

Session II: Challenges and Chances for Nuclear Nonproliferation

Chaired by Mr. Dong-ik Shin, five excellent presentations were made during Session II respectively by Ms. Siew Fei Chin of Singapore, Dr. William Potter of the United States, Dr. Christopher Ford of the United States, Mr. Toshio Sano of Japan, and Mr. Moonhwan Kim of the Republic of Korea.

The presentations raised a number of points on priorities for the forthcoming 2010 NPT Review Conference and were followed by a dynamic and interactive discussion.

Ms. Chin noted that more countries are going to explore the option of nuclear energy as part of their energy mix, which will cause the growth of the risk of nuclear proliferation and nuclear terrorism. The situation is aggravated by the fact that the world changed and now “we have to take into serious consideration the threat posed by non-state actors”. For small countries, like Singapore, nuclear terrorism can be an existential threat. Given the new political landscape, how can we strengthen the non-proliferation regime?

First, the international community should do more to encourage countries to sign on the NPT. Second, the IAEA should continue playing an important role in verification, safeguards, safety, security and technical cooperation. However, “we see the IAEA becoming more politicized”. Its work is too important to be held hostage by the North-South divide. Third, more regional and international cooperation in export control should be promoted. More assistance should be provided to countries in capacity-building.

Ms. Chin also noted the recent positive developments in the area of nuclear disarmament, but said that “it would be difficult to achieve complete disarmament until we are able to have an effective non-proliferation regime”.

Dr. Potter focused on four “challenges, which if not addressed, have the potential to render the NPT irrelevant if not impotent”:

First, is the lack of flexibility of positions of a number of key states parties and the absence of political groupings able to bridge the gap that separates many NWS and NNWS. One of the highest priorities is “to find common ground among NWS and NNWS”.

Second, states parties have to use the window of opportunities created by “the major shift in U.S. orientation”. This requires a more accommodation stance on disarmament from some NWS and at the same time “the readiness of more NNWS to challenge those who are stuck in tired rhetoric”.

Third, it is important to begin to implement the 1995 Middle East Resolution.

Fourth, the achievement of a consensus final document should not be equated with a successful review outcome or else the most serious proliferation challenges can be shunted aside. “The review process might be well served by a less rigid [not consensus-based] approach for assessing past behavior”.

Dr. Ford noted that “the review process will work better to the extent that we can help close the gaps that have developed between the States Party on fundamental issues, but not otherwise”, and currently the problem is that there does not seem to be a broad agreement about the regime’s basic principles and values.

He singled out two essential issues: the Middle East and nuclear disarmament. He expressed concern that policies of some countries may lay the groundwork for holding the 2010 NPT RevCon hostage over the Israeli issue. He noted that the anti-Israeli campaign in contemporary NPT-related fora may be connected to the Iranian nuclear brinkmanship and “the international community’s failure to undertake effective enforcement policies”. He said that it is important to bring Israelis and Arabs into something “resembling a dialogue on nuclear-related issues”. Arab governments should be natural partners in bringing about Tehran’s compliance with its nonproliferation obligations.

On the disarmament issue, Dr. Ford said that “the world’s growing proliferation problems are dynamics that operate independently of the level or nature of NPT weapons states nuclear armaments”. The 2010 NPT RevCon is important as a diplomatic test case for whether disarmament bears any relations to nonproliferation. It is imperative for “the Conference to demonstrate real progress in restoring the consensus against nuclear weapons proliferation”.

Mr. Sano noted that “the threat of nuclear terrorism is becoming an ever-increasing concern for international security”. He discussed the future roles that the IAEA, governments and private sector should play to further effort to combat nuclear terrorism.

The IAEA should play a vital role in conducting a thorough overview of activities by Member States to tighten their control over nuclear material and technology as well as assisting countries in the implementation of UNSC Resolution 1540.

Governments, on their part, should implement fully relevant conventions, resolutions and agreements, as well as establish the necessary national laws and regulations. They should invest in training, awareness-raising and education. Governments should develop new technologies and equipment to detect and trace nuclear materials. They should assist developing countries in capacity-building efforts.

It is essential to involve the nuclear industry in endeavors for strengthening nuclear security.

Nuclear security is a vital issue for international security. It is essential that discussions are conducted in a positive manner ahead of the 2010 RevCon.

Mr. Kim discussed the NPT withdrawal provisions, Article X.1. He noted that there are fundamental questions, leaving a major institutional gap:

- What should and can be done if a state party withdraws from the NPT after violating the Treaty?
- What are the implications of NPT withdrawal for continued application of IAEA safeguards?

The issue of withdrawal by states that are in violation of the Treaty has emerged around the 2005 NPT RevCon. Various proposals were circulated suggesting that the Security Council as the best place to deal with this issue and the perpetuation of safeguards should be addressed in the context of the IAEA.

Currently it is virtually impossible to amend the NPT making withdrawal itself illegal. At the same time, the Security Council is a political organ with P5 having the right of veto. To cope with the withdrawal issue, the enhanced role and responsibility of the Security Council are both required and indispensable. International consensus is slowly emerging in this direction.

In the meantime, the measures for “perpetuating safeguards” and “liability for past violations” should be impending goals. As a response mechanisms, Mr. Kim noted that institutionalization of an emergency meeting of States Parties seems to be the most relevant and legitimate.

There was vigorous discussion of all these issues with much attention given to:

- Role of disarmament. Several participants noted that unlike the past, disarmament issues may prove to be least controversial and contentious and that there is a good chance to reach a consensus on disarmament at the 2010 RevCon. More problems can arise in Main Committees 2 and 3 where regional issues and peaceful use will be discussed.
- The 1995 Middle East Resolution. It was noted that the resolution of 1995 was a key element of the NTP extension package. The resolution reflects a most urgent security concern.
- The substance of compliance enforcement. All existing arms control mechanisms leave the final decision on enforcement in the arms of the UNSC, which is a very politicized body. Enforcement mechanisms should be a right combination of carrots and sticks. What carrots and sticks should be included?
- NPT withdrawal. One participant noted that it is important to make violators accountable for past violations.
- North-South divide. It was noted that the problem is that developing countries feel that nonproliferation is an issue of the developed world. But this is should not be a case. More robust regime with more security and safety would be in the interests of all countries.
- Iranian case. One participant noted that it could have a negative effect on the outcome of the 2010 RevCon if the issue with Iranian LEU would not be resolved by the early next year.

The Chair, in summing up, stated that the session generated a very good discussion. He said that we have to think what to do next to have a good RevCon next year. It is imperative to have more cooperation instead of confrontation.