



First Standing Committee -  
Peace and International Security

C-I/111/2004/R-dr  
28 June 2004

**THE ROLE OF PARLIAMENTS IN STRENGTHENING MULTILATERAL REGIMES FOR  
NON-PROLIFERATION OF WEAPONS AND FOR DISARMAMENT,  
IN THE LIGHT OF NEW SECURITY CHALLENGES**

***Draft report prepared by the Co-rapporteurs***  
***Senator Salwa Damen-al-Masri (Jordan) and Mr. John Wilkinson, MP (United Kingdom)***

**INTRODUCTION**

We are convinced that multilateral verifiable disarmament and a halt to the proliferation of armaments, especially of weapons of mass destruction, are essential to the maintenance of an international order of security and peace.

History is replete with examples of the dangers of arms races that undoubtedly produce tension between nations and all too often have culminated in conflict. To list them is to draft a catalogue of some of the worst examples of a build-up of mistrust, mutual fear and suspicion with consequences of crisis, warfare and enduring hostility which in many instances persist until today.

The struggle for global power at the end of the nineteenth and early twentieth centuries between Imperial Germany and the British Empire featured a notorious naval arms competition with each trying to build more battleships than the other.

A massive rearmament programme in the 1930s gave Adolf Hitler the confidence to expand the Third Reich at the expense of its neighbours, provoking the Second World War. Likewise the Japanese armament drive emboldened Japan to launch a surprise attack upon the US Navy at Pearl Harbour in 1941 bringing the United States of America into the Second World War.

After the Second World War the Soviet Union underpinned its hegemony in Central and Eastern Europe with a multifaceted sphere of influence. It was militarily able, owing to its arms programme, to invade Hungary and Czechoslovakia in 1956 and 1968 respectively as well as to support the suppression of dissent in Poland and the German Democratic Republic. Western Europe remained free but only by virtue of a balancing armaments programme in NATO and a doctrine of nuclear deterrence based on the strategic doctrine of mutual assured destruction which held the spectre of nuclear annihilation over mankind. In the aftermath of the Second World War, both NATO and WARSAW PACT countries competed in modernising and stockpiling lethal weapons. Although the Cold War did not burst into a hot one, between the two leading powers of the hostile blocks, many minor wars erupted sponsored by either block. The invasion of Hungary in 1956 and of Czechoslovakia in 1968, the Suez Canal Crisis in 1956, the Biafra war in Nigeria in 1967, the Middle East War (Six-Day War) in 1967, all point to the same direction. The Berlin crisis and the Cuba crisis each could have ignited a hot war.

Following the independence of India and Pakistan upon the partition of the subcontinent, the unresolved Kashmir dispute led to a costly arms race and three wars, one of which enabled the State of Bangladesh to be formed from East Pakistan. The region still maintains high defence spending and the Indo/Pakistan nuclear balance is a focus for international concern.

The creation of the State of Israel in 1948 out of the territory of Palestine mandated to Britain by the League of Nations, has seen a perpetuation of vast spending on armaments both by Israel and its Arab neighbours. Peace has not been secured by the costly build-up of weaponry, nor is the region more secure as the political sources of the deep-seated Israeli/Palestinian antagonism have tragically not yet been resolved.

The Iran-Iraq arms build-up fuelled by large petroleum revenues and maintained with much single-mindedness by both sides eventually ended in a bloody war between them. The region remains tense and has seen two subsequent notorious conflicts, both of which might not have occurred had Iraq's military ambitions been lower.

## **BACKGROUND**

### **1. Negative effects of arms programmes**

Armament programmes whose cost is growing dramatically over time are one of the most notorious misapplications of the world's scarce resources. Technological progress and the desire of many countries to maintain advanced military capabilities whilst keeping a check on the size of their armed forces have meant that the cost of modern weapon systems has risen faster than inflation. For a given level of military effectiveness therefore, nations without substantial economic growth are required to devote an even higher proportion of their national wealth to the defence sector.

There is consequently a major opportunity cost to be borne by countries that maintain a significant military budget. This represents itself not just in spending foregone on health, education, housing, welfare, pensions, transport and the environment but in a diversion of the national workforce and skills base into unproductive areas of economic activity which do not directly enhance prosperity, material well-being or the quality of life. It is true that there can be civil spin-offs from the technological developments in armament programmes in such fields as electronics, telecommunications, aerospace, propulsion and materials but today the reverse is also true with computers, data transmission and mobile telephony.

There is also a societal cost in high military expenditure. An over-mighty military-industrial complex can lead to an unhealthy close relationship between national government, its specialist procurement agencies, including the armed forces, and key sectors of advanced manufacturing industry. The strictest standards of democratic accountability and control have to be in place to ensure transparency of contracting and procurement so as to minimise misadministration, corruption and the misapplication of public funds. Not all nations have sufficiently robust democratic safeguards to prevent the emergence of a client class, middlemen, commission regimes and private profiteering within the ranks of weapon suppliers and government alike. The diversion of military equipment funding has all too often financed the power base of some of the world's most notorious dictators and least democratic regimes.

This adverse effect on the national body politic is perhaps most prevalent where parliamentary institutions are weakest. Mature parliamentary processes are an invaluable safeguard of the interests of taxpaying citizens. They can hold government officials and ministers to account for their procurement decisions and armament programme management systems through debates and questions, as well as select and appropriations committee procedures.

Above all parliaments can focus and mobilise public opinion against wasteful defence spending. The institutionalised pressure of deputies and senators can be a force for the implementation by governments of policies which constantly seek, through confidence-building measures, constructive diplomacy, the peaceful resolution of conflict and reconciliation of fundamental differences of international opinion, a sounder world order based less on the threat of force, military deterrence and the balance of power.

Environmental anxieties also militate in favour of a more active engagement by parliamentarians to secure the non-proliferation of weapons and disarmament. Training areas, gunnery and bombing ranges, test and weapon trial establishments, missile launching sites, radar and tracking systems, telecommunications facilities, weapon dumps and storage locations all take up valuable land and often ecologically and environmentally important sites.

Likewise surplus stocks and weapon disposal are a perpetual problem unless a measure of permanent arms reduction can be achieved. The oxidising hulks of nuclear submarines are a notorious case in point as are unstable chemical weapons stocks and the minefields that litter to lethal effect conflict zones around the world.

Precious resources are diverted into gaining the arms race instead of investing them to gain the prosperity race. The former may be useful to some, the latter is in the interest of all. Besides the harm inflicted by the use of arms, prosperity is made ever more unachievable because of the hardly curable wounds to humans, to the economy, to the natural resources inflicted by wars. The opportunity cost is certainly too heavy.

## **2. Magnitude and extent of weapons build-up**

In a world where more than three billion people live on \$2 a day, where military spending wastes around \$800 billion a year, and where the average military budget allocates more than 10 per cent of government resources on arms and related items, nobody should wonder why a person is killed at the barrel of a gun each minute, and countless more are physically or emotionally wounded or both. Indeed, in a world that admits that five million people have been killed in a single decade as stated in the UN Millennium Declaration (2000), nobody should wonder why mistrust and poverty dominate.

## **3. Analysis of the objectives of armaments build-up**

*Why stockpile weapons? Why attain and perpetuate supremacy?*

Arms are not yet stockpiled by States for fun, they are stockpiled for defence or for attaining and perpetuating military supremacy. By defence, States usually mean:

1. Military confrontation of occupier or invader seeking to occupy territory belonging to another State.
2. Ordinary policing to keep peace and order at home, this is particularly cited when civil unrest is on the horizon.

3. Military confrontation to protect an interest contested by another State.
4. Shifting battleground to the territory of another State, probably far beyond oceans, to preserve the integrity and sovereignty of the really worrying States, thus sacrificing the battlefield State's territory, population and resources.

Apart from the first two considerations listed above, defence cannot have its real meaning if used in the other perspectives. With the exception of reasonable needs for national defence and maintaining law and order, seeking military supremacy is in fact the true motive behind stockpiling weapons.

The UN Millennium Declaration (2000) was just a moment of peace, but not a history of peace. The dividing line between defence and military supremacy may sometimes be hazy and thin, but never impossible to identify. Defence is justified. Military supremacy is not.

#### **4. Main attempts at nuclear disarmament and arms limitation**

Bilateral talks aiming to restrict the arsenals of Soviet and United States nuclear weapons began during the late 1960s as concern mounted at the rapid expansion in the number of warheads and delivery systems. A series of arms control regimes emerged in the decades that followed.

##### **(a) Strategic Arms Limitation Talks (SALT I & II)**

The first round of Strategic Arms Limitation Talks (SALT I) took place between 1969-1972. The USA and USSR agreed a treaty restricting the construction of Anti-Ballistic Missile defences (the ABM Treaty) and an interim agreement limiting strategic offensive nuclear arms. It froze at existing levels the number of intercontinental and submarine launched ballistic missiles.

Under SALT II the USA and USSR sought to replace the interim agreement with a longer term treaty setting broad limits on all strategic offensive nuclear weapons. The Treaty was signed in 1970 and set an equal limit on ICBMs, SLBMs and bomber aircraft on both sides with a further reduction due by 1981. In addition there was a further sub-limit relating to multiple war-headed ballistic and cruise missiles.

The Soviet invasion of Afghanistan in 1979 and disagreements over NATO's deployment of intermediate ranged missiles in Western Europe were a complication. The US Senate had not ratified the Treaty and President Reagan was pursuing ballistic missile defence developments through his Strategic Defence Initiative (SDI). Nevertheless, following President Gorbachev's rise to power in 1985, East-West tensions eased and the Soviet leadership put forward ambitious plans that year and in 1986 for a 50 per cent mutual reduction in strategic arms and their complete abolition by the year 2000.

##### **(b) Intermediate Range Nuclear Forces Treaty (INF)**

In December 1987 the USSR and USA signed a treaty to eliminate all nuclear ballistic and cruise missiles with ranges between 500 and 5,500 km. The Treaty came into force. By 1991 their destruction was complete and ten years later the elaborate verification system was no longer necessary. Unlike the SALT process which sought to establish ceilings on the number of strategic nuclear weapons, the INF process was one of reduction eventually eliminating a whole category.

(c) The Strategic Arms Reduction Treaty (START I)

The USA believed that the USSR's proposal to abolish all nuclear weapons was too ambitious but confidence-building measures and verification processes were put in place including a communications centre and the prior notification of all missile test launches. After about ten years of negotiation both sides more or less halved their warhead stockpiles and agreed to limit their strategic delivery systems to 1,600. A monitoring and verification regime was established.

Within five months of the Treaty's signature the USSR was dissolved. In May 1992 the Lisbon Protocol was signed whereby all four former Soviet Republics – Russia, Ukraine, Belarus and Kazakhstan – that had nuclear weapons on their territory became signatories although the Russian Federation was to remain the only nuclear weapons State. The process of ratification, plus the requirement that Kazakhstan, Belarus and Ukraine accede to the Non-Proliferation Treaty as non-nuclear weapons States, delayed implementation till 1994. The removal and destruction of these nations' nuclear arsenals was completed by the year 2000.

(d) Strategic Arms Reduction Treaty II (START II)

In January 1993 the USA and Russian Federation signed a second treaty (START II) which provided for further reductions in their strategic nuclear arsenals. These were to take place in two stages. The Treaty also envisaged the elimination of all ICBMs capable of carrying multiple independently targeted re-entry vehicles (MIRVs).

Owing to delays in ratification implementation was delayed till 2007, but in the event START II did not enter force. In 2002 the Russian Federation declared it would be no longer bound by its provisions owing to the United States' withdrawal from the Anti-Ballistic Missile (ABM) Treaty. The American pursuit of missile defence meant an end to the intricate checks and balances of the START regime and the beginning of a looser framework of mutual reductions following President Bush's twin track approval of bilateral reductions with Russia whilst pursuing a US missile defence development programme

(e) Moscow Treaty on Strategic Offensive Reduction (SORT)

In November 2001 at a bilateral meeting at Crawford, Texas, Presidents Bush and Putin pledged to implement deep unilateral cuts in their strategic nuclear arsenals. In May 2002 the Strategic Offensive Reductions Treaty (SORT) which codified the reductions to which they had committed themselves the year before was signed in Moscow. It stipulated that by the end of 2012 neither side would deploy more than 1,700-2,200 strategic warheads. Surplus warheads could be kept in storage though many would be destroyed. Following ratification by both sides the Treaty's provisions entered into force in June 2003.

It is perhaps indicative of the improved relations between the Russian Federation and the USA that there is no strict verifications process or timetable of reductions although an Implementation Commission will meet twice a year. Parliamentary interest has been a significant concomitant to nuclear arms control not least through the Treaty ratification process.

## 5. Other arms control initiatives

After the Second World War, Western policy-makers pursued twin objectives in the containment of communism to the Soviet sphere of influence in Eastern and Central Europe and the controlled rearmament of the Federal German Republic to assist in that aim whilst allaying any fears that West Germany by an offensive drive might seek to regain what was now the German Democratic Republic and the lost territories of East Prussia, Pomerania and Silesia. Hitler's armament programme of the 1930s had not been forgotten.

### (a) Modified Brussels Treaty

By the Paris Protocols of 1954 the mutual defence obligations of the 1948 Brussels Treaty were reinforced by assigning Western European Union's defence role to the North Atlantic Treaty Organisation whilst placing upon the Federal German Republic obligations not to develop nuclear, chemical or biological weapons, strategic bombers, large capital ships or offensive missiles. A WEU arms control agency was to verify West Germany's adherence to those stipulations in return for the Federal German Republic's entry into NATO. The Parliamentary Assembly of the seven WEU countries of Britain, France, West Germany, Italy and the Benelux States meeting in Paris was to provide parliamentary oversight of these processes answerable to a Ministerial council meeting in London.

### (b) Mutual and Balanced Force Reductions (MBFR)

This multilateral framework was an interesting precursor to the mutual and balanced force reduction framework whereby NATO and the Warsaw Pact sought to achieve an equilibrium of conventional forces on the Central Front in Europe through a long process of negotiation in Vienna. The aim was to diminish the Soviet preponderance in conventional forces so as to reduce the risk of a nuclear response by NATO were deterrence to fail.

### (c) The Treaty on Conventional Forces in Europe

This Treaty, signed on 19 November 1990, has almost irreversibly banished the threat of a general military confrontation in Europe. Treaty-limited equipment in the zone of application of the Treaty has been successfully transferred, decommissioned or destroyed and the process subjected to monitoring and verification mechanisms recognised for their effectiveness. The Treaty, which was followed up by an agreement on force levels (CFE-1A), as well as a set of important confidence- and security-building measures supervised by the OSCE, is a major tool for preventing conflicts and maintaining a high level of security and stability in Europe. At the second Treaty review conference in 2001 that role was confirmed although it was acknowledged that there are still difficulties of interpretation and delays in the application of certain provisions.

### (d) The Open Skies Treaty

This entered into force on 1<sup>st</sup> January, 2002, and completes the conventional arms control and disarmament process that started in Europe at the end of the 1980s. The Treaty strengthens the regimes set up under the CFE Treaty as well as the accompanying confidence-building measures and contributes to the creation of a zone of security and stability, in terms of armed forces and military equipment, that is unique in the world. With the opening up of the Open

Skies Treaty and the adapted CFE Treaty (as soon it comes into force) to new signatories the coverage of the European continent will be complete.

The Treaty allows the States Parties to carry out unarmed reconnaissance flights, after having given prior notice, over the territory of other States Parties, on the basis of a system of quotas, with a view to gathering data on armed forces, equipment and activities.

(e) Anti Personnel Mines (APMs) – The Ottawa Convention

There was a long campaign to ban anti-personnel mines during the 1980s and 1990s following a shocking toll of civilian casualties in conflicts in Indo-China, Angola, the Horn of Africa, Afghanistan and many other theatres of war.

The 1997 Ottawa Convention bans the use, stockpiling, production and transfer of anti-personnel mines. It calls for the destruction of existing APMs and calls on the signatories to provide aid to mine victims. The Convention does not extend to anti-tank mines (ATMs) which are essentially pressure mines for use against vehicles. By October 2003, 150 nations had signed the Ottawa Convention with some notable exceptions including the Russian Federation, the USA, India, Pakistan and the People's Republic of China.

A related issue is the possible control of cluster munitions which are essentially an airfield denial weapon whereby bomblets are widely scattered with an effect similar to landmines.

(f) UN Development Programme – Small Arms Reduction Programme

This programme focuses on helping nations in Africa, Asia, Europe and Latin America to develop their own weapon collection, management and destruction programmes. In 2001 the first UN conference on the illicit trade in small and light weapons (SALWs) took place to maintain the momentum of control.

(g) EU and OSCE SALW Control Initiatives

The first was launched in 1997 to strengthen member States' collective efforts to control SALW transfers. The 2000 OSCE document on SALWs does the same.

(h) International Arms Trade Treaty (IATT)

This is an initiative being sponsored by NGOs including Oxfam, Safer World and Amnesty International. It is expected that this initiative will be presented to the UN conference on small arms in 2006.

In 2003 the Control Arms Campaign was launched by Oxfam, Amnesty International and the International Action Network on Small Arms (IANSA). Seven countries have given their backing – Brazil, Colombia, Mali, The Former Yugoslav Republic of Macedonia, Costa Rica, Finland and Holland. It could become a focus for parliamentary attention.

## **6. Non-proliferation of weapons of mass destruction**

The Treaty on the non-proliferation of weapons of mass destruction, known as the Non-Proliferation Treaty (NPT), is the foundation of the global nuclear non-proliferation system. The Treaty entered into force in 1970 and acknowledges the possession of nuclear weapons by

five States – France, the People's Republic of China, the Russian Federation (as the successor to the USSR), the United Kingdom and the United States of America. It forbids other States from acquiring them. In return the nuclear-armed five nations are committed to reducing their nuclear arsenals with the ultimate aim of their total elimination.

Initially agreed for a 25-year period, the Treaty was extended indefinitely at a Review and Extension Conference in 1995. The parties agreed a Comprehensive Test Ban Treaty in 1996 but it has not been ratified by the People's Republic of China or the United States. Although progress has been made under the US/Russian SORT Treaty to reduce their nuclear stockpiles the consequent commitment to start negotiations on a convention to ban the production of fissile material for nuclear weapons remains less successful and is stuck in the UN Conference on Disarmament.

The sixth MPT review conference took place in 2000 amid warnings of a crisis in the global non proliferation regime. Nevertheless, the nuclear weapons States gave an "unequivocal undertaking" to complete nuclear disarmament and a workplan was established to that end. A further NPT review conference is scheduled for 2005.

Although the preparatory work for this conference continues there is international anxiety following North Korea's withdrawal from the NPT in 2003. The country is believed to possess nuclear weapons. Furthermore Iran has developed an advanced nuclear programme whose purpose is unclear. Libya's welcome decision to renounce weapons of mass destruction in 2003 led to the discovery of a clandestine network of proliferation contacts centred in Pakistan.

The Director General of the International Atomic Energy Agency (IAEA), Dr. Mohamed el Baradei stated in October 2003 that the achievements of the NPT were patchy saying he believed "it was time to design a framework more suited to the threats and realities of the twenty-first century". He explained that as many as 35 to 40 countries had the technical know-how to construct a nuclear weapon.

Whilst potential nuclear weapons States, notably Argentina, Brazil and South Africa, have renounced nuclear weapons anxiety persists over Israel's nuclear programme. Fears about Iraq's ambitions in this domain may have been exaggerated but Iran's nuclear activities need to be clarified. Furthermore, whilst Pakistan asserts it is no longer a conduit for proliferation, North Korea's lack of transparency in nuclear matters and ballistic missile programmes does not give cause for optimism.

In February 2004 President Bush put forward proposals for strengthening non-proliferation efforts. He pointed to the Proliferation Security Initiative (PSI) involving the USA, Australia, France, Germany, Italy, Japan, Holland, Portugal, Spain and the UK in efforts to interdict materials related to weapons of mass destruction in transit. He announced that Canada, Norway and Singapore would also be participating.

Dr. Mohamed el Baradei of the IAEA has concurred with President Bush's calls for tighter controls on the export of nuclear material. Concerned that civil nuclear programmes could be a cover exploited by unscrupulous regimes to develop weapons related technology and fissile materials he agreed with Mr. Bush's call for adherence to the IAEA Additional Protocol which allows the IAEA to inspect such supposedly civil facilities. In addition he argues that no country should be allowed to withdraw from the NPT.



## 7. Nuclear-free zones

In an attempt to pre-empt the spread of nuclear weapons technology a series of treaties have emerged to declare certain regions of the world to be nuclear-free zones.

- (a) The first such treaty was the Antarctic Treaty of 1959 which declares Antarctica to be used exclusively for peaceful purposes. It prohibits the establishment of any military base or the conduct of any military exercise in Antarctica. It also bans the testing of all weapons including nuclear armaments, nuclear explosions and the dumping of radioactive waste. There are 44 parties to the Treaty.
- (b) The Treaty of Tlateloco of 1967 banned all nuclear weapons in Latin America and the Caribbean. The Treaty obliges all Latin American parties not to acquire or possess nuclear weapons, nor to permit the storage or deployment of nuclear weapons on their territory by other countries. Two protocols placed non-nuclear deployment obligations on the five recognised nuclear States and non-Latin American States with territories in the zone.
- (c) The Treaty of Pelindaba of 1996 is the African nuclear weapon-free zone treaty signed in Cairo. The Treaty prohibits the research, development, manufacture and acquisition of nuclear explosive devices. The testing or stationing of nuclear weapons on the territory of the African continent is banned although the transit by foreign ships or aircraft carrying nuclear weapons is permitted. Attacks against nuclear installations are prohibited. The Treaty has been ratified by 15 States but requires ratification by 28 States before it can enter into force.
- (d) The Treaty of Rarotonga of 1985 was signed by the eight member States of the South Pacific Forum and established a South Pacific Nuclear-Free Zone (SPNFZ). It bans the manufacture, possession, stationing and testing of nuclear devices in the territories of the parties. It also prohibits the dumping of nuclear waste at sea within the zone. The first protocol binds all States with territories in the region. The second and third commit the five recognised nuclear States not to use or threaten the use of any nuclear device within the zone, nor to test it.
- (e) The South East Asia Nuclear Weapon-Free Zone (Treaty of Bangkok signed on 15 December 1995). This Treaty prohibits the development, manufacturing, acquisition, possession or use of nuclear weapons in the Zones as well as prohibiting the dumping or discharge of radioactive materials or waste into the sea and atmosphere anywhere in the Zone. Signatories retain the right to use nuclear energy "in particular for their economic development and social progress". Each party retains the sovereignty to decide what may pass through their territorial sea and archipelagic waters. Signatories agree to prevent the testing of any nuclear device in their respective territories.
- (f) Seabed Arms Control Treaty (Treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the seabed and the ocean floor and in the subsoil thereof, signed at Washington, London and Moscow on 11 February 1971, with effect from 18 May 1972). The Treaty restricts the seabed, ocean floor and the subsoil thereof "from the arms race as a step towards disarmament, the reduction of international tension and the maintenance of world peace". The Treaty prohibits the placing of nuclear weapons or other weapons of mass destruction,

or structures of launching, storing, testing or using such weapons on the seabed, the ocean floor or the subsoil thereof.

- (g) Space. Outer Space Treaty (Treaty on principles governing the activities of States in the exploration and use of outer space, including the moon and other celestial bodies, signed on 27 January 1967, with effect from 10 October 1967). The Treaty reserves the use of outer space for peaceful purposes only and for scientific exploration that benefits all peoples "irrespective of the degree of their economic or scientific development". The Treaty prohibits the establishment of military bases, installations and fortifications, the testing of any type of weapons and the conduct of military manoeuvres. Signatories to the Treaty also agree not to "place in orbit around the Earth any object carrying nuclear weapons or any other kind of weapons of mass destruction, install such weapons on celestial bodies or station such weapons in outer space in any other matter".

PAROS – Prevention of Arms Race in Outer Space. The PAROS initiative is a response to lack of any multilateral agreement banning the deployment of weapons other than WMD in outer space. Confidence-building transparency measures would be first steps in this field.

## 8. Chemical weapons

- (a) The Chemical Weapons Convention (CWC), which prohibits the development, production, stockpiling and use of chemical weapons, was opened for signature in 1993. It entered into force in 1997 following ratification by 65 States. The CWC was the first treaty in history to ban a whole category of weapons with a strict verification regime to ensure compliance and prevent illegal transfers as well as monitoring production of potential precursor chemicals. The Organisation for the Prohibition of Chemical Weapons (OPCW) based in The Hague verifies destruction programmes and inspects all suspect military facilities or civilian chemical plants.
- (b) The Australia Group is an informal group set up in 1985 to harmonise export controls on chemical precursors and manufacturing equipment. The group has 35 members with the European Commission holding observer status. The group's remit only subsequently extended to biological weapons proliferation in an effort to enhance the effectiveness of the Biological and Toxin Weapons Convention (BTWC).

## 9. Biological weapons

- (a) Biological and Toxin Weapons Convention (BWC)

This convention was opened for signature in 1972 and entered into force in 1975. The BWC Treaty complemented the 1925 Geneva Protocol which banned the use in war of chemical and biological weapons by prohibiting also the development, production and stockpiling of biological agents and toxins.

There are 144 parties to the Treaty including the five recognised nuclear States. Israel has not signed it and around 18 mostly African and Middle Eastern States have signed but not ratified it, including Syria and Egypt. Iraq ratified the Treaty but after the First Gulf War in 1991 the UN Security Council demanded that Iraq disclose and destroy its weapons programmes.

Four review conferences have been held to try to secure an effective verification regime for the BWC Treaty. Negotiations on a BWC verification protocol made progress in early 2001 but later that year optimism was seen to be unfounded. The USA declared it would not accept the draft text. The problem lay with the dual use nature of biological agents and their related production equipment. The biotechnology industry was keen not to see its commercial interests put at risk.

## **10. Controls on delivery systems**

### **(a) The Missile Technology Control Regime (MTCR)**

This was established in 1987 to limit the risks of WMD proliferation by controlling transfers which could contribute to WMD delivery systems. Twenty-six mostly Western States have joined. Israel, the People's Republic of China and Ukraine adhere to the guidelines but do not participate in meetings.

### **(b) The MTCR provides export control guidelines and annexes missile related technologies and equipment which would require export licences. The main focus is on nuclear capable systems which are missiles capable of carrying a payload of 500 kg over a range in excess of 300 km.**

Although the MTCR is not binding in international law it does provide invaluable guidelines and allows for international coordination of control measures and useful information exchanges. The MTCR holds annual plenary meetings. At its 1996 meeting in Edinburgh it was agreed that the regime must be strengthened by non-member countries, a theme taken up in the 2000 plenary session which was preoccupied with initiatives to engage in its controls non MTRC members.

## **11. The scale of the small and light weapons problem**

The proliferation of SALWs has increased since the end of the Cold War with lower defence budgets, the downsizing of armed forces and the sale of surplus equipment. It is estimated that there are 500 million SALWs in global circulation exacerbating conflict, facilitating international crime and terrorism and undermining post conflict reconstruction as we have seen most notably in Iraq. Illicit trading in SALWs is often linked to trafficking in drugs, diamonds and other high value commodities which in the case of narcotics destabilise societies.

During the conflicts in the last decade of the twentieth century it was always civilians who paid the highest price. In Europe (Croatia and Bosnia), Asia (East Timor) and above all Africa (Rwanda, the Democratic Republic of Congo and Sierra Leone, for example) the majority of casualties – which can be estimated at several millions – fell victim to small and light weapons and anti personnel mines, which are the most widespread, easily available and easy to use category of armaments. Their simplicity, light weight and small size enables them to be used by men, women or children, causing confusion between civilians and combatants, with lethal consequences for the former. Those weapons continue to wreak their effects after conflicts have ended, during transition periods and in particular in the hands of armed criminal or terrorist groups.

The difficulties encountered in the efforts to stabilise and rebuild the societies of former Yugoslavia and Albania are partly due to the large numbers of small arms and light weapons circulating in those countries and which, used for political or criminal purposes, fuel a climate

of insecurity and instability. In the early days of those conflicts most of those weapons came from police and military depots then over the years the numbers and types of weapons increased as armed groups procured weapons from arms traffickers or from third States in violation of the embargoes imposed by the United Nations and other regional or international organisations. Towards the end of the conflicts, much of the work being done by the organisations involved in regional stabilisation and reconstruction – such as NATO, the EU, and the OSCE – was concerned with the elimination and control of this category of weapons.

For these weapons, as for traditional conventional armaments, it is difficult to transpose the European model to other regions of the world like Africa where their devastating effects are only too well known.

## **NEW AND ONGOING SECURITY CHALLENGES**

(a) The acquisition by States with military offensive or politically assertive ambitions of chemical, biological, radiological and nuclear weapons is a constant threat as is the sale and trafficking of WMD by unscrupulous governments or illicit commercial interests.

(b) Terrorism

The use of terror worldwide as a governmental, ideological, political and religious instrument to secure objectives by intimidation or force is one of the grimmest features of today's world.

The communications revolution facilitates the mobilisation of individuals, funds, materiel and intelligence. The growing imbalance of wealth and power radicalises impoverished people and motivates them to pursue violent solutions.

Unsolved political issues which fundamentally divide peoples and nations like the Israel/Palestine dispute, Kashmir, Chechnya and others are also incentives to terrorist activity.

(c) Historically, the advent of colonisation and imperialism have spread the seeds of the ongoing challenges now faced by the world. The domination of colonisation and imperialism over international politics further nourished these seeds, of which a series of features still linger today

- Governments exercising occupation of other countries in violation of ethical and legal commitments. Subjects of occupied or formerly occupied States are certainly radicalised, too. This adds to the difficulty of solution, and the challenges only increase;
- Unsolved, perhaps unsolvable, problems left behind by former colonising powers. The world is still witnessing the horrors committed by Israel in the Middle East which have generated insecurity and underdevelopment in the Middle East;
- Attempting to develop dialogue between cultures and religions, on the basis of self-professed superiority of some cultures over others. Dialogue should be open, based on equality and mutual respect, so as to allow the true identity of cultures to be exposed and to allow exchange of positive ideas going both ways.

## **SPECIFIC ROLE OF PARLIAMENTS IN DISARMAMENT, ARMS CONTROL, ARMS LIMITATION AND LIMITATION OF WEAPONS OF MASS DESTRUCTION**

### **At the national level**

We must ask ourselves how successful existing treaties and instruments have been. Are the disarmament objectives already set achievable in the current world order? Parliamentarians must evolve political, legal, educational, humanitarian and economic instruments to facilitate arms control and disarmament. Possible avenues for further action by parliaments:

#### *(a) Mobilising public opinion*

1. Although nuclear weapons and antipersonnel mines have been particularly condemned by the public opinion the world over, other types of weaponry are considered essential for the military supremacy, defence and the prosperity of a State. Parliamentarians need to work together in order to mobilise action towards effective arms control.

2. All parliamentarians who believe in the peaceful settlement of conflicts are under moral obligations to voice the dictates of the public interests of their country and of the entire humanity. They have to clarify to their respective governments and to their electorates the negative consequences, especially in the long run, of stockpiling arms and of recourse to war.

3. The weapons industry often plays a significant role in determining election results, as well as in stimulating the international trade in arms. In parallel with the modest results that can be obtained by advocating disarmament, parliamentarians should try to activate the world public opinion to condemn and prevent the manufacture, stockpiling and marketing of all weapons, besides generating a climate of world peace, world sharing and world intervention in bringing about justice and prosperity on a global basis.

#### *(b) Monitoring and holding governments to account*

Bearing in mind the limitations on parliamentarians, MPs will have to face the following realities related to the monitoring of government action:

1. Governments do not manufacture or stockpile arms for the sole purpose of defending the interest of the States and supporting allies, they do it for a variety of reasons, including inter alia, attaining and preserving supremacy, offensive actions against adversaries, real illusory or intentionally designated.

2. Producing States often collect massive benefits. Governments have monopoly over information necessary for monitoring. The official secrets act in its various forms and titles is easily invoked to bar essential information. The skilful craftsmanship of government reports and releases will render monitoring difficult.

3. Only within these limits and constraints, can parliamentarians monitor governments. In holding them responsible, the mechanisms of democracy impose challenging risks on the party level, on the parliamentary level and perhaps on the national level as well. Especially in parliamentary governments, where MPs belong to the same party or coalition, the government feels safe if it has the necessary majority however slim. In presidential system governments where ministers are not also members of parliaments, rivalry may be the order of the day.

4. As a result, hardly can one remember a government put out of office by parliament because of disarmament problems. Presumably, governments are not innocent. Loudly stated, parliament has not been really able to hold governments accountable.

*(c) Ratifying treaties and other international instruments*

Parliamentarians can perform this function rather proficiently. They must, however, make sure that disarmament and arms limitation instruments never undermine the victims in favour of the aggressor. To allow the control of arms, to reinforce occupation, infiltration, state terrorism and suppression, will bring negative results, sooner or later. The ethics of law, politics and economics should be important guidelines for governments and parliaments alike. Pragmatically, supremacy changes hands, and politicians must learn the lessons of history. Both parliament and government must care for the generations to come in their own nations.

*(d) Parliamentarians as voters of budgets*

Here again, distinction must be made between producing States and consuming States, especially those in trouble.

*In producing States*, parliaments are called upon by ethical and pragmatic considerations alike to earmark no budget allocations that might encourage the mania of the arms race, that may help an aggressor, that may stabilise the victimised situation of the victim, that may prolong occupation. By contrast, they may be called upon, to be generous in allocating whatever is necessary to stop stockpiling, to assist agencies that monitor violations of international laws in the field of weapons, to encourage educational and cultural endeavours to create a new generation that believes in the value of humanity and in the sanctity of humanity. Producing States will have to remember that one day they will be held liable and accountable for all the damage inflicted by their products. Besides, they have to remember that most of the unsolved problems of the world were created by their miscalculations.

*In consumer States*, parliamentarians cannot help remembering that aggression and occupation have not been averted even where the excuse for the attack proved false, nor by waving the olive branch, nor by raising the white banner of a recapitulation. Unless the rich and mighty producers of arms do change their policies and behaviour, consumer States cannot be expected to kneel down to the occupier, aggressor and intimidator. Except for nuclear weapons and antipersonnel mines, both parliaments and governments in consumer States, especially those in trouble, will lose credibility if they fail to pursue the most ambitious armament scheme. Producer States cannot possibly produce arms and at the same time protest against stockpiling or against the refusal to limit armament. Mighty and rich States cannot simultaneously create problems for poor consumer countries and ask contestants to exercise self-restraint. The consequences of colonisation and imperialism have not yet been redressed, nor have the colonial practices been abandoned.

*(e) Legislative function of parliamentarians*

Bearing in mind the remarks made, earlier in this report, reviewers of the legislative function of parliament will remember the shaky business of taking a parliamentary standpoint in whatever field. The legislative function is further complicated by lengthy deliberations, by using obscure, vague and illusive terms and by transforming the original bill and divert it from the purpose it was drafted to fulfil.

In countries where the head of State, has the power not to sign an act of law, parliament is faced with still more challenges. Much can happen in the course of the constitutional process necessary to make an act of law valid.

Parliamentary activities cannot stand still because of these realities. Well-meaning parliamentarians have difficult times, but persist they must. This is a fact of life that has to be accepted.

Parliamentarians, through the help of their expert constituents, should make as much as possible of question time, of government releases, of hearings in specialised parliamentary committees. With the help of mass media, the true objectives of the governments can be made clear to the public.

More risky are motions of no confidence in the government. Such motions can work both ways. They can bring either parliament or government higher credentials with the public. Where ministers are also MPs, government is of course supported by the ruling party or coalition. The opposition can lose face if they give government and coalition the chance to collect more votes in coming elections.

Viewed from a parliamentary perspective, disarmament is a voice in the wilderness. Duty however insists over and over again.

### **International parliamentary cooperation**

- (a) International parliamentary bodies such as the IPU, Council of Europe, OSCE Assembly, CIS Assembly, NATO Assembly, WEU Assembly, Euro Mediterranean Assembly, proposed CSCA Assembly, Andean Parliament, Central American Parliament, Nordic Parliamentary Body offer MPs incomparable opportunities in favour of international action in disarmament. They are:
1. Strengthening the role of the IPU within the structures of the UN.
  2. Funding and supporting UN arms verification activities.
  3. Funding and supporting International Atomic Energy Agency (IAEA) activities for monitoring in field of nuclear and atomic systems.
  4. Promoting and supporting trade control regimes in technically sensitive areas such as fissile materials, chemical and biological agents and their component elements, research, development and production facilities for WMD, missiles, launchers and guidance systems, special metals and fuels.
  5. Promoting and passing migration control measures to prevent movement of terrorists, WMD scientists and technicians, political agitators and extremist ideologues.
  6. Promoting and introducing money-laundering controls to prevent bankrolling of terrorism, etc.

7. Promoting and pursuing measures to control international arms trade both multilaterally and nationally with effective export licence systems and end use certificate regimes.

Despite all the challenges faced by parliamentarians at home, they have to perform significant roles on the regional and international levels. Prominent amongst these roles are the following:

1. Active participation in regional parliaments or parliamentary unions.
2. Active participation in the IPU endeavours and activating its various bodies.
3. Through its observer status at the UN, the IPU should be better qualified to implement important functions, including:
  - (a) bringing to the General Assembly of the United Nations resolutions taken by the IPU which represent the will of the peoples of the IPU member States;
  - (b) contributing to the work of the General Assembly and Security Council, so as to help shape the best possible resolutions that preserve and promote peace, security and disarmament;
  - (c) assisting the United Nations in its efforts to monitor the implementation of international instruments governing disarmament, arms limitation and arms control.
4. Continue to exert efforts to establish peace based upon justice, and never to tolerate the action or to endorse any instrument that might be taken as a pretext to stabilise the current status of occupation, domination by force or subjugation under the threat of arms. Besides, parliamentarians should never cease to press governments and international organisations towards addressing the root causes of poverty, radicalisation, and resort to violence.
5. Support the establishment of areas free from weapons of mass destruction and particularly from nuclear arms, including in the Middle East (Security Council resolution 687).

### **The gender perspective**

Women can be a formidable force for a more peaceful world. Women's organisations can mobilise public opinion worldwide and militate against the brutalising of contemporary society. Women need to assert their family values in politics and resist attempts by governments to mobilise women increasingly into the armed forces or terrorist organisations. Womankind's traditional role as the custodian of the highest human values needs to be reinforced. The increasingly important role of women in governments and parliaments gives them a real opportunity to act against armed violence and weapon build-up worldwide.

Men and women have different access to resources, different powers and different capabilities normally to make decisions during periods of tension, war and post conflict reconstruction. Their experiences of warfare too are different. Whilst women are less able to determine the course of events that lead to conflict, the conduct of wars or their outcome, they pay the heavier family price.

More than three-quarters of civilian casualties are women and again over three-quarters of refugees and internally displaced persons are women and children. As noted in the Platform for Action of the Fourth United Nations World Conference on Women "while entire



communities suffer the consequences of armed conflict and terrorism, women and girls are particularly affected because of their status in society as well as their sex”.

On the one hand, women are the main civilian victims of conflicts but on the other all too often incapable of preventing them owing to their inadequate role at the negotiating table in the potential resolution of conflicts and frequently omitted from post-conflict reconstruction. In short the very prevalent exclusion of women from decision-making before, during and after wars reinforces their sense of victimisation.

Parliamentarians must bring pressure to bear on governments to involve women more actively in preventive diplomacy, conflict resolution, peace making and post conflict peace restoration and national reconstruction. This is a duty for all parliamentarians in view of the abominable war crimes of rape, abduction, forced pregnancy and enslavement to which in wartime women are victims and against which the Geneva Convention has to be upheld.

Particular attention should also be given to internationally recognised applications of gender mainstreaming that can also be applied to disarmament, arms control and arms limitation. They include:

- ensuring that all discussions on disarmament and arms build-up draw on the experience of women and men alike;
- increasing the involvement of women and women's organisations in disarmament discussions;
- promoting women's capacity to participate in disarmament, development and other fields;
- ensuring that programmes are based on a clear understanding of gender role relations and inequalities;
- ensuring women's participation in decision-making and eliminating all obstacles to their participation;
- supporting the sector-specific programmes that link inputs to disarmament and learning from lessons drawn from experience in other sectors.

The IPU has always supported gender mainstreaming. The established tradition of the IPU in this respect should certainly be continued and IPU must pursue the already successful programmes of gender mainstreaming, of these: "Gender Mainstreaming Action Plan" (2003) of UN/DDA, that intends to strengthen, consolidate, inform and guide disarmament work into the future, and the implementation of UN Security Council resolution 1325 (2000), on "Women and Peace and Security". This resolution is of paramount importance to women all over the world.

## **CONCLUSIONS**

The international community has made too little progress in the overall scene of disarmament. People are still killed everyday with arms whether in war, in resistance, and in peaceful towns and cities. Besides, many more suffer wounds and illnesses caused by arms. Treaties in themselves have not been sufficient to relieve humanity of its grave mistake of developing fatal arms, stockpiling them, using them and updating them. Resolutions have done no better.

The new world order should be based upon recognised values including:

- The planet is humanity's common home;
- Justice should be the decisive factor when promoting national interest;
- Peace is not a gift grudgingly given to the weak, but a privilege also enjoyed by the strong. In order to strike this balance, the physical, mental, emotional, material and spiritual needs of all people should be satisfied;
- Planning, administration and legislation and all domestic and international affairs must strictly abide by these basic value standards;
- Peace, justice and dignity should apply equally to everybody.

In order to achieve these goals,

- (a) Parliamentarians must exert themselves to energise their governments towards mutual balanced arms reduction and draw down within internationally supervised regimes of WMD.
- (b) MPs must lead their populations towards support for arms control measures outlined above.
- (c) MPs must interact either bilaterally or multilaterally to achieve international climate of cooperation in arms control and disarmament.
- (d) Parliamentarians must be proactive to involve women more fully in conflict prevention and resolution as well as in post-war national reconstruction.