

Notes for a Presentation

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Weapons of Mass Destruction, Terrorism and

Security:

Hanging Together or Hanging Separately?

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Check Against Delivery

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Introduction

During the 2004 presidential debates, President Bush and Senator Kerry readily agreed on one crucial issue:

the nexus of terrorism and weapons of mass destruction was the most important problem the United States, and the world, faced.

Since then, US political divisions have widened and international progress on the arms control and disarmament (ACD) agenda has stalled, even receded.

Multilateral cooperation, already inadequate to the new challenges it faces,

has become paralyzed in disagreement,

and security, everyone's security, including Canadians', is prejudiced as a consequence.

The Non-Proliferation Treaty (the NPT), the well-spring of arms control and disarmament law and norms, may itself be in serious jeopardy.

We may be at a tipping point.

This afternoon, I will examine the current state of affairs and discuss some steps that could be taken.

To my mind the evidence suggests that neither the existing treaty-based arms control and disarmament regime

nor a US-led strategy focused on enforcement and compliance

is likely to succeed on its own

but rather that both are going to be necessary .

Recapturing a lost sense of shared fate will be integral to success.

Where We Have Come From

In 1963, President Kennedy famously said,

“I see the possibility in the 1970’s of the President of the United States having to face a world in which 15 or 20 or 25 nations may have these weapons.

I regard that as the greatest possible danger and hazard.”

That danger was averted, and has not yet materialized, in large part because of the understandings underlying the Non-Proliferation Treaty of 1970 (the NPT).

The Treaty codified a series of bargains.

The first bargain was that states that did not already have nuclear weapons, the non-nuclear weapons states (NNWS), forswore the development or acquisition of nuclear weapons (Articles II and III)

in exchange for the “inalienable right” to nuclear energy for peaceful purposes (Article IV)

The second bargain was the undertaking of the nuclear weapons states (NWS) to “pursue negotiations in good faith” to cease the arms race, and to negotiate general and complete disarmament (Article VI).

Inspectors from the International Atomic Energy Commission (IAEA) verified non- proliferation compliance by non-nuclear weapons states parties.

The NPT was an unequal bargain.

But the very great majority of states were prepared to accept it because they understood that the more states that had these most

dangerous of weapons, the greater the likelihood of their eventual use.

They believed that notwithstanding the treaty's inequity, it made them safer.

They, also, hoped against their better judgment that the nuclear weapons states would keep their ends of the bargain, if not immediately then in some foreseeable future.

And, in fact, as the Cold war receded, Russia and the United States first limited then began to reduce the numbers of their weapons,

although nuclear warhead destruction did not keep pace

there has been no international verification of these reductions

and research has proceeded, especially but not exclusively in the US, to refine the quality of the weapons.

The UK and France have, also, reduced their comparatively smaller arsenals but China has augmented its weapons, albeit from a small base.

Initially, the NPT had a 25 year term.

In 1995, the signatories to the Non-Proliferation Treaty made the accord permanent, transforming its 25 year term into an open-ended commitment.

The bargains agreed to in the original NPT were preserved intact.

By 1995, 173 countries had ratified the unequal bargain.

In the Nineties, Belarus, Kazakhstan and Ukraine, which had acquired nuclear weapons on the break-up of the Soviet Union, gave them up, as did South Africa.

Brazil came on board subsequently, as did Cuba.

Currently, the ratifications total 188 out of 191 countries.

The three outliers are India, Pakistan and Israel.

The treaty is not perfect. There are important loopholes.

First, states parties can go a long way towards creating nuclear weapons while remaining ostensibly in substantial compliance with the treaty.

Further, they can build up their nuclear expertise, with help from other states parties, and then legally withdraw from the treaty.

And, they can just cheat, as Saddam Hussein's Iraq had been doing in the Eighties.

It was partly in response to Iraqi cheating that the IAEA began to tighten the inspection regime, by means of an "Additional Protocol" that allows for more intrusive inspections.

The Additional Protocol is itself not foolproof.

In the 1990's both the Chemical weapons Convention and the Comprehensive Test Ban Treaty had been opened for accession, and negotiations proceeded on a verification mechanism for the Biological and Toxin weapons convention.

The Non-Proliferation Treaty is reviewed by states parties every five years.

At the 2000 NPT Review Conference, the nuclear-weapon States gave an unequivocal undertaking

“to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament to which all States parties are committed under Article VI”,

although none said by when and no one was quite sure how.

Still, the essential deal was not just not repudiated, it was formally reiterated.

The nuclear weapons states also endorsed “Thirteen Steps” by which they would give some effect to this commitment,

- including the early entry into force of the Comprehensive Test Ban Treaty (CTBT),
- conclusion within five years of a verifiable fissile material cut-off treaty (the FMCT, initially proposed by President Clinton),
- a reduction in the number of tactical nuclear weapons,
- a reduction in the operational status of nuclear weapons systems,
- the application of the principle of irreversibility to all nuclear arms control
- and a diminished role for nuclear weapons in security policy.

This was welcome evidence of intent.

At the same time, the extraordinary statesmanship manifest in the US-initiated Nunn-Lugar Cooperative Threat Reduction Program launched in 1992,

was leading to the dismantling and securing of nuclear, biological and chemical weapons and materials in Russia and the other countries of the former Soviet Union.

The Nunn-Lugar program continues and several thousand warheads,

material for several thousand warheads more and thousands of missiles and missile launchers have been deactivated or destroyed.

Otherwise idle scientists have been gainfully employed in non-lethal activity.

In time, this initiative was joined by others.

At the 2002 G-8 summit in Kananaskis, the major economic powers launched a \$20 billion Global Partnership against the Spread of Weapons and Materials of Mass Destruction.

(Canada's share is \$1 billion.)

This decade plus of progress notwithstanding, trouble was simmering and beginning to boil over.

Most spectacularly, in 1998 India and Pakistan confirmed their determination to join the nuclear weapons club by detonating five nuclear weapons each.

The world held its collective breath watching sworn enemies, who had no geographic separation, no hotline and unproven command and control systems, faced off across the Line of Control, the site of major fighting.

Cool heads prevailed and nuclear weapons were not used

But neither the NPT nor the IAEA had stopped two major countries from crossing the nuclear weapons threshold.

More sinisterly, as the world was to find out in 2003, A.Q. Khan of Pakistan had for several years been taking nuclear weapons development and sales private.

Iran, Libya and North Korea were among his clients.

North Korea put itself in and out and in and out of compliance with its NPT and IAEA obligations in an increasingly tragic and dangerous cycle,

withdrawing from the NPT in 2003.

Meanwhile, starting in 1998, the Conference on Disarmament failed to reach agreement on a work program, a failure that has been repeated for the past seven years.

Where We Are Now

9/11 is said to have changed everything.

It, at least demonstrated that terrorists equipped with nuclear weapons presented a potential new danger.

Countering the proliferation of nuclear weapons,
in particular preventing their acquisition by terrorist groups
and locking down existing stockpiles,
became a new top priority.

“Meeting this duty,” President Bush said in February 2004,
“has required changes in thinking and strategy.

“Doctrines designed to contain empires, deter aggressive
states, and defeat massed armies cannot fully protect us from this
new threat....

“We're determined to confront those threats at the source.

“We will stop these weapons from being acquired or built.

“We'll block them from being transferred. “

We'll prevent them from ever being used.”

In any case, dramatically different approaches were in train in Washington, more focused on compliance and prevention by military means than on promotion of treaties and norms.

Washington seemed to have concluded that nuclear proliferation could only be managed, not averted,

that multilateral mechanisms to avoid the spread of weapons were ineffectual and,

equally bad, that they constrained American freedom of action,

that strategic considerations (relations with India, partly as a counterweight to China) outweighed proliferation risks

and, finally, and most controversial,

that the danger lay not in the unimaginable destructive power of the weapons themselves

but in the irredeemably malevolent nature of the regimes that possessed them.

It was not what—the nuclear weapons—it was who

For all the emphasis on terrorists, the residual dangers posed by nuclear weapons states remained a focus of US policy.

In 2002, Washington published both its new National Security Strategy and National Strategy to Combat Weapons of Mass Destruction,

which postulated perpetual US superiority

and contemplated readier use of nuclear weapons.

As the US has refined its weaponry, Russia has fallen behind and China has made apparently little effort to build up.

Some believe that that the US has escaped the bounds of the concept of Mutually Assured Destruction,

Whether purposely or not, the US now may have a genuine first strike capability.

Seen in this light an only partly effective Ballistic Missile Defence system takes on greater significance, as it would have to cope with far fewer incoming missiles.

In comparatively short order, Washington has, also, abandoned the negotiations of a verification mechanism for the Biological Weapons Convention (BWTC),

abrogated the Anti-Ballistic Missile Treaty

and stood aside from the Comprehensive Test-Ban Treaty,

Washington, also, renounced its International Criminal Court signature and abandoned the Climate Change Convention.

Portraying Iraq, Iran and North Korea as an Axis of Evil, in 2003 the US conflated Saddam into the broader threat it saw post 9/11

and attacked Iraq in the face of the opposition of the vast majority of UN members

and despite the reports of UN and IAEA weapons inspectors that they were not finding weapons of mass destruction.

Still, at the same time, the US has also maintained the nuclear weapons testing moratorium and has concluded the Treaty of Moscow on reducing nuclear weapons.

It has, also, launched the Proliferation Security Initiative, a useful complement to export controls,

and re-engaged with North Korea through the six power talks.

Libya gave up its clandestine program under pressure from the US and UK.

In the UN context, at least, the nuclear weapons states seemed to have excised the word “disarmament” from their vocabularies,

sending unhelpful messages thereby to the many who find the idea of perpetual possession by a few to be anathema to progress on non-proliferation.

The NWS, also, took few of the Thirteen Steps promised at the 2000 NPT Review Conference.

In August 2003, China, which had been withholding consensus on negotiating an agreement on the prevention of an arms race in outer space (PAROS)

did agree (with Russia) to at least discuss it,

a step that raised hopes that progress might at last be possible on a Fissile Material Cut-off Treaty (FMCT), nuclear disarmament and negative security assurances.

Washington did not reciprocate on PAROS, apparently because it preferred not to risk constraining its options on space weapons

and in July 2004, presented an FMCT proposal in the CD that ignored elements of importance to other states (e.g. adequate verification).

Most of the NWS's, not just Washington, progressively welcomed India to the high nuclear table,

thereby undercutting Brazil, Argentina and South Africa who had actually adhered to NPT disciplines,

Their doing so, particularly Washington's opening to New Delhi, will not have made the achievement of cooperation of other NNWS on non-proliferation easier.

As a minimum, it presents a double standard with respect to Iran.

The 2005 World Summit, held in New York last September, achieved very few worthwhile outcomes

(one notable exception being agreement on the Responsibility to Protect doctrine).

In Secretary General Annan's words, the most disgraceful of the Summit's failings was its inability to agree on any language at all on non-proliferation and disarmament.

Why did member States not live up to the world's expectations

at a time when the multilateral non-proliferation regimes were being tested by a small number of governments,

and the ambition of terrorists to acquire WMD was clear?

Principally, it was because, as was evident in the failure in 2005 of the NPT Review Conference to agree on any substantive outcome

and in the continuing paralysis in the Conference on Disarmament in Geneva,

member States simply did not have the political will to make the concessions necessary to achieve progress.

At the UN summit negotiations in the fall, too many delegations had brought too much ideology with them.

The NWS including the US, deliberately or inadvertently played into the hands of spoilers such as Iran and Egypt in the latter's desire to deliver a non-outcome on arms control.

The complete lack of outcome at the UN summit raise the possibility of a system-wide collapse.

The Crux of the Disagreement

The ACD regime, not surprisingly, is in disarray.

There are wide doctrinal disagreements between the nuclear weapons states, principally but not exclusively the United States, on the one hand

and much of the rest of the NPT membership, that is to say, most of the rest of the world on the other.

These disagreements go to the heart of the NPT bargains, primordially that of disarmament.

Some believe that disarmament has always been little more than a delusion on the part of the NNWS,

a necessary pretext that there would one day be a quid for the quo they were giving in renouncing their own nuclear weapons aspirations,

a quid on which the NWS never really intended to make good.

In this light, everyone would be better off just to drop the pretence.

Moreover, the NPT's non-proliferation undertakings were in any case not just a bargain between the NWS and the NNWS,

but also a binding commitment among the NNWS themselves.

They had, undertaken *to each other* as well as to the NWS not to acquire nuclear weapons.

Further, too much effort has been paid to obtaining signatures on treaties

and not enough on ensuring compliance with them.

Arms control agreements and export controls had been ineffectual with respect to India, Pakistan, Israel, North Korea and, prospectively, Iran.

They, also neither deterred nor much hampered A.Q. Khan in his activities.

Counting on their effectiveness was delusional and potentially downright dangerous.

The counter arguments derive from the famous observation by President Kennedy, the only President to face a full fledged nuclear crisis,

that “We must abolish the weapons of war before they abolish us.”

Those arguments hold that ridding the world of nuclear weapons will necessarily be a goal for the very long term

but that it ought never be abandoned,
against the possible day that political attitudes and security perceptions with respect to nuclear weapons might change.

Maintaining the goal of eventual disarmament, however far in the future that might be,

meant that near term decisions would continue to be framed in such a way as not to preclude reaching the goal in the longer term.

Remove that goal and everyone's decision calculus changed.

Further, non-proliferation can only be achieved cooperatively and treating the NNWS as inherently and eternally inferior entities was unlikely to serve the goals of compliance and enforcement.

Times are changing but it seems very unlikely that the world can be run by coercion.

As for the effectiveness of the ACD regime, particularly the NPT, there are fewer than half as many governments in 2005 with nuclear weapons programs as there had been in the Sixties

and more countries have given up nuclear weapons than had illicitly acquired them.

Not insignificantly, each arms control agreement codifies an additional global norm and provides the international legal framework for ending and preventing weapons programs.

Maintaining the goal of eventual disarmament is important.

For one thing, times might change and the goal could one day become more realistic and realizable.

Further, in the absence of such a goal, the restraints come off of everyone's decision-making, not just that of the current nuclear weapons states.

Also, securing sensitive assets, which ought to be job one if nuclear terrorism is the biggest threat, would be much easier in the descent to a zero-arsenal world

than in one where multiple states maintained operational nuclear forces and large related infrastructures with little or no transparency and international monitoring.

These doctrinal differences have far-reaching implications, Countries make their decisions to pursue WMD development out of a mix of motives, including security, prestige and, even, religion.

Nonetheless, simple fairness probably enters into the calculation, as well.

Weapons of mass destruction have considerable political value and nuclear weapons, in particular, are great equalizers.

With nuclear weapons, countries do not have to be superpowers to be able to deter others and to command respect, even if only the kind of deference that a well armed lunatic commands.

The wars in Iraq and Afghanistan have demonstrated, among other things,

the risks and costs of acting in defiance of international consensus

and the benefits of working with it.

It is evident that no country, however exceptional, and no coalition of countries however genuine, is likely to prosper flying in the face of world opinion.

Legitimacy, in the sense of enjoying support of the international community at large is not just nice to have,

it is necessary to success and integral to the effective exercise of power,

in this global age perhaps more than ever before.

The insight of President Truman before the assembled UN delegates in San Francisco holds true today,

“[w]e all have to recognize that no matter how great our strength, we must deny ourselves the license to do always as we please”.

It is not anti-American to prefer that policy posture to the one that prevails today.

Where We Need to Go

2005 was probably the nadir of multilateral cooperation, to the point that some fear that the entire international governance structure is at risk of unraveling,

and not just on WMD.

Experience shows that arms control and disarmament, like trade liberalization, either move forward or fall backwards;

they cannot sustain immobility for long.

Such a hiatus, much less a descent much further into a global vortex of dysfunctionality,

is simply unaffordable in security and economic terms and cannot

and, therefore, will not long continue.

The good news is, in fact, that multitudes of proposals are emanating from the US, Europe and elsewhere for both problem-specific and more general governance responses.

A good deal of work is being done, conceptually at least, on what it will take to build more effective security order.

It is becoming evident that for us all to be truly safe, our common approach can and must be comprehensive, in terms both of treaties and laws and of compliance and enforcement.

Simply put, the non-proliferation goal should be universal compliance with a much tougher regime.

Part of the task is technical, to develop the concepts that, if implemented, will enhance security.

Part of it is to get the governance structures right.

Success will take the sustained cooperation of nuclear weapons states and others with advanced nuclear assets and capabilities if nuclear weapons, technology and material are to be kept out of dangerous hands.

Breaking the Impasse

Over the next six months, political strategies for reviving multilateral work are likely to focus on two tracks:

- i) urging key nuclear weapons states that it is in their national security interests to participate in the resumption of multilateral NACD work.
- ii) And initiating a multilateral process that actually allows for the substance of the NACD agenda to be discussed

The first track is to convince a few powerful countries that allowing multilateral forums at least to talk about some NACD issues of concern is not inimical to their security interests.

Their continued blockage of agreement on a CD Program of Work is more detrimental to their security interests than beneficial.

Reinforcing the NPT regime requires ever closer collaboration between member states.

It is not realistic to expect such cooperation on non-proliferation and counter-proliferation issues and, at the same time,

to brush aside the legitimate concerns of states for more action on disarmament or on other issues of interest to them.

Even if they can expect to enjoy a monopoly on nuclear weapons for a very long time,

for the sake of attracting cooperation on preventing proliferation,

the nuclear weapons states need to acknowledge that that does not mean eternity.

Russia and the US, in particular, need to

- revisit their calculations of the minimum stockpile of nuclear weapons they need for deterrence,
- make a priority of eliminating tactical nuclear weapons, which because of their relative portability are probably the greatest danger the world faces,
- and make their stockpile management more transparent.

They could take several other initiatives, for example,

- making the nuclear weapons reductions that they have agreed irreversible and verifiable,
- and making clear what financial, technical and institutional issues would be entailed in disposing of nuclear inventories.
- They need especially to make it clear that they will not develop new types of nuclear weapons.

The refusal of the US Congress to fund research on the “bunker buster” has sent a strong signal.

Ratifying the CTBT and launching negotiations on an FMCT would help.

General Scowcroft has proposed entering into the CTBT for five-year terms, renewable.

The verification issue would remain but no arms control agreement is completely verifiable,

and that does not vitiate their utility,
particularly when it is recalled that the objective is
stopping nuclear terrorism, not deterring nuclear attacks
by states.

Making the perfect the enemy of the good in this light is
not just shortsighted, it is self-defeating and dangerous.

The second track for the international community is finding
a multilateral process that actually allows for the substance of the
NACD agenda to be discussed.

Currently, there is a handful of states that are taking
advantage of consensus rules to prevent, not just negotiated
outcomes, but even the discussion of issues.

Given the eight year long impasse over adoption of a Program
of Work at the Conference on Disarmament (CD), it is hardly

precipitous to look for a way to start work on core arms control and disarmament issues.

There are four issues that, taken together, would constitute a comprehensive and balanced agenda:

- i) nuclear disarmament,
- ii) negotiation of a FMCT,
- iii) PAROS - the prevention of an arms race in outer space
and
- iv) Negative Security Assurances (NSA).

Like-minded countries are presently consulting about how they might utilize the UNGA First Committee, where the consensus rule does not apply, in order to get out of the straight jacket of the CD.

The international community's opprobrium for those states violating non-proliferation rules is important to their arms acquisition and development decisions

but not necessarily decisive and several have proceeded regardless.

Some, e.g., Israel evidently feel genuinely threatened and see nuclear weapons as an ace in the hole.

Others, probably including Iran, also feel insecure but might see nuclear weapons also in religious terms.

Some, perhaps India, while very conscious of their nuclear-armed neighbours, are, also, only too aware of the privileges of the P 5, not coincidentally the original NWS,

and see nuclear weapons as tickets to the top table.

Pakistan cannot allow itself to fall very far behind India.

For North Korea, which remains inscrutable, security is obviously an issue, as are the commercial prospects of WMD sales, including possibly to terrorists.

Major diplomatic efforts especially by the NWS and other major powers, therefore, to redress over time regional security concerns, would be an important complement to non-proliferation.

Similarly, the interests of nuclear disarmament and non-proliferation will be served when the political utility of nuclear weapons is ultimately reduced to coincide with the military utility of nuclear weapons,

i.e. something close to zero.

In any case, it is not the transgressions of the few that should drive thinking about proliferation but rather the need for the cooperation of the many to prevent things from getting worse.

The IAEA

There are numerous problems with the IAEA's procedures. The inspectors can only inspect declared nuclear sites, states can with impunity assemble many of the elements of a future nuclear weapons program so long as they are declared to be for peaceful purposes, and the intensity of verification is determined more by the size of its nuclear program (e.g., Canada) than by the likelihood of its compliance (Iran).

The IAEA's "Additional Protocols" increase the IAEA's capacity to ensure that states parties' declarations are complete,

- improve the Agency's chances of detecting undeclared material and activities
- and thus deter states from engaging in prohibited activities.

As of August 2004, however, only 84 Additional Protocols had been signed and 59 had come into force.

To make IAEA inspections more effective, Additional Protocols should become the new accountability norm.

Transfers by members of the Nuclear Suppliers Group should be made conditional on the recipient state's accepting the Protocol.

Further, the IAEA's resources should be augmented to reflect the seriousness with which the international community takes this issue.

In December, 2003, IAEA Director General Mohamed ElBaradei argued that the only way, ultimately to prevent non-nuclear weapons states from acquiring their own plutonium or

highly enriched uranium for weapons purposes was to restrict enrichment and reprocessing activities by individual states.

President Bush added his voice in February, 2004. In the meantime, support has grown for such a more rigorous approach, although resistance is apparent from states, including from some with exemplary non-proliferation records.

Still, the loophole that Iran is apparently exploiting, to put itself in a position to produce highly enriched uranium or plutonium and, thus, weapons in short order, needs to be closed and this is the obvious way of doing it.

(At the same time, Japan already has plutonium production for its civil program, making consistent behaviour by the international community difficult to say the least.)

Under the current regime, countries can, also, like the DPRK leave the treaty regime with impunity, taking with them effectively

whatever technology they were transferred in good faith while they were states parties.

Diminishing or removing “the inalienable right of all parties to the treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination” will be a tough sell,

particularly in light of the allergy of the nuclear weapons states to proceed with disarmament, and particularly for countries who have been fully compliant.

The IAEA’s proposal to establish an actual or a virtual fuel bank, comprising several fuel suppliers in order to preclude politically motivated decisions to withhold supply, has considerable merit.

To be acceptable, it would have to function exclusively on non-proliferation grounds.

Surplus highly enriched uranium could be downgraded and supplied to the IAEA bank, as the US has apparently offered to do and Russia has contemplated doing,

thus removing material that could be used illicitly to make bombs, thereby killing two birds with one stone.

Success in creating an effective fuels bank would make it easier to achieve a moratorium on the construction of new enrichment or reprocessing facilities.

In the meantime, states could agree to end the production of HEU and pause in the separation of plutonium.

The UN Security Council can be effective, depending on the degree of common interest among the permanent five (P 5) members and contingent on the line-up of non-permanent members on a given Council.

Germany is more capable than Ireland, Pakistan is more powerful than Singapore and Mexico is more independent than Colombia, as the Iraq war showed.

The Council has been very effective on discrete issues, such as curtailing the role of blood diamonds and illicit arms transfers in the Angola civil war.

It has, also, been moderately effective on counter-terrorism, post 9/11.

Acting under Chapter VII of the Charter, which makes its decisions legally binding, it adopted Resolution 1373 that prohibited and criminalized financial and other support for terrorists.

The weakness of the Council in this case lay in its disinclination either to require compliance in practice or to transfer serious capacity to countries that needed help to fulfill their obligations

(in fact, by withdrawing aid programs of ICC signatories, the US actually undermined some states' counter-terrorism capacity).

In adopting Resolution 1540 under Chapter VII, further recourse was had to legislative powers of the Security Council.

1540 required all UN members to criminalize support to non-State actors that attempted to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery

and to establish domestic controls to prevent the proliferation of nuclear, chemical, or biological weapons and their means of delivery.

Member states were also obliged to enhance controls over nuclear and other materials.

Such recourse to the Council will work only if it is united and determined.

The fecklessness thus far on the part of China (and, until last week, Russia) in bringing Iran into the Security Council dock does not inspire confidence.

Nor has the Council been allowed to amount to much on North Korea.

There is limited scope for the Security Council to do more.

It could for example “legislate” a mandatory response by the international community to North Korea’s withdrawal from the NPT.

It could impose sanctions on other miscreants, like Iran, for deceptive behaviour.

It could possibly give the force of international law to the decisions of suppliers groups.

Beyond the nuclear and chemical domains, whose treaty bodies have their own highly proficient inspections and verification capabilities,

an enhanced inspection capability with respect to biological weapons and missiles could reinforce the Security Council by transferring to it the residual staff and expertise of UNMOVIC,

which proved effective under the most adverse circumstances in Iraq.

Alternatively it could be reconstituted as part of the UN Disarmament secretariat.

The existence and the operations of a UN Security Council inspectorate would make willful blindness by member countries much harder to sustain.

There is a limit to how effective the Security Council can be as an instrument of non- and counter-proliferation.

It does have the great advantages of simplicity and authority. Statutorily, only nine countries including the P5—on proliferation issues often like-minded-- need to be persuaded before action can be taken.

Further, the Council has a Charter-mandated role on all matters affecting international peace and security.

Simplicity and authority do not necessarily constitute legitimacy, however.

Most UN members do not believe that in adopting the Charter they were empowering the Council systematically to bypass the General Assembly or, more important, to act as unaccountable executive and legislative branches, supplanting the constitutional roles of their own parliaments and cabinets.

There remains, moreover, after the failure of the UN Summit, the representational deficit in so far as permanent members from the Third World are concerned, which includes two actual and two potential nuclear weapons states.

Moreover, the allergy to disarmament of the NWS and the earlier threats by the US against Iran are undoubtedly generating sympathy for the Iranians, however misplaced.

Clearly, those wishing to expand the Council's writ will need to be circumspect about how fast to go on proliferation and how far to outpace the General Assembly consensus.

Conclusion

