

The background of the entire page is a close-up, high-angle photograph of two flags. On the left, the top portion of the United States flag is visible, showing the blue field with white stars and the red and white stripes. On the right, the Turkish flag is prominent, featuring a large white crescent and a five-pointed star on a red field. The flags are draped and appear to be in motion, with soft shadows and highlights on the fabric.

CTR *Plus*

Political Mobilization for CTR Plus: Lessons Learned from CTR

MAY 2022

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Executive Summary

The experience of the United States Cooperative Threat Reduction (CTR) program offers useful lessons that could help to improve implementation of, and donor support for CTR Plus with the Democratic People's Republic of Korea (DPRK) proposed by the Asia-Pacific Leadership Network (APLN). CTR Plus would aim at reductions/elimination of weapons of mass destruction (WMD), related materials, and delivery vehicles, and have important additional, non-WMD elements, such as energy, space, and public health cooperation. One lesson from the CTR experience is that legal and political agreements are essential to lay out the goals, methods, and rules of the overall cooperative effort and of its individual elements. Another is that initial, relatively small projects can build trust over time that leads to more ambitious cooperation. A further lesson is that a division of funding responsibilities would be required between the United States (US) and other donor governments. The US Congress would likely support Department of Defense (DOD) funding and active involvement only for WMD-related reductions and elimination. Most funds for the non-WMD aspects of CTR Plus would probably have to come from other donor governments. An important resource in that regard could be the Global Partnership Against the Spread of Weapons and Materials of Mass Destruction, which now has thirty-one active members. Many of those are European Union and Asia-Pacific governments, which would have a special interest in CTR Plus. An additional lesson, from the Global Partnership more than CTR specifically, is the importance of close cooperation with relevant international organizations and initiatives.

Introduction

The experience of the United States Cooperative Threat Reduction (CTR) offers important lessons that could help foster political support for, and successful implementation of, the Asia-Pacific Leadership Network (APLN)'s proposal for CTR Plus with the Democratic People's Republic of Korea (DPRK).¹ CTR Plus aims to chart a new course toward eventual DPRK denuclearization, but also going well beyond that. Responding to the special challenges of working productively with the DPRK to eventual denuclearization, "CTR Plus offers a new approach by proposing discrete, small to medium scale localized projects – with the potential for large-scale impact – which address the DPRK's critical and urgent problems on energy insecurity, public health and the COVID-19 pandemic."²

The Political Context for CTR and CTR Plus

CTR was created just as the Soviet Union was disintegrating. Its primary aims were to reduce weapons of mass destruction (WMD) and to prevent WMD proliferation. The Soviet Nuclear Threat Reduction Act of 1991 established CTR in December 1991 to: "1) destroy nuclear weapons, chemical weapons, and other weapons, 2) transport, store, disable, and safeguard weapons in connection with their destruction; and 3) establish verifiable safeguards against the proliferation of such weapons."³ Initial funding was solely located in the Department of Defense (DOD).

CTR has changed greatly since 1991. In Financial Year (FY) 1997, the Departments of State and Energy (DOE) received funding for their own CTR programs. The US Congress did not limit the geographic scope of the Department of State and DOE programs, but it was some years before the DOD CTR was allowed to expand beyond the former Soviet Union. Russia, which received the bulk of CTR assistance in its early years, no longer participates in the effort.

¹ 'Cooperative Threat Reduction Plus: Breaking the Stalemate with the DPRK', Synthesis Report (Seoul: Asia-Pacific Leadership Network, 17 December 2021), For a full description of the CTR Plus project at APLN, see, <https://cms.apln.network/wp-content/uploads/2021/12/Synthesis-Report-Cooperative-Threat-Reduction-Plus.pdf>; for a detailed overview of the CTR program, see Joseph P. Harahan, *With Courage and Persistence: Eliminating and Securing Weapons of Mass Destruction with the Nunn-Lugar Cooperative Threat Reduction Programs*, DTRA History Series (Washington DC: US Department of Defense, Defense Threat Reduction Agency, 2014).

² 'Cooperative Threat Reduction Plus', 4.

³ Mary Beth D Nikitin and Amy F Woolf, 'The Evolution of Cooperative Threat Reduction: Issues for Congress', Congressional Research Service Report, 23 November 2015, 2.

While the United States (US) Congress no longer imposes any geographic limits on CTR assistance which would prevent its use in the DPRK, regulatory or legislative relief from existing sanctions against the DPRK would be required for most US government assistance to CTR Plus.⁴ The relatively small State Department Nonproliferation and Disarmament Fund (NDF) is an exception, having had so-called “notwithstanding authority” since its creation in 1994.⁵ That allows it to provide assistance to a recipient state “notwithstanding any other provision of law,” such as sanctions. Thus, for example, it was the NDF, and not DOD or DOE CTR, that helped fund the disablement of Yongbyon in 2007.⁶ The US Congress did not provide DOD CTR with any “notwithstanding authority,” until 2010, but limited it to just 10 percent of the program’s budget, later raised to 15 percent.⁷ As a result, any sizeable DOD CTR participation in CTR Plus would require the US Congress to lift or amend sanctions on the DPRK and/or eliminate the cap on DOD CTR’s “notwithstanding authority;” the latter might be politically more feasible.

The US Congress would almost certainly approach an administration request to fund CTR Plus with great skepticism, given the unremitting hostility between the United States and the DPRK since its founding in 1948, and the DPRK’s consistent violations of its nonproliferation commitments since 1985. The CTR program also faced some strong Congressional opposition when it was created in the waning days of the Soviet Union. CTR opponents ultimately did not prevent passage of the legislation but succeeded in imposing some important constraints on the DOD program. Some restrictions on DOD CTR were eased as the program produced significant results, but it took a positive review by the new Republican George W. Bush administration of CTR in Russia for the Congress to lift most remaining constraints and to begin consistently funding DOD CTR at the levels requested by the administration.⁸ Thus, DOD CTR was not immune to partisan US Congressional politics in its early years; the Congressional environment facing a future CTR Plus would inevitably be even more partisan.

⁴ See: ‘North Korea Sanctions’, U.S. Department of the Treasury, accessed 2 May 2022, <https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/north-korea-sanctions>.

⁵ As of 2019, NDF appropriations totaled \$741 million since its creation in 1994. In FY2016 and 2017, its appropriation was \$30 million a year, see: ‘Audit of the Office of Nonproliferation and Disarmament Fund Financial and Contract Activities During FY 2016 and FY 2017’ (Washington DC: United States Department of State, Office of the Inspector General, April 2019), <https://www.stateoig.gov/system/files/aud-fm-19-22.pdf>.

⁶ ‘Nonproliferation and Disarmament Fund: State Should Better Assure the Effective Use of Program Authorities’ (Washington DC: United States Government Accountability Office (GAO), November 2012), 10–11, <https://www.gao.gov/assets/gao-13-83.pdf>.

⁷ United States Code, 50 USC Ch. 48: Department of Defense Cooperative Threat Reduction, Para. 3713(a), from Title 50 – War and Defense, available at <https://uscode.house.gov/view.xhtml?path=/prelim@title50/chapter48&edition=prelim>

⁸ See: ‘Fact Sheet: Administration Review Of Nonproliferation and Threat Reduction Assistance to the Russian Federation’, The American Presidency Project, 27 December 2001, <https://www.presidency.ucsb.edu/documents/fact-sheet-administration-review-nonproliferation-and-threat-reduction-assistance-the>.

While the US domestic political environment facing CTR at its origin was far from unanimously positive, it still had a few advantages that might elude CTR Plus. First, CTR's partners in the early years were not just new governments, but entirely new states. Barring the unforeseen, that would not be the case with CTR Plus. Each in its own way, Ukraine, Belarus, Kazakhstan, and even Russia, were eager to break with the Soviet past, and to forge close, productive relations with the West. Over time those attitudes changed dramatically, in Russia, Belarus, and to an extent in Kazakhstan – although not in Ukraine – but they were very important in CTR's early years.

Second, the Strategic Arms Reduction Treaty (START) I, signed between the United States and the Soviet Union in July 1991, and its May 1992 Lisbon Protocol provided an essential legal framework for CTR work on nuclear and strategic delivery vehicle reductions. In the Lisbon Protocol, Ukraine, Belarus, Kazakhstan, and Russia assumed the Soviet Union's obligations as parties to the START I, and the first three committed to join the Nuclear Nonproliferation Treaty (NPT) as non-nuclear weapon states.⁹ Under side letters to the Protocol, those three agreed to eliminate all strategic offensive arms located on their territories.¹⁰

CTR was also facilitated by Russian and US political commitments to eliminate all of their short-range ground-launched nuclear weapons. Those were part of the Presidential Nuclear Initiatives (PNI) announced by President George H. W. Bush in September 1991. The PNI were unilateral/reciprocal, meaning that the United States was willing to implement them unilaterally, but called on the Soviet Union to reciprocate. Soviet General Secretary Mikhail Gorbachev announced similar commitments a week later; Russian President Boris Yeltsin affirmed and expanded those in January 1992. That all short-range ground-launched nuclear weapons were to be eliminated was a crucial factor for Ukraine, Belarus, and Kazakhstan to allow in May 1992 the return of all such weapons on their territory to Russia.¹¹

CTR benefitted further from a legal framework for its biological and chemical threat reduction work in the former Soviet Union. The first already exists for the DPRK, but not the second. Russia, Belarus, and Ukraine all joined the Biological Weapons Convention in 1975,¹² DPRK joined in 1987, and Kazakhstan in 2007. Russia, Ukraine, Belarus, and Kazakhstan signed the Chemical Weapons Convention (CWC) when it was opened for signature in January 1993, and joined in 1997, 1998, 1996, and 2000, respectively; the DPRK has never signed the CWC.

⁹ Actual NPT adherence took some time, especially for Ukraine. Belarus acceded in February 1993, Kazakhstan in February 1994, and Ukraine in December 1994.

¹⁰ 'Protocol to the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Reduction and Limitation of Strategic Offensive Arms', 23 May 1992, <https://2009-2017.state.gov/documents/organization/27389.pdf>.

¹¹ Susan J. Koch, 'The Presidential Nuclear Initiatives of 1991-1992': (Fort Belvoir, VA: Defense Technical Information Center, 1 September 2012), <https://apps.dtic.mil/sti/pdfs/ADA577537.pdf>. Russia ultimately failed to implement fully the PNI reductions.

¹² Belarus and Ukraine joined as the Byelorussian Soviet Socialist Republic and the Ukrainian Soviet Socialist Republic, which were founding members of the United Nations in 1945 as supposedly independent states.

For CTR specifically, the programs in Russia, Belarus, Ukraine, and Kazakhstan were governed by so-called “umbrella agreements” that laid out basic provisions for conduct of projects, such as freedom from taxation, diplomatic privileges and immunities, liability protections and audits, and examinations. Each umbrella agreement had a seven-year, renewable duration. Those were supplemented by one-year implementing agreements providing specific provisions (such as the dollar amount of US assistance) for each project. The umbrella and implementing agreements were regularly renewed for as long as they were required; the CTR program in Russia ended when the Russian government refused to renew the umbrella agreement for a third time in June 2013.¹³

The umbrella and implementing agreements were not legally-binding, but readily enforceable through the US ability to withhold assistance in case they were violated. In practice, failures to comply with the agreements were extremely rare.

The importance of these initial agreements was underscored by the level at which they were signed. For example, the Russian umbrella agreement was signed by Presidents George H. W. Bush and Boris Yeltsin in June 1992; the Kazakhstan umbrella agreement was signed by President Nursultan Nazarbayev and Vice-President Al Gore in December 1993.

Relevant general legal obligations and political commitments, such as START, CWC, and PNI, were critical in helping define the parameters of CTR in the former Soviet Union. The specific provisions of the umbrella and implementing agreements were also essential, especially when CTR was just beginning and the parties were embarking on unprecedented cooperation in areas that previously epitomized their Cold War hostility.

A solid framework of general and specific commitments would almost certainly also be required for CTR Plus. Its breadth and complexity would require a far more detailed commitment structure than that provided by the closest DPRK precedents: the 1994 Agreed Framework and 1995-2001 Korean Peninsula Energy Development Organization (KEDO) Agreements.¹⁴

¹³ For a description of the first Russian umbrella and implementing agreements, see Harahan, *With Courage and Persistence*, 33-34. For a discussion of the political, economic and bureaucratic circumstances surrounding the conclusion of the first Russian umbrella agreement and of its initial renewal in 1999, see Susan Koch, ‘Cooperative Threat Reduction Negotiations: Lessons Learned,’ in *National Research Council, Strengthening U.S.-Russian Cooperation on Nuclear Nonproliferation: Recommendations for Action* (Washington, DC: National Academies Press), Appendix C, 42-46.

¹⁴ See Korean Peninsula Energy Development Organization, ‘Promoting Peace and Stability on the Korean Peninsula and Beyond,’ www.kedo.org.

Success Breeds Success

As mentioned above, one characteristic of CTR Plus would be to begin with “specific, discrete and relatively modest” projects whose “benefits would accumulate both to the DPRK and the international partners, laying the groundwork for dialogue and expansion into other substantive areas including collective security.”¹⁵ The CTR experience shows the wisdom of that approach. One important CTR example is in the area of nuclear security.

The first implementing agreements signed at the June 1992 US-Russian Summit were to provide armored blankets, emergency response equipment, and fissile material containers, to enhance the safe transport or storage of nuclear warheads being removed from Ukraine, Belarus, and Kazakhstan, and of fissile materials from dismantled warheads.¹⁶ Those projects served important nonproliferation goals but were narrow in scope, so they did not require politically and logistically difficult on-site work and could be accomplished quite quickly. Those modest beginnings soon led to more ambitious on-site projects to enhance the security of Russian fissile material storage sites. Finally, in Summer 1995, after three years of cooperation, the Russian Ministry of Defense requested assistance to enhance the security of nuclear warhead storage sites. That extremely sensitive work would not have been possible without the habits of trust and cooperation that had built up over the previous three years. It was also essential that the proposal came from Russia rather than from the United States.

Funding of CTR and CTR Plus

The Clinton administration, in office from January 1993 to January 2001, enthusiastically supported the CTR. Initially, it took an expansive view of the program’s goals, as did the then-Democratically controlled US Congress. That view was not quite as wide as the Plus elements of CTR Plus, but still went beyond strict WMD and related materials reductions and security. Thus, the administration proposed, and Congress agreed, that CTR should “seek to prevent diversion of scientific expertise from the former Soviet Union; facilitate demilitarization of defense industries; establish science and technology centers in Russia and Ukraine; and expand military-to-military contacts” between the former Soviet states and the United States. In FY 1994, the Congress also authorized use of CTR funds for a Defense Enterprise Fund, environmental

¹⁵ ‘Cooperative Threat Reduction Plus’.

¹⁶ Harahan, *With Courage and Persistence*, 33.

restoration at closed military installations, and housing for former Strategic Rocket Forces officers.¹⁷

After the Republican Party took control of the House in 1994 and Senate in 1996, that trend reversed. Beginning in 1996, a series of restrictions were imposed that remain till date: DOD CTR funds are legally prohibited from use for peacekeeping, housing, environmental restoration, job retraining, defense conversion, reduction of conventional weapons or conventional delivery vehicles (unless those could also deliver WMD).¹⁸ The Congressional opponents of an expansive scope for DOD CTR argued that the program should reduce and prevent the proliferation of WMD, related materials, and delivery vehicles. They opposed any use of program funds for projects that were at best only indirectly related to those core purposes.

Congressional authorizers and appropriators for State Department CTR have taken a less narrow view, continuing to authorize the Science and Technology Centers (now headquartered in Kazakhstan and Ukraine) and export control training. The members of Congress tend to support State Department programs that fall under a broad diplomatic rubric, whereas they expect the Defense budget to be spent on defense specifically. The problem is that the State Department CTR budget is much smaller than DOD's.

DOE's CTR effort is by far the largest of the three, totaling over \$2 billion in FY2021. However, those funds are exclusively destined for "Defense Nuclear Nonproliferation." DOE support for energy cooperation under CTR Plus would likely come, if at all, from the broader DOE budget. A further note of caution: the fate of KEDO and the Agreed Framework do not inspire optimism that any significant US government funds would be available for energy cooperation under CTR Plus.

More positively, both the CTR and Agreed Framework experiences suggest a possible productive division of labor in funding CTR Plus. Under the Agreed Framework, the Republic of Korea and Japan provided most of the funds to build the promised light-water reactors in the DPRK, while the United States fulfilled the requirement to provide heavy fuel oil until late 2001 when it declared that the DPRK was in violation of the Agreed Framework. Under CTR, Russia would not allow one important project – construction and operation of a chemical weapons destruction facility at Shchuch'ye – unless it also included a hospital to treat industrial accidents and a rail line to transport the weapons from their storage sites. Congress forbade support for such infrastructure improvements, so DOD successfully persuaded several other governments to fund them.

¹⁷ Amy F Woolf, 'Nunn-Lugar Threat Reduction Programs: Issues for Congress', CRS Report for Congress (Washington DC, 2002), 11. Russia and Ukraine asked for such housing, arguing that their laws prohibited dismissing career soldiers without providing housing for them. Ultimately, only one housing project was built, at the former ICBM base in Pervomaysk, Ukraine.

¹⁸ United States Code, 50 USC Ch. 48: Department of Defense Cooperative Threat Reduction, Para. 3731(a) and (b).

A CTR Plus division of funding responsibilities would have to be much larger, but more resources might be available than during the time of the Agreed Framework. DOD and DOE would concentrate on WMD threat reduction, while other governments would focus more on such Plus aspects of the effort as energy and space.

It is important to note that the WMD threat reduction likely to be supported by the US Congress would include at least one, and possibly part of another, Plus element of CTR Plus. Chemical weapons disposal would definitely fall under WMD threat reduction. So too might some aspects of public health cooperation, if there was a link to biological threats.

A sharp dividing line between the different aspects of CTR Plus would not be feasible. In some cases, parts of the same effort would have to be separately funded, as was the case for the Shchuch'ye chemical weapons destruction facility.¹⁹ In others, cooperative projects might proceed independently, but they would have to be in rough tandem. WMD threat reduction must be accompanied by progress in the other CTR Plus areas if DPRK cooperation is to continue to be sustained, while most donor governments would require progress on WMD threat reduction to sustain other forms of assistance.

An important potential funding source for the Plus parts of CTR Plus did not exist at the time of the Agreed Framework. The G-8 established the Global Partnership Against the Spread of Weapons and Materials of Mass Destruction in June 2002, to expand allied participation in CTR-type work in the former Soviet Union. As of June 2002, the United States had expended approximately \$7 billion in that area, whereas the rest of the G-8 combined had spent only about \$500 million. In June 2002, the US committed to provide \$1 billion a year in such assistance for 10 years, and the other G-8 members combined committed to do the same.²⁰

Since then, the Global Partnership's membership, geographic reach and substantive scope have expanded considerably. There are now thirty one active members.²¹ Unfortunately, Russia is no longer a member, and China has never joined.²²

¹⁹ In at least one case, a non-governmental organization also contributed to the Shchuch'ye infrastructure. The US Nuclear Threat Initiative contributed \$1 million to the rail line. See NTI, 'Shchuch'ye Chemical Weapons Destruction Facility,' 2009, <https://www.nti.org/about/programs-projects/project/shchuchye-chemical-weapons-destruction-facility/>.

²⁰ 'Fact Sheet: G-8 Summit -- Preventing the Proliferation of Weapons of Mass Destruction', The White House, Office of the Press Secretary, 27 June 2002, <https://georgewbush-whitehouse.archives.gov/news/releases/2002/06/20020627-7.html>.

²¹ Australia, Belgium, Canada, Chile, Czech Republic, Denmark, European Union, Finland, France, Georgia, Germany, Hungary, Ireland, Italy, Japan, Jordan, Kazakhstan, Republic of Korea, Mexico, Netherlands, New Zealand, Norway, Philippines, Poland, Portugal, Spain, Sweden, Switzerland, Ukraine, United Kingdom, and the United States.

²² Global Partnership Against the Spread of Weapons and Materials of Mass Destruction, 'Partners,' www.gpwmd.com/partners.

The current priority areas of the Global Partnership are: “strengthen nuclear and radiological security; mitigate biological threats; chemical weapons destruction and security; and support for implementation of United Nations Security Council Resolution 1540.”²³ The public health and chemical disposal areas could be of particular relevance for CTR Plus.

The Global Partnership collaborates with many relevant international organizations and initiatives. So too should CTR Plus. The International Atomic Energy Agency and Organization for the Prohibition of Chemical Weapons would have to be closely involved in WMD threat reduction, to meet both substantive and treaty requirements. The same would be true of the Comprehensive Test Ban Treaty Organization if the DPRK acceded to the Comprehensive Test Ban Treaty. In the other areas of CTR Plus, collaboration with relevant international groups would not be legally required, but still very useful. Some obvious examples include the World Health Organization, World Food Program, Food and Agriculture Organization, and Global Health Security Agency.

Conclusion and Recommendations

The United States government should not play the dominant role in CTR Plus that it did in the original CTR program. However, its active participation and leadership would be essential to success in the effort. This paper provides three general recommendations for the US government to follow in order to attain that outcome. First, it should engage in a vigorous public relations effort to persuade the US public, media and potential future members of Congress of the need and prospects for successful CTR Plus engagement with the DPRK. That would be most necessary and difficult, given the long history of conflict between the two nations.

Second, the US executive branch would have to keep the Congress closely informed of the progress of discussions with the DPRK on CTR Plus from their early stages.²⁴

²³ Global Partnership Against the Spread of Weapons and Materials of Mass Destruction, ‘Priorities,’ <https://www.gpwmd.com/global-partnership-priorities>.

²⁴ The U.S. negotiations with the Soviet Union that led to the INF and START Treaties provide a good example of the benefits of close consultation with the Congress. The executive branch regularly briefed the Senate Arms Control Observer Group (SACOG), in writing and in person, about the progress of negotiations. The SACOG also occasionally visited the US negotiating teams in Geneva. As a result, the SACOG formed a core of interested, informed Senators whose positive assessment of the Treaties contributed importantly to their overwhelming approval by the Senate (vote on INF was 93-5, and on START 93-6). Unfortunately, the SACOG no longer exists, but the practice of informing the Congress throughout the process could be resumed. See: Nickolas Roth, ‘The Evolution of the Senate Arms Control Observer Group’, Federation of American Scientists Public Interest Reports (Federation of American Scientists, 5 June 2014), <https://fas.org/pir-pubs/evolution-senate-arms-control-observer-group/>.

Third, the United States should work with leading members of the Global Partnership well before any specific CTR Plus agreement with the DPRK, to ensure the Partnership's active financial support of the effort, and especially of its Plus aspects. Those important members would include at least the current, immediate past, and next Presidents of the Global Partnership, Japan, the Republic of Korea, Australia and the European Union. In turn, the ability of the US executive branch to tell the Congress of the willingness of other governments to participate actively in CTR Plus, and especially in support of its Plus elements, would go far to persuade the Congress to fund the threat reduction aspects.

In summary, CTR's experience underscores that CTR Plus would face real political challenges on the donor side, especially from the United States, but quite possibly from some other donor governments as well. For example, the Agreed Framework/KEDO experience might make major donors to that project wary of committing large funds to CTR Plus at the outset.

Nevertheless, the overall lessons for CTR Plus from CTR appear more positive than negative. Funding from DOD and DOE would almost certainly be limited to WMD threat reduction, but that would obviously be a critical part of the effort, essential to world peace and security. For the other important elements of CTR Plus, the Global Partnership would prove an invaluable resource, far more extensive than was available to the Agreed Framework. Finally, and crucially, successful implementation would be self-reinforcing, helping to reduce donor skepticism and to encourage program growth across the board.