

# *Nuclear Free Local Authorities* **briefing**

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Date: 19 December 2001

Subject: **Prospects for Nuclear Non-Proliferation**

## 1. Introduction

The NFLA Annual Conference, Glasgow, 25 October 2001, received an assessment of the potential for the further proliferation of nuclear weapons material from Mr Ben Sanders, Executive Chairman, of the New York and Southampton University based Programme for Promoting Nuclear Non-Proliferation. This NFLA conference presentation was very timely given the then recent reminder by the Prime Minister in the House of Commons, 14 September 2001, that nuclear materials use in acts of terrorism against society was a real danger, and in view of the announcement by President Bush on 13 December 2001 to formally withdraw the US from the Anti-Ballistic Missile Treaty.

Ben Sanders, a Dutch national living in the USA, was well qualified to brief the NFLA conference having served the Netherlands Foreign Ministry; the International Atomic Energy Agency; and the United Nations in Khartoum, Belgrade and New York. He also attended all sessions of the Nuclear Non Proliferation Treaty Review Conference and acted as its Deputy Secretary-General in 1980, Secretary-General in 1985, advisor to the Conference President in 1995, and was a member of the Netherlands delegation to the 2000 NPT review conference. In 1990 Ben also co-authored a UN report on measures to facilitate the establishment of a nuclear-weapon-free zone in the Middle East.

The remainder of this briefing comprises edited extracts from Ben Sanders presentation. The full text is available from the NFLA Secretariat at the address below.

## 2. The Need for Nuclear Non-Proliferation

“In the early ‘Sixties, U.S President Kennedy predicted that unless one could devise a stringent non-proliferation regime, soon there would be 25 nuclear powers and we would have many nuclear conflicts. In fact, such a regime has been devised, and although it is by no means watertight and demands constant repair and revision, forty years after Kennedy’s prediction there are eight states with nuclear weapons. Dozens of countries with the technical means to produce “the bomb” were somehow prevented from doing so. Eight nuclear states is eight too many, but at least we do not yet have the nuclear anarchy Kennedy foresaw. Or do we?”

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### 3. The Nuclear Non Proliferation Treaty

“The Nuclear Non-Proliferation Treaty (NPT) of 1968 is the heart of the non-proliferation regime, and is both a non-proliferation measure and a nuclear disarmament treaty. The NPT is a verified undertaking by so-called non-nuclear-weapon states not to manufacture, or otherwise obtain, nuclear weapons. The five countries that by the time the Treaty was concluded had shown to have nuclear weapons through nuclear test detonations - US, USSR, China, France and UK - promised not to help non-nuclear states to get or make nuclear weapons. It took effect in 1970 and was intended to remain in force for 25 years.

“The Treaty balanced the nuclear-weapon-free status of the majority by obliging the nuclear-weapon-states to eliminate their nuclear arsenals. Also, it ordered the non-nuclear-weapon states to accept the verification system of the UN’s International Atomic Energy Agency, to make sure that they were complying with the Treaty, which helped give states the confidence that they need not go the nuclear way in defence against their neighbours. So far, 187 states have become parties to the Treaty. There are only a handful that have not done so, but those are significant; they are the *de facto* nuclear-weapon states India, Israel and Pakistan, as well as Cuba (which, has no nuclear ambitions but says it will not join as long as the US maintains a military base there).

“The NPT was conceived as a bargain: in return for nuclear abstinence on the part of the great majority of countries, the nuclear-weapon states promised to get rid of theirs. It is worthwhile remembering that the NPT is the only international instrument that contains the obligation by the weapon states to do so and as such is the only nuclear disarmament treaty in existence. But it does not give a timetable and there is no way to enforce it.

### 4. NPT Extension Conference 1995

“In 1995 the NPT was extended indefinitely. This was achieved thanks to a carefully crafted package of compromises devised to clarify the purposes of the Treaty and reinforce the means of ensuring its implementation. The former was done in a set of “Principles and Objectives for Nuclear Nonproliferation and Disarmament”, which set out a series of steps in those fields that should lead to the full realisation and effective implementation of the Treaty. They included the reaffirmation by the nuclear-weapon states of their commitment towards nuclear disarmament and underlined, among other things, the importance of the conclusion of a Comprehensive Nuclear Test Ban Treaty (CTBT) and of a Fissile Materials Cut-Off Treaty.

### 5. NPT Review Conference 2000

“In 2000 it was plain that the high expectations of 1995 had been premature, but there were still hopes that some of them could be realised. Although the run-up to the conference had seen serious differences of view among parties about the way the NPT was operating, the majority believed that the newly strengthened system should be given a chance to work and that a negative outcome of the Conference might put even the few positive developments of the moment at risk. In a rare spirit of compromise, the Conference adopted an Action Plan that further specified the ways in which effect should be given to the Principles and Objectives adopted in 1995. Among major elements listed – to mention just a few – were the need to achieve the early entry into force of the CTBT, and pending this a moratorium on test explosions; the establishment of an international body to deal with nuclear disarmament; the irreversibility of nuclear disarmament, nuclear and other related arms control and reduction measures; an unequivocal undertaking by the nuclear-weapon states to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament; the early entry into force of the US-Russian bilateral Strategic Arms Reduction Treaty (START) II; the conclusion of a START III and the preservation and strengthening of the Anti-Ballistic Missile Treaty, as

the cornerstone of strategic stability and as a basis for further reductions of strategic offensive weapons. It should be noted that these formulations, were endorsed by all participating states, including all nuclear-weapon-states.

6. Changed circumstances

“That is how matters stood in May 2000. But then came this year’s first disaster. In January a new administration came into office, which has already done much to undo what was achieved in the past forty years. Let me give a few random examples.

*Comprehensive Test Ban Treaty*

“In June, the Bush administration announced that it would “never” bring the CTBT up for ratification. This broke a solemn promise America had made to the international community. It raises widespread doubt about the country’s commitment to non-proliferation and it undermines the regime in ways we cannot yet assess. To underline the move, America has announced it will cut its contributions to the CTBT Organisation in Vienna that was set up to administer the operation of the Treaty. Although he has said he would adhere to the moratorium on testing which all nuclear-weapon states now observe, Bush has commissioned a study of steps needed to resume nuclear testing. The disdain for this, the most important non-proliferation measure, is also evident in reports that, in seeking to reconcile China with the US plans for a national missile shield, he has let Beijing know that he would raise no objections if China should find it necessary to resume its nuclear tests. A conference to discuss the future of the CTBT and ways to promote further adherence was to begin on 24 September, but was postponed. At the time, it was not thought likely that the US would attend.

*Anti-Ballistic Missile Treaty*

“After repeatedly denouncing the 1972 Anti-Ballistic Missile Treaty as a relic of the Cold War that stands in the way of America’s plans to develop a nation-wide missile defence system, Mr Bush said in August 2001 that the US would abrogate that treaty “...at a time convenient to it”. He shrugged off the likelihood that doing so is certain to trigger a new nuclear arms race with China and Russia, who both have good reasons to believe that the anti-ballistic missile system Bush insists on creating is in fact aimed at them.

“Mr Bush has refused to continue talking to North Korea about its missile efforts along the lines worked out by its predecessor, causing concern in South Korea and implying disdain of that country’s policy of reconciliation with its neighbour.

*Other non proliferation and arms control measures*

“Mr Bush has managed to ruin the recent United Nations conference on trade in small arms and light weapons, because he saw it as conflicting with the constitutional rights of US citizens to bear arms. American interventions watered down the final text to become almost meaningless.

“Mr Bush rejected as unfavourable to US industry the result of an international conference that, after years of careful study and painstaking negotiation, managed to adopt a much-needed protocol adding a verification function to the convention prohibiting biological weapons. At the same time, there were reports that the US has resumed research on germ weapons, in apparent violation of that convention, of which it was one of the first signatories.

“Mr Bush has done all this without the slightest regard for the views of the international community. He has appointed as Under Secretary of State for Arms Control and International

Security Affairs – responsible for, among other things, issue of nuclear disarmament - a well-known opponent of nuclear disarmament. And the newly appointed Deputy Secretary of Defense for Policy has said US was reviewing the existing multilateral treaties to see which of them still serve America's national security.

“Supposedly to save money, a review by the National Security Council of US cooperation with Russia found that funding the joint Russian-US project for the disposal of excess plutonium and for protection of Russian nuclear installations should be greatly curtailed or discontinued. Note, that Russia is estimated to have about 160 metric tons of plutonium, half of it in weapons, and the rest - enough, they say, for 8,000 nuclear warheads - in, what is thought to be dangerously insecure storage. The two countries had agreed that to begin with, each would dispose of 34 tons, and gradually get rid of the remainder. The project would cost \$2 billion for the Russian Federation and \$6 billion for the US – about as much as one year's anti-ballistic missile tests. As it was meant in the first place to help keep fissionable material out of the hands of would-be proliferators, including non-state entities, many thought it was infinitely more useful against “rogue states” than missile defence; they thought it was more likely that anyone wishing to cause damage to the US by using weapons of mass destruction would smuggle them into the US somehow, in a cargo ship, for instance, or a private aircraft. Bio-weapons, might, some thought, be spread by crop-duster ‘planes. Anything but ballistic missiles. The truth, as was shown on 11 September 2001, turned out to be even simpler.

“The attacks on the US have left much of the world with a strong feeling of insecurity and confusion. Insecurity and uncertainty about the future are harmful to international arrangements that should deter the spread of any form of weapon, including nuclear weapons.

“This would seem to make it unlikely that, at least for now, any government is inclined to sit down and quietly negotiate steps to restrict the possession and use of any form of armament, even if in the long range this would be in its own interest.

“The non-proliferation regime must also feel the impact of the US move to raise the embargos on India and Pakistan, as this may signal that as long as one is on the US' side, one can test nuclear weapons with impunity.

“The news that various terrorist organisations possess, or have access to, large amounts of money makes one more apprehensive about the possibility of terrorists obtaining either complete nuclear weapons – by purchasing them - or by buying (as would be more likely) nuclear material and services of nuclear experts.

## 7. Prospects

“In the current circumstances it is possible that Washington has become aware - as it was for a while after Iraq invaded Kuwait - that it must act together with other states and apply joint measures against the spread of any weapon of mass destruction, lest they get into the hands of madmen and threaten the well-being of all of us. That would not only benefit the nuclear non-proliferation regime, but it could lead to a renewed joint approach to arms control and disarmament. In that case, in all its horror, the current situation may have a positive side.”

Ben Sanders, Glasgow, 25 October 2001