



The Security Council and Nuclear Weapons

Lucy Webster

May 28, 1996

Under the Non-Proliferation Treaty, the five permanent members of the Security Council are legally enabled to have nuclear weapons. So the Security Council cannot act assertively to prevent proliferation, because its most powerful members are all implicated, in one way or another. Some of the permanent five may be increasing their nuclear arsenals (as France and Britain may be doing now), but all five are always upgrading their weapons and discarding those that are obsolete. In this two-tier world set up by the NPT, we cannot expect the Security Council to take effective and even-handed action.

The question remains, is there some way that the nuclear weapon states could begin a process towards a world free of nuclear weapons? It is quite clear that with recent technological developments, nuclear weapons are not as militarily advantageous as they used to be. Many military experts in the US think that the US could do without them. But there remains the problem of gaining broad acceptance of this view among policymakers in the nuclear weapons states and the problem of developing a program for the abolition of all nuclear weapons everywhere.

We also need to ask whether the Security Council can be more proactive. One of the results of the Cold War and one of the things that led to the impasse which existed from 1951-1961, was that the Security Council acquired the habit of being reactive rather than proactive. Even in the period of negotiations on arms control and disarmament treaties -- from 1962 until the present -- the Security Council itself played no active role. So, we need to consider how we can push the Security Council to take responsibility (as the Charter mandated) for this long-term problem of armaments and the need to get rid of them.

Not only does Article 26 call for the Security Council to be responsible for formulating plans for the regulation of armaments, but also Article 24 vests "primary responsibility" for international peace and security in the Council. So we should not accept a Council that just sits there and waits for situations to erupt into violence and war. The Council should take action to prevent crises such as Burundi, Rwanda, Somalia, or Liberia and it also should act to reduce the threat of weapons and especially weapons of mass destruction. This should be our basic expectation of the Security Council.

The idea of regular reports to the Security Council, proposed by Ambassador Elaraby, is a very good one. Reports could be made by a special rapporteur appointed by the Secretary General on the question of nuclear weapons proliferation. We must also press for the Council to act with more transparency. We have to think of ways to get the nuclear weapon states to move out of their own self-protective deadlock and face the opinion of the world community.

Amb. Elaraby referred to a proposal by Argentina that would allow the Council to take action in cases of confirmed violations of the non-proliferation of weapons of mass destruction. Under the proposal, the Secretary General was requested to submit status reports based on information provided by the International Atomic Energy Agency and other competent international bodies. This proposal is very appealing.

We should know that a main reason the proposal was blocked and withdrawn was that India raised a number of very valid objections. They suggested that we either have disarmament for everyone or we risk more and more proliferation. India asked the following questions:

1. Can the Security Council continue to ignore the overwhelming demand for the elimination of nuclear weapons which has been recognized and repeatedly voiced in the General Assembly ?
2. If indeed the UN Charter envisages any role for the Security Council on nonproliferation issues, why has no action been taken on the proliferation of tens of thousands of nuclear weapons since the UN was established? (This is a reference to the proliferation of weapons among the recognized nuclear weapon states.)
3. The biological and chemical weapons conventions aimed to entirely eliminate whole categories of weapons of mass destruction. The NPT on the other hand seeks to legitimize the possession and production of nuclear weapons by 5 countries. Would it not be logically inconsistent and legally untenable to equate them?

So, we must recognize that in terms of the Security Council the chemical and biological treaties and the NPT are not really parallel realities, because the NPT is not comprehensive and does not apply equally to all UN member states.

None of three treaties mentioned by the Argentine resolution -- the NPT, the biological weapons treaty and the chemical weapons treaty -- enjoy universal adherence. Since some member states are not parties to the treaties, the state parties themselves, along with the Security Council, are responsible for implementation.

Amb. Elaraby spoke about the importance of NGOs and I want to take up the same theme. The people in this room should address the countries that are the major powers in the UN system and in the Security Council. They should tell the Security Council to clean up its act, and to work on a step-by-step program leading to the total abolition of all nuclear weapons. A nuclear weapons treaty which would be similar to the treaties for biological and chemical weapons -- equally applicable to all countries.

The Security Council can be far more responsible and more proactive. It can have special rapporteurs, give reports and be more open. But admittedly, these things cannot be done in one day. The permanent members of the Security Council account for 80% of the world's exports of conventional weapons. If these countries could look honestly at what they themselves are doing, the Security Council would be better able to act responsibly.

Our business of making the Council more responsible is particularly urgent at this time. There are opportunities before us, such as setting up the rapporteur system and developing an agenda of general and complete disarmament. We must fulfill the obligation of Article 6 in the NPT treaty, which pledges the states to the abolition of nuclear weapons and eventually the abolition of all weapons. We need to take these steps and make the Council work effectively, because we face a historic choice. Either proliferation will increase and no one will be able to stop it, or we will move toward a world where gradually we will reduce and eventually eliminate these abominable weapons. Then the Council will express the hopes of all humanity.