Nonproliferation and Disarmament Regime

THE ROLE OF INTERNATIONAL ORGANIZATIONS
Agenda

- What is the nonproliferation and disarmament regime?
- International treaties and agreements
- Regional & bilateral treaties and agreements
- International organizations
- Export controls
What Is The Nonproliferation Regime?

Collective term for international initiatives to prevent the spread of WMD leading to their total elimination

**Treaties & Bilateral Agreements**
- Nonproliferation
- NPT
- PTBT/CTBT
- Seabed
- CPPNM
- NSC
- FMCT?
- Paros?
- Disarmament
- BWC
- CWC
- Geneva Protocol
- NWC?

**Regional & Other Treaties & Agreements**
- NWFZs
  - Antarctic
  - Tlatelolco
  - Rarotonga
  - Bangkok
  - Pelindaba
  - Moon
  - Outer Space
- ABACC

**International Organizations**
- IAEA
- OPCW
- CTBT
- CD
- United Nations
  - UNSC
  - UNGA
  - UNDDA

**Export Control Groups**
- Zangger
- NSG
- MTCR/HCOC
- Wassenaar
- Australia Group
International Treaties and Agreements

- Treaty on the Nonproliferation of Nuclear Weapons (NPT), 1970
- Convention on the Physical Protection of Nuclear Material, 1987
- Geneva Protocol, 1925
- Chemical Weapons Convention (CWC), 1997
- Biological and Toxin Weapons Convention (BWC/BTWC), 1975
Nuclear Non-Proliferation Treaty

- Embodies efforts to prevent the further spread of nuclear weapons & aspirations for global disarmament, while facilitating cooperation in the peaceful uses of nuclear energy
- Entails commitments by both NWS & NNWS
  - Only multilateral treaty under which the NWS are legally committed to nuclear disarmament
  - NNWS have permanently renounced nuclear weapons and accepted intrusive on-site inspection of all nuclear material and activities
- IAEA responsible for verification of compliance with nonproliferation undertakings through the application of safeguards

**Parties:** 190

**Non-parties:** India, Israel, Pakistan, South Sudan, North Korea? (announced withdrawal on April 10, 2003)
Convention on the Physical Protection of Nuclear Material

- Describes security requirements for protection of nuclear materials against terrorism
- Provides for prosecution and punishment of violators of international nuclear trade laws
- Parties report to the IAEA on nuclear materials being transported
- 2005: amendment to cover material in use, storage, and transport
- 148 parties
Non-Agreed Agreements

- Comprehensive Test Ban Treaty (1996)
- Fissile Material (Cut-off) Treaty (under negotiation)
Related Agreements

- Seabed Treaty (1972)
- Convention on Nuclear Safety (1997)
- Joint Convention on Spent Fuel Management (1996)
Regional Treaties

NUCLEAR WEAPON FREE ZONES

- Antarctic
- Latin America and the Caribbean (Tlatelolco)
- South Pacific (Rarotonga)
- South Asia (Bangkok)
- Africa (Pelindaba)
- Mongolia
- Central Asia
- Middle East (?)
Nuclear-Weapon-Free Zones
Bilateral Treaties

- US-Russian strategic reduction treaties and agreements
  - START I (1991)
  - START II (1993)
  - START III (never signed)
  - New START (2010)
- Anti Ballistic Missile Treaty
- SORT/Treaty of Moscow

- DPRK-ROK Joint Declaration on Denuclearization of Korean Peninsula
- US-DPRK Agreed Framework (?)
- India-Pakistan Non-attack agreement
International Organizations

- International Atomic Energy Agency (IAEA)
- Organization for the Prohibition of Chemical Weapons (OPCW)
- Comprehensive Nuclear Test Ban Treaty Organization (CTBTO)
- United Nations
  - UN Security Council
  - UN General Assembly
  - UN Disarmament Commission
  - UN Office of Disarmament Affairs
  - Conference on Disarmament
International Atomic Energy Agency (IAEA)

- Foremost intergovernmental forum for scientific and technical co-operation in the peaceful use of nuclear technology
- Inspection system verifies States’ compliance with NPT and other nonproliferation agreements ensuring the peaceful use of nuclear material and facilities
- Assists Member States in the peaceful uses of nuclear energy
- Member States meet on an annual basis at the General Conference while the Board of Governors meets at regular intervals

Established in 1957

Autonomous organization under the UN

152 Member States

Located in Vienna, Austria
IAEA Structure

Director General
Yukiya Amano

Secretariat of Policy-Making Organs

Office of External Relations and Policy Co-ordination (EXPO)

Office of Internal Oversight Services

Office of Legal Affairs

Dept of Technical Cooperation
Dept of Nuclear Energy
Dept of Nuclear Safety and Nuclear Security
Dept of Management
Dept of Nuclear Sciences and Applications
Dept of Safeguards
IAEA: Organs

• **Board of Governors**
  - Meet 5 times a year
  - Appoints IAEA Director General
  - Examines IAEA’s accounts, programs, and budget
  - Approves safeguards agreements and applications for membership

• **General Conference**
  - Made up of all Member States, meets once a year
  - Considers Board’s report for the previous year
  - Approves IAEA’s accounts, programs, budget, applications for membership
  - Conduct general debates on relevant issues
IAEA Safeguards

Continual monitoring of nuclear material to ensure it is not used for military purposes

- Set of technical measures by which the IAEA Secretariat verifies the correctness and completeness of the declarations made by States about their nuclear material and activities
- Confidence-building tools of the nuclear non-proliferation regime

Why are safeguards important?
- Prevent the proliferation of nuclear weapons
- Foster the beneficial uses of atomic energy
- Provide confidence and build trust
# IAEA Safeguards

## “Classical” Full Scope Safeguards
- Compromise between need to verify compliance & national sovereignty concerns
- Verify correctness of States’ initial declarations on nuclear material & facilities through inspections & surveillance
- Restricted to defined “strategic points”
- Not able to detect
  - Diversion or misuse of very small amounts of materials
  - Nuclear activities that had not been declared to the IAEA

## Additional Protocol (INFCIRC/540)
- Purpose: To detect undeclared nuclear facilities/activities & diversion from peaceful to military use
- Information & access to all parts of a State’s nuclear fuel cycle – declared or not
- Comprehensive picture of a State’s nuclear related activities, including imports and exports
- Requires expanded declarations, collection of samples at additional locations
Organisation for the Prohibition of Chemical Weapons (OPCW)

- Independent international organization established (1997) in accordance with the Chemical Weapons Convention (CWC)
- Implements the provisions of the CWC in order to achieve a world free of chemical weapons and to promote cooperation in chemistry for peaceful purposes
- 3 principal organs: Conference of State Parties, Executive Council, Technical Secretariat

**Mandate:**
Disarmament
Nonproliferation
Assistance
Protection
OPCW Organs and Subsidiary Bodies

- Committee of the Whole
- Conference of the States Parties
- Credentials Committee
- Executive Council
- Confidentiality Commission
- Secretariat

OPCW ORGANS AND SUBSIDIARY BODIES

Advisory Body on Administrative & Financial Matters
Scientific Advisory Board
OPCW Conference of States Parties

- Oversees the implementation of the CWC
  - Governing body consists of 188 Member States that meet annually
- Appoints the Director-General
- Adopts the annual budget and determines the scale for State dues
- Fosters international cooperation in chemical activities for peaceful purposes
- Reviews scientific and technological developments related to the CWC
OPCW Executive Council

- Consists of 41 State Parties
- Executive organ
- Considers and submits draft annual budget to the Conference
- Considers and submits to the Conference an annual report on the implementation of the Convention
- Protection against chemical weapons and the implementation of verification activities
- Makes recommendations regarding non-compliance to the Conference
OPCW Technical Secretariat

- Conducts inspections (with approximately 200 inspectors on staff)
- Conducts information campaigns through seminars, public relations events, etc.
- Negotiates verification agreements with States Parties
- Assists States Parties in formulating domestic laws complementary to the CWC
- Prepares and submits draft budgets to the Council
- Handles day to day communications to and from Member States
- Provides technical assistance to States Parties

Scientists from Lawrence Livermore National Laboratory’s Forensic Science Center prepare a sample for OPCW testing.
Comprehensive Nuclear-Test-Ban Treaty Organization

- To be established upon entry into force of the CTBT (require ratification by 44 States with nuclear industries) to ensure the implementation of its provisions, including those provisions for international verification measures.

- To be located in Vienna.

- CTBTO will have a Conference of States Parties and an Executive Council.
CTBTO Preparation

Preparatory Commission

- Establish a global verification regime to be operational by the time the Treaty enters into force
- Establish a worldwide network of 321 monitoring stations built and run by the host countries in cooperation with the Provisional Technical Secretariat
- Develop procedures for on-site inspections and confidence-building measures

Provisional Technical Secretariat (PTS)

- Cooperates with host countries in the development and running of an international network of 321 monitoring stations
Current Status of the CTBT International Monitoring System (IMS)
United Nations Disarmament Machinery

General Assembly (deliberative)

First Committee
Disarmament Commission

Security Council
Conference on Disarmament (negotiating forum)

Office for Disarmament Affairs (ODA)
UN Institute for Disarmament Research (UNIDIR)
S-G’s Advisory Board on Disarmament Matters

Non-UN bodies:
OPCW (The Hague)
Preparatory Commission for CTBTO (Vienna)
IAEA (Vienna)
United Nations General Assembly

- 193 UN Member States
- Considers general principles of cooperation in the maintenance of international peace and security, including the principles governing disarmament and the regulation of armaments
- Makes recommendations to UN Member States or to the Security Council
- IAEA, OPCW, & Conference on Disarmament annually submit reports to the General Assembly
- Annually adopts resolutions and decisions related to nonproliferation, disarmament, arms control and security on recommendation by First Committee

- The only truly representative body discussing disarmament and international security issues
- Decisions have led to significant developments:
  - Endorsed NPT (1968), BTWC (1972), CWC (1992)
  - Special sessions on disarmament —1978, 1982, 1988
UN General Assembly First Committee (Disarmament and International Security)

- Considers all issues related to disarmament, arms control and nonproliferation
- Adopts resolutions for recommendation to the General Assembly
  - Nuclear disarmament and nonproliferation
  - Nuclear testing
  - Nuclear weapon free zones
  - Prevention of arms race in outer space
  - Biological, toxic, and chemical weapons
  - Anti-personnel landmines and transparency in armaments
  - Regional disarmament and security
- Meets once a year in New York for six weeks during October/November
UN Security Council

“establishment and maintenance of international peace and security, including through disarmament and the establishment of a system for the regulation of armaments” (UN Charter)

**Members:** Five permanent (China, France, Russia, UK, USA) with veto powers & 10 non-permanent members without veto

**Nonproliferation accomplishments:**

- Mandatory sanctions/inspection in Iraq through Monitoring, Verification and Inspection Commission (UNMOVIC) and IAEA
- Responded to 1998 nuclear tests by India and Pakistan — denied NWS status
- Recognized negative security assurances by the NWS in April 1995
- Urged all States to pursue in good faith effective measures relating to nuclear disarmament and on a treaty on general and complete disarmament under strict and effective international control
- Declared the proliferation of all WMD constitutes a threat to international peace and security (1992)
- Resolution 1540 on nonproliferation and terrorism
- Resolution 1624 (2005): calls upon states to prevent terrorist conduct and incitement within their territories; asks states to sign Nuclear Terrorist Convention
United Nations Disarmament Commission

- Deliberative body for UN Member States to consider and make recommendations on disarmament issues
- Each UNDC session focuses on two substantive items (one topic has to be related to nuclear disarmament) in two working groups
- Meets once a year in New York during April/May
- Reports annually to the UNGA
United Nations
Office for Disarmament Affairs (ODA)

- Substantive and organizational support to States in the area of disarmament and non-proliferation in the General Assembly, its First Committee, the Disarmament Commission, and the Conference on Disarmament
- Headed by Under-Secretary General for Disarmament Affairs
- Weapons of Mass Destruction Branch 1 of 5 main branches:
  - Supports and participates in multilateral efforts to strengthen the nonproliferation of weapons of mass destruction regime, e.g. NPT Review process
  - Monitors development and trends with regard to weapons of mass destruction in order to keep the Secretary-General fully informed and to provide information to Member States and the international community
  - Cooperates with the relevant intergovernmental organizations and specialized agencies of the United Nations system (e.g. IAEA, OPCW, CTBTO PrepCom)
Conference on Disarmament (CD)

- Single multilateral disarmament negotiating forum of the international community
- 65 member states
- Meets in Geneva from January to September
- Reports to the General Assembly
- The Conference has failed to engage in substantive work since 1996 due to disagreement on its program of work
Regional Organizations

- Organization for Security and Cooperation in Europe (OSCE)
- European Union (EU)
- European Atomic Energy Community (EURATOM)
- North Atlantic Treaty Organization (NATO)
- Commonwealth of Independent States (CIS)
- Association of Southeast Asian Nations (ASEAN)
- Korean Peninsula Energy Development Organization (KEDO)
- Organization of African Unity (OAU)/African Union (AU)
- AFCONE
- Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL)
- Brazilian-Argentine Agency for Accounting and Control of Nuclear Materials (ABACC)
Nonproliferation Export Control Regimes

- **Australia Group**
  - Dual use chemical and biological agents, toxins & technology

- **Zangger Committee, 1972**
  - Nuclear Trigger List

- **Nuclear Suppliers Group (NSG), 1974**
  - Harmonization & strengthening of nuclear dual-use export control guidelines

- **Missile Technology Control Regime (MTCR), 1987**
  - Informal guidelines to control missile systems & technologies

- **Wassenaar Arrangement, 1995**
  - Dual-use items for all WMD
Nonproliferation Export Control Regimes

- Nonproliferation-focused – no disarmament provisions
- Not universal
- Lack verification & enforcement mechanisms
- Rules determined by few (clubby environment)
- Suppliers cartels ("coalitions of the willing" on behalf of global norms)
- Viewed with suspicion by developing states
Challenges to the Nonproliferation Regime

- **CTBT/CTBTO**
  - Ratification
  - Impact of nuclear defense doctrines

- **IAEA**
  - DPRK
  - Iran
  - Nuclear Terrorism

- **CD deadlock**
  - FM(C)T
  - PAROS
  - NWC

- **OPCW**
  - Timelines
  - National measures
  - Industry
  - Scientific advances
  - Political importance

- **BWC**
  - Institutional deficit
  - Scientific advances
  - Political importance
Challenges to the Nonproliferation Regime

- Universality
- Efficacy
- Verification
- Financial and personnel burdens
- Organizational factors
- Diffusion of technologies
- Normative deficits
- Political will and inconstant attention
- Discord on tactics and strategies
- Divergent goals