign bank if the bank has an interbank account located in the United States. To date, the United States has seized \$65 million in assets and frozen \$147.4 million in terrorist funds.²³

Russia, on the other hand, passed the federal law “On Counteracting the Legalization (Laundering) of Incomes Obtained by Criminal Means and the Financing of Terrorism.” The statutes and stipulations are quite similar to those granted to the Department of the Treasury in U.S. law, including statutes criminalizing the use of Russian financial institutions for the laundering of illicit funds and/or the financing of terrorism, requiring all

financial institutions to identify pertinent persons with respect to accounts, and requiring these institutions to practice due diligence in identifying suspicious financial activity and reporting such activity to the appropriate authorities.²⁴

Multilateral initiatives aimed at combating terrorism financing are enshrined in UN Security Council Resolutions 1373 and 1390, respectively. UNSCR 1373 requires all states to freeze the assets of individuals and organizations identified as being terrorist in nature. UNSCR 1373 also explicitly criminalizes the passive support of terrorism, thus making willful inaction criminal.²⁵ UNSCR 1373 further calls on UN member states to create an early-warning system for terrorist activities by promoting terrorist-related information exchanges among UN member states. The resolution also calls for the propagation of international bilateral and multilateral initiatives to combat radicalism.

Under UNSCR 1390 (which requires all countries to freeze the assets of the Taliban and al Qaeda), approximately \$200 million had been seized as of September 11, 2003. However, most of this amount was frozen immediately on implementation and very little has been added thereafter.²⁶ The problem with attacking financial networks is that the international financial flow exceeds \$2 trillion daily, with illicit transfers making up a significant portion of this. Currently, most al Qaeda and Taliban holdings are in untraceable commodities such as diamonds and gold, and financial transactions take place through informal *halawa*²⁷ networks.²⁸ Efforts to thwart financing of international terrorism—regardless of whether these efforts are unilateral, bilateral, or multilateral—affect only a small portion of the yearly operating budgets of organizations such as al Qaeda.

Cooperation in Nonproliferation

The sophisticated nature of CBRN technologies has induced regimes governing nonproliferation to specialize by type of weapon, technology, or material. Chemical weapons, agents, and precursors are controlled by the Organization for the Prohibition of Chemical Weapons. Biological weapons and associated materials and technologies are controlled by the Biological Weapons Convention, missiles and missile technologies fall under the purview of the Missile Technology Control Regime, and conventional weapons and dual-use technologies are controlled by the Wassenaar Arrangement.

Nuclear weapons and related materials and expertise are controlled by a number of agreements, conventions, and treaties. The preeminent treaties are the NPT and the CTBT, which are complemented by associations such as the Nuclear Supplier's Group. Although the NPT and the CTBT have the force of international law, the remaining organizations are voluntary regimes with no enforcement mechanism, sanctioning regime, or monitoring capability. As a result, many member states are at liberty to violate provisions of their agreements with little threat of retribution from the international community. The international treaties, on the other hand, although carrying the force of law and having appropriate monitoring capabilities, have lost much of their normative force through violations from key members.

The most notable multilateral attempt at strengthening international export controls and border security has been UNSCR 1540, enacted in 2004.²⁹ First, UNSCR 1540 calls on states to reaffirm their commitment to the aforementioned multilateral control regimes. Second, the resolution directs governments to outlaw any assistance to nonstate actors in the area of WMD production, research, acquisition, and so on. UNSCR 1540 also requires

member states to adopt domestic legislation prohibiting nonstate actors from obtaining WMD technologies, materials, devices, and so on.

Perhaps most important, UNSCR 1540 is the first universally binding resolution that creates a formal link between effective export controls and terrorism prevention. It does this by requiring all UN member states to develop “appropriate” controls against the proliferation of biological, chemical, and nuclear weapons, technologies, materials, and expertise. According to UNSCR 1540, states must maintain effective accounting procedures, maintain appropriate physical protection measures, and establish effective border security

“Currently, most al Qaeda and Taliban holdings are in untraceable commodities such as diamonds and gold, and financial transactions take place through informal halawa networks.”

and law-enforcement checks against proliferant activity. Pursuant to these requirements, all states are obliged to submit an annual report to the UN Security Council regarding domestic measures they have taken to implement the aforementioned protocols.

Although UNSCR 1540 draws appropriate attention to the sphere of export controls and border security, it has several key failings regarding implementation. UNSCR 1540 does not create a single regime to take the place of the myriad voluntary arrangements

that currently make up the international nonproliferation regime. These other entities possess no effective enforcement mechanisms; nor do they, with the notable exception of the NPT, have monitoring requirements. The result is that UNSCR 1540 merely reaffirms previous regimes, providing no notable strengthening of their regulatory or enforcement capacities. Furthermore, although UNSCR 1540 calls for states to “develop and maintain” “effective” nonproliferation controls, it gives no parameters for what “effective controls” for export, border security, accounting methods, and so on should resemble. In essence this gives countries free reign to interpret their national responsibilities regarding nonproliferation.

The result is an annual list of reports whose quality varies wildly from one member state to the next. Additionally, although UNSCR 1540 is universally binding, it does not have a verification mechanism to ensure compliance. Thus, countries that have poor export control systems cannot be admonished for failing to develop them. Finally, UNSCR 1540 has no mechanism for providing assistance in the development of effective export controls. Although the 1540 Committee asks countries to provide or request assistance, there is not a clearinghouse that matches donors with potential recipients. This is understandable, to a certain extent, because certain donors may not want to assist certain recipients. Currently, however, the resolution leaves countries to resolve these issues in a bilateral fashion rather than through the comprehensive, all-inclusive approach that the problem of international terrorism demands.

Concerns regarding the physical security of CBRN weapons and facilities manifest themselves in several ways: attempts to downgrade stockpiles of CBRN weapons and materials, implement material accounting and controls, and harden WMD-related sites against potential terrorist attacks and/or infiltration.

The end of the Cold War brought an inevitable diminution in the threat of an intentional strategic exchange between the United States and the Soviet Union. The consolidation of the Soviet arsenal into one nuclear successor further alleviated fears of nuclear war. This increase in international stability prompted a sharp decline in policymakers' interest in arms reduction treaties. Disagreements over ABM deployment effectively halted the implementation of the START II accord, and little was initially proposed to take its place.

The rise of catastrophic terrorism, however, brought nuclear inventories back into the spotlight, with an emphasis on protecting nuclear weapon storehouses from terrorist infiltration, criminal theft, or other types of illicit diversion. The most obvious method for doing so is the reduction of nuclear inventories to controllable proportions. The 2002 Moscow Treaty was meant to accomplish this. This bilateral agreement sought to bring down long-range weapon arsenals in the United States and Russia to 1,700–2,200 operational warheads each. This massive reduction in stockpiles is meant to reduce the risks of WMDs on several fronts. Regarding an accidental or unauthorized launch, the Moscow Treaty was meant to reduce stockpiles and therefore provide opportunities for diversion, as well as to foster a cooperative framework and to allow for confidence-building measures intended to ameliorate distrust and enmity.

When taken in context with its START predecessors, however, the Moscow Treaty has several failings. First, the roughly twelve-page document lacks most of the regulatory teeth of START in terms of enforcement mechanisms and monitoring capabilities. Furthermore, the vagueness of what is meant by an "operationally deployed warhead" has allowed the Bush administration to assert that those weapons not actively deployed do not need to be destroyed, but rather inventoried to maintain "credible deterrence." This interpretation has understandably prompted similar action on the Russian side, and the result is that no real decrease in nuclear weapons has been achieved.

The Nunn-Lugar Cooperative Threat Reduction Program (CTR) is the seminal piece of legislation for facility protection and arms reduction. Conceived in 1992 and begun in earnest with funding from the U.S. Congress in 1994, CTR was meant to specifically address the vulnerable WMD inventories of the former Soviet Union. At the time of CTR's inception, the post-Soviet Russian strategic arsenal stood at forty thousand nuclear weapons, one thousand metric tons of fissile materials, hundreds of missiles, and massive quantities of biological and chemical agents.³⁰ Moreover, the USSR's highly secure borders guaranteed nuclear security.³¹

The collapse of these borders, combined with the introduction of organized criminal networks, has resulted in substantial increase in the likelihood of nonstate use of WMDs.³² The Defense Threat Reduction Agency was developed under the aegis of the Pentagon to oversee the implementation of CTR, and its contact agency in Russia is the 12th Directorate of the Russian Ministry of Defense (MOD). Currently, CTR's four main program areas include the systematic upgrade of MOD storage facilities, the development of a chemical-weapons destruction facility at Shchuch'ye, the conversion or destruction of items limited by the START treaties, and security upgrades at biological-weapon production facilities.³³

As of fiscal year 2005, CTR's total expenditures were \$13.4 billion.³⁴ Activities carried out under the aegis of CTR include dismantling START-limited WMDs and associated infrastructure, consolidating remaining FSU WMDs and related materials, securing sites

for production and storage of WMDs, supporting the implementation of best practices for the storage, use, and maintenance of WMDs, and supporting relevant authorities with a portfolio in preventing proliferation.³⁵ Perhaps more than any other program, CTR has run smoothly and with little more than bureaucratic setbacks.³⁶

The only notable areas of noncompliance have been in the area of chemical-weapon security in Russia and the United States. Members of the U.S. Congress worry that Russia will not meet its 2007 deadline for the destruction of chemical-weapon stocks, but increased environmental regulations recently passed by Congress have also delayed U.S. efforts. Currently, the United States hopes to meet its target by 2017.³⁷

Conclusion

This article illustrates the fact that Russia and the United States currently face two polarized forces. In the first instance, each country is intent on maintaining a great power foreign policy. This means that each country views itself as having a natural sphere of influence, a right to self-determination, and freedom of action in international relations. However, this impulse must be mitigated by the realities of the new security terrain. The history of cooperation in nonproliferation and counterterrorism to date shows that cooperation is possible, but problematic. The impetus for future action will stem from the ability of Russia and the United States to more closely review their parochial interests with an emphasis on the importance of political capital in facilitating necessary cooperation. A careful review of the context and results of past cooperation yields two categories for future action: areas in which improvements can be made in cooperation with each other and areas in which action should be prioritized because inaction represents an immediate danger to national security.

Areas for Improvement

For the United Nations to undertake the duties relegated to it by Evian and St. Petersburg, the following will need to take place: the international community must first begin by building UN capacity, counterterror responsibilities should be moved out of UNODC and given their own charter, and the new office should then be tasked with a number of priorities. First, the new office should develop a legal framework to encompass terrorism, beginning with formulating a universal definition of terrorism and devising other provisions necessary for effective international legal cooperation, namely legislation outlining criteria for extradition and/or trial for those suspected of terrorist activity. Second, the new office of counterterrorism should be given a budget appropriate to its mandate for overseeing capacity building in counterterrorism activities in developing nations. Third, a research and analysis team should be assembled to monitor trends in international terrorism and tasked with supplying the international community with information regarding emerging trends in terrorism. And finally, the findings of the Counterterror Committee should be referred to the General Assembly or the Security Council for further action should particular countries fall below acceptable international standards of counterterror legislation and implementation.³⁸

Perhaps one of the most sensitive areas of engagement will be “gray areas” or failed states. Here, cooperation is absolutely necessary so as not to fray relations between two great military powers. The United States, in this instance, needs to operate tactically in areas in or near Russia’s sphere of influence, such as Central Asia. This obviously exac-

erbates Russian concerns over NATO enlargement, and these concerns need to be taken seriously by Washington, which continues to view Moscow as a major military power.³⁹ Perhaps the portfolio of the joint NATO-Russia Council can be enlarged to deal with counterterrorism from a paramilitary and tactical standpoint, thus bringing the major powers into dialogue with one another regarding counterterror tactics. However, the individual players should reserve a degree of freedom to help them prosecute efficient counterterror operations.

In return for this freedom of action, the United States should drop its concerns regarding Russia's desire to diversify cooperation outside of international agreements specifically involving a U.S. presence. Russia's push to make the Shanghai Cooperation Organization a regional vehicle for counterterror initiatives should be welcomed by the United States as an opportunity for burden sharing rather than a threat to U.S. influence. Likewise, Moscow's joint declaration on counterterrorism with ASEAN should be regarded as an asset to international counterterrorism efforts rather than as a threat to Washington. Also, Russia's inclusion as a partner in NATO's Operation Active Endeavor, a project facilitating interdiction efforts in the Mediterranean, should calm Moscow's fears of increased NATO involvement in counterterror efforts.

Although the current ad hoc basis for legal and law-enforcement cooperation is optimal, there is one key failing that needs to be addressed. Namely, that there is no single terrorism watchlist in the United States,⁴⁰ let alone a universal terrorism watchlist that could be used to hinder the free movement of persons between national jurisdictions.

Priority Areas

As previously mentioned, CTR represents one of the greatest accomplishments for international nonproliferation efforts. Given this fact, many have argued for vastly accelerating the program and for speeding up deadlines for implementation of all CTR projects. Currently, only \$1.3 billion is spent on CTR every year. As of 2005, no more was being spent on CTR than was being spent prior to September 11. The threat of WMD terrorism has not had a sufficient effect on U.S. policy in this respect. As noted American political scientist Stephen van Evera stated, this amount should be tripled, and a high-profile policymaker should be placed at the helm to ensure maximum exposure and priority is granted to this initiative.⁴¹ Of utmost importance are increased monitoring provisions guaranteeing that U.S.-funded projects are implemented in an effective manner, helping avoid past problems with under-used U.S.-supplied equipment, poor training for those selected to use such equipment, and poor maintenance on equipment previously supplied.

In the area of export controls and customs modernization, the international community should adopt uniform customs standards for radioactive materials, conforming to IAEA standards.⁴² This is the primary obstacle to preventing the illicit transfer of strategic goods, materials, technologies, and so on across national borders. The biggest problems with successfully implementing such uniform requirements are inexperienced lawmakers, frequent reorganizations, and rapid personnel turnover within the government agencies responsible for implementing and enforcing export control regulations, along with the lack of a well-developed international policy to meet nonproliferation challenges. Most international infrastructure development projects focus on facilitating transport: on roadway reliability, reductions to border-crossing times, and limits on time-consuming customs formalities. Little attention goes to harmonizing proliferation controls and transit/trans-shipment

regulatory frameworks among the participating states. The international assistance that is designated specifically for export control regulatory and enforcement reforms targets each country individually, without due focus on regional dynamics and challenges.⁴³ Consequently, harmonizing export control systems, encouraging inter- and intra-agency cooperation in the export licensing process, facilitating information sharing and coordination, and enhancing the training provided to customs officials and border guard forces are among the issues in the region that require urgent attention. International security is only as strong as its weakest link. Unless all governments impose export controls and improve border security symmetrically, proliferators will relocate to areas where oversight is lax.

NOTES

1. Kenneth Waltz, *A Theory of International Politics* (New York: McGraw Hill, 1979), 39.
2. Anatol Lieven, "The Secret Policeman's Ball: The United States, Russia, and the International Order After 9-11," *International Affairs* 78, no. 2 (2002): 245–59.
3. Neoliberalism is used synonymously with liberal institutionalism here.
4. For neoliberal critiques of this phenomenon see Robert Keohane, "The Globalization of Informal Violence, Theories of World Politics, and the 'Liberalism of Fear,'" *International Organization* 1 (Spring 2002): 29–43, and Thomas Homer-Dixon, "The Rise of Complex Terrorism," *Foreign Policy* 128 (January–February 2002): 52–62, <http://www.globalpolicy.org/wtc/terrorism/2002/0115complex.htm>.
5. The main problem for terrorists is not weapon design, but the acquisition of fissionable material. Although there is ample evidence that gun-barrel-type devices could be fashioned with expertise available to some groups, weapons-grade fissile material cannot be processed without massive and expensive infrastructure.
6. Not all institutional explanations for Russian proliferation are as optimistic regarding Russian motives for proliferation or state capacity for controlling such activity. Some posit a Schumpeterian explanation for proliferant activity as being the result of a bloated military-industrial complex representing a domestic interest group the government is unable to resist or deter in its dealings.
7. James Rosenau, *Distant Proximities: Dynamics beyond Globalization* (Princeton, NJ: Princeton University Press, 2003), 369–99.
8. Robert Gilpin, *The Challenge of Global Capitalism: The World Economy in the 21st Century* (Princeton, NJ: Princeton University Press, 2002), 299–306.
9. The A. Q. Khan network represents the most elaborate proliferation network uncovered by international sources. Abdul Qadeer Khan established the Khan Research Laboratory in Rawalpindi, Pakistan, and used his position as head of Pakistan's nuclear program to run an international proliferation network spanning from North Africa to Central, South, and East Asia. He confessed to illegally selling nuclear technology and equipment in 2004 after Libya exposed his part in their nuclear program.
10. Raphael Perl, "International Terrorism: Threat, Policy, and Response," Congressional Research Service Report, August 9, 2006.
11. Daniel Byman, "The Logic of Ethnic Terrorism," *Studies in Conflict and Terrorism* 21, no. 2 (1998): 149–69.
12. Martha Crenshaw, "The Concept of Revolutionary Terrorism," *Journal of Conflict Resolution* 16 (September 1972): 383–96.
13. Robert Pape, "The Strategic Logic of Suicide Terrorism," *American Political Science Review* 97 (August 2003): 343–61.
14. Pape, 356.
15. Intelligence cooperation should represent a large front on a multilateral war on terror. However, the scarcity of useful open source information on the subject makes it difficult to discuss. Therefore, this article does not delve into this subject, but acknowledges that it warrants serious attention.

16. Nicolas Bayne, "Impressions of the Evian Summit, 1–3 June 2003 (First Version, 3 June)," available online at http://www.g7.utoronto.ca/evaluations/2003evian/assess_bayne030603.html (accessed September 19, 2006).
17. U.S. State Department, "Country Reports on Terrorism 2004," available at <http://www.state.gov/s/ct/rls/c14813.htm> (accessed September 15, 2006).
18. Ibid.
19. Perl, 10.
20. Center for International Trade and Security, "U.S. Anti-Terrorism Initiatives after 9/11," Information Note prepared for the Carnegie legislative briefing "Development of Effective Nonproliferation and Anti-terrorism Measures," October 26, 2005, Hotel Metropol, Moscow, Russia. Available online at <http://www.uga.edu/cits/documents/Legislative%20Visit/Oct2005Initiatives911.pdf> (accessed October 1, 2006).
21. Ibid.
22. Correspondent accounts are accounts established in the United States by foreign institutions that are used to make payments within the United States on behalf of the foreign institution. Payable-through accounts are U.S.-based accounts that allow users at other institutions (often foreign banks) to write checks on the balance.
23. Center for International Trade and Security, "US Anti-Terrorism Initiatives after 9/11."
24. The author did not find a source that states the overall amount of funds frozen or seized under Russian law.
25. It is important to note here that UNSCR 1373 does not create criminal code. Rather, it requires member states to adopt pertinent domestic legislation commensurate with international standards.
26. Perl, 14.
27. *Halawa* systems are informal financial networks that operate on the basis of interpersonal connections among nodes rather than more conventional financial channels. They represent a great obstacle to attempts at controlling international financial flows as they require little to no documentation and leave no electronic trail.
28. Perl, 14.
29. As of September 19, 2006, a full copy of United Nations Security Resolution 1540 can be found on the U.S. Department of State's Web site at <http://www.state.gov/t/np/rls/other/31990.htm>.
30. Simon Saradzhyan, "Russia: Grasping the Reality of Nuclear Terror," *Annals of the American Academy of Political and Social Science* 607 (September 2006): 64–77.
31. Saradzhyan, 65.
32. Saradzhyan, 66.
33. Notes from legislative exchange with James Reid, Kenneth Handleman, and Andrew Weber, Cooperative Threat Reduction, Office of the Secretary of Defense, U.S. Department of Defense, April 26, 2006.
34. Nuclear Threat Initiative, "Cooperative Threat Reduction: Funding Overview," http://www.nti.org/e_research/cnwm/overview/funding.asp (accessed October 10, 2006).
35. Ibid.
36. Some argue that the lack of reliable accounting of WMD arsenals to CTR authorities hampers its ability to accurately state that the threat of diversion has been reduced, because they do not know how many weapons should have been secured versus how many actually existed. However, this is not an arms control agreement, rather one that is intended to safeguard existing stockpiles from diversion. The end result then, that nuclear cities have been modernized, scientists accounted for, and weapons down-blended, speaks to the fact that it is an effective regime.
37. Reid, Handleman, and Weber.
38. This idea implies a sanctioning function be attached to the CTC. What sanctions would be acceptable and effective is a matter for further debate.
39. Andrei Shoumikhin, "Russian Probes on Arms Control Regimes," National Institute for Public Policy, July 2005.
40. Stephen van Evera, "Assessing U.S. Strategy on the War on Terror," *Annals of the American*

Academy of Political and Social Science 607 (September 2006): 10–26.

41. *Ibid.*, 15.

42. K. Kosachev, “International Law versus Nuclear Terrorism,” *Journal of International Affairs: A Russian Journal of World Politics, Diplomacy and International Relations* 49, no. 6 (2003): 100–10.

43. The United States, for example, provides nonproliferation assistance to the countries in the region under the State Department-administered EXBS program, but the majority of assistance is provided on a bilateral rather than a regional basis.