

ARMS CONTROL, DISARMAMENT AND SECURITY IN THE POST-COLD WAR WORLD

Address by Senator the Hon Gareth Evans QC, Minister for Foreign Affairs and Trade, to the International Conference for Arms Control sponsored by the ANU Peace Research Centre and the Indian Ocean Centre for Peace Studies, Canberra, 25 June 1992

When, not so long ago, we were grappling with the frustrations and difficulties that so often characterised the security and arms control agenda of the old world order, no-one ever claimed that things were easy, simple or predictable. Yet the so-called "new world order" of the post-Cold War world is frequently described as being far more complex, diverse and unpredictable than the East-West polarity which has now disappeared.

This complexity derives, as many have commented, from the freeing-up of the magnetic field of bipolar relations which to a greater or lesser extent aligned most states to either one side or the other. On the positive side, this has meant that the sterile ideologies of the past will no longer constitute stumbling blocks to the promotion of security measures through disarmament, arms control and regional arrangements.

But against this, the freedom from the constraints of bipolarity has also resulted in often alarming tendencies towards fission of a non-nuclear kind. Nationalism and ethnic identification are rapidly resulting in the break-up of nation states, increasingly with violence employed as the means of self-determination. Yugoslavia, Nagorno-Karabakh and Moldova are the most obvious current cases in point.

Saddam Hussein's invasion of Kuwait was the first demonstration of how some states perceived the post-Cold War era - as allowing them to pursue selfish ends with complete disregard for international law or norms. The clear and convincing reversal of that aggression is ground for at least some confidence in looking to the future post-Cold War world. While it may be argued that the situation in relation to a future aggressor is unlikely to involve the same conjunction of imperatives that moved the international community on this occasion, there is no doubt at least that Iraq's experience will figure strongly in the mind of other states tempted to advance their interests by the naked use of force.

Against all this, the actual agenda of arms control and disarmament issues has not itself changed appreciably. What has changed is the attitude towards negotiations on these issues and the need - often at relatively short notice - to find new and creative ways to deal with emerging problems.

Thus, on the superpower front, after years of protracted and often stalemated bilateral nuclear weapons negotiations, both sides announced drastic measures - both unilateral and reciprocal - which changed the nature and size of nuclear arsenals with historic speed and good will. We have all been delighted by the extraordinarily far-reaching agreement reached on 17 June between the United States and Russia to reduce their long-range nuclear weapons arsenals by two thirds.

But at a different level the shock of revelation of Iraq's advanced pursuit of weapons of mass destruction required unprecedented UN action. UN inspectors and technicians were sent by the Security Council to disarm Iraq of its weapons of mass destruction, the first time such disarmament in its most literal sense has been carried out by the UN.

The unique situation of the break-up of the Soviet Union also created new dilemmas for global security and proliferation concerns: how to prevent weapons of mass destruction from proliferating either in a de facto way because of the ICBMs on the territories of three newly independent states or through the transfer of weapons, weapons-related technologies or expertise to third countries.

A number of creative strategies have been explored and put in place to deal with this security threat. These include the U.S. negotiated protocol to the START Treaty to cover the weapons and the nuclear weapons status of Belarus, Ukraine and Kazakhstan. Centres for science and technology to harness the expertise of former Soviet personnel working in areas related to weapons of mass destruction were also established. In addition, the G-7 and together with Australia - in an unprecedented recognition of the role we have been playing in this area - visited eight of the newly independent states of the former Soviet Union to help educate and inform them about effective export controls and other measures to prevent proliferation.

The new problems areas are not confined to weapons of mass destruction: large, destabilising arsenals of conventional weapons are also held in a number of parts of the world and more such weapons than ever are on the international market. Steps to restrain transfers and reduce holdings of such weapons are urgently needed.

In answering the challenge posed by weapons proliferation, the centrality of global structures and processes will remain paramount. In nuclear areas, for instance, the Nuclear Non-Proliferation Treaty and the International Atomic Energy Agency will continue to be the basic mechanisms for the promotion of measures towards nuclear disarmament and non-proliferation. They will, however, require re-structuring since they do not cover the type of clandestine nuclear activities uncovered by inspectors in Iraq after the Gulf War. A first and important step to cover this type of situation - and one for which Australia has worked hard - was the decision by the IAEA Board of Governors to confirm IAEA's

authority to conduct special inspections. Of course, like most measures which enhance security, these will cost money.

Controls on the supply of nuclear materials are also essential to prevent countries like Iraq from acquiring a clandestine nuclear weapons program. Two important measures have recently been adopted which Australia fully supports. The Nuclear Suppliers Group has agreed on export controls on 65 nuclear-related dual use items, and has also adopted a common nuclear policy requiring fullscope safeguards as a condition for future nuclear supply. This means that from now on, all major nuclear suppliers - with the exception only of China, despite the urging of ourselves and others - will require non-nuclear weapons state recipients to have accepted an international commitment to maintain safeguards on all of their existing and future nuclear activities.

At the same time, we should not forget the importance to nuclear non-proliferation of other measures which have been longstanding - but as yet unattained - objectives of the international community. It is, for example, increasingly difficult to understand why opposition to a Comprehensive Nuclear Test Ban Treaty should continue in the post-Cold War world. The French and Russian moratoriums attest to that.

Chemical weapons underscore the nature of the threats and challenges posed by the rapid spread of relatively basic technology by countries now less constrained by the strictures of the Cold War. It will only be by a global ban imposed through a global, multilateral convention that the elimination of these weapons will be possible. The development of a modern, verifiable Chemical Weapons Convention is in this respect something of a case study of arms control and disarmament approaches for the future.

The Geneva Conference on Disarmament negotiations for a Chemical Weapons Convention had been notionally proceeding for some 20 years, with the 'Rolling Text' apparently being set to roll on forever. By mid-1991, increasing concern over the lack of progress in these negotiations led Australia - having established its credentials in this area by chairing the Australia Group of chemical industry suppliers and the 1989 Government and Industry Conference Against Chemical Weapons in Canberra - to launch a major effort to change the nature of the existing process and accelerate it to a conclusion. After intensive consultations with other CD members, Australia drafted a complete compromise treaty document which I tabled in Geneva in March this year.

This did produce a crucial shift from fruitless issue-by-issue wrangling to a comprehensive effort for completion of negotiations to be achieved through the device of a Chairman's text. The German chairman of the Negotiating Committee, Ambassador von Wagner, tabled his draft in Geneva last Monday. We are now combing through it. It is not in every respect our preferred outcome, although that is the nature of any compromise text. Everyone will have to give up some of their ideal positions. While reserving final

judgment, I believe nevertheless that the text will be effective in providing a Convention which dramatically advances the cause of global disarmament.

The world community must seize this opportunity. No one will claim that the most complex and intrusive international instrument ever established, and the CW Convention will be just that, is going to be perfect. But it can and will provide practical means, for the first time ever, for the international community to prevent the production, acquisition, stockpiling and use of chemical weapons.

The complete elimination of biological weapons is a further objective to which Australia is firmly committed. However, the Biological Weapons Convention through which this goal should be achieved - unlike a number of other arms control treaties - lacks a verification regime to enable non-compliance by States Parties to be detected. This gap will hopefully be filled by the ad hoc group of governmental experts established at the Convention's third Review Conference in September 1991 to identify and examine scientific aspects of potential verification measures. The ad hoc group, which held its first meeting in March and April this year, is due to report on the matter at the end of 1993.

The area of conventional arms transfers is one where far greater creative energy will be needed in future. Some tentative steps have already been taken in this regard - including through the establishment of a UN arms transfer register, the detailed implementation of which is now being negotiated. But the deeply ingrained practice of states to resort to the accumulation of large conventional arsenals in response to perceived regional or global threats is clearly so endemic that great effort - and in many ways a change in the security culture which exists in most parts of the world - will be required to change this approach.

As part of the broader disarmament effort, a place clearly exists for national measures to ensure a country's industry does not, inadvertently or otherwise, contribute to efforts to acquire weapons of mass destruction. Such measures may fit within the structure of multilateral treaty arrangements, or even exist in their absence (as in the case with chemical weapons, where a treaty is yet to be finalised). Properly designed export controls, for example, can help to ensure that countries of concern do not have an easy route to the acquisition of such weapons. Suppliers need to act responsibly and control stringently their exports of sensitive materials and technologies, while protecting legitimate trade and respecting the access of developing countries to peaceful uses of technologies.

Global measures, whether or not supplemented by individual national measures, need global institutions to support them, and the role of the United Nations as the global agency for promoting security in the post-Cold War world remains central. This has been well illustrated by the dramatic increase recently in Security Council activities beyond those traditionally associated with peacemaking, peacekeeping and last resort peace

enforcement. The Council's handling of the Gulf crisis, for instance, involved the Council in a number of unprecedented areas, ranging from the demarcation of boundaries between two sovereign states to the destruction of the weapons of mass destruction of a member and monitoring its compliance with the ban on such weapons.

The Gulf War is just one example of the increasing scope and complexity of the Security Council's operations. Since the end of the Cold War, the Council has also authorised operations dealing with a range of issues that go beyond the strictly military or diplomatic aspects of maintaining or restoring international peace and security. These include the organisation, conduct and monitoring of elections in Namibia, Western Sahara and Cambodia; humanitarian intervention in Somalia and Bosnia-Herzegovina; protection of minority populations in Northern Iraq; human rights monitoring in El Salvador and Cambodia. In fact, the Cambodian peace settlement could potentially involve the UN and Security Council in action to prevent and suppress major abuses of human rights. The other unique aspect of the Cambodian settlement is, of course, that it involves the UN in the civil administration of a member state. Even more recently, the Council expanded the scope of its action still further by involving itself in seeking extradition of suspects in a case of international terrorism.

The hitherto sacrosanct interpretation of the Charter's injunction against interference in the domestic affairs of Members has thus been progressively loosened. At the same time, there has been some criticism of the apparently ad hoc approach of the Council to its international security mandate. At the very least, in the light of the changes in the post-Cold War world, there is a need to set out systematically the rationale for the Council's deciding when and when not to take up what are identified threats to international peace and security.

A more systematic approach by the Council to its international security mandate would certainly be in Australia's regional security interest. Such an approach would clearly need to involve the Council in being seen to be aware of and dealing adequately with the security concerns of the whole UN membership rather than just those of its most influential or persuasive members. It is unhappily the case that the Asia Pacific region has little clout in the Security Council - or in other UN bodies for that matter. There is no natural constituency in the Council for addressing threats to international peace and security in our region. We were successful in the case of Cambodia, but not without a lot of effort to persuade an initially sceptical P5 about the value of our UN plan.

All this means that, while global mechanisms and institutions provide an essential foundation for addressing many regional issues, it is regional measures which are increasingly complementing global measures in a mutually reinforcing way. Cambodia is a case in point: the UN operation occurred only as a result of a regional initiative moved forward largely by Asia Pacific countries.

The security outlook in the Asia Pacific region is generally favourable, although it is certainly more fluid now that East-West confrontation has ended. The collapse of the bipolar strategic framework has freed states from Cold War alignments and given them greater scope to manoeuvre, and growing prosperity on the part of a number of states in the region has led to greater military capability. In my view, however, this new fluidity creates many more opportunities than it does risks: again Cambodia is a case in point. But there are a number of sources of regional tension and concern, of which the unsafeguarded North Korean nuclear program has been the most significant.

Australia has taken every opportunity to encourage North Korea to fulfil its obligations under the NPT, including by working with like-minded countries at the IAEA. We have therefore welcomed North Korea's recent - if belated - progress to ratify a safeguards agreement with the IAEA and to allow in a team of IAEA inspectors. But North Korea continues to stall in finalising arrangements for a mutual nuclear inspection regime with South Korea. Australia has made it clear that improvement in our relations with North Korea will remain contingent on North Korea satisfactorily fulfilling both its IAEA and bilateral nuclear obligations.

You will probably be aware that Australia has been active in promoting a regional dialogue on measures to consolidate the security of the area, based on principles of common security reinforced by those of collective security. Our efforts are beginning to bear fruit. The ASEAN states have formally included regional security on the agenda of the ASEAN Post Ministerial Conference and some in the United States have also started to take a more forthcoming attitude towards a multilateral regional security dialogue. A series of seminars and conferences on regional security, involving both officials and experts, has already been held in Manila, Bangkok and Bali. However these occasions, while valuable in getting the debate going, seem to have generated very little discussion so far on some of the fundamental conceptual issues thrown up by the end of the Cold War, including the relevance in this new environment of concepts such as the balance of power and deterrence, state sovereignty, common security and collective security. We will need to be giving thought to innovative ways of carrying this debate forward.

I would like to add just a few words on the Indian Ocean - a subject that you will be considering fully in the Perth session of this Conference. That region is in many respects less advanced with regard to regional security cooperation than the Asia-Pacific region - as a result no doubt not only of its even greater diversity, but also the intractability of the two major regional security issues.

The Middle East peace process - itself a beneficiary of the end of the Cold War - offers some hope to the north-west sector of the region, not least through the multilateral Working Groups which, in the arms control and disarmament area, are focussing on confidence-building measures and dialogue. It may be that countries with useful

experience to contribute, including Australia, may be able to assist in promoting this process further, and that is something we are presently exploring.

But in South Asia, where concerns about proliferation of weapons of mass destruction are understandably high, dialogue continues to be sorely lacking . Many states of the region are yet to make fundamental commitments to the non-proliferation of weapons of mass destruction through the signing of the Biological Weapons Convention and the Nuclear Non-proliferation Treaty. Active support for the Chemical Weapons Convention negotiations, also essential for countries of South Asia, has until now been subject to unhelpful linkages and negative attitudes towards issues such as verification. States of that region really do need to enter into the spirit of the post-Cold War world and approach their regional security with fresh ideas. Mechanisms like SAARC already exist within which informal dialogue can begin: the greatest need is to somehow establish a new psychology of security cooperation.

Overall, the climate of international opinion seems favourable to pressing ahead, globally and regionally, with the whole spectrum of the arms control and disarmament agenda. Now is the time for governments - with the help of experts such as yourselves - to produce that extra leap of the imagination, that extra application of effort, that extra focus on resolution of outstanding issues, and that extra determination which are all essential to build regimes which are fair and effective. By working together to grasp the moment, we have a real chance of bequeathing to future generations all over the world the legacy of a more ordered, a more rational, and above all a safer system of international relations.

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