

Making the NPT effective

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THE next review conference of the parties to the Treaty of the Non-proliferation of Nuclear Weapons (NPT) is scheduled to be held at the UN headquarters in New York from May 2 to 27. The NPT requires a review conference every five years to assess the implementation of the treaty's provisions and to make recommendations on measures to further strengthen it. The last review conference was held in the year 2000.

In a statement issued on March 7, on the eve of the 35th anniversary of the NPT, President George W. Bush called for the cooperation of all member states to strengthen the treaty to face the challenges that have come to light since it was reviewed five years ago. He also stressed that to meet these challenges to the NPT and common security it was necessary to ensure that the treaty remains an effective instrument of global security. President Bush also reaffirmed America's commitment to carry out its obligations under the NPT.

The preparatory committee for the 2005-NPT review conference held three sessions between April 2000 and May 2004. It devoted most of its meetings to substantive preparation for the conference and considered principles, objectives and ways to promote the full implementation of the treaty provisions as well as its universality. This committee, which was expected to produce a consensus report containing recommendations to the review conference, could not, however, do so owing to the divergent views

there is a war between them. Those who tended to see the nuclearization of South Asia in that light also had similar concerns and anxieties. It may, however, be mentioned that a nuclear war between Pakistan and India was all but unthinkable as neither is so irresponsible as to go to that limit, whatever the pressures.

Nuclear weapons are not actually the arms of war but only a deterrent. It does not, however, mean to suggest that nuclear weapons can be retained by states permanently in the garb of deterrence or any other objective. The world will only be safe when it is free of all nuclear and other weapons of mass destruction, which is the sole objective of the NPT, and one that should be pursued by all nations, regardless of their special status or clout.

The nuclearization of South Asia has already served as a stabilizing factor in the region. The nuclear factor has not only prevented a war between Pakistan and India, since their nuclearization in 1998, it will continue to be an effective instrument against it in the foreseeable future. The United States and other countries should not, therefore, have any misapprehensions on this count and need not promote unrealistic aims relating to the nuclear realm in South Asia, which would be quixotic at least till the achievement of total global nuclear disarmament, as envisaged by the NPT.

On the other hand, taking a realistic view of the situation, both India and Pakistan should be recognized as de jure nuclear states to enable them to fulfil their obligations stipulated under Article 1 of the NPT. As a matter of fact, a continued de facto status held by these countries, with no compulsion to honour the NPT obligations, may

so owing to the divergent views of its participants.

Regrettably, the preparatory committee was also not able to agree on the provisional agenda for the conference for the same reason and a question mark hangs over the future of the NPT itself. The issues, which are expected to be considered at the conference are: universality of the treaty, nuclear non-proliferation and disarmament, safeguards, verification and compliance, nuclear weapons free zones, security assurances, peaceful uses of nuclear energy, and withdrawal from the treaty.

In the meantime, the US state department has published a document *Today's Nuclear Equation* which spells out America's position on the critical treaty-related issues. Jackie Wolcott Sanders, special representative of the US president for the non-proliferation of nuclear weapons, in her

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write-up, included in this document, has, inter alia, emphasized that the forthcoming review conference should reinforce the goal of universal NPT adherence and reaffirm that India, Pakistan and Israel may join the NPT as non-nuclear weapon states and, following the examples of South Africa and Ukraine, should forswear nuclear weapons.

A senior state department official, John Wolf, also said recently that Washington remains committed to universal adherence to the NPT and the steps taken by his country to strengthen relations with India and Pakistan should not be taken to mean that it has accepted the status of either party as a nuclear weapon state. Evidently, there is no change in Washington's policy towards the nuclearization of South Asia but its dilemma is that these countries are not members of the NPT and hence its provisions cannot be enforced on them.

It is believed that the United States will raise this issue at the upcoming review conference and try to seek a broader consensus on it among the member states. This should open the eyes of those who have been under the illusion that the US and other world powers have accepted both India and Pakistan as nuclear-weapon states. It may be mentioned that the US has, for the first time, acknowledged Israel to be a de facto nuclear state along with India and Pakistan.

It is generally believed that the US and other nuclear powers are wary that Pakistan and India may use nuclear weapons in case

prompt many members to withdraw from the treaty to fulfil their nuclear ambitions. North Korea's withdrawal from the NPT is a case in point.

The NPT is discriminatory in favour of the most powerful five nations as it legitimizes nuclear weapons in their hands while banning their acquisition by others. Similarly, IAEA safeguards are obligatory for non-weapon states and not for the five recognized nuclear weapon states. An indefinite extension of the NPT in 1995 at the instance of the United States, without specifying any deadline for fulfilling the treaty's obligation by the nuclear-weapon states towards total elimination of their nuclear arsenals that may lead to complete nuclear disarmament, was actually aimed at legitimizing the possession of nuclear weapons and their retention by them, in perpetuity, which is a material breach of the treaty by these states.

The forthcoming review conference should, therefore, give serious consideration to this anomaly otherwise not only the attainment of the goal of non-proliferation would remain an illusion but the very survival of the NPT would be in jeopardy.

Needless to say, the complete elimination of nuclear weapons is the only guarantee against the threat of a nuclear war and preservation of international peace and security. The United States, being the leading exponent of nuclear non-proliferation, has a special responsibility towards this end.

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