



News In Review

A collection of NGO views on the NPT PrepCom 2003

May 5, 2003 - No. 6



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The Genie is Out

With one week down and only one week to go, both diplomats and NGOs have spent the past few days assessing what, if any, progress has been made so far at this meeting, and figuring out where to go from here.

On Friday, May 2nd, Chairman Molnar took the time out of his schedule to brief the NGOs at our morning caucus, where he identified the reoccurring themes and points of contention that have emerged the first week.

During the Wednesday afternoon session, Ambassador Molnar introduced a new "inter-dialogue experiment," by which States Parties can now raise questions after each statement. This "interactivity," he said, was "yielding results," but he is mindful as Chairman "that it doesn't go too far" now "that the genie is out of the bottle."

Almost all states, said Mr. Molnar, have re-affirmed the NPT as the cornerstone of the international non-proliferation and disarmament regime. Most states have demonstrated support for verification measures, regular reporting as a confidence-building measure, and increased NGO participation, the latter of which, he said, "is more obvious now than a year ago."

Unfortunately, serious points of contention have arisen over the 13 Steps and the level of adherence that should be expected. Echoing the debate that nearly halted last year's PrepCom, some Nuclear Weapon States (NWS) are still adamantly against a standardized reporting mechanism. There is also an absence of unanimity over the codification of Negative Security Assurances.

Perhaps the most disappointing, is the clear-cut backing away from a commitment to general and complete disarmament. Some states believe that the world should be satisfied with a yet-to-be-fulfilled commitment to nuclear disarmament.

On Saturday, over 40 NGO representatives from around the globe (with the absence of representation from South America), converged for the annual Abolition 2000 meeting to build off of Ambassador Molnar's assessment and to re-assess our own strategy for the upcoming week and the year ahead. Exciting new initiatives were discussed, including major disarmament education projects, Kofi Annan's call for a Global Conference to Eliminate Nuclear Dangers, Mayor Akiba's Campaign to Abolish Nuclear Weapons in 2005, and increasing the quality and quantity of NGO access to disarmament fora.

During the months leading up to the PrepCom, most of the energy, resources, and time of these various groups had been consumed by the US and UK's so-called "preventative" war on Iraq, and to building the unprecedented peace movement that grew in response. Although the war was carried out despite our enormous efforts, our time and resources will not have been wasted so long as we can successfully link that energy to the campaign for disarmament.

Another genie has been let out of the bottle. The war on Iraq was, after all, (if one is to believe the governments who waged it,) a war over disarmament. The people of the world do want disarmament, generally and completely.

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News In Review is funded by Ploughshares Fund, The Ford Foundation, The Simons Foundation & others

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Who s Who - NGO profile

Trish Williams Mello

Los Alamos Study Group

1. What are your hopes or expectations for the Nuclear Non-Proliferation 2003 Prepcom?

That the energy, knowledge and ideas are taken back to our home organizations and put into practice to further empower others. I was told that this was the best group of NGO presentations made so far at Prepcoms. Good job of planning and incorporating information for those. Next time they will be further improved I am sure. I hope and expect the delegates to consider these reports as the highly technical and professional reports they are and use them to improve policies and develop these recommendations further.

2. What topics do you work on most or find the most interesting in this forum?

The topics I work on are the U.S. Department of Energy's nuclear weapons programs and national laboratories. In how the illegal and immoral actions of the U.S. government in the current war in Iraq have affected relations with former allies and friendly nations. This irresponsible attitude of the U.S. has permanently damaged what generations of diplomats have worked to build.

3. What led you to be doing the work that you are doing now?

I felt it was my moral obligation and responsibility to share all the information I could find out about the secret weapons programs and resulting human exposures and environmental damage conducted and caused by the U.S. Department of Energy. As a mother of four I had a direct and personal concern that drove me to investigate these secret operations and how they might affect my family. But more so, how were they now or how had they already affected my country and our world. People were suffering from past and present actions of our government and I had evidence that those actions might be planned (or certainly carried out) originating across the road from our farm at the nation's secret final assembly and disassembly point for all the nuclear weapons in the U.S. - the Pantex Nuclear Weapons Facility.

Who s Who-Diplomat Profile

Henrik Salander

Permanent Representative of Sweden to the Conference on Disarmament

1. What are your hopes or expectations for the Nuclear Non-Proliferation 2003 PrepCom?

That the positions of the States Parties start to converge and a better dialogue is developed, so that the third PrepCom can get seriously started on the difficult negotiation tasks for the Conference in 2005-- because that RevCon will be decisive for the future of the NPT. It must be deeply understood that neither disarmament nor non-proliferation can succeed without the other.

2. What topics do you work on most or find the most interesting in this forum?

As Chair of the first PrepCom, I had to deal with more or less the whole area, and the same goes for this year. I work within the New Agenda Coalition, within the EU and with my own Swedish delegation, plus as vice-Chair for Ambassador Molnar.

3. What led you to be doing the work that you are doing now?

By coincidence- and with my liking- my diplomatic work has for a number of years been in the multilateral/ UN area. Before I became ambassador for disarmament, I was Deputy Head of Mission for Sweden in New York.

Quote of the Day

"The best way to get the indication of the seriousness of the (Bush) administration is to follow the request of the money in the defense authorization. We budgeted \$700m for the fiscal year 2004 (for special projects related to the nuclear arsenal), including funds that could be used to prepare for new tests and cut in half the time needed to conduct them."

-Senator Edward Kennedy,
Tuesday, April 29, 2003

Non-proliferation and Counter-proliferation: Complementary or Incompatible?

From the 1998 nuclear tests by India and Pakistan, to the failure of the US Senate to ratify the Comprehensive Test-Ban Treaty (CTBT) in 1999, to the recent North Korean withdrawal, the road traveled since the indefinite extension of the NPT in 1995 has been decidedly rocky. The nuclear non-proliferation regime, of which the Treaty is the cornerstone, has been severely challenged.

Even more challenging than these concrete setbacks, a policy change has occurred within some countries. A strategy of counter-proliferation has been adopted by two of the NPT's nuclear weapons states (NWS), the United States and the United Kingdom. In the UK the Non-Proliferation Departments at the Foreign Office and Ministry of Defence have recently been renamed the Counter-Proliferation Departments.

This change reflects a paradigm shift that poses an even greater dilemma, bringing into question the future for the nuclear weapons non-proliferation regime. In light of this new approach to tackling the problem of nuclear proliferation, it must be asked whether a formal international non-proliferation regime remains viable or is even compatible with this new approach. Will unilateral, bilateral and multilateral counter-proliferation methods now displace it?

Any attempt to marry the international nuclear non-proliferation regime with counter-proliferation strategies of individual states is unfeasible. The two are inherently incompatible. A policy of counter-proliferation calls into question and thus undermines the foundations of any non-proliferation regime since, as a policy, counter-proliferation is necessarily *ex post facto*. It is only employed if and when the non-proliferation regime (which requires self-restraint rather than imposed restraint) is deemed to have failed. By definition, in other words, it addresses proliferation that has occurred or is being attempted. It therefore rests upon the assumption that the non-proliferation regime — designed to restrain such actions — will fail. Thus, a policy of counter-proliferation undermines and thereby challenges the basis of the non-proliferation regime. There appears to be an irresolvable tension between the two.

In addition, and as noted earlier, those intent on acquiring nuclear weapons will be subject to counter-proliferation strategies, while those without such intent will not. Neither scenario particularly requires a non-proliferation regime to exist beneath more proactive approaches for preventing horizontal nuclear proliferation.

Such a conclusion is difficult to dispute. If there were no non-proliferation regime already, there could be a reasonably convincing argument against creating one. This

is, however, beside the point. A nuclear non-proliferation regime does exist and has done for more than 30 years. Fatally undermining it would, as a consequence, be to the detriment of everyone's interest, including those states that are now moving away from the norms of non-proliferation in favour of counter-proliferation.

It is important to note at the outset that the non-proliferation regime, as it is framed by the NPT, serves to address the problem of vertical proliferation (by those states already possessing nuclear weapons) as well as that of horizontal proliferation (by those states which do not possess nuclear weapons but which actively seek to acquire them). This dual aspect of the non-proliferation regime, while a selling point to some, is a thorn in the side of those states that are moving towards the adoption of a counter-proliferation strategy. The non-proliferation regime is predicated, among other things, on the assumption that nuclear proliferation — both horizontal and vertical — is inherently dangerous.

Indeed, this is the primary norm upon which the regime is based. On the other hand, counter-proliferation focuses solely on the prevention of horizontal proliferation, to the exclusion of vertical proliferation except, perhaps, within the context of individual agreements (the START treaties and, arguably, SORT).

The question remains, however, as to whether this new policy is compatible with, or even a better alternative to, an international non-proliferation regime. It is unlikely that those who have no intention of acquiring nuclear weapons (even those who are capable of doing so) would suddenly embark upon such a programme if the regime were abandoned. Those who wish to acquire them — besides those outside the NPT who already possess them — are equally as unlikely to exercise self-restraint or be shamed into abandoning such ambitions simply because of their NPT membership as non-nuclear states. It is therefore logical to ask, given present circumstances, whether the NPT and the regime it sustains should be linked with counter-proliferation strategies or simply abandoned.

To dispose of the regime — or to marginalize it to the point where it is toothless and therefore meaningless — would be to undermine the nuclear taboo that has stood since 1945. It would implicitly relegate nuclear weapons to the status of a particularly powerful kind of conventional weapon. This would constitute an intellectual shift that is already evident in the Nuclear Posture Review (NPR), the National Security Strategy and the Strategy to Combat Weapons of Mass Destruction and has, in some quarters, been encouraged to flourish. To marginalize the regime or the NPT is to suggest that these weapons are unworthy of being singled out for special prohibition. Admittedly, this kind of reconfiguration would not

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occur overnight. However, a decade or two in the future could well present a different picture, and even those with little or no interest in acquiring them now may, without the continuing reification of this taboo, grow to see them as being in their national interest. The precedent set is at least as worrying. If the nuclear taboo can be undermined, in other words, it is difficult to imagine one that cannot.

One must also note that to abolish one regime, whether de jure or de facto (and especially one so long established), is to damage more generally the *raison d'être* of "international regimes." This has the potential to bring them all into question. Furthermore, this regime — and any others — will be difficult to resuscitate or revalidate if they are later deemed to be in the national interest of those who have rebuffed them.

Finally, rejection of the non-proliferation regime causes further problems for the standing of those who have turned instead to counter-proliferation strategies. Not only does it become more difficult for those parties to negotiate new regimes, but it may also be equally difficult to negotiate bilateral and multilateral agreements if, having previously shown oneself willing to abandon such agreements, one is viewed to be negotiating in bad faith. To damage the regime's credibility is to damage one's own.

Favouring counter-proliferation policies over non-proliferation — and, as has been noted, to make use of such policies is necessarily to privilege them — has both immediate and longer-term consequences which may be decidedly against the interest of those employing them. There is thus a need for those embarking on this paradigm shift, firstly, to recognise it as such. Not only are the terms "non-proliferation" and "counter-proliferation" far from interchangeable, the innate conflict between the two cannot be left unresolved indefinitely. A decision must be made. It is essential to recognise that any decision that undermines the nuclear non-proliferation regime has consequences that may return to haunt those who made it.

Dr Fiona Simpson
British American Security Information Center
<http://www.basic.int>

WHAT'S ON

Week Two

Everyday:

Morning Caucus, 9am - 10am, Conference Room XXIV

Linus Pauling Exhibition, Halles des Pas Perdu

Panel on Space Weaponization, Monday, May 5, 1-3 PM
hosted by Acronym Institute for Disarmament Diplomacy, UNIDIR, and Project Ploughshares

IAEA presentation to the States Parties, Tuesday AM session

NGO Committee for Disarmament Roundtable, Tuesday, May 6, 1-5pm
Conference Room XXIV

Screening of the BBC documentary on the Israeli nuclear program, Wednesday, May 7, 1-3 pm, Conference Room XXIV,
sponsored by Greenpeace

PrepCom Closes
Friday May 9

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Some of us were willing to go to war over it, others were willing to spend our days, nights, and weekends working for a peaceful solution. Complete fulfillment of the NPT is one peaceful solution.

The deadly combination of pre-emptive attacks and counter-proliferation measures will, if unchecked, unravel the NPT. Non-proliferation cannot be achieved in the absence of general and complete disarmament; international peace cannot be achieved with the looming presence of nuclear arsenals. We must make it clear to the governments that opposed the war that another "preventative war" can be stopped through a heightened commitment to general and complete disarmament.

Rhianna Tyson
Reaching Critical Will
WILPF