

EMBASSY

CANADA'S FOREIGN POLICY NEWSWEEKLY

September 23, 2009

A mixed bag nuclear disarmament resolution

By Ernie Regehr

Tomorrow's UN Security Council session will be a significant first. Not only will it be the first time an American president has chaired a session, it will be the first time ever that this panel of international peace and security—and the primary club of the planet's five leading nuclear powers—will address nuclear disarmament.

The Council has certainly not been shy about pronouncing itself on nuclear non-proliferation, or on imposing strict conditions on states viewed to be in violation of non-proliferation requirements. But not a single resolution of the Council to date has directly broached disarmament. The closest it came was in 1992 when early post-Cold War optimism still held out hope for a new world order that would not be captive to the MAD (mutually assured destruction) balance of nuclear terror. In an approved Presidential Statement, the Council declared that "the proliferation of all weapons of mass destruction constitutes a threat to international peace and security."

The draft resolution expected to pass at tomorrow's session marks a significant shift. For the first time, it has the Council specifically affirming nuclear disarmament and the objective of "a world without nuclear weapons." It calls the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) "the essential foundation for the pursuit of nuclear disarmament," and it underlines both "the need to pursue further efforts" on disarmament and "the need for all Member States to fulfil their obligations in relation to arms control and disarmament."

The dramatic shift is in sharp contrast from the style, rhetoric and substance of the Bush Administration's approach to nuclear weapons and nuclear disarmament. In the Bush years, the US was focused on denying that the NPT's disarmament article actually requires disarmament.

Tomorrow, the Council will emphasize that the NPT rests on three pillars—disarmament, non-proliferation and peaceful uses—and will call for the strengthening of all three. Indeed, the

draft resolution sees disarmament as a means "to enhance global security"—a significant shift from the more usual formulation that sees disarmament as a payoff after security is assured, rather than as a means to that security.

So far so good. But then the resolution shifts to the more comfortable terrain for nuclear weapon states, non-proliferation. Disarmament is the focus of only five of the 25 operational paragraphs of the draft. To be sure, many of the non-proliferation references and measures have important and positive disarmament implications, but direct commitments or calls for disarmament are confined to: a) a general call for further disarmament of existing arsenals—the prospects for which have now been significantly advanced by the Obama Administration's decision to shelve ballistic missile defence installations in Europe; b) support for the entry into force of the nuclear test ban treaty; c) urging negotiations for a treaty to halt the production of fissile materials; d) a call for all states outside the NPT to join it; and e) a re-affirmation of assurances against the use or threat of use of nuclear weapons against non-nuclear weapon states.

All are important, but one unnamed European diplomat was reported as emphasizing that this resolution "should contain no wording that could be seen as weaker than what was agreed in previous resolutions." It is a test the draft resolution fails. Inasmuch as the Security Council has not passed previous resolutions referencing disarmament by nuclear weapon states, this resolution is an important step forward, but the language in the draft is certainly much weaker in important instances than that contained in commitments already made by nuclear weapon states in the context of the NPT review process.

The draft resolution notably makes no references to the substantial agreements reached in the 1995 and 2000 NPT review conferences. At those events, nuclear weapon states not only committed to total nuclear disarmament, they supported calls for interim measures to enhance transparency related to their arsenals, to offer greater accountability through regular reporting to NPT member states on progress made in implementing Article VI, to de-alert deployed systems, to undertake unilateral disarmament initiatives, to make disarmament irreversible, to pursue more effective verification measures, to place surplus fissile materials under IAEA inspections, and so on. None of these pre-existing promises receive acknowledgement in the draft resolution.

The welcome call for the Conference on Disarmament (CD) to negotiate a treaty banning the production of fissile materials for weapons purposes is now decades old and tomorrow's

session is unlikely to offer any guidance or initiative to finally move the process forward. There is almost universal agreement that there should be such a treaty, and it is really only the peculiarity of the CD's arcane process that allows a very small group of spoilers to thwart action. The nuclear weapon states, who are also the five permanent members of the Security Council, could, for example, take up the suggestion that they convene a high-level diplomatic conference dedicated to a fissile materials treaty and to setting out a process to finally get around the still moribund CD.

The draft resolution lists and refers specifically to the Security Council resolutions on North Korea and Iran, but is silent on Resolution 1172, which called on India and Pakistan, in the wake of their 1998 test explosions of multiple nuclear devices, to end their nuclear weapons programs. Ignoring Resolution 1172 is a way of implicitly acquiescing to the nuclear weapon state status of India and Pakistan.

Promoting universality of the NPT is obviously welcome, but given that it is not about to happen, the urgent task now is to find ways of bringing these four outlier states meaningfully into the collective pursuit of the envisioned "world without nuclear weapons."

The UN Security Council's attention to nuclear disarmament and non-proliferation is to be celebrated, and that it will be led by a United States president clearly committed to disarmament is doubly worthy of celebration. But while it promises a new beginning on the political level, on matters of substance it will be more modest.

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