

BASIC REPORTS

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NPT REVIEW: THE GAMES BEGIN

by Stephen Young and Nicola Butler

Four months before the first Non-Proliferation Treaty (NPT) Preparatory Committee (PrepCom) meeting, numerous issues remain unresolved. Some observers fear that such uncertainty may undermine progress on implementing the NPT agreements of 1995. The PrepCom, scheduled for 7-18 April in New York, will be the first under the strengthened review process agreed at the 1995 NPT Conference. The strengthened review process calls for the PrepComs to address substantive issues in addition to the procedural issues necessary to set up the next Review Conference in 2000.

Most diplomats expect that the procedural issues can be settled quickly, but as yet there is no agreement on how best to tackle substantive issues. Some Western officials have hinted that the United States is seeking to downplay the PrepCom's substantive role, an implication reinforced by public US statements that the PrepCom should not "pre-empt" the work of the Review Conference.

While the strengthened review process calls for PrepComs "to consider principles, objectives, and ways in order to promote the full implementation of the Treaty, as well as its universality, and to make recommendations thereon to the Review Conference," there is little agreement over how to implement these requirements. Ambassador Mark Moher, Canada's representative to the Conference on Disarmament (CD) in Geneva, has informally proposed creating a rolling review document that, while not officially adopted at each PrepCom, would create a track record that could be updated. The UK representative to the CD, Ambassador Michael Weston, indicated that the UK government had taken no firm

position, but told *BASIC Reports* that "as we envisage it, there will be one set of recommendations for the Review Conference which will be adopted at the final PrepCom."

In a recent speech, Dr. Lawrence Scheinman of the US Arms Control and Disarmament Agency said that the PrepCom process "should reinforce and support the Review Conference process, but it should not undertake activities that are the prerogative of the Review Conference, including drafting a final document." Ambassador Jayantha Dhanapala of Sri Lanka, who presided over the 1995 NPT Conference, has a different approach. In his personal view, the scope of the PrepComs was expanded, "converting them into virtual Review Conferences examining substantial issues in depth." He added that the first PrepCom will "usher in an era of stringent accountability by the NPT states of their performance in meeting their Treaty obligations and the benchmarks set out" in the statement of Principles and Objectives adopted by the 1995 Review Conference.

Exactly how the Principles and Objectives will be tackled in the Review process remains unclear. Ambassador Moher told *BASIC Reports*, "You are reviewing the Treaty but the Principles and Objectives provide an essential structure for the review." While acknowledging the importance of the Principles and Objectives, the United States has voiced concerns that this approach may lead to the Principles and Objectives supplanting the Treaty itself. In an interview with *BASIC Reports*, Dr. Scheinman described the US position, saying, "I would not like a two-tier approach to be adopted where Principles and Objectives are seen as substitutes for the Treaty." This view was echoed by Ambassador Weston,

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who told *BASIC Reports*, "We won't be reviewing the Principles and Objectives taking the Treaty into account. We will be reviewing the Treaty taking the Principles and Objectives into account."

Under the strengthened review process, Review Conferences will "identify areas in which, and the means through which, further progress should be sought in the future." Several diplomats have suggested that each NPT member draft a list of nuclear non-proliferation and disarmament accomplishments and goals for the future. These lists would be updated for subsequent PrepComs, and could be incorporated into the recommendations made to the Review Conference.

As yet, few decisions have been made on how to organize or structure the PrepComs. Proposals include a comprehensive view, a thematic approach, or a mirroring of the Review Conferences' Main Committees. Another proposal would have each PrepCom over the next three years in a different city, and focus on an issue that reflects that city's expertise. For example, a PrepCom in Geneva would address disarmament, one in Vienna, safeguards. However, Ambassador Weston said this approach "would probably not work terribly well. Let's not kid ourselves -- the non-aligned will want to talk about Article VI, Article VI, and Article VI. Any suggestion that we trying to get out of talking about that would not be well-received."

Diplomats from the non-aligned states and outside observers have also suggested the creation of groups that could hold inter-sessional meetings to examine specific issues. The NPT's strengthened review process states that subsidiary bodies could be established within the Main Committees to "provide for a focused consideration" on specific issues. However, Dr. Scheinman expressed concern about the potential cost implications, noting that the United States "couldn't get Congressional funding for this kind of thing at the moment."

It is anticipated that the chair for the PrepComs will rotate among the country groups represented at the CD, with the first meeting chaired by the Western Group, followed by the Eastern Group and then the Non-Aligned. Participants expect that the chair of the Review Conference itself will come from the Non-Aligned Group, and that Ambassador Pasi Patokallio of Finland will be nomi-

nated by the Western Group to chair the first PrepCom. Ambassador Patokallio is already undertaking informal consultations. **BASIC**

OSCE SUMMIT FALLS SHORT OF EXPECTATIONS

By Andreas Zumach

At the conclusion of the summit in Lisbon on 3 December, the 54 member countries of the Organization for Security and Cooperation in Europe (OSCE) adopted two documents: a "Declaration on a Common and Comprehensive Security Model for Europe for the 21st century" and a "Framework for Arms Control," outlining a new round of arms control talks, slated to begin in January 1997. Yet the summit failed to meet expectations, succeeding neither in strengthening the OSCE and clarifying the future European security architecture, nor in easing Russian objections against NATO expansion.

In the weeks leading up to the summit, government officials in Bonn and other Western European capitals expressed confidence that the summit's proceedings would pave the way for a strengthened OSCE and would begin to delineate a future European security architecture. NATO governments also hoped that the summit could be used to ease, if not overcome, Russian objections against expansion of the transatlantic alliance by offering an attractive upgrading of the OSCE and a commitment not to deploy additional conventional or nuclear forces in Central and Eastern Europe. But in public and private remarks and assessments during and after the summit, key participants expressed serious doubts that either of these goals was achieved.

In the framework document on arms control, NATO countries agreed to longstanding Russian proposals for negotiations to adapt the Conventional Forces in Europe (CFE) Treaty. But it remains to be seen whether the opportunity of a new round of talks will in fact bring about further disarmament in Europe, or if talks will only rearrange geographic limits according to new strategic needs. The former case would bring about further disarmament by lowering the existing CFE ceilings on tanks,

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armored vehicles, combat aircraft, helicopters and artillery, and by agreeing on ceilings for additional weapons categories and numbers of soldiers. However, in the latter case, CFE adaptation would stop at rearranging existing geographic limits, for instance allowing for the possibility of deployment of western forces in future new NATO member countries in Central and Eastern Europe. In Lisbon, when asked by *BASIC Reports* whether disarmament would be the goal of the new CFE talks, US Undersecretary of State John Kornblum refused to comment.

Some reports during the Lisbon summit implied that NATO was prepared to make substantial concessions on the positioning of nuclear weapons that would establish a *de facto* Central European nuclear-weapon-free zone. Yet in conversations with *BASIC Reports*, Western officials made it clear that this was not the case. According to one official, Russia could "under no circumstances expect a binding, permanent commitment by NATO not to deploy nuclear weapons on the soil of new member countries in Eastern Europe." All Moscow could "hope for is a political declaration by NATO, that under current circumstances NATO sees no need for such a deployment." Members of the Russian delegation made it clear that this would be insufficient to ease Russia's objections to expansion.

The beginning of new CFE talks in January 1997 could also be hampered by uncertainties over arms control in the former Yugoslavia. Earlier this year, the Dayton Peace Agreement established a balance of military forces and required arms reductions in certain weapons categories. Western officials told *BASIC Reports* that Serbia and the Bosnian Serbs cheated at the Vienna arms control talks that laid the groundwork for the Dayton Agreement by misrepresenting their military holdings. According to these officials, Belgrade and Pale hid at least 330 tanks, more than 20 anti-aircraft systems, and thousands of artillery pieces that should have been counted as part of their arsenals. They also suspect that a number of combat aircraft and helicopters were unaccounted for. Serbia's arsenals served as basis for the calculation of future ceilings and necessary reductions of all parties participating in the Vienna talks.

The six-month deadline for review of the arms control provisions of the Dayton Agreement was 6 December, but the results are not being discussed publicly, apparently to

avoid creating any additional anxiety over the implementation of the Dayton accords. Clarification of this issue will likely be a prerequisite to the new round of CFE talks.

The document on the European security model agreed in Lisbon largely repeats language already contained in the "Charter for a New Europe" agreed at the 1990 CSCE summit in Paris and in other C/OSCE documents adopted since. The one new element is the affirmation of the "inherent right of each and every participating state to be free to choose or change its security arrangements, including treaties of alliance." But Russia's consent to this phrase cannot be interpreted as a "green light" for NATO to take on new members from Eastern Europe. On the contrary, Prime Minister Victor Chernomyrdin made Moscow's continued objections abundantly clear in his address to the summit. In interviews with *BASIC Reports*, members of the Russian delegation were even more forthright in expressing their disappointment, and highlighted in particular the lack of any specific measures in the Lisbon document to respond to Russian demands for strengthening and upgrading the OSCE.

Diplomats from the European Union and Switzerland told *BASIC Reports* that some modest EU proposals were also "thrown off the table" by the United States just before the summit. The declaration on a security model for the 21st century ends with a careful expression of intent: "We will consider developing a Charter on European Security which can serve the needs of our peoples in the new century." According to the Swiss officials, it took a "hard fight with the US delegation to keep the phrase 'Charter' in the final draft. And they made it very clear that Washington will never allow a 'Charter on European Security' to have any legally binding elements."

It was officially announced in Lisbon that work on the new security model should start soon and bring first results to the OSCE Foreign Ministers council in Copenhagen in December 1997. But questioned by *BASIC Reports* after the conclusion of the summit, outgoing OSCE chairman Flavio Cotti expressed his doubts, saying "There will be only results in Copenhagen if the NATO expansion issue is settled before [the Summit] and in agreement with Russia." Under these circumstances, the future security architecture for Europe, and the role of the OSCE, NATO, EU, or Western European Union in that structure, remains nebulous.

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BRITISH AMERICAN SECURITY INFORMATION COUNCIL

SELECTED INTERNATIONAL EVENTS 1997

JANUARY

1	Netherlands assumes European Union (EU) presidency			
1	Germany assumes Western European Union (WEU) presidency			
7	105th Congress convenes	Washington		
10	House of Representatives January recess (to 3 February)	Washington		
13-17	European Parliament plenary	Strasbourg		
20-31	UN Panel of Governmental Experts on Small Arms, second session	New York		
20	President Clinton's inauguration	Washington		
20-21	EU Foreign Ministers meeting	Brussels		
21	First Session of the UN Conference on Disarmament (to 28 March)	Geneva		
29-30	European Parliament plenary	Brussels		
	PrepCom for the Fourth UN Special Session on Disarmament	New York		
	Russian Duma final committee hearings on START II	Moscow		

FEBRUARY

14-24	BASIC's 10th Anniversary	Washington		
14-23	House of Representatives Presidents' Day recess	Washington		
17-21	Senate Presidents' Day recess	Strasbourg		
24-25	European Parliament plenary	Brussels		
	EU Foreign Ministers meeting			

MARCH

3-11	PrepCom meeting for the Comprehensive Test Ban Treaty (CTBT) Organization	Geneva		
3-14	UN Group of Governmental Experts on the Register of Conventional Arms, first session	New York		
10-14	European Parliament plenary	Strasbourg		
21	House of Representatives recess (to 7 April)	Washington		
22	Senate recess (to 6 April)	Washington		
24-25	EU Foreign Ministers meeting	Brussels		

16-27	UN Group of Governmental Experts on the Register of Conventional Arms, second session	New York		
20-22	G-8 Summit	Denver		
25-26	European Parliament plenary	Brussels		
27	House of Representatives Fourth of July recess (to 7 July)	Washington		
28	Senate Fourth of July recess (to 6 July)	Washington		
30	EU Foreign Ministers meeting	Brussels		

JULY

1	Luxembourg assumes EU presidency			
1	Germany assumes WEU presidency			
7-18	UN Panel of Governmental Experts on Small Arms, third session	New York		
8-9	NATO Summit	Madrid		
14-18	European Parliament plenary	Strasbourg		
28	Third Session of the UN Conference on Disarmament (to 10 September)	Geneva		

AUGUST

2	Senate August recess (to 1 September)	Washington		
4	House of Representatives August recess (to 2 September)	Washington		
4-15	UN Group of Governmental Experts on the Register of Conventional Arms, third session	New York		

SEPTEMBER

15-19	European Parliament plenary	Strasbourg		
16	52nd UN General Assembly begins	New York		

APRIL

1-25 New York
UN Disarmament Commission
UN Special Committee and Working Group on Peacekeeping Operations, substantive session
7-18 New York
First PrepCom for the 2000 Non-Proliferation Treaty (NPT) Review Conference
7-10 Strasbourg
European Parliament plenary
23, 25 Brussels
European Parliament plenary
29 Luxembourg
EU Foreign Ministers meeting
29
Chemical Weapons Convention enters into force

MAY

5 Brussels
UK General Election (latest date)
12 Geneva
EU Foreign Ministers meeting
Second Session of the UN Conference on Disarmament (to 27 June)
12 Geneva
International Law Commission, forty-ninth session (to 18 July)
12-16 Strasbourg
European Parliament plenary
23 Washington
House of Representatives Memorial Day recess (to 1 June)
24 Washington
Senate Memorial Day recess (to 1 June)
28-29 Brussels
European Parliament plenary
28 Luxembourg
North Atlantic Assembly, spring session (to 1 June)
29 Sintra, Portugal
North Atlantic Cooperation Council ministerial

JUNE

2-3 New York
EU Foreign Ministers meeting
UN Advisory Board on Disarmament Matters
Brussels
North Atlantic Council/North Atlantic Cooperation Council
2-5 Paris
WEU Assembly plenary
9-13 Strasbourg
European Parliament plenary
11-13 Vienna
Organization for Security and Cooperation in Europe (OSCE) Economic Forum
10 Brussels
EU Foreign Ministers meeting
16-17 European Council
JUNE (continued)
16-17 Amsterdam
Closing Session of the Inter-Governmental Conference

OCTOBER

1-2 Brussels
European Parliament plenary
9-13 Bucharest
North Atlantic Assembly, annual session
11-19 Washington
Senate Columbus Day recess
20-24 Strasbourg
European Parliament plenary
24-27 Edinburgh
Commonwealth Summit
24-31
UN Disarmament Week

NOVEMBER

5-6 Vancouver
Asia-Pacific Economic Cooperation Forum
Brussels
European Parliament plenary
14 Washington
Senate target adjournment date
17-21 Strasbourg
European Parliament plenary

DECEMBER

New York
UN Disarmament Commission, organizational session
Brussels
North Atlantic Council/North Atlantic Cooperation Council
Brussels
NATO Foreign Ministers meeting
Copenhagen
NATO Defense Ministers meeting
Paris
OSCE Ministerial Council
Brussels
WEU Assembly plenary session
15-19 Strasbourg
European Parliament plenary
European Parliament plenary

Compiled by Rachel Kerr

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HOT DEBATE, LUKEWARM RESULTS IN UN FIRST COMMITTEE

by Jim Wurst

Not surprisingly, the next steps in nuclear disarmament following agreement on a Comprehensive Test Ban Treaty dominated the recent deliberations of the UN General Assembly's First Committee. Continuing divisions over how to progress were reflected both in the debate and in the resolutions.

Tasked with disarmament and international security issues, the First Committee, which concluded its work on 18 November, adopted 45 draft resolutions and two draft decisions, 21 of which were adopted without a vote. In addition to nuclear elimination, illicit small arms trafficking and anti-personnel land mines played prominently in the proceedings. The General Assembly then voted on the resolutions on 10 December. [See page 7 for voting results.]

Three draft resolutions introduced by non-aligned nations addressed "elimination of nuclear weapons within a time-bound framework," a concept not generally favored by Northern countries and vigorously opposed by the Western nuclear-weapon states. Their strong opposition was clearly demonstrated by the large number of no votes and abstentions on these resolutions.

A resolution introduced by Myanmar (A/51/45O) called on the Conference on Disarmament (CD) to establish an ad hoc committee to begin negotiations early in 1997 on "a phased program of nuclear disarmament and for the eventual elimination of nuclear weapons within a time-bound framework through a Nuclear Weapons Convention." Myanmar said the draft was "logical, appropriate and timely," while the United States rejected the plan as "a recipe for stalemate."

A Malaysian draft resolution (A/51/45M) welcomed the Advisory Decision of the International Court of Justice (ICJ) on the legality of the use or threat of use of nuclear weapons. The text went on to note the Court's unanimous conclusion that an obligation exists to "bring to a conclusion negotiations leading to nuclear disarmament in all its aspects" and called on states to begin negotiations on a convention prohibiting nuclear weap-

ons in 1997. China voted in favor while the other four nuclear-weapon states were opposed. Those objecting to the draft criticized it as unbalanced, arguing that the sponsors quoted from the ICJ opinion "selectively." Russia called the text "inaccurate and incomplete" while the United States said the sponsors were "attempting to turn the Court's opinion into a legal edict."

The third draft resolution was the non-aligned's annual text on bilateral nuclear disarmament negotiations (A/51/45I). It called for the CD to negotiate the elimination of nuclear weapons within a time-bound framework. Again, the vote was divisive, and of the nuclear-weapon states, only China voted in favor of the draft. Two other resolutions were adopted with somewhat less controversy, but were subject to criticism for lacking strong enough commitments to elimination. A US/Russian draft (A/51/45R) welcomed recent arms control initiatives, including START and the removal of nuclear weapons from the former Soviet republics. Sponsored by Japan, the other resolution (A/51/45G) called for "nuclear disarmament with a view to the ultimate elimination of nuclear weapons."

In reference to the drive to strengthen the regimes of nuclear-weapon-free zones (NWFZ), First Committee Chair Ambassador Alyaksandr Sychou of Belarus said that this "second front of nuclear disarmament [has] acquired a prominent place on the disarmament agenda." One of the few new proposals before the First Committee was a Brazilian initiative to establish a Southern Hemisphere NWFZ. Co-sponsored by more than 60 states (most of them members of NWFZs), the draft calls on all relevant states to ratify the existing NWFZ treaties and protocols and urges the creation of new zones. Brazil argued that the draft did not create any new legal obligations, it simply recognized "the progressive emergence" of a Southern Hemisphere NWFZ. Nevertheless, the United States, the United Kingdom and France voted against the text, citing their concern that a hemisphere-wide zone would infringe on navigational rights on the high seas.

Conventional Weapons and Land Mines

The main resolution on conventional weapons (A/51/45H) called on all states to supply data to the UN Register of Conventional Arms and recalled the decision to convene a panel of governmental experts in 1997 to review

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the operation of the Register. A separate vote on the paragraph on the 1997 experts' panel drew 13 abstentions. Such lack of consensus may cast doubts on the prospects for the experts' group, since at least two of the abstainers, China and India, will likely be members of the panel.

A ban on anti-personnel land mines was also addressed in this year's First Committee deliberations. A US draft (A/51/45S) "urges states to pursue vigorously an effective, legally-binding international agreement to ban the use, stockpiling, production and transfer of anti-personnel land mines with a view to completing the negotiation as soon as possible." Abstaining countries cited their objections that the draft did not take sufficient notice of the right to self-defense, did not make reference to alternatives to anti-personnel mines, and did not address concerns over "terrorist" use of mines.

The US resolution comes in the wake of a Canadian-led effort to draft a convention banning all production and use of anti-personnel mines. The Canadian proposal calls for a conference of interested states to develop the convention outside any standing international body and to have the convention open for signature by December 1997. While the timetable of the Canadian proposal has been criticized as too short, the US resolution specified neither a timeframe nor a forum for such a convention.

Other resolutions on conventional weapons focused on small arms; two resolutions on curbing the illicit trafficking of these weapons were adopted without a vote. A Mali-sponsored text encouraged governments in the Saharo-Sahelian subregion of Africa to continue their efforts to collect and curb the circulation of illicit arms. An Afghan draft invited states to provide the Secretary-General with information on the control of the illicit arms trade. Both resolutions reflect a continuing interest at the UN in curbing small arms and light weapons trafficking.

A new initiative by Germany represented the first attempt to link conventional disarmament with peace-keeping, an area traditionally eschewed by the First Committee. The resolution on the "consolidation of peace through practical disarmament measures" calls on the Secretary-General, in consultation with member states, "to make recommendations and suggestions for an integrated approach" to practical disarmament measures and

report to the General Assembly in 1997. These measures are defined as "the collection, control and disposal of arms, especially small arms and light weapons, coupled with restraint over the production and procurement as well as transfers of such arms, the demobilization and reintegration of former combatants, demining and conversion." Although it was adopted without a vote, many delegations reluctant to embrace a new concept voiced reservations about the draft, expressing concerns that some of the language required "fine-tuning." **BASIC**

Jim Wurst is the editor of *Disarmament Times* in New York.

**UN GENERAL ASSEMBLY VOTES ON
SELECTED FIRST COMMITTEE
RESOLUTIONS**

<u>Resolution</u>	<u>in favor</u>	<u>against</u>	<u>abstentions</u>
A/51/45O	110	39	20
A/51/45M	115	22	32
A/51/45I	107	37	24
A/51/45R	160	0	11
A/51/45G	159	0	11
A/52/45H	154	0	15
A/51/45S	155	0	10

Editor's note: Additional detail on the resolutions and votes is available in UN Press Release GA/9196 available on the UN World Wide Web site at <http://www.un.org/>

Changing of the Guard

BASIC wishes to say farewell and express its gratitude to **Bronwyn Brady** for her extraordinary contributions to the life of BASIC since joining the organization in March 1992. Bronwyn brought her gift of language to BASIC, and served as Editor of *BASIC Reports* for over three years. In addition to her outstanding tenure as Assistant Director, Bronwyn played an active role in BASIC's analytical work, particularly on issues concerning the conventional weapons trade and the former Yugoslavia. She now resides in Edinburgh. We welcome **Susannah Dyer** as the new Editor of *BASIC Reports*. -- Dan Plesch, Director

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