

The NPT and Nuclear Security Summit

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I 2010 NPT REVIEW CONFERENCE

"NPT matters. It is a cornerstone of non-proliferation and a foundation of nuclear disarmament. But it is only a means, not a goal," said Ambassador Susan Burk, Special Representative of President Obama for Nuclear Non-Proliferation. "The Nuclear Security Summit has a narrow focus: on the vulnerability of nuclear materials," said Michael Gordon Political Advisor at the US Mission to the United Nations. With polite firmness, Ambassador Burk seemed as keen on load shedding expectations from the 2010 NPT Review as Mr. Gordon in ruling out the inclusion of NPT related issues on the agenda of the Washington Summit on Nuclear Security on 12 April. They were speaking at the Harvard Club in New York on 29 March at a conference organized by the Century Foundation and Fredrich Ebert Stiftung for diplomats from 30 countries, representatives of the UN Secretariat and the European Union, strategic analysts, and disarmament activists.

Taking a position that a review does not resolve, Ambassador Burk predicated the outcome of the 2010 NPT Review on recognizing "what it can and cannot do." She made it clear that the US commitment to the new START for four years is independent of the outcome of the 2010 Review. Mr. Gordon deftly sidestepped any suggestions for a carry-on outcome of the Nuclear Security Summit for the NPT Review. Neither Ambassador Burk nor Michael Gordon offered details of any sequential steps in pursuing a three-pronged strategy for President Obama's vision of nuclear security: downsizing of US-Russian nuclear arsenals as a step towards zero-nukes; safeguarding the nuclear materials from proliferation or diversion both by states and entities other than states; and strengthening the non-proliferation regime in awareness of the NPT's fraying edges on universality,

compliance and verification. In the ensuing debate, policy analysts saw the timing of the Nuclear Security Summit as a political signal by President Obama to relate nuclear non-proliferation to real time security concerns of both the signatories and non-signatories of NPT. Skeptics looked at the US invitation to only 46 of the 193 UN member-states for the Nuclear Security Summit as a calculated move to offer an alternative to a post NPT Review global convention on elimination of nuclear weapons as supported by Secretary General Ban Ki Moon and 127 UN member states.

II THE NUCLEAR SECURITY SUMMIT

As expected, the Nuclear Security Summit retained its narrow focus on protecting the vulnerable nuclear materials. Expressing a collective concern almost as old as the splitting of the atom, the joint communiqué of the Summit is neither the only nor the first international document aimed at safeguarding the world's loosely protected nuclear materials from falling into the hands of the world's terrorists, smugglers and lone-wolves on the loose. But as endorsed by the heads of states and governments or their highest ranking representatives from 46 countries invited by President Obama, it is a more than a document. It is an unusual contact list of at least six separate categories of countries that normally are not on the same page of a political world almanac of NPT. Congregating more out of a shared concern of direct exposure to the risk of nuclear terrorism or nuclear blackmail than the probability of a nuclear confrontation, it is a security sub-set of :

- i. All the acknowledged and unacknowledged nuclear powers minus North Korea.
- ii. All the countries with operating or planned civilian nuclear reactors minus Iran and Syria.

iii. All the countries that either foreswore or abandoned the nuclear option but have the know how of making nuclear bombs.

iv. Countries that gave up or are ready to give up the nuclear warheads/ nuclear materials in their possession.

v. Some Countries that do not belong to i, ii, iii and iv but are on the US State Department's list of origin/ operation of active Foreign Terrorist Organizations with an anti-US stance minus Afghanistan.

vi. Some countries on the South-China / Indian Ocean route of illicit trafficking of weapons and piracy with or without falling into the other above categories.

Without putting NPT related issues on its agenda, this security sub-set has addressed a shortcoming of NPT that could not have been fully foreseen when the global norms of non-proliferation were formulated in 1968 and came to entry in 1970. Conceived to regulate relations between states, the normative and political obligations of the NPT do not apply to non-state actors operating outside the legitimate reach of state authority. Undefined, inestimable and largely hard to apprehend until almost close to act, the non-state actors could bruise all the three known pillars of NPT: nuclear disarmament; non-proliferation; and peaceful uses of nuclear energy. Unless effectively denied access to the global pool of loosely safeguarded nuclear materials and know how, they could be the outlaws possessing, circulating or using a crudely assembled nuclear device against states striving hard to agree on non-possession, non-proliferation and non-use of nuclear weapons.

III

NUCLEAR TERRORISM AND THE NEED FOR NUCLEAR SECURITY

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estimated to be around 23,000 of which nearly 22,000 are with the USA and Russia. With a projected increase of one new civilian nuclear reactor starting every 5 days by 2015, as compared to one every 17 days on average during the 1980s, the global pool of nuclear materials is expanding. Divided between politically motivated terrorists and profit driven arms traffickers, smugglers, drug dealers, pirates and criminals, the underworld of non-state actors gets bigger when visualized as an amalgam of profiteers for hire, to commit an act of nuclear terrorism. The probability of it happening may be low but the size of the risk is huge and the likely impact of even a single incident scary beyond precedent. The International Atomic Energy Agency has recorded close to 1000 incidents of illicit trafficking in nuclear and other radioactive materials since the end of the cold war. Even a nuclear hoax by a self trained internet nuclear device maker would cause instant panic. Not to speak of the sheer human costs of an actual nuclear explosion over a densely populated metropolitan center on a working day. (See Annex)

IV

STATE AND NON STATE ACTORS

In drawing priority attention to avert an act of nuclear terrorism, the Nuclear Security Summit dramatized the size of the risk without getting into a divisive debate on state responsibility for the acts of terror committed by non-state actors originating or operating from its soil. The political pitfall of attribution without retribution was spelt succinctly ahead of the Summit:

"If a backpack nuclear bomb went off in Times Square or on the Mall in Washington the Pentagon and the Department of Energy would race to find the nuclear DNA of the weapon –so that the country that was the source could be punished. But the science of nuclear attrition is still sketchy. And without certain attribution, it is hard to seriously threaten retaliation" wrote David Sanger and Thom Shanker in the *New York Times* on 7 April.

For the forty seven sherpas who drafted its joint communiqué in Netherlands weeks ahead of the Nuclear Security Summit in Washington, their next camp is two years away in South Korea. They may wish to take a stop over on the sidelines of the NPT Review at the United Nations by offering a political ramp on the global non-proliferation highway. While upholding the NPT as the political and normative foundation of the world nuclear order, they could also talk about bringing into a non-proliferation regime the *outliers* who would not sign the NPT and the *outlaws* who remain outside

its reach.

As the non-signatory sherpas of the Nuclear Security Summit, India, Israel and Pakistan would miss the sidelines of the NPT Review in May 2010. But as compared to Israel and Pakistan, India is better placed to move closer to center stage in the Nuclear Security Summit in 2012 and use it as a sounding board or launching pad for innovative multilateral initiatives to bring non-state actors within the non-proliferation regime. Israel is not only a non-signatory of NPT but also an unacknowledged nuclear power because of its official policy of neither admitting nor denying its nuclear status.

Pakistan is an acknowledged nuclear power under severe scrutiny more for its government's ability to reign in the enraged Taliban on both sides of the Afghan-Pak border than its commitment to deny them access to its nuclear materials that are much smaller in quantity as compared to those in the former Soviet Republics. The poorly governed parts of Pakistan, nonetheless, are seen as "the crossroads of terrorism and proliferation," by a recent US study on "World at Risk: The Report of the Commission on the Prevention of Weapons of Mass Destruction Proliferation and Terrorism," chaired by Bob Graham and Jim Talent. "Only a thin wall of terrorist ignorance and inexperience now protects us," says the former Secretary of the Navy Richard Danzig.

That thin wall gets thinner with a risk of instant collapse under deliberate or unintended pressure by a nuclear scientist like Dr. Abdul Qadeer Khan who has taken no oath of not supplying his genius to non-state actors who are not signatories to NPT but adept at resorting to terror as an act of war in a time of peace. The terror manual puts a premium on deploying a weapon that causes the maximum damage in the shortest time with a spill over reaching far, far outside its immediate fall out. And the use of a single secretly assembled nuclear device would outdo that task more instantly than all the known weapons deployed in the nearly decade old war between terror and counter-terror on both sides of the Durand Line between Afghanistan and Pakistan.

"The 'war on terror' - and by terrorists - has directly killed a minimum of 62,006 people, created 4.5 million refugees and cost the US more than the sum needed to pay off the debts of every poor nation on earth," wrote David Randall and Emily Gosden in the Independent from London in September 2006. Since then terror related casualties in Pakistan itself have risen exponentially: from less than 2000 between 2003 to 2006 to over 20,000 between 2006 and 2009

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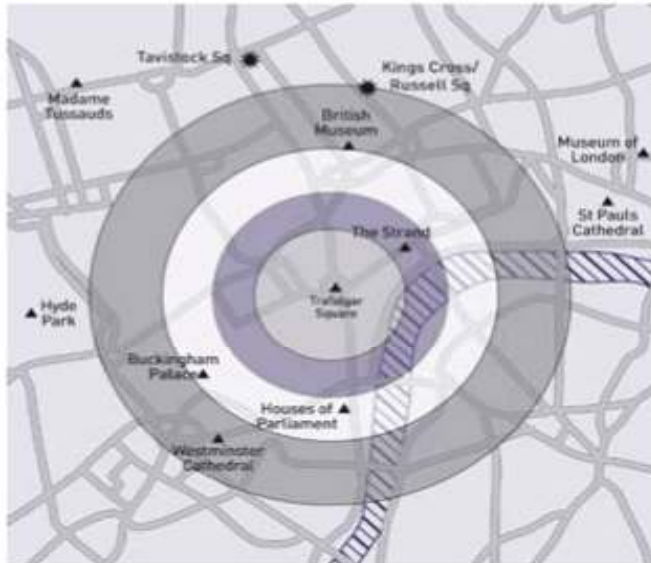
according to unofficial Indian sources. The State Department of the US estimates a 70% increase in 2008 alone. Pakistani sources refer to October 2009 as the 'worst and bloodiest month' since independence in 1947.

V THE WAY FORWARD—THE INDIAN PERSPECTIVE

The Nuclear Security Summit took a giant practical first step in putting a four year time frame on locking up the world's loosely protected nuclear materials. Prime Minister Manmohan Singh has already carried over the Washington Summit's concern on clandestine proliferation of nuclear materials and know how by non-state actors to the summits of India, Brazil, South Africa (IBSA) and Brazil, Russia India, China (BRIC). Setting up an international nuclear safety center in India would bring home a powerful stimulant for greater investment into research and development for counter-terror technologies. Prompt action on development of such technologies is an area in which science, industry and the national security establishment in India stand to gain by a more robust co-operation through a multiplier effect. Improved command, control, and communication systems supporting detection and interception of nuclear materials clandestinely stowed on ships, trains or even vans is but one illustration.

"Some of the areas where greater work is required are surveillance systems, cryptography, near real time search and identification from distributed large data bases and computer simulation exercises to enhance our crisis tactics and responses," the Prime Minister had said in Delhi in December 2008 and encouraged public-private partnerships (PPP) to commercialize technologies emerging from research and development programmes. Now would be the time to follow it up full speed on its own merits and as a concrete step in India's national plan of action after the Nuclear Security Summit. It would be yet another demonstration of India's continuing commitment to non-proliferation as a non-signatory of NPT.

ANNEX



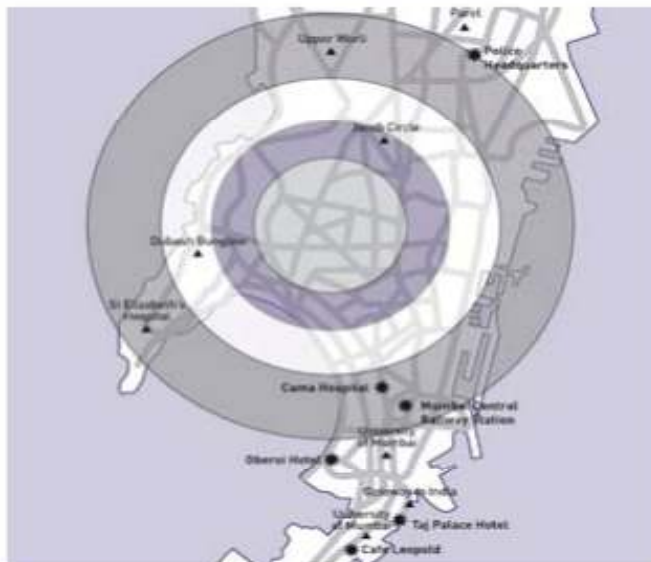
Detonation of Hiroshima-size (15 KT) nuclear weapon in Trafalgar Square, London, on a working day.

Estimated Fatalities:

115,000

Estimated Casualties:

149,000



Detonation of Hiroshima-size (15 KT) nuclear weapon in central Mumbai on a working day.

Estimated Fatalities:

481,000

Estimated Casualties:

709,000

- Conflagration - Most people die instantly or over next 24 hours
- Third degree burns and radiation poisoning
- Second degree burns and radiation poisoning
- First degree burns and radiation poisoning
- ★ Location of previous terrorist attacks: London (2006)/Mumbai (2008)

SOURCE: International Commission on Nuclear Non-Proliferation and Disarmament: Report on Eliminating the Nuclear Threats. Canberra/Tokyo November-December 2009



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