

Strengthening the  
Nonproliferation Regime:  
The Challenge of Regional  
Nuclear Arsenals

32nd United Nations Issues  
Conference

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## Executive Summary

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During the conference discussions, there was a preponderance of views that the international community, led by the permanent members of the Security Council (P-5), needs to address the problem of unrecognized nuclear arsenals through the following steps:

- **Cut the connection between the attainment of nuclear weapons capabilities and high-level international status.** To this end, exercise more leadership on nuclear arms control and disarmament and refuse the prospect of opening Security Council permanent membership to any nation that does not join the Nuclear Non-Proliferation Treaty (NPT) as a nonnuclear weapon state (NNWS).
- **Forge a common strategy of engagement toward these regions,** based on a consensus that nonproliferation in all its aspects is an important goal. When the international community sends mixed signals, the messages lack credibility and regional actors take advantage of any disagreements. On the other hand, a clear signal impacts the analysis of costs and benefits leading regional powers to exercise restraint. Better coordination among the P-5 is therefore required before any progress can be made. At a minimum, a P-5 strategy of engagement should continue the policy of withholding recognition from the nuclear arsenals of Israel, India, and Pakistan.
- **Be consistent and clear on the goal of non-proliferation.** For example, do not provide technical assistance or nuclear materials to the energy programs of Israel, India, and Pakistan unless they join the NPT as NNWS. Use the prospect of future trade in nuclear materials and technology as an incentive for joining the treaty.
- **Help create a common strategic dialogue and language on arms control in South Asia.**
- **Encourage a more open debate about nuclear weapons issues in Israel,** which is the only country that has an advanced nuclear arsenal but refuses to discuss it publicly. Israeli leaders and citizens need to acknowledge the difference between informal public discussions and formal negotiations with outside parties. As a first step, the United States should update its understanding with Israel on the nuclear issue.
- **Address the underlying security issues that drive acquisition of weapons of mass destruction (WMD).** International initiatives are unlikely to succeed if they are only directed at particular countries (current or potential proliferators) or if they focus narrowly on the four WMD nonproliferation regimes<sup>1</sup> apart from other measures. The best prospects for achieving NPT universality are to address the insecurities of regional states in broader frameworks that explicitly acknowledge linkages between nuclear, chemical, and biological weapons and their associated missile delivery systems, as well as conventional weapons. Comprehensive regional frameworks should provide tangible security, political, and economic benefits for participation in, and compliance with, non-proliferation regimes. Dialogues promoting

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<sup>1</sup> The four global treaties that address WMD nonproliferation are the Biological Weapons Convention (BWC), the Comprehensive Test Ban Treaty (CTBT), the Chemical Weapons Convention (CWC), and the NPT. The BWC does not have a protocol for enforcement, and negotiations in the Conference on Development continue toward this end. The CTBT and CWC each have relatively new implementing organizations that are intergovernmental organizations: the CTBT Organization and the Organization for the Prohibition of Chemical Weapons, respectively. The organizations' Web sites are [www.pws.ctbto.org](http://www.pws.ctbto.org) and [www.opcw.org](http://www.opcw.org).

confidence- and security-building measures would be part of any engagement strategy.

- **Foster open communications among regional parties** through an incremental approach that avoids a heavy focus on legalistic and technical details. Background “atmospherics” such as recognition of a state’s security requirements by its neighbors and ongoing dialogues between primary actors are key requirements. Initial efforts should be based on mutually agreed principles, similar to the experience of the Conference on Security and Cooperation in Europe. For the Middle East, the discussion on principles should initially be done through track-two channels. Informal dialogues would allow much-needed direct contacts between Israel and other states in the region.
- **Pursue a verifiable cutoff in fissile material production at the global or regional level as part of a step-by-step approach to managing conflict in these regions.** Various forms of a cutoff could be adopted. Some participants argued that the only way to engage Israel, India, and Pakistan would be to promise that any such agreement will be future-oriented, leaving aside declarations of existing stockpiles and international scrutiny of past activities. However, other participants countered that a fissile material cutoff treaty (FMCT) would be incomplete and discriminatory if it did not address the existing stocks of Israel, India, and Pakistan. A third perspective, borrowed from the incremental North Korean approach, suggested that the FMCT can be forward-looking initially, but eventually it will include existing stocks.
- **Consider the role of conventional weapons alongside WMD issues.** If countries in these regions are unable to compete conventionally, they are more likely to pursue WMD to fill the gap left by inadequate conventional defenses. Sales of conventional weapons in

these regions need to be more restrained so they do not undermine future attempts to manage conflict. A regular reporting mechanism on arms transfers to the Middle East and South Asia should be established.

- **Agree on a common policy toward Iraq** that will allow movement toward a new regional security framework in the Middle East.
- **All of the above steps should be conducted in parallel with long-term efforts to establish a nuclear-weapon-free zone or WMD-free zone in each region.** Although it is unrealistic to treat regional nuclear disarmament as an immediate policy goal, the long-term international objective should be the accession of the unrecognized nuclear powers to all WMD nonproliferation regimes, including the NPT.

## Chairman's Observations

The 2000 Review Conference for the Treaty on the Non-Proliferation of Nuclear Weapons, also known as the Non-Proliferation Treaty (NPT), advanced the related goals of disarmament by the nuclear weapon states (the permanent members [P-5] of the Security Council), treaty compliance and verification, and the achievement of treaty universality. Our conference was convened on the premise that mutual security and improved relationships in the Middle East and in South Asia are necessary prerequisites to Israel, India, and Pakistan becoming NPT signatories.

With respect to the Middle East, some conference participants showed strong agreement that the Israeli public and political leaders should talk seriously and openly about Israel's nuclear option and the assumptions underlying it. Has this capability saved Israel during conflicts with its neighbors? Or has it undermined Israeli security? Is it reasonable to expect that Israel can maintain nuclear capability indefinitely, while at the same time denying this capability to neighbors like Iraq and Iran? Does the United States have a special responsibility to encourage a more frank examination by Israel of its nuclear policies?

Participants were divided on whether Israeli nuclear issues should be addressed immediately as a part of a new process of confidence- and security-building measures (CSBMs) or whether they should be dealt with only after broader regional security concerns, such as threats posed by conventional arms buildups and missile proliferation, have been ameliorated. Many agreed that track-two-type dialogues would be useful, but there was little common ground on the substance and order of a useful CSBM framework. While these divisions are not new, the nature of the impasse makes it evident that a new CSBM process cannot go forward until the P-5 projects a strong unified position on Middle East security matters.

There was a greater sense of urgency about the nuclear situation in South Asia, in part because the two primary rivals have nuclear arsenals facing each other, and in part because the 1998 tests were seen as a challenge to the entire NPT regime. Key questions included: How can the P-5, both individually and collectively, remain engaged so that they can be seen as relatively neutral mediators to diffuse any crisis related to the Kashmir conflict? Can the P-5 address the need for conflict prevention and risk reduction while, at the same time, supporting global regimes through strict sanctions? Through engagement by outside actors, can Indian and Pakistani nuclear programs be "frozen" at existing levels without legitimizing these capabilities? Conference participants did not find complete answers to these questions, but discussions again emphasized the urgent need for P-5 coordination.

Conferees also made it very clear that commitment to nuclear disarmament by the acknowledged nuclear weapon states is essential to further reduction or elimination of nuclear and other weapons of mass destruction. They suggested that the prestige value of nuclear weapons, perhaps illustrated by the overlap of official nuclear status under the NPT and permanent membership in the Security Council, has had a great influence on Indian decision making. Some noted that Israel would be unlikely to give up its arsenal until the P-5 themselves have made major moves in that direction.

In general, it seems doubtful that a coordinated strategy in either region will be possible until there is significant progress in US and Russian arms reductions and a substantial P-5 agreement on the nuclear disarmament agenda. For instance, participants urged implementation of Security Council Resolution 1172 in South Asia (see Appendix for full text of this resolution). It calls for India and Pakistan to negotiate constructively toward a fissile material cutoff treaty (FMCT) and to sign and ratify the Comprehensive Test Ban Treaty (CTBT).

However, China is blocking FMCT negotiations due to fears about US national missile defense (NMD) deployment and potential weaponization of space, while India is unlikely to sign the CTBT as long as the United States has not ratified it.

Concerns about the implications of a US NMD system were threaded through the Arden House discussions. Soon after the conference, the US administration announced its intent to proceed with a large-scale defense system. This would involve abrogation, or at least a major watering down, of the Anti-Ballistic Missile (ABM) Treaty. Before proceeding further, it is incumbent on all to carefully think through how NMD will affect larger nonproliferation goals. What kind of strategic relationship among the P-5 would evolve in the absence of the ABM treaty? Would that new relationship still allow substantial arms reductions under Article VI of the NPT as well as eventual accession by Israel, India, and Pakistan?

Overall, conferees offered several insights that should be helpful to the international community in pursuing implementation of the 2000 NPT Review Conference outcomes. They also validated the premise that resolving regional security issues is central to achieving NPT universality. The Stanley Foundation is exploring future programming on these regional concerns.

## Participant List

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Affiliations are listed for identification purposes only. Participants attended as individuals rather than as representatives of their governments or organizations.

## Opening Remarks

Richard H. Stanley

Welcome to the Stanley Foundation's 32nd United Nations Issues Conference. Since 1970 UN Issues has gathered experts to explore timely issues related to world challenges and global governance. This conference continues that pattern with the objective of contributing to a secure peace with freedom and justice.

We are here to talk about the prospects of achieving universal adherence to the Nuclear Non-Proliferation Treaty (NPT), an achievement that requires the eventual signature and ratification by the remaining unrecognized nuclear powers in the Middle East and South Asia. The final document of last year's Review Conference committed NPT member states "to make determined efforts toward the achievement of the goal of universality of the Treaty." Along with nuclear disarmament among the permanent members of the Security Council (P-5), treaty universality was listed as essential to the long-term viability of the NPT regime.

### **Role of the NPT in Reaching the Ultimate Goal of Nuclear Disarmament**

As we begin our discussions, we should remind ourselves that our ultimate goal is the elimination of nuclear weapons and other weapons of mass destruction (WMD). The world will be safer when it is governed by the rule of law, rather than by the threat of force. To this end, strengthening the NPT is appropriate because of its many successes as a central component in global efforts to eliminate WMD.

The NPT is part of a larger nuclear arms control and disarmament framework. This framework includes bilateral treaty processes, such as the START (Strategic Arms Reduction Treaty) talks between the United States and Russia, and also global regimes—such as the Comprehensive Test Ban Treaty (CTBT) and the safeguards arrangements administered by the International Atomic Energy Agency



*Richard H. Stanley  
President, The Stanley Foundation*

(IAEA). The NPT is the foundation upon which all other WMD disarmament measures are based. It came into existence decades before START I, the negotiation of the CTBT, and the inauguration of the Chemical Weapons Convention (CWC). Without its successes in limiting the proliferation of nuclear weapons technologies, other similar efforts would have been much more difficult—if not impossible—to conclude. It is only because nuclear weapons capabilities have not spread very far beyond the original P-5 that a global nuclear test ban can even be considered.

### **2000 Review Conference Actions and Commitments**

With these linkages between the NPT and other disarmament efforts in mind, the 2000 Review Conference reaffirmed its conviction that preservation and strict implementation of the treaty were essential to international peace and security.

Since 1995 nine more states have become parties to the treaty, leaving only four outside its

framework: Cuba, Israel, India, and Pakistan. Therefore, it is not surprising that the conference was quite specific about these remaining nonparties. For the first time, NPT states parties mentioned Israel by name in the final outcome. They explicitly called upon Israel to accede to a comprehensive IAEA safeguards regime and to join in the creation of a Middle East nuclear-weapon-free zone (NWFZ). In very firm language, the document repeated at several points that no recognition or special status whatsoever was to be given to the nascent nuclear capabilities of India and Pakistan, despite their 1998 nuclear tests and subsequent public statements about new capabilities. The conference urged India and Pakistan to accede to the NPT as nonnuclear weapon states and to place all their nuclear facilities under comprehensive safeguards. In accordance with Article IX of the treaty, the door to joining the NPT as a newly recognized nuclear power was expressly closed; accession would be possible only if the remaining holdouts agreed to give up their evolving nuclear arsenals as a condition of ratification. Finally, the conference called upon all states parties “to refrain from any action that may contravene or undermine the objectives of the treaty.” This implies that no members of the regime should give recognition to the nuclear capabilities of regional powers, nor should they conclude bilateral agreements on nuclear energy and nuclear science in the absence of comprehensive IAEA safeguards.

The 2000 recommitment to the goal of NPT universality now raises serious questions about the “means” to be employed by states parties to reach that goal. The goal has two separate but related aspects—achieving nuclear disarmament among the P-5 and accession to and compliance with the treaty by the four remaining nonparty states. Both aspects demand attention. Failure to achieve results in either will undermine the chances of success in the other. Therefore, a concurrent and coordinated two-track effort is needed.

### **Nuclear Arms Reductions and Disarmament by the P-5**

The Review Conference recognized that a key prerequisite to dealing successfully with the threat of regional nuclear arsenals is the committed reduction and eventual elimination of nuclear arms by the P-5. Without a rather drastic change in the nuclear status quo, other linked regimes such as the CTBT and possibly even the CWC will be severely undermined. Perhaps most important, Israel, India, and Pakistan can argue credibly that international efforts toward NPT universality are inherently hypocritical, given the heavy reliance of the strongest powers in the international system on nuclear arsenals as a key component of their national security.

Among others, the following P-5 actions are necessary toward achieving NPT universality: de-emphasis on offensive counterforce doctrines and deployments, increased emphasis on doctrines of no-first-use, clearer and more credible support for security assurances toward nonnuclear powers, and a dramatic reduction in the numbers of nuclear weapons.

However, P-5 nuclear arms reductions, though necessary, are hardly sufficient to bring about treaty universality. While calling upon the P-5 for action and progress in this direction, we must also explore the regional issues that militate against universality. These latter sets of issues are the primary focus of our discussion agenda at this conference. We have invited you here because your collective expertise will help sort through which regional measures and which actions by states parties will best facilitate universality.

### **Regional Measures Toward NPT Universality**

#### **General Philosophy of Regional Measures**

It is clearly unrealistic to expect Israel, India, and Pakistan to immediately sign and ratify the NPT. They face ongoing disputes in their regional security environments, perceived or real constraints on their behavior caused by the

policies of their key rivals and neighbors, and the domestic realities of institutional and political commitments to continuance down the nuclear path. The Review Conference's final document admitted that efforts toward treaty universality should include the enhancement of regional security in areas such as the Middle East and South Asia.

This has been increasingly recognized in expert circles. For example, in considering the possibility of a NWFZ in the Middle East, a 1991 study commissioned by the United Nations made the following basic point:

The premise upon which any nuclear-weapon-free zone must be based will be the conviction of States that their vital security interests would be enhanced and not jeopardized by participation.

In short, any solution that includes accession to the NPT must offer greater security to the states in question than the nuclear alternative and must be "perceived" by those parties as providing greater security. Any viable diplomatic, military, and political framework must somehow resolve the inherent tension between widely accepted global norms and the constraints imposed on regional actors by threats emanating from their more immediate surroundings. The "demand" side of nuclear proliferation must be addressed in a satisfactory form before treaty universality can be realized. And undoubtedly, solutions will differ from region to region.

### **Linkages Between Various Regional Methodologies**

Many different approaches may be considered to enhance regional security and build confidence that nuclear and other WMD may safely be eschewed. An important part of our work at this conference is to consider which of these approaches, and in what combination, is most likely to produce the desired results in each region. Among others, possible methodologies include: NWFZs, freezes on the production of fissile materials, implementation of IAEA safeguards, confidence- and security-building

measures that address both conventional forces and nuclear facilities, security assurances from outside the region, and coordinated regional policies and actions by states parties to the NPT.

The creation of NWFZs received extensive attention at the Review Conference. The final document praised the ongoing creation or implementation of regional zones in South America, the South Pacific, Africa, and Southeast Asia, and it expressed the desirability of establishing similar zones in other areas.

The question is how, through what processes, and under what conditions can this kind of agreement be achieved? What can we learn from the processes used to establish the existing zones?

It seems likely that only a series of intermediate measures that sharply reduce tensions can bring the parties to serious negotiations on first steps toward regional arrangements on nuclear weapons and other WMD. Even steps such as a freeze on the production of fissile materials or the opening of nuclear facilities to IAEA safeguards would require much greater confidence and transparency than currently exist between rivals in these regions. Increasing the level of trust is especially important for verification, which is likely to be more intrusive, stringent, and comprehensive than existing procedures used in other parts of the world. In addition to the existing safeguards regime and expertise offered by the IAEA, regional solutions might well require a separate organization that supplements the verification activities of global institutions. And unlike the zonal arrangements that exist in South America, the South Pacific, and Southeast Asia, such arrangements in the Middle East and South Asia would have to be concluded despite high levels of tension.

This raises many questions about realistic intermediate confidence-building measures. It raises questions about possible linkages between nuclear weapons and other security issues, including chemical and biological arsenals, the CWC, regional frameworks

dealing with conventional arms control, and growing concerns about missile programs. Equally important, which linkages should be avoided? Which connections between issues would strengthen parallel regional and global processes, and which would damage or even paralyze efforts to deal constructively with the problem of unrecognized nuclear arsenals? The frail and sensitive peace talks between the principal disputants underlie all of these questions in both regions.

### **Conclusion**

Achieving treaty universality will require new strategies and new policies by NPT member states. Traditional strategic arms control methodologies do not offer a ready guide for foreign policies toward the unrecognized nuclear powers, and the global NPT regime includes no roadmap for changing the existing nuclear situations in the Middle East and South Asia.

In our discussions I think it is important we keep the following questions in mind:

- What measures are needed at the bilateral, regional, and global levels to achieve the goal of treaty universality, which was reaffirmed at the 2000 Review Conference?
- What can be learned from past experiences in these and other regions?
- In what ways can states parties work together multilaterally to enhance the compatibility and maximize the effectiveness of their foreign policies toward these regions?
- How can NPT states parties craft policies that do not discriminate between disputants and will realistically raise the chances of their eventual agreement to become nonnuclear members of the NPT?

Only by finding the answers to these questions will we be able to help the world pursue global nuclear disarmament, rather than falling into new and expanded nuclear arms races.

I look forward to our discussions.

## Conference Report

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The overall goal of international nonproliferation regimes is the global elimination of all weapons of mass destruction (WMD), including chemical, biological, and nuclear weapons. The Treaty on the Non-Proliferation of Nuclear Weapons, also known as the Non-Proliferation Treaty (NPT), is widely regarded as the foundation upon which all other WMD disarmament measures are based. Its multiple goals include the prevention of the spread of nuclear weapons beyond the original five nuclear powers (United States, Russia, France, Great Britain, China); the peaceful sharing of nuclear technology and fissile materials for the purposes of economic and scientific development; and just as importantly, the eventual elimination of the nuclear arsenals of the permanent five Security Council members (P-5) according to Article VI of the treaty.

The 2000 NPT Review Conference (RevCon) recognized the treaty's many successes in preventing the spread of nuclear weapons by reaffirming its conviction that preservation and strict implementation of the NPT were essential to international peace and security. The conference also clearly identified the achievement of treaty universality as a crucial intermediate goal that would increase the long-term viability of the treaty and help ensure the eventual accomplishment of all the treaty's objectives.

Universality is more than a formal legal requirement. It is an indirect, diplomatic shorthand referring to the challenges posed by the existence of three regional nuclear powers outside the treaty framework: Israel, India, and Pakistan. The intermediate goal of treaty universality requires eventual signature and ratification by these states, which despite their *de facto* nuclear status are not formally

recognized as nuclear weapon states (NWS) under the treaty. The 2000 RevCon explicitly called upon each of the three countries to place all of their nuclear facilities under comprehensive safeguards administered by the International Atomic Energy Agency (IAEA). And despite the 1998 nuclear tests by India and Pakistan, the agreed language also stated that no recognition or special status whatsoever was to be given to the nascent nuclear capabilities of these nations. Finally, the conference called upon all states parties "to refrain from any action that may contravene or undermine the objectives of the Treaty." This implies that no members of the regime should conclude bilateral agreements with India or Pakistan on nuclear energy and nuclear science in the absence of IAEA safeguards.

However, Israel, India, and Pakistan face ongoing disputes in their regional security environments. Leaders of these countries feel heavily constrained in their policy options because of the political and defense policies of their key rivals. Accordingly, the final document admitted that efforts toward treaty universality should include the enhancement of regional security.

To address these issues, the Stanley Foundation held its 32nd UN Issues Conference on "Implementing the 2000 NPT Review Conference Outcomes" on February 23-25, 2001, at Arden Conference Center, Harriman, New York. The focus of the conference was on ways to facilitate the achievement of treaty universality. Participants included representatives from the UN Department of Disarmament Affairs, national missions to the United Nations, the US State Department, the IAEA, and policy experts from nongovernmental organizations and academic institutions. This rapporteur's report summarizes the main points of the discussions.

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The rapporteur prepared this report following the conference. It contains her interpretation of the proceedings and is not merely a descriptive, chronological account. Participants neither reviewed nor approved the report. Therefore, it should not be assumed that every participant subscribes to all recommendations, observations, and conclusions.

### Factors Behind the 2000 RevCon Agreement on Regional Issues

Roundtable participants discussed what factors contributed to the unprecedented agreement on regional issues at the 2000 RevCon. In the preceding 15 years, states parties had failed to achieve consensus on a final document, despite the indefinite extension of the treaty in 1995. Most participants suggested that the common desire of the states parties to have an agreed-upon final document was based in part on world events in the intervening years since 1995. Following the 1998 nuclear tests by India and Pakistan, many countries felt the need for a strong message about the nonproliferation norm.

A second factor contributing to consensus was the negotiation structure, namely, broad coalitions and multilateral cooperation in general. The New Agenda Coalition<sup>2</sup>, for example, provided a roadmap on how to implement Article VI obligations. Its policy positions on nuclear disarmament and its suggested language in various non-papers and resolutions created the negotiating point around which the P-5 compromised with groups who advocated strong, immediate actions toward global nuclear disarmament.

Participants mentioned the flexibility of the US delegation on the issue of Iraq as a contributing factor to the agreed language on regional issues, while others suggested that the absence of Israel, India, and Pakistan from the proceedings was a requirement for consensus. Still others countered that a more limited consensus would have been reached even if the NPT nonadherents had been present as voting members.

One participant expressed skepticism about the search for common factors behind the

RevCon agreements on regional issues. This participant stressed the different natures of political issues and negotiating dynamics in the Middle East and South Asia. For example, mentioning Israel by name, apart from other states in the Middle East, was a critical issue for the Arab countries. If the final document had not mentioned Israel in isolation from other countries, there would not have been any agreement.

In general, discussants believed that the multiple outcomes of successive review conferences have been sensitive to world events. One participant speculated that if the breakdown in the Middle East peace process had existed at the time of the 2000 RevCon, a consensus would have been impossible.

Some participants criticized the RevCon structure for its isolation from political and diplomatic realities. The declaration of the five NWS on their Article VI commitments was listed as one example of the sorts of agreements that were produced by virtue of the abstracted internal logic of the RevCon diplomatic environment. The disarmament language used in the final document by the P-5 is too ambitious and is not likely to be fulfilled by 2005. Also, some participants believed that exclusion of the unrecognized nuclear powers from the proceedings inherently undermined the applicability of the final outcomes to the Middle East and South Asia regions.

### Global and Regional Obstacles to NPT Universality

Most participants agreed that treaty universality is an important indicator of regime success. They identified four obstacles to this: noncompliance (and the inconsistency of international community reactions to noncompliance), non-adherence, lack of progress on nuclear

<sup>2</sup> The eight members of the New Agenda Coalition are Brazil, Egypt, Ireland, Mexico, New Zealand, Slovenia, South Africa, and Sweden. The group made their initial declaration on June 9, 1998, demanding "the speedy, final and total elimination" of nuclear weapons. For more information on their stances and negotiating role in NPT fora, see the Web pages of the British American Security Information Council, [www.basicint.org/new\\_agenda](http://www.basicint.org/new_agenda), and also an article by Rebecca Johnson of the Acronym Institute, "The 2000 NPT Review Conference: ADelicate, Hard-Won Compromise," *Disarmament Diplomacy* Issue 46, [www.acronym.org.uk/46npt](http://www.acronym.org.uk/46npt).

disarmament by the P-5, and the issue of special status for unrecognized nuclear powers.

### **Reactions to Noncompliance by the International Community**

Most participants agreed that noncompliance is the main barrier to achieving treaty universality. The importance of noncompliance as a factor is indirectly tied to the decision-making calculus of the unrecognized nuclear powers themselves. Israel, one of the four countries preventing treaty universality, remains concerned about Iraq's program and about the compliance of Iran with the treaty. These concerns continue to surface even though Iran is a member of all international nonproliferation agreements, and even though its nuclear facilities are under IAEA safeguards. Israel believes that in the absence of comprehensive implementation of the additional protocols by Arab states, it cannot trust that IAEA inspections will actually unearth cases of noncompliance. The example of the Iraqi program and its near-nuclear status in 1991 are key to Israel's distrust of the treaty's verification mechanisms.

However, one participant argued that a large part of the problem is the inability or unwillingness of states parties to implement the existing measures on compliance, rather than inherent weaknesses in the verification mechanisms per se. Although the IAEA has a provision for special inspections, countries have not consistently supported the agency in implementing that provision. In the case of Iraq, the IAEA was not given strong political support by the UN Security Council permanent members during the 1980s because the P-5 tacitly supported Iraq's role in the eight-year Persian Gulf War with Iran. This undermined the agency's ability to confront Iraq with special inspections prior to 1991. As a result, the system for dealing with NPT noncompliance was weakened.

This tendency toward inaction by the P-5 was also present for other WMD treaties, such as the Chemical Weapons Convention (CWC). The international community was initially

silent when Iraq used chemical weapons against Iran in the 1980s.

### **Nonadherence Versus Noncompliance**

In the interest of achieving universality, some participants highlighted the need for current treaty members, such as Iran, to strengthen their commitment to treaty compliance by implementing the Additional Protocol with the IAEA. In response, others argued that nonadherence by Israel, India, and Pakistan is the main obstacle to achieving universality, whereas achieving compliance is simply a matter of time. Treaty compliance is an incremental and ongoing political process, and some setbacks are to be expected.

In this regard, some pointed to what they thought was a contradiction in policy by outside powers: Iran is asked to accede to the Additional Protocols of the IAEA while Israel is not even a party to the NPT. They pointed out that Israel is the only regional power with nuclear capabilities, and so an Additional Protocol would not have any added value for regional security. A much more valuable step would be if nuclear-capable countries; i.e., Israel, were to implement bilateral safeguards agreements with the IAEA even if they are not parties to the NPT, such as happens now with Cuba. Ensuring even limited adherence by Israel to nonproliferation norms should be the priority of international pressure, not the Additional Protocol. Others disagreed, stating that the implementation of the Additional Protocol was in Iran's and other NPT parties' interest regardless of the actions of Israel.

### **The State of P-5 Nuclear Disarmament**

Participants expressed concern about the apparent retrogression in nuclear disarmament by some of the P-5. Most participants agreed there is a disparity between rhetoric and reality in the stances of the NWS toward nuclear disarmament. One reminded the group that the final document of the 2000 RevCon includes "Regular reports, within the framework of the NPT strengthened review process, by all states parties on the implementation of Article VI...."

This means that by 2005 the P-5 needs to report on progress in this area. The refusal of the NWS to disarm themselves might lead other countries to consider nuclear weapons as a source for power and prestige. This, in turn, would impair the goal of treaty universality.

While some strongly believed that lack of action on Article VI poses an obstacle to treaty universality, others suggested that nonproliferation should be enforced before disarmament. They explained that conditions for disarmament under Article VI are not yet ripe and that disarmament is an idealistic, long-term goal that should not be moved to center stage. The 2000 final document should not be looked at as a legal document but rather as a diplomatic agreement that is pointing in the general direction we should follow.

A third view was that the NWS should implement and comply with Article VI concurrently with implementation of the nonproliferation objectives of the treaty. In general, a majority of participants felt that if the NWS fail to follow the clauses in the final document word-by-word as a group, and instead interpret the 2000 RevCon agreements on nuclear disarmament according to their own national needs, effective implementation of Article VI commitments would be seriously hampered.

P-5 disarmament policies are also linked to the goal of capping fissile material production in the Middle East and South Asia. Contrary to some Western rhetoric, it is not only Israel, India, and Pakistan that stand in the way of a global fissile material cutoff treaty (FMCT). FMCT negotiations are part of the larger context of work in the Conference on Disarmament, which is currently blocked by increasing Chinese objections to US plans for national missile defense (NMD).

One discussant believed the FMCT in its current formulation is a relic of the Cold War and that it has become a generalized nonproliferation measure divorced from nuclear realities. Since there are only eight countries that have

the capability to produce weapons-grade fissile material (the NWS, Israel, India, and Pakistan), it might be more appropriate to talk about a moratorium of fissile material production between those specific countries.

Participants also expressed concern about the effects of US military proposals such as NMD and weaponization of space. One participant pointed out that “strategic stability” was referred to several times in the 2000 RevCon final document. If the United States goes ahead with NMD, there will be implications for overall strategic stability that could affect the nonproliferation regime. The consequences would depend on how the United States handled its deployments, such as whether it chose to modify the treaty in agreements with Russia or whether it dropped the treaty altogether. Also, modifying the Anti-Ballistic Missile (ABM) Treaty might lead to requests by some countries to modify the NPT. However, a few participants thought that the comparison between the NPT and the ABM treaty was not appropriate, since the ABM treaty is a bilateral security agreement between the United States and Russia, not a global convention with near-universal adherence.

### **“Special Status” for the Unrecognized Nuclear Arsenals?**

One of the issues that generated the most debate was the option of granting special status to de facto nuclear powers. Should the P-5 and others attempt to engage Israel, India, and Pakistan through a limited recognition of their existing capabilities, as part of a long-term strategy aimed at capping, managing, and eventually rolling back their nuclear programs? Would such a policy have a greater chance of success in reducing the risk of nuclear war, while at the same time addressing the real security concerns of the three countries?

**The Majority View.** Although opinions on this issue were not universal, most opposed the granting of any kind of special status to the

unrecognized nuclear powers, either within the terms of the NPT or outside it. The very existence of exceptions within the regime could unravel the treaty framework altogether and threaten the goal of treaty universality. "The difficult cases will simply multiply as a result," one participant argued. First, the granting of special status would reward bad behavior in the case of South Asian nuclear tests. Second, members of the NPT believe they are more secure in giving up the nuclear option because other regime members are similarly constrained. Therefore, if states with nuclear arsenals are allowed under the NPT, existing members will question the security value of the treaty. Third, adding members with special status would create an asymmetry in rights and obligations between states parties. The end result would be a lack of positive incentives for current members to stay within the treaty framework. This might lead to defections by some parties, especially those that have pursued nuclear capabilities in the past and have only recently agreed to be nonnuclear weapon states (NNWS).

**The Minority View.** A few participants, including some regional experts, dissented on the importance of treaty universality. In the minority view, the NPT should be judged on the basis of its past and current successes rather than on universal acceptance. The treaty's success can be gauged by the fact that most countries in the world are already members, and these current members feel more secure in knowing that other states parties are not pursuing nuclear options. The fact that three countries do not find security under the NPT does not make the treaty less robust. Overemphasizing universality will weaken the regime by imposing impossible standards. Related to these points, the minority view was that the NPT is an instrument and should not be pursued as a goal in and of itself.

Along these lines, one participant suggested that Israel, India, and Pakistan have strong reasons for not joining the NPT, and these reasons are unlikely to change. The NPT was signed in

1968 during the Cold War, but now countries like India face special circumstances that should be considered. The important goal is to engage these countries in WMD nonproliferation regimes and not necessarily in the NPT per se. To achieve this goal we need to find arrangements that will be workable in those regions, and possibly allow them to adhere to the NPT under new, more limited guidelines. The benefit would be that these countries will have some accountability, and the international community will have some oversight of their nuclear programs. Supporting this viewpoint, another participant asserted that the only alternative to engaging Israel as a de facto nuclear power "is to achieve nothing."

**Response to the Minority Argument.** One participant countered that every country faces some form of security threat, and the promise not to pursue nuclear weapons programs is the cost of being an NPT member and receiving the security and economic benefits under the treaty. Other countries in similar situations have chosen a nonnuclear route to achieve their security goals. This includes NPT states parties with similar desires for international prestige and their own security concerns. Therefore, justifying the Israeli and South Asian nuclear weapons arsenals based on their special situations could legitimize other countries using security and prestige issues as a basis to defect from the NPT.

Another emphasized that the international community should think about what "carrots" have already been provided to these countries and what has been gained from them. Over several decades, the United States and other countries have offered both India and Pakistan incentives—such as financial packages through international institutions, conventional arms and weapons technologies, training of nuclear scientists, and trade in nuclear technologies—as benefits for cooperation. However, these benefits were not properly attached to responsibilities.

**The Risks of Special Status in the Middle East.** Several complications associated with

special status were identified. First, the nature of Israeli proliferation and nuclear practices is far different from the practices of India and Pakistan. Because of the 1998 nuclear tests by India and Pakistan, some participants advocated basic recognition of the two sides' arsenals as they currently exist. Such recognition might include limited participation in NPT forums. However, others countered that such a policy would have the effect of punishing Israel for showing restraint in its nuclear policies. Therefore, any fair deal on special status would have to include Israel, something that would probably undermine Middle East stability and lead to numerous defections from the NPT by current members. Also, Israel itself does not desire overt, public recognition of its nuclear capabilities due to its long-held and purposeful policy of nuclear ambiguity.

Still others thought the assignment of special status to Israel would just increase inequalities that already exist in the Middle East under the nonproliferation regime. The United States, it was argued, is acting in a double standard when it protects Israel from even discussing its nuclear weapons status while at the same time denying countries such as Iran commercial nuclear technologies permitted under the NPT. Israel is not a member of any of the international treaties, while Iran has signed all of them. Yet Israel is enjoying a special relationship with the United States already, including significant military aid. Furthermore, while there were pressures on India and Pakistan to join the NPT before the 1998 tests, as well as on Brazil and Argentina prior to their recent treaty accession, the United States never put similar pressures on Israel.

Some felt that Israel's de facto nuclear status has a negative effect on the participation of other countries in WMD nonproliferation regimes such as the CWC. Egypt, for example, signed the NPT in the early 1980s because it was told that Israel would eventually sign it as well. In 1993 Egypt chose not to sign the CWC, and it will not do so unless and until the international community assigns equal importance to all WMD agreements.

**Conclusions of Special Status Debate.** In general, a majority of participants agreed that Israel, India, and Pakistan should not be given any special rights without accompanying responsibilities. As summarized by one discussant, "The goal is universality and not parochial interests."

Participants recognized that India is sensitive to the issue of differential treatment based on nuclear weapons capabilities, especially regarding the level of respect bestowed by permanent membership in the Security Council. Therefore, to support a policy of withholding special status, the P-5 needs to take decisive actions to cut the connection between nuclear weapons capability and status in the international community. They should not accept India and Pakistan to the Security Council. The rule should be that a country has to be a standing member in the Biological Weapons Convention, CWC, and the NPT in order to qualify as a permanent member of the Security Council. Such a rule would convey to others that attaining nuclear weapons is not the way to great-power status.

### **The Precedent of the Interim Solution to the North Korean Nuclear Crisis**

**The Impact on the Overall NPT Regime**  
Conference participants generally agreed that the negotiated solution of the Agreed Framework between the United States and North Korea is a positive example of the use of multiple foreign policy instruments to contain a case of potential nuclear proliferation. However, one participant called attention to the negative implications of the Agreed Framework for the overall NPT regime. He noted that North Korea would soon be in non-compliance with the NPT for 15 years, due to its unwillingness to allow full accounting of past nuclear activities by the IAEA. The Agreed Framework has also created a situation in which a country cheating on its Article III commitments is being promised advanced civilian nuclear capabilities (lightwater reactors) that are being refused to other countries

that are NPT members in good standing, such as Iran. This double standard disturbs the export control regime. Since the main problem of North Korea in the early 1990s was political isolation after the Cold War and not energy shortages per se, a political management approach might have been more appropriate to deal with the crisis.

In response, one participant said the policy choice facing the United States was between immediate violations of Article II (the agreement by North Korea as a signatory not to produce components of a nuclear arsenal) or a continuing violation of Article III, which stipulates the necessity of international monitoring under IAEA safeguards. Other discussants supported this argument by pointing out that North Korea still maintains two reactors in standby mode, in addition to reprocessing facilities, and can restart the nuclear program at any time. Therefore, the Agreed Framework continues to prevent the violation of Article II commitments by North Korea on an ongoing basis, ensuring the continued viability of the treaty framework.

### **The Role of the IAEA**

One participant criticized the IAEA's treatment of the Democratic People's Republic of Korea (DPRK) in the period leading up to the nuclear crisis in 1992. When the DPRK joined the NPT in 1986 and signed the safeguards agreement in 1992, he argued, it was a very good opportunity to draw the DPRK back to the international community. Instead, the IAEA saw it as an opportunity to pressure North Korea and conduct a special inspection. In his view, the IAEA should have used a more diplomatic response rather than going ahead with a highly intrusive special inspection.

Another participant commented that the Agreed Framework has mixed benefits from the viewpoint of the IAEA. On the one hand, the agency sees the framework in a positive light since it is a pragmatic, incremental, cooperative approach with some hope of long-term success. On the other hand, "the DPRK sees the IAEA through the glasses of the Agreed Framework," and this narrow perspective of the role of the agency should be broadened. North Korean obligations under the NPT should not be overshadowed by the political and economic agreements made with the United States to end the crisis in 1994.<sup>3</sup>

### **Lessons of the North Korean Nuclear Crisis for Other Regions**

The chair invited participants to think about the potential lessons offered by the Korean experience to the situations in the Middle East and South Asia. In particular, he asked participants to assess the relevance of multilateral regional solutions for the current situations of Israel, India, and Pakistan.

Participants initially responded with some skepticism, stressing that comparisons of the Korean example to the situations of Israel, India, and Pakistan are not straightforward. Any regional solutions inside or outside the NPT regime would be highly dependent on the specific political and military factors within each separate area. They mentioned several pertinent differences between the Korean situation and the regional environment of the unrecognized nuclear powers:

- The Korean nuclear crisis was a case of non-compliance rather than nonadherence. The fact that North Korea was already a party to the treaty facilitated the application of external pressure and helped to build a consensus for action in the UN Security Council.

<sup>3</sup> North Korea signed the NPT in 1986 and the accompanying bilateral safeguards agreement with the IAEA in 1992. It initially delayed, and then finally refused, IAEA demands for a special inspection in 1993 and threatened to withdraw from the treaty framework, precipitating the international crisis. The IAEA's call for inspections was based on increasing suspicions about the incompleteness of North Korean declarations regarding its nuclear fuel cycle. The agency feared that North Korea had used the 1986-1992 period to begin the process of diverting spent nuclear fuel for reprocessing into weapons-grade materials. There was also a general frustration at the reluctance of the DPRK to live up to its treaty obligations under Article III in a timely manner.

- The NPT conditions of withdrawal gave the United States a specific, limited time frame (three months) in which to start negotiating a viable solution to keep North Korea within the treaty framework. There is no specific deadline motivating the creation of new policies toward Israel, India, and Pakistan.
- North Korea's desperate economic situation and outdated Soviet-era nuclear infrastructure allowed the use of positive economic incentives by the United States, including the supply of the latest nuclear reactor technology. Israel, India, and Pakistan have relatively healthier economies and energy infrastructures.
- When the Cold War was over, Russia and China had established diplomatic relations with South Korea, while at the same time substantially reducing their bilateral trade and military ties with the North. Therefore, at the time of the crisis, North Korea sought political validation. The Agreed Framework allowed North Korea to deal with the United States as an equal and get the international respect it sought. In contrast, Israel, India, and Pakistan have normal relations with most countries, including the major powers. Israel, the most isolated of the three, has strong and continuing support from the United States.
- The United States attempted long ago to offer Israel security guarantees in exchange for giving up its nuclear option, but this effort was not successful because Israel did not want to rely on an outside power to ensure its ultimate existence as a sovereign state.
- In South Asia, a multilateral approach based on carrots and sticks would depend on whether there is a price one could pay for Pakistan, which bases its own nuclear program directly on the progress of India's efforts to acquire a nuclear capability (see "Effectiveness of Sanctions and Incentives" under South Asia section below). Also, India

has consistently rejected a regionalist approach to nuclear disarmament in favor of a time-bound global agreement that includes the destruction of existing P-5 arsenals.

Despite these differences between regional situations, participants eventually suggested several general lessons that one can draw from the interim solution to the North Korean nuclear crisis:

- The adoption of a pragmatic problem-solving approach, rather than a narrow technical-legal strategy, was generally successful in preventing further proliferation.
- The NPT review process has sometimes exerted positive indirect pressure on member states to address cases of nonadherence or noncompliance. For instance, the 1995 review conference goal of indefinite treaty extension put significant pressure on members to contain the North Korean nuclear program.
- Multiparty talks between regional and outside actors, similar to the Four-Party Talks for Northeast Asia, could be utilized in other regions. An institution such as the Korean Energy Development Organization might also be adopted elsewhere to address nuclear energy issues on a multilateral basis.
- When dealing with an opposition to nonproliferation norms that is justified by the special needs of the country at hand, try to address these needs without undermining your own position. The North Koreans themselves were among the proponents of the solution. They justified their demands with reference to their special needs, some of which the Agreed Framework directly addressed.
- A large, extra-regional consensus for action among all the significant players in the international community is valuable for facilitating a solution. This consensus does not currently exist in the Middle East or South Asia, but a common agreement by external powers is possible.

- Any future engagement strategy in cases of noncompliance or nonadherence should be conditional. While incentives are important, they have to be applied incrementally with evidence of progress; otherwise, multilateral engagement can be a counterproductive strategy.
- Most participants agreed that a bilateral approach should be avoided in similar situations. The Agreed Framework was concluded strictly between the United States and North Korea, although the United States did consult closely with China, South Korea, and Japan during the negotiations. Since North Korea requested to talk only to the United States, it was easier for North Korea to blackmail the United States effectively. Therefore, the lesson is to discuss future agreements multilaterally, both officially as well as in background diplomacy. Avoiding bilateralism would also allow the overall political context and threat perceptions of the region to be taken into account, which are factors that go beyond nonproliferation. (However, a minority of participants believed that in order for the international community to deal with noncompliance successfully, it needs to move away from the international domain of the Security Council toward bilateralism.)

## The Middle East

### Is the NPT Applicable to the Middle East?

Some participants argued that the situation in the Middle East requires a realistic perspective and new formulas to address nonproliferation. Some countries in the region believe that Israel should not exist, making the Israeli linkage between nuclear weapons and national survival much stronger. Also, the NPT has flaws.

For example, Israel does not believe IAEA rules and procedures are intrusive enough to have a high probability of identifying noncompliant behavior.

Other participants disagreed, arguing that the NPT can be applicable in the Middle East if members of the regime stand behind it. The NPT regime has its own sanction, which is the refusal by major supplier states to engage in nuclear trade and technological advancement with nonmembers. States parties should implement this provision consistently across regions. Saying that the NPT cannot work in the Middle East may eventually prompt other Middle Eastern countries to withdraw from the treaty.

Some linked NPT universality to the establishment of a nuclear-weapon-free zone (NWFZ) in the Middle East. The idea for a Middle East NWFZ was first suggested by Iran in 1974. In 1991 UN Security Council Resolution 687 linked disarmament by the five NWS to establishing a NWFZ. There has been no major progress on disarmament since the adoption of the resolution, nor on a NWFZ.

A few participants suggested that one way to establish a NWFZ in the Middle East (and achieve NPT universality) is to first assure the security of Israel and other countries in the region. As part of such a strategy, arms control instruments other than the NPT should be pursued in the short- to mid-term period to engage Israel. In particular, the P-5 and other actors could emphasize the feasibility and validity of the Comprehensive Test Ban Treaty (CTBT) for all countries in the region, as well as a forward-looking version of the FMCT. Neither of these steps would require Israel to declare and dismantle its nuclear arsenal immediately.<sup>4</sup>

<sup>4</sup> Also, unlike the NPT, Israel was heavily involved in the Geneva negotiations for the CTBT from the beginning, and it is still involved in defining verification rules, procedures, and definitions as a member of the treaty's Middle East and South Asia group, as a participant in annual CTBT Organization Preparatory Committee meetings, and as a cooperating member in development of the global International Monitoring System. For a summary of Israel's relationship with the CTBT and its implementing organization, see Gerald M. Steinberg, *Arms Control and Non-Proliferation Developments in the Middle East: 1998-99* (Begin-Sadat [BESA] Center for Strategic Studies, Bar-Ilan University, Israel).

### **The Role of Conventional Arms Control**

Participants agreed that the proliferation of conventional weapons is related to WMD proliferation in Middle East. Countries in the region are likely to pursue WMD if they do not have the means to compete conventionally. Therefore, sales of conventional weapons into this region should be restrained—particularly by the United States, which is the leading seller of conventional arms to the region in terms of dollar amounts.

Participants acknowledged that the NWS have considered restraint in arms sales to the Middle East in the past, but there is very limited reporting of such sales. One recommendation was to start reporting sales under the UN convention by building on the experience of the Organization for Security and Cooperation in Europe. A starting point could be initial declarations on current inventories. However, some participants questioned whether the UN mechanism on conventional arms is a viable alternative. A potentially more viable mechanism would be regionally based, both institutionally and politically.

### **The Role of Confidence- and Security-Building Measures (CSBMs)**

Problems in the Middle East include territorial disputes, the broader conventional balance, proliferation of WMD, and major power interests and goals. These problems are closely related. In face of these varied issues, there was a strong consensus among the participants that CSBMs should be encouraged as part of a recommended incremental approach in the Middle East.

However, there was not a strong consensus on the order or combination of elements within a new CSBM process. Some felt that the Arms Control and Regional Security (ACRS) talks ultimately failed because there was no agreement among the parties about a program of work, largely due to Egypt's insistence on addressing the nuclear issue as the first element of the process. Rather than repeat this

mistake, the best approach for the Middle East would be to first pursue bilateral contacts to create understanding and confidence, and only then construct a multilateral approach and restarting of ACRS-like talks. The restarted ACRS process could then include discussions on nuclear weapons, because a foundation of confidence would have been already reached (unlike in the previous talks).

Supporters of a broader multilateral dialogue, involving all regional actors, countered that nuclear matters should be discussed, but they could not realistically be at the forefront of a restarted regional dialogue on CSBMs. A basis of confidence and trust is required before Israel can be expected to talk about WMD issues.

The one common denominator of all participants was strong support for a new dialogue in the region, which would include discussions on security needs and perceived threats. Many suggested that track-two talks could be a practical step toward resuming a CSBM process. As one participant said, such tracks "kept the ACRS process alive unofficially." Most agreed that should regional arms control talks resume, the prior ACRS talks would be useful, and chances for success would be better if countries absent in the past were included (i.e., Iran, Libya, and Syria).

### **The Problem of Missile Proliferation**

There is no formal international mechanism that deals with missile proliferation. The Missile Technology Control Regime (MTCR) is not a regime or a negotiated treaty, but rather an agreement among several countries. In addition, there is no global ballistic missile proliferation norm.

Participants agreed that missile proliferation in the region needs to be seen in a broader sense than the simplified global threat that underlies the logic of the MTCR. Missiles are an integral part of the regional security equation. With a few important exceptions, most states' chemical weapons and ballistic missile programs aim to match or compensate for

their rivals' military capabilities, and thus to enhance their security and regional prestige. Egypt, Iran, Iraq, Israel, Libya, Saudi Arabia, Syria, Yemen, and the United Arab Emirates (UAE) have all acquired ballistic missiles with range/payload exceeding MTCR objectives. If the current dynamic continues, all the countries in the region will feel that they must have a missile program.

One participant noted that the Israeli missile program is the most advanced in the region, which was demonstrated by the last test of the new Jericho missile. Yet major powers outside the region, including the P-5, do not talk about the threat represented by the Israeli program. In contrast, while Iranian missile activity is purely defensive, it is subjected to severe criticism and sanctions by the major powers.

### **The Prospect of a Regional Fissile Material Production Freeze**

Several participants agreed that the FMCT could be a useful confidence-building measure (CBM), even if it would only ban future production of fissile materials and would not address existing stocks. There was a debate among the participants about the merits of the FMCT dealing immediately with existing stockpiles or addressing only the future production of fissile material.

Some participants argued that the FMCT would be incomplete and discriminatory if it does not address the existing stocks of Israel, India, and Pakistan. One participant argued that a future-oriented FMCT "is bad arms control" and suggested that the existing stocks of Israel, India, and Pakistan should be included in the FMCT as a base line.

Other participants thought the only way to engage Israel is to promise that the FMCT will be future-oriented and will not require declaration and monitoring of existing stocks. A FMCT banning future production would be valuable not only as an arms control measure but also as a strong CBM under a revamped CSBM process. And a forward-looking

arrangement would not necessarily legitimize existing stocks of fissile material.

A third perspective, borrowed from the incremental North Korean approach, suggested that the FMCT can be forward-looking initially, but eventually declare and monitor existing stocks. Another similar point of view suggested that in light of opposition to starting the negotiations on FMCT, a short-term alternative would be for Israel, India, and Pakistan to announce a moratorium on fissile material production.

### **The Role of Outside Parties**

Participants expressed concern about the Western debate concerning the use of nuclear arsenals against chemical and biological weapons in the developing world. This debate was seen as a negative trend that could impact nonproliferation goals in the Middle East region. Some saw the failure of the US Senate to ratify the CTBT, and the continued funding of the nuclear national labs, as part of this overall trend stressing the usability and security value of nuclear weapons. Another participant pointed to what he thought was a nonnuclear example of negative outside influence: the Black Shaheen cruise missile being sold by France to the UAE, which could constitute an MTCR violation.

Other participants focused on Western interactions with Israel. They argued that the transfer of nuclear technology to Israel in the 1950s was a mistake. Not only did it fail to add to the security of Israel, but this act provided a justification for the nuclear ambitions of other countries in the region.

According to these participants, the United States has a key role in threat perceptions in the region. Therefore, it can play a major role in changing the Israeli nuclear policy by engaging Israel in a dialogue and putting pressure on it. While some participants argued that the United States is not interested in relaxing its attitude toward Israel's nuclear policy, one participant suggested, "It is time to update the US understanding with Israel."

There was a great deal of discussion about the policies of outside parties toward Iraq. The participants strongly agreed about the need for a reassessment of the Iraq policy and a greater alignment of the policies of the P-5 toward Iraq. However, there was not a consensus among the participants regarding the kind of policy that should be pursued in the future and about which of the past policies were successful.

### **Domestic Constraints: The Israeli Security Culture**

Israel is the only country with advanced nuclear weapons that refuses to discuss them both at home and outside. One participant explained that the Israeli culture is such that policymakers do not deal with this issue. Rather, the implementation is done by the defense bureaucrats, who have significant power. In addition, Israel does not distinguish between discussions and negotiations on nuclear matters.

Participants agreed that this is an intolerable situation that needs to be changed. However, there was disagreement on the best way to alter the situation. The international community and the United States, in particular, have been unable to deal with the Israeli nuclear reality and convince Israel to sign the NPT, but they share the burden of changing the situation.

Participants debated whether nuclear weapons provide Israel with greater security. Some argued that Israel has not achieved greater security with its nuclear weapons. Moreover, they argued, these weapons in fact undermine its security because “you cannot achieve peace through [nuclear] deterrence.” Additionally, it is doubtful that nuclear weapons will work as a deterrent because there is no conceivable situation in which Israel will ever use the option. The only way to achieve security is by making peace.

However, others argued that the Israeli perception on nuclear weapons is different. There is a solid consensus in Israel that nuclear weapons

did provide them with security and that their nuclear deterrent works. The view in Israel is that the “responsible position of Egypt” since 1973, especially in regard to the 1979 Camp David agreements, is a result of Israel’s nuclear deterrent. In addition, Israeli citizens and leaders believe the tacit nuclear threat may have prevented Saddam Hussein from using chemical weapons during the Gulf War. One participant argued that this consensus in Israel “is a result of ignorance” and that the Israeli public needs to start a debate about the connection between nuclear weapons and increased security.

There seemed to be recognition among the participants that Israel is not likely to renounce its nuclear weapons before the official five NWS do. “Israel has an obsession with security,” one participant explained. It originates in a defensive posture that is based on the assumption that if you make one move, you “will go down a slippery slope.” One participant even argued that Israel feels stronger about its nuclear weapons capability than it does about Jerusalem. To sign the NPT, Israel would have to be “enormously reassured” that it would be recognized as a legitimate sovereign state by its neighbors and the international community.

## **South Asia**

### **Assessment of the Current Situation in South Asia**

**Motivations Behind Nuclear Programs.** The motivations for the Indian government’s decision to test nuclear weapons and declare itself as a nuclear power include:

- Deterrence of China.
- Deterrence of Pakistan from considering the use of nuclear weapons in a conflict, and to be dominant in any case of crisis escalation involving Pakistan.
- Improving the international image of India and bringing it into alignment with India’s image of itself.

- Confronting Western and colonialist superiority.

The motivations of the Pakistani government to follow India with its own nuclear tests include:

- Deterrence of India, namely preventing India from invading the country as has happened in the past.
- Resisting intimidation by India.
- Seeking to use mutual nuclear deterrence to achieve stability, which may allow conventional warfare and insurgency operations along the border to increase.
- Keeping outside powers, such as China, engaged in South Asia.

**The Domestic Situation in India and Pakistan.** Both India and Pakistan have domestic obstacles to achieving full deployment of their arsenals. India's economic growth is starting to lag. However, politically, the Bharatiya Janata Party policy of declaring India a nuclear power has effectively tied the hands of successive political parties that might have embraced the goal of reversing the nuclear program.

Pakistan's economy is also struggling, as it spends 40 percent of its budget on defense. There are problems with the integration of the country's various regions, as well as with mass education of the public. Politically, the country is facing difficulties in establishing a democracy, due to the lack of loyal opposition and the presence of Islamic sentiments within the country that could undermine further democratization.

**Participation in International Regimes.** As yet, there is no evidence of short-term plans to deploy nuclear weapons in South Asia. Nonetheless, the international community should give attention to nuclear risk reduction and crisis management. Unfortunately,

regional acceptance of IAEA safeguards on all nuclear facilities is not favored by India because the amount of fissile material it needs to support its concept of "minimum nuclear deterrence" has not been clearly defined. India is still intent on producing additional weapons-grade fissile material to maintain maximum flexibility in the construction of its deterrent, and Pakistan will do what it can to match Indian levels. The time is also not ripe to put pressure on the parties with regard to the CTBT, which gives incentives for the parties to test before they are bound by its constraints. (However, one participant pointed out that if India and Pakistan do not ratify the CTBT, the treaty will never enter into force.)

On the positive side, both countries have stated they will take serious steps to accommodate the norms of the nuclear export control regime of the NPT. One participant further noted that India still believes in disarmament and is committed to it. Also, the declared policy of Pakistan is that it will adhere to the NPT if India does.

### **The Role of CBMs and Nuclear Risk-Reduction Measures**

Participants agreed that CBMs have not been successful in South Asia. The two sides fought in three wars, and there are many standing issues between them that block effective integration of CBMs into military planning and foreign policy. There are no tangible efforts to resolve operational or political issues that would allow an effective CBM process to succeed. Although there has been a tentative cease-fire in Kashmir for several months, the two sides are not prepared to come to the table.

The role of extra-regional actors as mediators to resolve the Kashmir situation has not been successful either. Risk reduction and crisis management are important in the region, but not necessarily achievable because there is no consistent and ongoing dialogue between India and Pakistan. Therefore, as a first step, outside parties should facilitate a direct dialogue between the countries. Other proposed options

include postponing the solution of Kashmir until progress has been made in other areas, converting the existing line of control into an international border, and involving the United Nations or some other international mechanism. Yet the main problem is the lack of desire on both sides to change the dynamics between them.

### **The Prospect of a Regional Fissile Material Production Freeze**

Both India and Pakistan are pursuing nuclear warhead delivery systems and producing fissile materials as fast as their nuclear infrastructures will allow it. Participants agreed that a global FMCT (or a regional equivalent) would be an important step to pursue as part of a step-by-step approach to security problems. However, neither India nor Pakistan has shown interest in a cutoff of fissile material production, or in any bilateral arrangement on nuclear safeguards that would be part of a “forward-looking” verification regime. Some felt that although this is the case, the international community should continue to promote the acceptance of a global treaty (or a regional equivalent) through dialogue.

Participants expressed concern that a future-oriented FMCT would give India’s and Pakistan’s existing nuclear programs legitimacy and would reward their 1998 nuclear tests. Others argued that a forward-looking FMCT would be a realistic and pragmatic tool to address nuclear realities in the region because immediate nuclear disarmament would not be required of either side.

Despite this cautious endorsement of a cutoff arrangement, one participant stressed that differences in the two nuclear programs would make a bilateral agreement hard to negotiate. Pakistan’s program relies on uranium enrichment, which allows relatively quick additions to existing stockpiles. This raises the specter of

“treaty breakout” if Pakistan were to renege on a cutoff arrangement. In contrast, India utilizes plutonium reprocessing, which requires longer time frames and is easier to monitor due to the separate stages involved in production.<sup>5</sup>

### **The Role of Outside Parties**

Most participants agreed that South Asia is an example of poor nonproliferation policy by the P-5. Little was done in 1974 when India first showed a nascent nuclear weapons capability. Although India has argued that its 1974 test was a peaceful nuclear explosion, India’s nuclear program was always dual-purpose, and the justification for the peaceful nuclear explosion given in 1974 was similar to the one given for the series of tests in 1998.

The P-5 was able to reach a strong consensus regarding South Asia only after the May 1998 nuclear tests. They adopted Security Council Resolution 1172, which establishes a roadmap for reaching nonproliferation goals in South Asia (see Appendix for full text of this resolution).

Some participants believed the multilateral approach outlined in Resolution 1172 might have succeeded. However, the Security Council consensus has since unraveled due to bilateral consultations started in 1999 between India and the United States. The US policy of engagement was criticized for indirectly supporting India’s concept of “minimum nuclear deterrence,” a doctrine that some participants believed would eventually undermine the achievement of nonproliferation goals in the region. In particular, participants focused on a statement by US Deputy Secretary of State Strobe Talbott, in which he apparently recognized the existence of a condition of minimum nuclear deterrence on the subcontinent.

One participant argued that tacit US recognition of a mutual deterrence situation was

<sup>5</sup> For a short summary of India’s and Pakistan’s weapons-oriented nuclear infrastructure, see “Involving India and Pakistan: Nuclear Arms Control and Non-proliferation After the Nuclear Tests,” *Berlin Information-center for Trans-Atlantic Security (BITS) Research Report 99.2*, September 1999, under “Nonproliferation Publications and Research,” British American Security Information Council, [www.basicint.org](http://www.basicint.org)

harmful because it implied a hostile relationship between China and India that does not exist. There was an implication that China needed to be deterred and that bilateral nuclear deterrence now existed in the Chinese-Indian relationship. Although there are some unresolved issues between India and China, including territorial disputes, the bilateral relations between the countries are actually improving. High-level official visits have taken place, and there is mutual recognition that China and India do not constitute a threat to each other—even though they still lack a shared position on the nuclear issue and even though China also has mutual interests with Pakistan.

In response to these critiques of US engagement policy toward South Asia, one participant questioned the assertion that the United States wants India to retain its nuclear weapons, arguing that this reading of the diplomatic record is not correct. US statements were worded in a way that did not specifically recognize India as a nuclear power. The United States conditionally endorsed the concept of “minimum deterrence” in order to stop the parties from going forward with full weaponization and deployment of their arsenals, which was the first US priority. This participant further argued that it was the policy of engagement with India and Pakistan that accounts for the success of diffusing the post-test Kargil crisis in spring 1999.<sup>6</sup> US engagement with both countries helped to cultivate trust between the disputants and kept high-level bilateral consultations in place, which allowed them to pull back from a full-scale war and avoid a nuclear exchange. Also, due to US engagement policies, India and Pakistan are more receptive now to international non-proliferation interests than they would have been if the international community had not agreed to deal with them after the tests. Policies based on censure alone would have been counterproductive.

Another criticism was directed at the new Russian policy of arms sales and nuclear assistance to civilian reactors, particularly deals made to supply India’s Tarapur reactor with new nuclear materials. This policy was seen as evidence of an inconsistent and unclear commitment to the goal of nonproliferation, despite the fact that sales being contemplated by Russia would not contribute to India’s nuclear weapons capabilities. In response, it was argued that Russia supports the application of full scope safeguards to all nuclear facilities receiving Russian materials, including the Tarapur reactor, and that Russia’s deal with India does not constitute a threat to the safeguards regime. Also, there is a strong debate within the Russian government about the conclusion of more extensive nuclear contracts vis-à-vis the Tarapur reactor. In the specific case of the deal already made with India, the Russian nuclear ministry (Minatom) decided to make an exception and sell some components related to the safety of reactor operations. The recent press reports about other, more extensive, deals with India in the nuclear area are simply recognition that there is an internal debate in Russia.

One participant drew attention to the US intention to deploy NMD and other nascent plans to weaponize space. US NMD and space deployments might force China to respond with a nuclear buildup, which might lead to a response by India and undermine nonproliferation goals in South Asia.

There was some discussion on the situation in Kashmir and its effect on the region. Participants agreed there are no positive indications for resolving the situation in Kashmir, and there is no international consensus on the best way to move forward. While one view thought the conflict should be internationalized, a second view argued that the two sides need to solve the problem themselves and that the outside world should just try to facilitate. One participant noted that there is a lack of

<sup>6</sup> For a short summary of the Kargil crisis, see Oliver Meier, *op cit.*

agreement even within the Organization of Islamic Countries on the Kashmir issue.

### **Effectiveness of Sanctions and Incentives**

Some participants argued that the 1998 sanctions failed to deter testing, so they were not effective—their value was purely symbolic. Similarly, outside powers have had negative experiences applying economic incentives as a foreign policy tool in the region. During the two-week period between the Indian and the Pakistani nuclear tests, the United States took the lead in trying to convince the government of Pakistan to forego its own tests by offering economic incentives as a carrot. This attempt failed, implying that the success of such incentives is dependent on the situation of the target country.

Others believed that sanctions did work to some extent and that it was the engagement policy that failed. The three-year delay of the Indian nuclear tests originally planned in 1995, they argued, was a result of cost-benefit calculations made by Indian leaders. The prospect of severe economic sanctions, including the cutoff of International Monetary Fund and World Bank funds, played a major role in the 1995 coalition government decision to shelve tests indefinitely. Similar calculations have been made by North Korea, South Africa, Argentina, and Brazil in the last decade. The problem with sanctions has been their lack of consistency in application. In the period 1989-1990, the US government waived sanctions on dual-use items eight separate times in response to competing interests in the US economic and political communities.

In regard to incentives, one participant argued that it was not economic incentives per se that failed, but rather the particular incentives chosen by the Clinton administration. The United States was promising to free up a shipment of F-16 fighter components and other military articles that it had unilaterally withheld since 1990 under mandated congressional nonproliferation law. However, Pakistan had already paid upfront for the spare parts and other

materials, and so Clinton's offer to deliver the shipment eight years later was not seen as significant by the Pakistani leadership. Simply put, the US incentives were not effective because Pakistan had already paid for much of what it was being offered.

Another participant argued that for incentives to be successful, it really matters to whom you are talking to inside a country and to whom you offer the incentives. In the case of the 1998 South Asian nuclear tests, there was a strong internal debate within the Pakistani Parliament about the wisdom of carrying out a series of nuclear tests in response to India. However, it was the Pakistani military leaders and the president, rather than the Parliament, to which the Clinton administration's incentives were addressed in bilateral diplomacy.

## **Overview and Conclusions**

### **Policy Recommendations for the Middle East**

The participants generally agreed that the Middle East is a complex region requiring a multipronged strategy. The best prospects for achieving NPT universality are to address the insecurities of regional states in broader frameworks that explicitly acknowledge linkages between nuclear, chemical, and biological weapons and their associated missile delivery systems. These linkages were seen as especially important in the Middle East because six countries have manufactured chemical weapons (Egypt, Iran, Iraq, Israel, Libya, and Syria), while nine countries have acquired ballistic missile delivery systems with range/payloads exceeding the objectives of the MTCR (Egypt, Iran, Iraq, Israel, Libya, Saudi Arabia, Syria, Yemen, and the UAE). One participant further noted that deals have been concluded, or are in negotiation, for the supply of new French cruise missiles and the most advanced version of the US F-16 fighter to the UAE. To address these worrisome trends, comprehensive regional frameworks should provide tangible security, political, and economic benefits for participation in, and compliance with,

nonproliferation regimes. Ideally, a comprehensive regional security framework would help the international community address the motivations that drive WMD acquisition in the region. Dialogues promoting CSBMs would be part of any engagement strategy.

However, despite general support for a CSBM-based process to effectively address regional insecurities in the Middle East, there was not a strong consensus on the order or the combination of elements that would be part of this process. There was a noticeable split between those who favored a comprehensive approach that made nuclear weapons one of the last elements to be addressed and those who argued for immediate work toward freezing and scaling back of the Israeli nuclear capability.

Absent agreement on the exact technical and political elements of a regional security framework, participants suggested that pursuing track-two talks in the short term could be a practical step toward resuming formal multilateral security talks in the future. Initial efforts would be based on mutually agreed principles, similar to the experience of the Conference on Security and Cooperation in Europe. Such informal dialogues, undertaken at the official as well as expert levels, would allow much-needed direct contacts between Israel and other states in the region. For example, the international community should encourage Iran to open a dialogue with Israel about these issues, and it should encourage Egypt to avoid the constant repetition of charges against Israel's nuclear program, which are counterproductive to progress in other areas. Several participants suggested that we should also encourage Iran to talk to the United States on a more official level and establish a direct dialogue.

Participants strongly favored the general idea of a fissile material production freeze as part of a revamped CSBM process in the Middle East. However, as with other proposals, there was not agreement on the best way to pursue a global or regional fissile material cutoff. A division existed between those that advocated a

comprehensive initial agreement that would involve full declarations and monitoring of existing stocks and those that argued for a much more limited regional arrangement that would begin by capping future production only. This division over a fissile material cutoff tended to coincide with the above-mentioned disagreements over the nature of a new regional CSBM process. Those who argued for a backward-looking fissile material cutoff also tended to advocate the immediate inclusion of Israel's nuclear status under any future CSBM-oriented dialogue in the region. Conversely, those favoring a forward-looking FMCT also recommended that the Israeli nuclear arsenal be left out of the initial program of work for any new CSBM framework.

Participants agreed that confidence in international regime compliance is a key issue in the Middle East. While they acknowledged the need for a strengthened safeguards system, they recognized that it would never provide total transparency. Therefore, a region-wide arrangement for verification, based on new institutions and comprehensive regional membership, could be complementary to global regimes and could ideally be more intrusive than the system administered by the IAEA.

### **Policy Recommendations for South Asia**

The main conclusion for South Asia was the need for constructive multilateral engagement in this region. When the international community sends mixed signals, the end result can be disastrous. On the other hand, when the signal is clear, it impacts the analysis of costs and benefits of the countries in the region, leading them to exercise restraint. Since India and Pakistan do not yet have operational nuclear weapons, the international community should seize the opportunity to affect the situation in this region.

Before progress can be made, however, the NWS needs to think as a community on how they can uphold the international nuclear nonproliferation norm. Some participants suggested that the most important goal should be to

withhold recognition of India and Pakistan as new NWS. The international community needs to be more consistent in conveying to India and Pakistan that they must eventually scale back or reverse their nuclear programs.

An interim goal is to neutralize the negative effects of the two countries' actions and bring them closer to the nuclear nonproliferation regime. South Asia lacks a common strategic dialogue and language on arms control. The NWS can contribute more to an evolution of such a dialogue and language. Fostering an improved strategic dialogue between the two countries would allow acknowledgment of the changed situation in South Asia without rewarding it, and without undercutting the regime. This can be done, for example, by inviting the two countries to attend multilateral nuclear forums as observers.

Some participants stressed the need for an engagement policy that both India and Pakistan could realistically accept. In this regard, the US Congress has little credibility in India and Pakistan, while the US nuclear weapons labs and military institutions tend to have more credibility. Therefore, one participant suggested, the United States should pursue lab-to-lab exchanges to improve communication about the responsibilities these countries have as de facto nuclear powers. Military-to-military cooperation is also needed.

However, the majority opinion was that such methods of bilateral US-Pakistan and US-India engagement should be avoided if they indirectly reward India and Pakistan for their nuclear tests in May 1998. This observation was also seen to apply to economic tools. As the commercial competition for foreign investment in India increases, it will be critical to maintain the principle of acknowledging the reality of nuclear capabilities without, at the same time, undermining the long-term goal of Indian and Pakistani accession to the NPT as NNWS.

There was also some discussion about the efficacy of "no-first-use" as a nuclear strategy. One

suggestion was to have a no-first-use agreement between China, Russia, and India to foster strategic stability. However, this strategy would implicitly recognize India as a NWS, thereby raising the question of compatibility with the NPT.

### **Differences Between Regions**

Unlike the Middle East, South Asia has two NWS that are rivals, and there is a real potential for nuclear escalation between India and Pakistan during conflicts. The situation in South Asia, therefore, needs to be managed with more urgency. If either country operationalizes their nuclear capabilities, the ability to freeze or scale back their arsenals will be severely diminished.

The involvement of the international community in each region is also different. Whereas outside parties have been traditionally invited to engage in the Middle East, India opposes the internationalization of the Kashmir conflict and does not want any outside involvement by the United Nations. Also, unlike the Middle East experience with cooperative monitoring arrangements along disputed borders, India and Pakistan have consistently ignored bilateral agreements on military-related CBMs during times of acute crisis. This raises questions about the applicability of a regional security process such as ACRS in South Asia.

Despite the failure of CBMs in South Asia, however, this region is ahead of the Middle East in the relationship between people. The peace that exists in the Middle East is a cold one, and there is not as much interaction among the ordinary population. Future engagement strategies should take this factor into account.

### **Potential Commonalities in Approaches to the Middle East and South Asia**

There was a strong consensus favoring constructive multilateral engagement and dialogue in both regions. However, there was not agreement on the "kind" of engagement that should be pursued. Some participants

expressed a concern that engagement should not be an end to itself, and that the international community needs to set benchmarks for progress. Arms control goals are not being served by the current means of engagement. Instead, there is an “engagement race,” and military aid is flowing into both regions. The focus of dialogue in both regions should be on the long-term goals of the nonproliferation regime: the implementation of UN Resolution 1172 and the final document of the 2000 RevCon.<sup>7</sup>

There was also agreement that the international community must try to address the causes of national insecurities in these regions. This requires a comprehensive approach to nonproliferation in both regions, rather than a narrow, legalistic methodology.

Finally, there was almost unanimous agreement on the need for coordination and collaboration among the P-5. The ultimate conclusion was that the P-5 should collectively agree not to assign special status to any de facto nuclear country. Since the late 1960s, a global nonproliferation norm has evolved, and 187 states have accommodated their individual foreign policies to this norm. This nearly universal support for the regime is “the” reality that must be recognized by the few countries outside the treaty framework, and not the reverse.

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<sup>7</sup>See Appendix for full text of this resolution.

## Appendix

### RESOLUTION 1172 (1998)

Adopted by the Security Council at its 3890th meeting on 6 June 1998

#### The Security Council.

Reaffirming the statements of its President of 14 May 1998 (S/PRST/1998/12) and of 29 May 1998 (S/PRST/1998/17),

Reiterating the statement of its President of 31 January 1992 (S/23500), which stated, inter alia, that the proliferation of all weapons of mass destruction constitutes a threat to international peace and security,

Gravely concerned at the challenge that the nuclear tests conducted by India and then by Pakistan constitute to international efforts aimed at strengthening the global regime of non-proliferation of nuclear weapons, and also gravely concerned at the danger to peace and stability in the region,

Deeply concerned at the risk of a nuclear arms race in South Asia, and determined to prevent such a race,

Reaffirming the crucial importance of the Treaty on the Non-Proliferation of Nuclear Weapons and the Comprehensive Nuclear Test Ban Treaty for global efforts towards nuclear non-proliferation and nuclear disarmament,

Recalling the Principles and Objectives for Nuclear Non-Proliferation and Disarmament adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and the successful outcome of that Conference,

Affirming the need to continue to move with determination towards the full realization and effective implementation of all the provisions of the Treaty on the Non-Proliferation of Nuclear Weapons, and welcoming the determination of the five nuclear-weapon States to ful-

fil their commitments relating to nuclear disarmament under Article VI of that Treaty,

Mindful of its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security,

1. Condemns the nuclear tests conducted by India on 11 and 13 May 1998 and by Pakistan on 28 and 30 May 1998;
2. Endorses the Joint Communiqué issued by the Foreign Ministers of China, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America at their meeting in Geneva on 4 June 1998 (S/1998/473);
3. Demands that India and Pakistan refrain from further nuclear tests and in this context calls upon all States not to carry out any nuclear weapon test explosion or any other nuclear explosion in accordance with the provisions of the Comprehensive Nuclear Test Ban Treaty;
4. Urges India and Pakistan to exercise maximum restraint and to avoid threatening military movements, cross-border violations, or other provocations in order to prevent an aggravation of the situation;
5. Urges India and Pakistan to resume the dialogue between them on all outstanding issues, particularly on all matters pertaining to peace and security, in order to remove the tensions between them, and encourages them to find mutually acceptable solutions that address the root causes of those tensions, including Kashmir;
6. Welcomes the efforts of the Secretary-General to encourage India and Pakistan to enter into dialogue;
7. Calls upon India and Pakistan immediately to stop their nuclear weapon development programmes, to refrain from weaponization or from the deployment of nuclear

- weapons, to cease development of ballistic missiles capable of delivering nuclear weapons and any further production of fissile material for nuclear weapons, to confirm their policies not to export equipment, materials or technology that could contribute to weapons of mass destruction or missiles capable of delivering them and to undertake appropriate commitments in that regard;
8. Encourages all States to prevent the export of equipment, materials or technology that could in any way assist programmes in India or Pakistan for nuclear weapons or for ballistic missiles capable of delivering such weapons, and welcomes national policies adopted and declared in this respect;
  9. Expresses its grave concern at the negative effect of the nuclear tests conducted by India and Pakistan on peace and stability in South Asia and beyond;
  10. Reaffirms its full commitment to and the crucial importance of the Treaty on the Non-Proliferation of Nuclear Weapons and the Comprehensive Nuclear Test Ban Treaty as the cornerstones of the international regime on the non-proliferation of nuclear weapons and as essential foundations for the pursuit of nuclear disarmament;
  11. Expresses its firm conviction that the international regime on the non-proliferation of nuclear weapons should be maintained and consolidated and recalls that in accordance with the Treaty on the Non-Proliferation of Nuclear Weapons India or Pakistan cannot have the status of a nuclear-weapon State;
  12. Recognizes that the tests conducted by India and Pakistan constitute a serious threat to global efforts towards nuclear non-proliferation and disarmament;
  13. Urges India and Pakistan, and all other States that have not yet done so, to become Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and to the Comprehensive Nuclear Test Ban Treaty without delay and without conditions;
  14. Urges India and Pakistan to participate, in a positive spirit and on the basis of the agreed mandate, in negotiations at the Conference on Disarmament in Geneva on a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, with a view to reaching early agreement;
  15. Requests the Secretary-General to report urgently to the Council on the steps taken by India and Pakistan to implement the present resolution;
  16. Expresses its readiness to consider further how best to ensure the implementation of the present resolution;
  17. Decides to remain actively seized of the matter.

## The Stanley Foundation

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The Policy Bulletin from this event, "Strengthening the Nonproliferation Regime: The Challenge of Regional Nuclear Arsenals" is available online at <http://reports.stanleyfoundation.org>. For those without Web access, the bulletin is available from:

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