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**The Multilateralization of Arms Control, Non-
Proliferation and Disarmament: The Role of NGOs and
the Track II Process**

Remarks by
Ambassador Thomas Graham, Jr.
President, the Lawyers Alliance for World Security
to the Agency for the Prohibition of Nuclear Weapons
in Latin America and the Caribbean (OPANAL) General Conference
Lima, Peru
December 3, 1999

I would like to begin by thanking you for the opportunity to speak before this important conference, as well as to attend the XVI OPANAL General Conference. And I commend Secretary General Roman-Moray for all his excellent work. I have long considered OPANAL to be a critical component of the nuclear non-proliferation regime and a compelling example of Latin American leadership in international arms control and disarmament. As you are aware, the Treaty of Tlatelolco, which established the first nuclear weapon free zone in an inhabited region, was completed before the Nuclear Non-Proliferation Treaty (NPT) and thus should be considered as the oldest element of the world-wide non-proliferation regime. Today, more than 110 nations have followed Latin America's lead and negotiated nuclear weapon free zones in Africa, the South Pacific and Southeast Asia, and other arrangements are currently in various stages of development around the world. These zones are vital to the health of the NPT regime and I commend each of you for your commitment to them.

I have been asked to speak today about the role of nongovernmental organizations (NGOs) and the Track II process in nuclear non-proliferation and arms control. I would like to discuss this against the backdrop of the changing model of arms control in the post-Cold War period. In the decade since the fall of the Berlin Wall, the conceptual framework for international security has shifted dramatically, producing a new, less understood world filled with shifting strategic interests, new and more diffuse threats, and uncertainty about the proper means of confronting them. Nuclear arms control and non-proliferation, including negotiated reductions in U.S. and Russian strategic nuclear arsenals, remain central to international peace and security and are likely to for the foreseeable future, but new actors are playing increasingly vital roles. Cooperation among the NPT nuclear weapon states, responsible non-governmental organizations, so-called “middle power” states, and multilateral institutions are becoming necessary components of international efforts to prevent nuclear proliferation.

These efforts are more important today than ever before. As President Chirac of France, Prime Minister Blair of the United Kingdom and Chancellor Schroeder of Germany noted in an October 8th *New York Times* op-ed, “As we look to the next century, our greatest concern is proliferation of weapons of mass destruction, and chiefly nuclear proliferation. We have to face the stark truth that nuclear proliferation remains the major threat to world safety.” Chemical and biological weapons are of course dangerous, but both are banned by treaties, and neither possess the instant destructive capabilities of nuclear weapons. Some may argue that nuclear weapons helped maintain stability and prevented direct superpower conflict during the Cold War, but today, there is no greater risk to international security than that of nuclear weapons falling into the hands of unstable regimes, regional rivals, or non-state actors such as terrorists, fanatical religious organizations or militia groups. The military coup in Pakistan – the first in a nuclear-

equipped nation – clearly demonstrates the dangers associated with the proliferation of nuclear weapons. If the world is to be more secure and stable in the next century, then the world-wide nuclear non-proliferation regime must be strengthened so that the international community can best confront this danger.

The nuclear dangers confronting the world today are aptly characterized by an anecdote that was shared with me by a former diplomatic colleague from France who believes that we are entering a most dangerous period indeed. He said that during a private meeting between himself and some of his British and German counterparts in the fall of 1995, the German representative noted that the indefinite extension of the NPT was a great gift, like a desert. But this gift was allegorically in the form of an ice cream cone, and if the nuclear-weapon states fail to meet their disarmament obligations, the ice cream will melt. He believes that today the ice cream is just about melted. It seems to me that unless steps are taken by the nuclear-weapon states to reduce the prestige value of nuclear weapons and reduce their arsenals, we will soon be left with a sticky mess.

The cornerstone of international efforts to prevent the spread of nuclear weapons is and must remain the Nuclear Non-Proliferation Treaty. For more than thirty years the NPT regime has successfully prevented earlier predictions of a world inhabited by 25 or 30 nations with nuclear weapons integrated into their arsenals from becoming reality. The Treaty represents a bargain between now 181 non-nuclear-weapon states which have committed to never acquire nuclear weapons and five nuclear-weapon states which have agreed to pursue nuclear disarmament aimed at the ultimate elimination of their nuclear arsenals. This core bargain, the crucial element of nuclear non-proliferation efforts, must be observed if these efforts are to succeed. While the new, enhanced IAEA safeguards, if universally accepted among the NPT

membership, will help to ensure compliance with non-proliferation standards, efforts to keep nuclear weapons-related materials, technology and expertise away from nations will undoubtedly fail unless they are complimented by efforts to remove the demand for nuclear weapons.

Recent challenges to the NPT regime – U.S. Senate rejection of the CTBT, nuclear and missile proliferation in South Asia, missile tests by North Korea, and continued problems in Iraq – demonstrate two key realities: the political value of nuclear weapons is a significant driver of nuclear and missile proliferation and remains too high, and coercion and stronger verification mechanisms alone cannot prevent proliferation. After India conducted its nuclear tests in May 1998, its Prime Minister declared that India was a big country now that it had nuclear weapons. Nuclear weapons are of limited realistic military use, but statements such as this reflect the political attractiveness of nuclear weapons. This perceived value is artificially elevated by outdated and inappropriate policies regarding the possible use of nuclear weapons. To reduce this value, the nuclear-weapon states should adopt policies that minimize the role assigned to nuclear weapons. For one, they should declare that they would under no circumstances introduce nuclear weapons into a conflict. Such a policy, often referred to as a no first use policy, would emphasize nuclear weapon state commitment to the NPT-related negative security assurances and would send a firm message to would-be proliferators that acquiring nuclear weapons does not enhance the greatness of a state.

Nuclear weapon state policies that rely on the first use of nuclear weapons are potentially incompatible with the security assurances offered by the NPT nuclear weapons states. These negative security assurances are pledges not to use nuclear weapons against a non-nuclear weapon state party to the NPT unless such a state should attack in association with another nuclear weapon state. During negotiations to extend the NPT in 1995, the UN Security Council

passed Resolution 984, which recognized the security assurances issued by the nuclear weapon states, an essential component of the agreement to extend the Treaty. Additionally, in agreeing to the appropriate protocols of the Treaty of Tlatelolco as well as the Treaties of Pelindaba and Rarotonga, the nuclear-weapon states as part of a legally binding regime have pledged not to use or threaten to use nuclear weapons against the more than 90 non-nuclear-weapon states that are members of these regimes. The negative security assurance commitments also have been indicated to be legally binding by the International Court of Justice, and are essential to maintaining non-nuclear-weapon state confidence in the NPT regime.

For this reason, the Canberra Commission, the United States National Academy of Sciences and most recently the Tokyo Forum for Nuclear Non-Proliferation and Disarmament all concluded that the only role for nuclear weapons should be deterring the use of other nuclear weapons. Unless the NPT nuclear weapon states take steps to reduce the prestige value of nuclear weapons, including, for example, adopting no first use policies and reducing the size of existing arsenals, the NPT regime will be in even more serious trouble than it is today.

I mention these challenges because they underscore the dramatic changes in the conduct of arms control and non-proliferation since the end of the Cold War, when the emphasis was on superpower relations and verification. While these remain important, the new arms control model is one of cooperation between governments, multilateral institutions, and non-governmental actors. It should be noted that export control regimes such as the Nuclear Suppliers Group, by necessity, includes nuclear weapon states as well as non-nuclear weapon states. Last year at the United Nations, for example, all but one non-nuclear-weapon state member of NATO abstained on a General Assembly resolution sponsored by Brazil, Egypt, Ireland, Mexico, New Zealand, South Africa and Sweden calling for a new international agenda

to achieve a nuclear weapons free world. These abstentions on this, the first New Agenda Coalition resolution, demonstrate that so-called “middle power” states have begun to assert themselves to urge greater progress on disarmament. On a second, similar resolution earlier this month, all but two non-nuclear weapon state members of NATO, both of which were newly admitted members, abstained, including Turkey. Incidentally, the third newly admitted NATO member, the Czech Republic, joined the remaining non-nuclear members in abstaining, which in this incidence can be interpreted as a significant indication of support.

Similarly, due largely to the efforts of Canada and Germany, NATO agreed at its April Summit meeting to conduct a review of its nuclear doctrine that could ultimately result in the consideration by the Alliance of the adoption of a no first use policy. However, at this stage it appears that as a result of nuclear weapon state intransigence, despite the agreement in April, the issue of NATO nuclear doctrine may not even be on the agenda of the Review to be announced in December. This would be a further challenge to the NPT regime.

As the “middle powers” grow in importance, so too do multilateral arms control, non-proliferation and disarmament institutions. Forums such as the UN First Committee provide arenas for nations to exchange views on a variety of issues and air disputes among members. The International Atomic Energy Agency, which includes 126 nations among its membership, plays an important role in verifying compliance with nuclear non-proliferation commitments, and the UN Security Council has played a greater enforcement role in recent years, as evidenced by its pivotal role in convincing North Korea to rescind its stated intention to withdraw from the NPT in 1994 and remain a party to the Treaty. Similarly, the agreement to extend the NPT resulted in an enhanced review process in which review conferences are held every five years with preparatory committee meetings held almost annually. This upgraded review process

institutionalizes a mechanism through which non-nuclear-weapon states can voice concerns regarding the implementation of the Treaty and the effectiveness of the regime. It is increasingly clear that the responsibility for keeping the ice cream frozen, for preventing nuclear proliferation, is one shared by the entire international community.

As international efforts to prevent nuclear proliferation grow more important and increasingly multilateral, the work conducted by responsible NGOs also grows more important. Nongovernmental organizations are rapidly becoming more involved in the arms control and non-proliferation work of the United Nations, OPANAL and other international organizations. A July 1998 report by the UN Secretary-General noted that in 1948, only 41 NGOs were granted consultative status by the UN. By 1968, that number had grown to 377 organizations. Today, there are more than 1,550 NGOs registered by the UN. While, of course, not all of these groups do arms control-related work, the United Nations Department for Disarmament Affairs is among the UN's leading components in terms of cooperation with NGOs. I should note that the work of these organizations has not gone unnoticed. Over the years three arms control-focused NGOs – International Physicians for the Prevention of Nuclear War (IPPNW) in 1985 and the Pugwash Conferences on Science and World Affairs in 1995, and the International Campaign to Ban Landmines in 1997 – have been awarded the Nobel Peace Prize and another NGO, Médecins Sans Frontières, received the award this year.

In this age of reduced secrecy and enhanced access to information, NGOs can do more than ever before to promote nuclear non-proliferation and disarmament. Because they can operate with fewer of the restraints that can hinder government to government relations, NGOs can sometimes do things that governments cannot. For example, in the late 1980s, while the question of verifying a comprehensive test ban treaty was a great concern, the National Resource

Defense Council was granted access to the Soviet Union's nuclear test site, something that for years had been considered out of the question for the United States government. By conducting, organizing, and sponsoring informal exchanges between governments or non-government entities, such as Track II efforts for example, NGOs can help break down barriers between governments. Track II exchanges provide participants with avenues for exchanging or discussing ideas in an informal forum that lacks the baggage of government-to-government negotiations. These efforts can be used to develop informal agreements which can be formalized once the political climate between the parties involved is right. In the interim, Track II exchanges provide channels of communication that might not otherwise exist between governments and can help to foster discussions aimed at identifying mutual areas of concern. Now and in the future, Track II efforts will likely play an important role in developing a wide variety of confidence measures and other efforts that improve interstate relations.

With the end of the Cold War, such efforts are becoming more useful and can take a greater variety of forms, which presents greater opportunities for NGOs to participate in the international security process, including in the negotiation of multilateral arrangements. In some instances, NGOs may be able to help level the playing field during international treaty negotiations, for example. Larger nations can often exert greater influence over arms control negotiations simply because of the size of the delegation they can afford to send and the depth of expertise available to them. At treaty negotiations, the U.S. Delegation, for example, will typically include legal, military, scientific, technical, and political expertise specific to the subject under consideration while some smaller states may only send a handful of negotiators. NGOs can help by enhancing the access of smaller states to expertise and information. For years, Canada went so far as to include an NGO representative on its disarmament and non-

proliferation delegations. At the NPT review conferences, the Conference on Disarmament, the UN First Committee and other multilateral fora, it is quite common for NGO representatives to address the delegates. NGOs often arrange delegate briefings on the margins of meetings. I can tell you that when I headed the U.S. campaign to indefinitely extend the NPT in 1995, our efforts benefited greatly from the work of various NGOs. The creation and conduct of, as well as influence over, non-proliferation and disarmament policy is becoming increasingly shared and multilateralized.

At the national level as well, NGOs are playing greater roles. It is not uncommon for U.S. government officials to meet with nongovernmental organizations to consult on various policy issues and initiatives. I myself have met with or was contacted by administration officials and senators during the ill-fated effort to attain U.S. ratification of the CTBT last month and in the weeks since. NGOs also contributed to the debate by preparing expert analysis of key issues and providing them to governments, the media, and the general public, often via the Internet. On another occasion, U.S. Secretary of Energy Richardson consulted with several NGOs on the subject of a production vehicle for tritium should it ever be needed for the U.S. nuclear weapon stockpile – which if the nuclear weapon reduction process succeeds it will not.

In certain circumstances, NGOs can be effective in mobilizing public support for arms control and non-proliferation measures. Efforts to promote U.S. ratification of the Limited Test Ban Treaty in 1963, for example, benefited greatly from public outrage over the public health and environmental impacts of atmospheric testing, due to a great extent by studies circulated by Physicians for Social Responsibility. In the Information Age, the ability of NGOs to fill this niche, to produce and disseminate information in order to mobilize public support, is magnified by the reduced costs and enhanced speed of communication. This will especially be the case

when the Internet becomes as accessible in countries such as India and China as it is in the West. Already, the Internet has made it possible for organizations to provide information to countless people from all corners of the globe and enhanced the ability of NGOs to communicate with other NGOs and governments. As the Information Age continues to dismantle barriers between peoples and governments, NGOs have an enhanced ability to contribute to policymaking debates, become more effective advocates of non-proliferation and disarmament, and play a greater role in the policymaking process.

We are all partners in the fight against the proliferation of nuclear weapons. If this effort is to succeed, and it must if we are to build a safer and more secure 21st Century, that we must all work together.