

BASIC REPORTS

NEWSLETTER ON INTERNATIONAL SECURITY POLICY

21 FEBRUARY 1996 • NUMBER 50 • ISSN 0966-9175

WASSENAAR ARRANGEMENT CONTROVERSIAL

by Dr. Natalie J. Goldring

In April 1996, two years after the Coordinating Committee on Export Controls (COCOM) officially ceased to exist, its successor is scheduled to hold its first plenary meeting. The new group, most recently referred to as the "New Forum", will now be called "The Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies". Meeting in Wassenaar, The Netherlands, in December 1995, officials from twenty-eight countries agreed to establish this new arrangement, which has already come under significant criticism.

Thus far, details of the arrangement are scanty; the only official document is the six-sentence-long Final Declaration released at the end of the December meeting, which is reprinted in this issue of *BASIC Reports*. The US Department of State also released a one-page fact sheet on the Wassenaar Arrangement, but much of the currently available information is contained in a recent briefing by US Undersecretary of State Lynn Davis at the Carnegie Endowment for International Peace. According to Davis, participants will "exchange specific information on a regular basis about global transfers to non-participating countries of certain sensitive dual-use goods and technologies. More than one hundred of these have been selected for this information sharing, including

machine tools, computers, and telecommunications". She also said that participants will "provide information on arms transfers on a weapons list, that initially will be composed of the categories of major weapons systems used for the CFE Treaty and the UN Arms Register". Participants have not yet agreed on the final composition of either the munitions list or the dual-use list. The overall structure for information exchanges on items in each list has been agreed to, but many issues remain unresolved. This article focuses on international reaction to the current arrangement, with particular attention to the prospects for controls of conventional weapons transfers.

"Pariah states"

One of the major topics of contention in the establishment and implementation of the Wassenaar Arrangement was whether individual countries or regions would be singled out for special attention. For now, the group has apparently decided to list four pariah states (Iran, Iraq, Libya, and North Korea), but not to focus its information-gathering efforts or policy discussions on particular regions.

The reaction from "pariah states", unsurprisingly, was uniformly critical. A North Korean official described the arrangement as "a declaration of cold war between pro-Western countries and some non-pro-Western countries. . . . They are just trying to monopolize the arms

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market of the world". He also warned of his country's intent to respond to any such effort, "We have our national economy, very powerful, to manufacture any kind of weaponry. We have to cooperate with those countries who are against the Western measures We know we are the target of this agreement. We cannot sit idle". The North Korean official warned that the Wassenaar Arrangement could undermine on-going nuclear non-proliferation efforts.

An Iranian official said, "We don't think that ad hoc arrangements discussed among a club of Western countries, European countries is workable It would lead to confrontation between South and North". He added, "We think the best way to control military technology or dual-use technology is through universal agreement. He complained that developing countries were not allowed to attend the meetings and had "no chance to defend their legitimate rights". He went on to say that the participating countries "have come up with a self-serving arrangement which is being operated on a discriminatory basis". For example, the Iranian official argued that Israel should be included in the list of countries of concern. "Why do they not include Israel on their list? Israel is a proliferator in the Middle East the only proliferator which receives financial aid, technology, materials, without any limitations or constraints".

The Russian role

Another topic of concern is Russia's role in the new arrangement. The Russian government was reportedly reluctant to agree to end its weapons transfers to Iran, which was a precondition for membership in this group. When asked why Russia would participate in an effort to restrain weapons and technology transfers to Iran, officials from the pariah states were quite cynical. The North Korean official said, "Russia is also looking for the Western developed countries to give something. They are using it perhaps to get some money from the arrangement". The Iranian official made a similar argument, "I presume that they [the other countries] have made some promises of high technology to Russia . . . and [to] some East Europeans who badly need high technology to catch up with their Western partners". According to several officials, the Russians remain reluctant participants. One

observer said, "They still think all of this goes too far".

The US role

The US role has also been controversial, with some arguing that US proposals are intended to increase US dominance of the international market for weapons. For example, a British official said, "major West European defense industries are not going to convert into making milk bottles or something because the US says so . . . why should one sector of the industry close down and allow another one to become even bigger?"

The British official said that US Undersecretary of State Lynn Davis had taken the lead on trying to set the agenda for the small group and implied that she may have been too far ahead of the rest of the group. "They [State Department officials] have been out on their own and out on a limb". Despite these criticisms, Undersecretary Davis remains publicly committed to strengthening the arrangement. She said, "We go into the plenary in April with the need to get what we've agreed to up and running. We will also begin the process of trying to elaborate these initial elements".

The "small group on arms"

Another continuing dispute is over the role and functioning of the "small group on arms". This group consists of the biggest exporters among the group of 28 (the United States, France, Germany, Italy, Russia, and the United Kingdom). Although the participating governments have discussed possible agendas and procedures for this group, they have made little progress so far. [See *BASIC Reports #49*, "New Forum 'Small Group' Meeting Produces Meagre Results" for details on these discussions.] The British official said, "the actual rules, if you want to call it that -- the mandate or description of this group -- have not been agreed yet".

Participants also disagree over the relationship between the small group and the group of 28, and over who should determine the membership and function of the small group. The small group was originally put together by the six participating countries; other countries that wanted to participate were reportedly told they could not. The US official said, "This group has no formal status . . . they're not clear on the relationship with the larger group, because only the larger group can decide that".

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Another observer, however, said that the small group should not depend on the large group to give it legitimacy, "I wouldn't think the six have to ask the 28 their agreement to do what they mean to do themselves".

Last year, small group discussions got bogged down in extensive discussion of the prospects for notification of certain transfers before delivery took place ("pre-notification"). When asked whether this idea was dead, the British official said, "We haven't heard the last of it yet, but it's a zombie". He said the group could return to this issue, but that "it would need a complete change of mindset, particularly on the part of France, but the other countries as well, including the UK". He added, "For different reasons, for example, different countries have not taken to pre-notification. If you're looking after industry it makes sense not to notify until after the event".

Expanding the mandate to include light weapons

Some participants in the new arrangement have expressed interest in expanding the mandate of the small and larger groups. Others have raised questions about both the timing and the advisability of such a move.

Nonetheless, many observers and analysts have questioned the limited range of the current arrangement, which does not include attention to light weapons transfers. Undersecretary Davis said, "[There is] strong support among many members of the regime to focus on small arms". She said that participants "have agreed as a priority to expand and redefine that list to cover more comprehensively the weapons of modern warfare".

Davis indicated that it would be possible to expand the list of weapons for which greater transparency was required and whose transfer could be closely examined. At the same time, however, she pointed out that the United States is already required by law to make more information public about its weapons transfers than many other countries. She conceded that this is not the case with respect to light weapons, and when asked whether she would be willing to expand that openness to small arms and light weapons, said that the United States would have to deal with that issue if it succeeded in

adding other weapons to the current lists.

One observer said, "Now we have this in place we need to make it work and implement what we agreed on in December . . . There was an implication by Mrs Davis that she was interested in expansion. Whether this was a political prescription or will be translated into negotiating posture I don't know". The British official expressed a different perspective, "I think within months of it being up and running you can take another look at it".

Next steps

At the December meeting, the group of 28 agreed to establish a Preparatory Committee of the Whole. This group has already met once, and is expected to have a series of meetings before the 2-3 April plenary meeting in Vienna. In addition, smaller groups will reportedly address specific issues that need to be resolved in implementing the arrangement. According to Undersecretary Davis, the current plan is for two plenary meetings per year, which will be supplemented by working group meetings.

Many issues remain, including: how often the group should meet, and whether there should be a formal schedule; whether there should be standing committees; how the secretariat will be staffed, equipped, and paid; and how strong the role of the secretariat will be. While many of these questions are procedural, some are stand-ins for more substantive concerns. According to the US official, "A lot of it depends on whether you see the regime as a strong regime that has a clear charter". ~~BASIC~~

The Wassenaar Arrangement
on
Export Controls for Conventional Arms and Dual-Use Goods and Technologies

Final Declaration

1. Representatives of Australia, Austria, Belgium, Canada, the Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Luxembourg, the Netherlands, New Zealand, Norway, Poland, Portugal, the Russian Federation, the Slovak Republic, Spain, Sweden, Switzerland, Turkey, the United Kingdom and the United States met in

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Wassenaar, the Netherlands, on 18 and 19 December 1995.

2. The representatives agreed to establish *The Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies*.
3. The representatives established initial elements of the new arrangement, to be submitted to their respective Governments for approval.
4. They also established a Preparatory Committee of the Whole to start work in January 1996.
5. The representatives agreed to locate the Secretariat of The Wassenaar Arrangement in Vienna, Austria. The first plenary meeting will take place in Vienna on 2 and 3 April 1996.

The Peace Palace in The Hague, the Netherlands, on 19 December 1995.

CONFIDENCE-BUILDING AND ARMS CONTROL IN BOSNIA

by Tasos Kokkinides and Dan Plesch

The Organisation for Security and Cooperation in Europe (OSCE) has been tasked with brokering, implementing and monitoring two sets of talks in the Balkans. The first set, on Confidence- and Security-Building Measures (CSBMs) between the Bosnian entities, has been successfully concluded. This success has provided a highly effective mechanism for building military security in Bosnia. The second set of talks is on sub-regional arms control, and the parties at the table are the three Bosnian entities, Croatia and Yugoslavia. Progress here is in doubt.

Confidence- and Security-Building Measures

The CSBM Agreement negotiated between the Bosnian Government, the Bosnian-Croat Federation and the Bosnian Serbs was completed in Vienna on 26 January 1996, as specified in the Dayton Accords. Hungarian

Ambassador Istvan Gyarmati, who was appointed by the Chairman-in-Office of the OSCE to chair the negotiations, said: "It is the first time in history that former warring parties switched from war to arms control within weeks". Ambassador Mahir Hadjiahmetovic, Head of the Bosnian Delegation to the OSCE, said that the negotiations were conducted in a "relatively good atmosphere" and that the Agreement was a "positive step forward". The CSBMs prevent any party from moving the bulk of its forces until 1998. Until January 1998 no party is allowed to carry out more than one military exercise involving more than 4,000 troops, 80 tanks, 100 armoured personnel carriers, 100 artillery pieces, 15 combat aircraft and 20 combat helicopters. In addition, there are strict territorial limits. No party can conduct military exercises within 10km of: international borders; either side of the Inter-Entity Boundary Line; the city limits of Gorazde, Brcko and Posavina Corridor; and of the territory transferred from one entity to another. Breaking these restrictions will, at a minimum, provide early warning of any intention to renew hostilities.

The Agreement is largely based on the 1994 Vienna Document on CSBMs. Diplomats in Vienna stress, however, that it also contains a number of provisions which fall outside the traditional CSBM agenda. The OSCE has experience in monitoring adherence to more traditional CSBM requirements, such as notification and exchange of information. The Organization does not have experience in monitoring restraining measures such as restrictions on military deployments, on the reintroduction of foreign forces, on the withdrawal of forces and heavy weapons to cantonments or barracks and on locations of heavy weapons.

There are two potential loopholes in the Agreement. Although the Agreement specifies that foreign forces currently in Bosnia must leave and may not be "reintroduced", there is no provision preventing the introduction of fresh foreign forces. In addition, earlier language preventing international training programmes is not in the final text of the Agreement. The restrictions on training programmes were in the Dayton Accords, and OSCE sources close to the negotiations say that they appeared on earlier drafts of the Agreement. Their absence from the final text provides a loophole for

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Turkish or US mercenaries to train the Bosnians, or for Russia or Greece to aid the Serbs.

Some believe that the Agreement has tried to do too much. A US Administration official, speaking to *BASIC Reports* on condition of anonymity, described some of the measures contained in the Agreement as "unrealistically optimistic". He was referring to the provisions regarding military co-operation between the Bosnians and the Bosnian Serbs. One of these provisions envisages "joint military training and exercises" between the former warring sides.

Sub-regional arms control

The second set of negotiations on Measures for Sub-regional Arms Control involves the three Bosnian parties plus Yugoslavia and Croatia. According to the agenda established by the Dayton Accords, all sides must agree to reduce their heavy weapons by 6 June 1996. The weapons categories are those established by the CFE Treaty: tanks, ACVs, combat aircraft, attack helicopters, and artillery pieces of 75mm calibre and above. Diplomats confirmed that the task of demilitarization will be the most difficult, although one breakthrough has been the agreement to include limits on military personnel.

If an arms control agreement is not reached by June, the US and other NATO countries would start sending weapons to redress the military imbalance that currently exists in Bosnia. The US Administration official said that Washington has already prepared a military assistance package for Bosnia. Washington is considering supplying the Bosnian-Croat Confederation with heavy weapons which would bring its holdings to parity with those of the Serbs.

A source close to the negotiations confirmed that "the discussions have not yet picked up momentum and are unlikely to do so until May". As a first step, the parties to the negotiations have exchanged data on their holdings. The same source stressed that examination of the data is "priority number one".

The data are under consideration by experts from all sides, including the OSCE. At a two-day meeting that started on 13 February in Vienna the parties discussed the conclusions reached by the experts. An OSCE official

told *BASIC Reports* that following a preliminary analysis of the data "we are very much encouraged by the way the parties responded".

None of the parties is prepared to publish the data that has been exchanged, although Ambassador Mahir Hadjiahmetovic said that the Federation of Bosnia-Herzegovina has four to five times fewer tanks than the threshold permits. While in theory he saw no contradiction in buying new weapons, the Bosnian Ambassador affirmed that "our position is to reduce armaments, not to increase them".

The major stumbling block in the negotiations is the reluctance of Yugoslavia and Croatia to substantially reduce their armaments. The reason for this is that the states bordering former Yugoslavia rejected any participation in a regional arms control agreement as proposed by the Dayton Accords. Article V of Annex 1B of the Dayton Accords calls for the conclusion of a regional arms control agreement "with the goal of establishing a regional balance in and around the former Yugoslavia". Bulgaria, Greece and Romania, however, have stated that their limits under the CFE Treaty "will not be subject to the negotiations forseen under Article V".

The US Administration official, while expressing satisfaction with the positive conclusion of the agreement on CSBMs, was doubtful about the outcome of the arms control negotiations. He said the Europeans have failed to provide concrete ideas on how to move forward, and Germany in particular is concentrating on idealistic rather than practical steps. The same source disclosed to *BASIC Reports* that the Administration is still debating whether to push for the inclusion of CSBMs, of the kind described above, in the sub-regional arms control negotiations. He said that "there is a strong feeling within the Administration that these talks should not be overloaded . . . most officials' eyes glaze over . . . but a momentum for sub-regional CSBMs is building". Responding, an OSCE official stated that although CSBMs are not part of the agenda "it will be a very good idea to include them".

The lack of interest in arms control and CSBMs is rooted in the US concentration on arming Bosnia. The momentum for sub-regional CSBMs -- and the possibility of a new approach -- arises partly from the concerns of

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Europeans and partly from a growing realisation that even under an arms-control agreement, the Croats and Serbs can easily acquire large quantities of weapons not included in the extended CFE categories of heavy weapons. For this reason, officials are considering new initiatives to achieve a more comprehensive agreement. The inclusion of military personnel provides some possibility for an arrangement which offsets Serb advantages in weaponry for Bosnian troop strength. The OSCE official confirmed that limits on military personnel will be part of the arms control agenda. He stressed, however, that "the limits will be voluntary. . . . This is something we cannot impose". Another option which is receiving increasing attention is to include all direct-fire weapons (20mm calibre and above) mounted on vehicles.

Perhaps more significantly, US officials are concerned that the atmosphere in the arms control talks is so bad that little will be achieved. In this case, extending the Bosnian CSBM agreement to the wider region becomes increasingly attractive.

A CSBM agreement may also be very important in stabilising Muslim-Croat relations. A number of US Administration officials interviewed by *BASIC Reports* said that the most important unresolved issue is the future of the Federation of Bosnia Herzegovina. The Administration is acutely aware that the Croatian leadership in Zagreb has not given up its designs on Bosnia. Nevertheless, the United States has not articulated a strategy for preventing a breakdown in relations between Sarajevo and Zagreb.

The OSCE has been given additional tasks to that of arms control. Its work in Bosnia will fall on monitors who, in addition to carrying out the functions of verifying the military agreements, will have responsibility for elections, human rights and perhaps war crimes investigations. Each individual monitor may wear as many as four "hats". The OSCE official noted: "It is a very heavy burden for the Organization. . . . When people realize this burden they will get frightened". **BASIC**

FRANCE SEEKS A NEW NATO

by Stephen W. Young

Breaking with decades of Gaullist tradition, France has announced that it will move closer to some of NATO's defense and military bodies. France has been strengthening its NATO contacts for some time, but the announcement expands and makes more public that participation. French officials have insisted that the move towards NATO reflects not just a desire for closer ties, but rather French intentions to change the Alliance.

French President Jacques Chirac, in his speech to the US Congress on 1 February, called for a "renewed partnership" between Europe and North America, possibly culminating in the adoption of a new "Transatlantic Charter". While specifics on this proposal are sparse, France clearly plans to use its larger role in NATO to encourage change in the Alliance. A French official insisted that France was not simply rejoining the Alliance, but seeking "the reform of NATO".

France's motivations for moving closer to NATO are readily apparent. France has been actively participating in the Alliance's work on Bosnia, and has accepted NATO command of its forces there. The favoured French option for strengthening the Western European Union and making it the security arm of the European Union has yet to draw substantial support from other EU members. Economically, France is facing severe budget constraints, and this year was forced to cut back sharply from the defence spending levels set in last year's five-year budget. Given plans for NATO expansion, the Partnership for Peace programme, and the new roles the Alliance is finding for itself in Bosnia, NATO is clearly a key forum for deciding the future of European security. France has chosen to join the Alliance in that process.

The first French announcement of its plans was given on 5 December 1995 by Foreign Minister Hervé de Charette. Following questions from several allies, a statement on 17 January elaborated on France's intentions. Specifically, the French Defence Minister will participate regularly in all meetings of his NATO colleagues except those on the integrated military structure,

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from which France will remain separate. France will also participate in NATO's Military Committee, where armed forces chiefs of staff meet. Additional changes are also possible as France reviews its position in relation to the International Military Staff and considers means to work more closely with the Supreme Headquarters Allied Powers Europe (SHAPE) and Supreme Allied Command Europe (SACEUR).

France will not yet, however, participate in NATO's Defence Planning Committee or the Nuclear Planning Group. A French official stressed that France will not join these bodies as they stand, and will only do so if they are part of a "different framework". What that framework might be is not clear. President Jacques Chirac and other officials speak variously of a "European pillar" or a stronger European defense identity within NATO, but are vague on the details of creating such a pillar. A French official stated that France has "no definite blueprint for how to develop the framework" but that it would move ahead in the "classical diplomatic consultation process".

One element of the pillar may be the creation of a "European nuclear deterrent". The idea for such a nuclear policy, which has been quietly promoted by France for years, was specifically renewed by President Chirac and Foreign Minister Alain Juppe in August-September 1995. Although no particulars have been elaborated publicly, the idea centres on providing the rest of Europe with a French (and perhaps British) "nuclear umbrella", outside or independent of NATO. The offer was widely perceived as an effort to deflect criticism of France's resumed nuclear testing programme. Both US and UK officials are dubious about the French proposal. According to a UK official, the idea received "a questioning response in the UK and the US, and no resonance in Germany," and is "disappearing off the scene".

It appears, however, that France has not dropped the idea. A French official stated that they have no immediate plans for creating a European nuclear deterrent, nor have they even determined where it will be discussed. Acknowledging the importance of the idea for the French, the official said that the future development of the Alliance cannot ignore the significance of nuclear weapons. The Defence Council, which advises President

Chirac on military issues, is conducting a review of strategic doctrine. Its report, due in June or July, may provide details on this issue and on relations with NATO.

Alliance members have strongly supported France's moves to strengthen its relations to NATO. During President Chirac's visit, US President Bill Clinton stated "how pleased" the United States was with France's initiatives, and also "welcomed France's efforts to build a stronger European defense identity within NATO". A UK official also warmly welcomed the French moves towards NATO, stating that the UK had long sought such steps. The official also noted that the United Kingdom is "keen to see the Alliance adapt" to reflect the new realities in Europe, but sought to downplay the significance of any changes France might seek. In particular, the official thought France was "drifting away from" the idea of a distinct European pillar within NATO because it gives the appearance of a split. France instead, according to the official, was "giving visibility to the European capacity to act".

One element of that potential new capacity is the Combined Joint Task Force. First proposed by the United States in 1992, the CJTF has been seized upon as a way for some NATO members to act cooperatively, using NATO equipment, without the participation of every country. A formal agreement on the proposal is expected before the next North Atlantic Council meeting in June. If the CJTF had been in place earlier, NATO assets -- including, for example, US strategic airlift -- could have been put at the disposal of the Western European Union for use in the former Yugoslavia. France, the UK and the US all appear committed to the concept, which could substantially alter the security environment in Europe.

France has also expressed a desire that NATO expansion should only proceed after NATO reform. While decisions about NATO expansion are not expected to be taken until 1997, a French insistence on reform first would inevitably delay the process even further.

France has made a significant, long-term decision on its relationship with NATO. Rather than merely resuming its seat at the table, however, France has chosen to move closer to the Alliance in order to be able to have as

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much influence as possible on its future. The question is how closely France's vision for the new European security framework will match that of its allies. **BASIC**

Martin Butcher of the Centre for European Security and Disarmament contributed to this report.

COMPREHENSIVE TEST BAN TREATY NEGOTIATIONS

by Stephen W. Young

New obstacles have emerged at the negotiations on the Comprehensive Test Ban Treaty, which resumed 22 January at the Conference on Disarmament (CD) in Geneva. Diplomats had already acknowledged that achieving a treaty in 1996, a goal endorsed overwhelmingly at the 1995 NPT Conference and the United Nations General Assembly, would be a challenging task. The new difficulties, focusing on issues introduced by India, make agreement that much harder.

Initial signs were positive. The Nuclear Test Ban (NTB) Committee, where formal negotiations take place, was convened on the first morning of the CD session, and meetings began that afternoon. In an interview with BASIC Reports, Amb. Jaap Ramaker of the Netherlands, Chair of the NTB Committee, said this was "a very positive sign reflecting the commitment of the delegations to the negotiations". An opening speech by Amb. John Holum, Director of the US Arms Control and Disarmament Agency, detailing what the nuclear-weapon states will give up by signing the test ban, was well received.

There had been fears that India would refuse to allow the NTB Committee to convene unless the CD agreed to create a committee on nuclear disarmament, a move that would be strongly opposed by the nuclear-weapon states. When no other country from the Group of 21, which represents the non-aligned countries at the CD, appeared ready to back India on the issue, the Committee was convened without incident.

India's position at the negotiations is complicated by history, strategic concerns and current politics. India's then-Prime Minister Nehru led the call for a test-ban as early as 1954, and a CTB has remained one of the country's most acclaimed goals. Yet India is the only undeclared nuclear-weapon state to have conducted a nuclear test, which it proclaimed as a "peaceful nuclear explosion" in 1974. Over 20 years later, the leading opposition party, the conservative Bharatiya Janata Party, now calls for India to declare itself a nuclear-weapon state and to conduct tests. The majority of Indians reportedly support that position, and with Prime Minister Rao facing elections this spring, India's internal position is delicate. The US release of F-16 fighter aircraft to Pakistan has added to the difficult atmosphere. At the same time, the November 1995 US announcement that it would conduct underground "sub-critical" nuclear experiments at the Nevada Test Site and French and US statements about computer simulation of tests have increased many countries' fears that the CTBT will be a paper treaty with little real impact.

For some or all of these reasons, India proposed amendments to the preamble calling for nuclear disarmament within a time-bound framework. It has also challenged the scope of the treaty endorsed by most of the nuclear-weapon states and seeks to include a statement that the "principal objective of the Treaty is to end the qualitative improvement and development of nuclear weapon systems". India also sought to link entry-into-force of the CTBT to a commitment by states parties to the goal of eliminating nuclear weapons within a time-bound framework. Analysts fear that by introducing these proposals, India is laying the groundwork for not signing the treaty. The text of India's statement to the CD plenary on 25 January 1996 is reproduced below.

Negotiators face a daunting task. The text has over 1,200 brackets indicating areas of disagreement and proposals for altering language. When asked if it was realistic to expect to resolve those brackets this year, Amb. Ramaker responded with a simple "no". He went on to note that many of the brackets were related, and that resolving one issue could remove numerous brackets. He added, however, that he will "have to take steps"

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to reach an agreement, but he was unwilling to elaborate on what those steps might be.

While much of the foundation of the treaty is completed, many critical issues remain, a number revolving around Chinese positions. The most important of these is China's insistence that peaceful nuclear explosions be allowed under the treaty, a position no other country supports. Other unresolved issues include the timing and approval of on-site inspections, the use of national technical means, and entry-into-force.

Hope remains, however, that a treaty can be completed. Australia, which has been a motivating force in the negotiations, may put down a "clean text", proposing solutions to most of the outstanding issues. In an interview with *BASIC Reports*, Amb. Richard Starr of Australia said he could not comment on such speculation, but noted that Australia had put down a resource text early on in the negotiations in 1994 and that its 1995 working paper on scope is now the widely accepted terminology.

In autumn 1995 the US Government endorsed the goal of achieving agreement on a CTBT by April 1996. Amb. Holum's opening speech, however, merely noted that if a treaty was not completed by April, then the negotiators "must seriously take stock of how to make use of the remaining weeks prior to the end of the second part of this session". Given the new difficulties that have emerged, it appears that only a renewed commitment and action at the highest levels will allow a treaty to be reached at any time in 1996. Amb. Mark Moher of Canada affirmed that "the question is essentially one of political will". **BASIC**

Rebecca Johnson of Disarmament Intelligence Review provided information and analysis used in this report.

Dates for the 1996 Conference on Disarmament

- Part One: 22 January to 29 March
- Part Two: 13 May to 28 June
- Part Three: 29 July to 13 September

Detailed reporting on the CD, and on the CTB talks in particular, is available in *Disarmament Diplomacy*, a new arms control review published by Dfax, Unit 53, Listerhills Science Park, Campus Road, Bradford, West Yorkshire, BD7 1HR.

**STATEMENT BY H.E. ARUNDHATI GHOSE
AMBASSADOR / PERMANENT
REPRESENTATIVE OF INDIA
TO U.N. OFFICES AT GENEVA
IN CONFERENCE ON DISARMAMENT
GENEVA, 25 JANUARY 1996**

1. I would like to take this opportunity to join the other speakers before me in congratulating you on your assuming the Presidency of the CD at the beginning of what could be a critical year for this forum. I can assure you of our cooperation in the tasks before you. We are aware of the stand taken by Myanmar on the issues before the CD and have had the privilege of working closely and fruitfully with you before. We have noted with appreciation the industry and fairness you have personally already brought to the job, particularly in trying to deal with the strongly divergent views held by delegations on the programme of work of this session. I also take this opportunity to thank most sincerely the previous President, Ambassador Nacer Benjelloun-Touimi of Morocco, for his friendly, industrious, and sincere efforts to try and find solutions to some of the issues before the Conference during his Presidency. May I also welcome warmly our three new colleagues from the Group of 21 who have recently joined the CD -- the distinguished Ambassadors of Cuba, Kenya, and Nigeria.
2. Mr. President, we do indeed see 1996 as a testing time for all of us in the CD. I have been told, and I agree, that the international community and international public opinion -- from north and south, east and west -- has great expectations of us. We need to be conscious of this.
3. We start this session at a time when our apprehensions relating to the international security environment have increased, rather than, as had been optimistically expected some years ago, diminished.
4. Less than a year ago, the NPT was indefinitely extended. This single act resulted in the legitimisation, for the foreseeable future and beyond, of the possession of nuclear weapons by a few States and their possible use as a currency of power. This is not just India's view. This has been argued by some of the States themselves before the International Court of Justice. That winding down of nuclear weapons is not yet part of the global agenda has also been demonstrated and emphasised to the world by

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subsequent events. Nuclear Weapon States continue to spend hundreds of millions of dollars on their arsenals and plan on new facilities for continuing weapons related research and development.

5. We are not unaware that these States undertook "to make progressive efforts to reduce nuclear weapons globally with the ultimate aim of eliminating those weapons". But I think that we are justified in our scepticism as this undertaking was followed by re-assertions by some of these countries citing reasons of their security, of their continuing need not only to possess these weapons but to ensure their reliability -- for use. Other developments, including announcements of "sub-critical" tests for the refinement of the nuclear weapons, and proposals for political discussions on the future role of nuclear weapons to ensure the security of some nuclear weapon States and their allies, and the inconsistency of these developments with the avowed goal of nuclear disarmament, have been noted by us with growing unease.

6. Mr. President, we have noted the steps taken by two nuclear weapon States to begin a process of dismantling their nuclear weapons. We are vitally interested in the progress of this process and would encourage its widening and deepening, since even after the planned reduction, huge stockpiles of weapons will remain. These existing weapons continue to pose a threat and it is on this that our attention is focussed today. Clearly, such a perpetually discriminatory environment will be perceived as unstable, provoking countries to unilateralism rather than collective security. Given the possibility of treating the perpetuation of the NPT as providing an indefinite license for possession of nuclear weapons, it becomes even more imperative to have a legally binding commitment to eliminate these weapons in a specific time-frame.

7. Mr. President, global nuclear disarmament has been a major objective of India's foreign policy since independence. We are also conscious that disarmament cannot be achieved while proliferation continues. However, non-proliferation cannot be an end in itself and loses moral credibility unless it is unambiguously linked to disarmament. We have demonstrated our commitment to non-proliferation by voluntarily and unilaterally exercising the most rigorous control on our peaceful nuclear

programme. Possession of nuclear weapons by any country constitutes a wider threat and this is not only a matter of principle but of the safety and security of all nations and all peoples.

8. It was for these reasons, Mr. President, that India joined the other members of the G-21 in calling for the immediate establishment in the CD of an Ad-hoc Committee on nuclear disarmament to start negotiations on a phased programme with the eventual aim of eliminating all nuclear weapons within a time-bound framework.

9. We were, and are, therefore deeply disturbed that some States that possess nuclear weapons appear unwilling to start addressing the security concerns of other States. That concerns on this issue are widely shared is evident from the clear messages received not only from the UN General Assembly but from Heads of States and Governments of the majority of the world community in Cartagena last year. Mr. President, we sincerely hope that you will be able to undertake serious and intensive consultations on this issue over the next week or two, and we hope that you will succeed in getting a satisfactory agreement at an early date. In the CD, we must be able to start negotiations on a time bound programme for the elimination of nuclear weapons early this year. This makes 1996 a year critical to the CD and to the future of all disarmament negotiations.

10. Mr. President, it is in this context that we envision the future negotiations on a Comprehensive Test Ban Treaty. To have a multilaterally negotiated CTBT was India's proposal four decades ago. Even at that time, we stated clearly that the CTBT was only a first step towards complete nuclear disarmament. If implemented then, the number of States with nuclear weapons and the number, types, and the range of weapons in the possession of those that have them would have been much less and, in our opinion, nuclear disarmament would by now have been in our grasp. During these four decades the nuclear weapon States have undertaken extensive testing programmes. This only makes it important that, as we take this step for a CTBT, we ensure that it is a step to the road to nuclear disarmament rather than into a cul-de-sac. In October 1995, addressing the NAM Summit in Cartagena, my Prime Minister had "wholeheartedly" supported the goals of the CTBT in the context of obtain-

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ing a commitment to universal and comprehensive disarmament. India's views on this matter were last formally made known by us in the First Committee of the last UN General Assembly, when, referring to the CTBT negotiations, we stated "We are determined to continue our contribution to this process with a view to concluding a good Treaty in 1996 In our view, the CTBT must be an integral step in the process of nuclear disarmament. Developing new warheads or refining existing ones after the CTBT is in place, using innovative technologies, would be as contrary to the spirit of the CTBT as the NPT is to the spirit of non-proliferation".

11. Mr. President, India is committed to working towards a CTBT that will promote the universally enunciated goal of total nuclear disarmament and thereby, the lasting and legitimate security interests of all countries in a nuclear-weapon-free world, including our own. In this spirit, we have been actively participating in the CTBT negotiations and will continue to be so engaged with the aim of achieving our goals.

12. We are aware that much work remains to be done on the CTBT text. We have yet to come to grips with several major technical and political issues, including the scope of the Treaty, the verification regime, on-site inspections, the IMS architecture, the financing of both the new Organisation and the IMS, the composition of the Executive Council, the articles relating to withdrawal and entry into force, etc. There are, however, key issues which have centrality for India and other States. We are of the view that, to be meaningful, the Treaty should be securely anchored in the global disarmament context and be linked through treaty language to the elimination of all nuclear weapons in a time-bound framework. We, therefore, intend to make concrete textual proposals in this regard at an appropriate stage so that the CTBT does not become just another flawed instrument aimed at curbing horizontal proliferation but a genuine disarmament step which terminates, for all States, without discrimination, the qualitative improvement and development of nuclear weapon systems. If the CTBT were to enter into force without a credible commitment for the elimination of nuclear weapons we would have lost yet another opportunity to work determinedly towards achieving a nuclear-weapon-free world.

13. Another crucial issue relates to the article on the 'scope' of the Treaty. Mr. President, we continue to believe in a truly Comprehensive Test Ban Treaty -- that is, a Treaty which bans all kinds of nuclear weapons testing. As the PTBT drove testing underground, we do not wish the CTBT to drive testing into the laboratories by those who have the resources to do so. We must ensure that the CTBT leaves no loophole for activity, either explosive-based or non-explosive based, aimed at the continued development and refinement of nuclear weapons. Consequently, this political intent needs to be reflected in the CTBT clearly defining our objective -- a Treaty which will bring an end to all nuclear weapons development, not constrained by artificial limits of verification. The situation would be untenable where, even with a CTBT in place, development, refinement and production of new nuclear weapons continues. Mr. President, the CTBT must not become only an environmental treaty -- important though the environmental consequences of test explosions may be. The CTBT, to be credible and meaningful, must be truly comprehensive and part of a genuine disarmament process. We have already presented language to cover our point of view. We would be willing to examine any other language which would address our concerns.

14. Mr. President, verbal prestidigitation cannot provide answers to the issues that we are addressing. These need to be worked out through patient and transparent negotiations conducted in good faith and taking into account all legitimate national concerns. We look forward to consolidating the gains of the work done in recent weeks in areas where we have reached consensus. True solutions have to be found where there are differences. We will do our best to move the negotiations forward and will participate sincerely and actively in any joint search for solutions.

15. In conclusion, Mr. President, I would like to express our hope that this year the CD will move towards fulfilling not only international expectations but also the purpose for which this body was created and will be able to demonstrate the courage and determination needed to address issues which impact on all human beings, from whichever part of the world, of whatever race, colour, or creed, and which can make the difference between international insecurity and international peace.

BASIC REPORTS

21 FEBRUARY 1996 • NUMBER 50 • ISSN 0966-9175

BASIC Reports is a bulletin on international security politics published by the British American Security Information Council, an independent research organization that analyzes government policies.

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BASIC Reports is edited by Bronwyn Brady in London. It is published every 6-8 weeks as developments warrant. Subscriptions are \$25 per year for individuals and non-profits, and \$50 per year for corporations and governments.

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We would like to take the occasion of this 50th issue of BASIC Reports to thank our authors for their continuing coverage of international negotiations and our readers for their subscriptions, comments and contributions.

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