



Non-Proliferation and the NPT

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Some negative developments have appeared in recent years as far as non-proliferation and the NPT are concerned:

1. In addition to the official nuclear weapon States (the so-called P-5), new de-facto nuclear weapon states have appeared: India, Pakistan, Israel and possibly North Korea;
2. Undeclared and/or illegal nuclear activities by some NPT members such as Libya, Iran, and the Republic of Korea, have been discovered. Moreover, there is increased concern that, under insufficient control, nuclear energy-related activities can be instrumental to the development of clandestine nuclear military programs.
3. There has been an obvious lack of significant progress in the fulfilment of the obligations as per art. VI of the NPT by the so-called P-5. Taking as a yardstick for these obligations the 13 steps approved in the final resolution of the 2000 NPT Review Conference, we note that:
 - a. the CTBT (Comprehensive Test Ban Treaty) is not going to entry into force in any foreseeable future;
 - b. the FMCT (Fissile Material Cut-off Treaty) has not yet been discussed;
 - c. the ABM Treaty has been unilaterally abolished;
 - d. there has been no significant change in the operational status (alert) of Nuclear Weapons;
 - e. no further elimination of Tactical Nuclear Weapons (TNW) has been announced, while we have heard about programs to build new types of TNW;

¹ The content of this talk represents the personal viewpoint of the presenter.

- f. there has been no significant "lesser role" for NW's in the security arrangements of Nuclear Weapons States.
- 4. Subnational groups may be/are operating in the nuclear weapons "business", with possible support of some States. Private networks (such as the well-known A.Q. Khan network), with the cover offered by some States and the collusion of various commercial enterprises, have distributed instruments, material and information useful for the production of nuclear weapons. The risk of terrorism with the use of Weapons of Mass Destruction, and Nuclear Weapons in particular, is ever present and made more serious by the continuous presence of large quantities of fissile material coming from the dismantlement of NWs. The disposal process of such material is lengthy and in some areas underfunded.

In conclusion, there are problems in each of the three pillars which form the basis of the NPT, namely:

1. Non proliferation properly meant. This requires a limitation to the transfer of specific technologies and materials and the international control of (peaceful) nuclear activities;
2. Disarmament obligations for the Nuclear Weapons States;
3. Free access to nuclear technology for peaceful use, granted to all NPT members that are in good standing, that should not be translated into side avenues to military nuclear programs;

How to make positive improvements?

There is no doubt that an enhanced control system is fundamental for the preservation of the non-proliferation regime. This should be done at both the international level (including strengthening the IAEA, particularly with instruments like the additional protocol) and at the various national levels (by promoting specific legislation and control measures). But in order to have a more effective non-proliferation regime, it is important that the enhanced control system not be enforced at the expense of making the NPT more discriminatory.

The NPT is intrinsically a discriminatory treaty (haves and have-nots). This discrimination was accepted in 1970, and is now in principle accepted by all States but 9 (the non-NPT-members

and the NW States members) only if the prospect for total disarmament moves forward at a reasonable pace.

In other words:

- Disarmament should not be decoupled from non proliferation. Claiming that nuclear disarmament can wait—or that the present pace of nuclear disarmament is sufficient and presents no problem—is really an untenable position.
- Access to nuclear energy resources should be guaranteed to all member States in good standing. This may happen even if the control mechanisms are dramatically enhanced. Many quid pro quo's in this area are possible.

A serious discussion should also take place concerning the use of pressure and military means to impose non-proliferation. While the possibility of sanctions (and of international pressure) is necessary for the enforcement of any international order, it is a matter of fact that the recent unilateral invasion of a country for the purpose of finding and destroying WMD (which have never been found) has, irrespectively of any other considerations, weakened the campaign against WMD by downgrading this campaign to nothing more than an excuse to carry on other political and military goals that may have been independently planned. The unfortunate message being sent to some critical countries has been that if you do not have WMD, you may be attacked, while if you succeed in getting WMD, you may be better off.

Finally let me touch on the motivations for a country to become nuclear, which are essentially two: security concerns, and the prestige which is supposedly attributed to the possession of NWs. If the approach taken is that Nuclear Weapons in the hands of responsible states are a deterrent against proliferation or a deterrent against States "of concern", then the prestige associated with the possession of nuclear weapons and the sense of insecurity of targeted countries increases as well.

It should be obvious that, on the contrary, a successful non-proliferation policy should be coupled to serious efforts towards conflict resolution. The complex case of the Middle East,

with the thorny problems related to WMD, is in fact the perfect example where conflict resolution is an essential ingredient of any strategy leading to a WMD-free zone there.

Finally, let me take the liberty of addressing you as representatives of member States of Nuclear-Weapon-Free Zones. Your nations have totally renounced not only nuclear weapons, but also the possibility of hosting other countries' nuclear weapons. Your status should represent a goal for the entire international community. Can members of NWFZ's assume a larger role in the promotion of nuclear disarmament?; can they collectively exercise a greater pressure on the international scene on the Nuclear Weapon states? Of course, I am not speaking about military or even economic pressure, but rather about moral and political pressure, whose power should not be underestimated.