

New UNSC Resolution 1887 - A step Forward in International Nuclear Arms Control Efforts?

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The issues of nuclear disarmament, WMD non-proliferation and peaceful use of nuclear energy seem to be modestly coming back to the international agenda. Indeed, the UN institutions that have been somewhat neglected for more than a decade, at least when we speak about issues listed above, tend to reappear as appropriate forums for it. The new US administration shows a significant change in attitude towards a number of important issues on the international agenda, which may be opening new windows of opportunity for broader compromises and general progress in the field of international security and global nuclear regime in particular. In that sense, an unanimous adoption of the US-sponsored UNSC Resolution 1887 in September 2009 may be a good signal and a significant step forward. However, sensitivity of the issue, burdened with long lasting stalemate in the post-Cold War period, coupled with noticeable problems that still have to be tackled, may represent a reason for concern and scepticism and make the outcome of this initiative difficult to predict. This is the reason why this article will modestly try to analyse the substance and potentials of the resolution, offering an assessment of the environment in which it has been developed and trying to foresee its perspectives in the future, hopefully contributing to general understanding of these very interesting issues of global relevance.

Keywords: international security, UNSC, nuclear disarmament, WMD non-proliferation

1. Introduction

One may argue that ever since the invention of weapons and their widespread use in efforts to influence the processes in societies and their outcomes, not to speak about contemporary warfare and international relations, there have been various attempts to control them and try to reduce their lethality and consequence of eventual use.

The technological progress during the last century and appearance of various types

(WMD) made these attempts more necessary, but also more concrete and direct.

During the Cold War, arms control was necessary owing to the potential risk that political tensions between the two global poles within the framework of bipolar system of international relations would escalate into a nuclear arms conflict with dramatic consequences for both blocks, as well as for the whole planet. Given the recent developments in international politics, it becomes more obvious that it is definitively not off the agenda in the post-Cold War period and that many important actors still consider it as a useful tool in managing some important security problems. While avoidance of as many con-

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flicts as possible was a dominant strategy of two big powers during the Cold War, nowadays the attitude towards it seems to have changed somewhat and the use of force as a tool of influence on international relations appears not to be excluded as a potential option.¹

Furthermore, it seems clear that the objectives of arms control, which were defined mainly in accordance with interests of two big poles during the Cold War, have changed in the last two decades. Namely, these changes reflect in a greater emphasis put on strengthening the mechanisms of control in order to prevent the emergence of some new WMD capabilities, especially in the case of regimes that are widely labelled as non-democratic and particularly dangerous and hostile to current international order², while obligations taken by biggest nuclear world powers to properly verify and subsequently reduce their nuclear arsenal does not seem to attract that much attention at the international arena. On top of that, the arms control strategic goals from the Cold War era have been replaced by those referring to importance of humanitarian and peace-keeping goals and efforts to develop mechanisms capable of tackling the new security threats of 'non-state actors'.

During the Cold War, different arms control initiatives have resulted in a number of treaties³ that regulated the relations between the nuclear powers and hence, being understood as binding legal acts, contributed to relative stability on the basis of balance of power and opened new opportunities for co-operation and reciprocity. Nevertheless, the approaches to the aforementioned treaties and attitudes towards the established nuclear non-proliferation regime seem to have changed significantly during the last several decades.

In that period, the regime was continuously facing variety of challenges, while relevance of its main normative backbone, the aforementioned Treaty on the Non-proliferation of Nuclear Weapons⁴, became more and more doubtful. Apart from that, 'the situation on the ground', mainly as a geostrategic consequence of the fall of the Berlin Wall, started to change significantly and enabled some other countries to develop nuclear pro-

grammes that have not always seemed as limited to civilian purposes. The two countries that undoubtedly attracted most attention in that sense – North Korea and Iran – failed on number occasions to declare important nuclear activities in line with their international obligations, while the first one officially confirmed the possession of nuclear weapons in 2005. Besides that, indications that some 'not-state actors' that definitively do not comply with the basics of international order may be able to acquire some elements of nuclear technology led to growing international support for ad hoc measures mostly not based on the existing international legal system. Moreover, the multilateral co-operation within the framework of NPT was in decline, culminating with the failure to reach any sustainable compromise at the 2005 NPT Review Conference on issues of the treaty implementation. As it was clearly stated by Shannon N. Kile, "the deadlock at the conference highlighted the long-standing and deepening division between the nuclear 'have' and 'have not' states over the nature and purpose of the NPT, and it raised doubts about the future viability of the treaty regime. While there was general consensus among the state parties at the conference that the regime was becoming dangerously debilitated, they did not agree on the causes or on solutions"⁵.

On top of that, significant concerns have been voiced by some actors about the change of approach towards the issue of arms control and disarmament, from actions based on existing international legal framework to voluntary ad hoc alliances in combat against proliferation of WMD. On the other hand, the necessity of the international community to act swiftly and appropriately tackle the global security threats in a new strategic environment was the main argument of those supporting the idea of paradigmatic shift.

Taking into account the fact that these issues were directly linked with new strategic positioning of big world powers in post-Cold War era, it was obvious that the given international climate was not likely to help re-establishing the regime on nuclear non-proliferation and that world needed a new long-term sustainable arrangement. The new

US administration seems to be bringing 'the winds of change' along in that respect and with its reshaped strategy towards international relations appears to be capable of achieving some new compromises within the UN on the respective issue. The new UNSC Resolution 1887 perhaps may offer a window of opportunity in the forthcoming period. In order to assess its significance and perspectives, it is important to analyse the international environment and momentum in which it has been adopted, and this is exactly what this paper will try to offer.

2. Non-proliferation Regime in the Post-Cold War Era

Analysing the period after the last global conflict, lasting a bit more than six decades, one could agree that the pace of changes were uneven and, despite the fact that plenty of things have remained the same, there are still some challenges present in the international arena for a significant period of time.

On the one hand, we should celebrate the end of Apartheid, the fall of the Berlin Wall and unification of Europe enriched with the process of the EU enlargement to former communist states. However, on the other hand, we should not underestimate the fact that there are still some ongoing long-lasting conflicts like the one between Israel and Palestine, India and Pakistan, North and South Korea, as well as a number of conflicts in Africa.⁶ In general, what appears to be predominant in these cases is a zero-sum approach of actors within the framework of conflict, coupled with combination of elements that make external intervention ineffective and unlikely to happen.

Taking into account the aforementioned problems and their nature, it would not be realistic to expect that the end of the Cold War would end all of them. Thus, while it definitively opened some new possibilities in that sense, one may find issues that are even more difficult and unlikely to be easily resolved in a new strategic environment.

The global security environment in the post-Cold War era may be explained by some

military expenditure and arms trade data which show that the US spend more on military than during the culmination of Cold War tensions⁷, while international arms transfers are still at a very high level and rising⁸. Even more discouraging is the fact that development and welfare are still not given the attention they deserve, whereas enormous amount of funds is continuously wasted on costs of the ongoing conflicts and increase of military expenditure.

Furthermore, the consensus on global WMD non-proliferation regime seems to be very far from actual implementation, to say nothing of any signals of positive trends in the process of their total elimination.

In this environment, it seems obvious that differentiation of the security discourse changes the attitude of major policy makers towards principles of risk and conflict avoidance, that appear to be senseless as the old policy of deterrence would be. Namely, while some portion of that traditional policy may be used in a combat against terrorism, it is difficult to imagine negotiating arms reduction or some other confidence-building measures. It is also needless to mention any possibility to monitor the implementation of any agreement in that context and some arbitrary bodies in case of dispute between the two sides, which was pretty common during the era of bipolar system of international relations.

That is why terms like 'prevention' and 'pre-emption' started dominating the discourse on the development of security strategies in a new environment on various levels (national, regional and global). In that sense different international factors like the EU, NATO, the UN and others started to develop their conflict prevention and peace-keeping capacities and to deploy their forces worldwide.⁹ On the other hand, for some policy makers, especially in the US¹⁰, it seemed obvious that there was only one policy left available - a pre-emptive strike. Based on the idea of tackling and suppressing the threat before it appears in its full strength, it was perceived as the only policy that can guarantee security in given circumstances.

However, as it was already mentioned in the introduction, the clearest display of unfa-

avourable environment in post-Cold War international arena was the institutional and legal deficit of WMD arms control and disarmament. During the 'dark period' of the Cold War, these issues were put in certain institutional and normative framework, where agreements were perceived as legally binding and their implementation relatively easily monitored and verified by international bodies whose formation was a result of a compromise of parties involved. All these elements, however imperfect, are obviously missing today, not to mention the fact that the period when these issues were dealt with along different track, from the perspective of defence and security built by active, voluntary and collaborative means, seemed to be gone at the beginning of the new millennium.

Nevertheless, as Alyson J.K. Bailes notices, "this disarmament model did not end up with the Cold War. It extended well into the mid-1990s, with the Russian-US Strategic Arms Reduction Treaties of 1991 and 1993 (START I and II), the 1990 CFE Treaty and its 1999 Adaptation Agreement, the 1992 Open Skies Treaty, the 1993 Chemical Weapon Convention and the 1996 Comprehensive Test-Ban Treaty (CTBT). This flowering of arms control after the fall of the Warsaw Pact and Soviet Union, when the worst of the danger might have seemed to be past, did not strike anyone as contradictory at that time. It could be rationalised as putting a seal on the gains of strategic relaxation and limiting risks within the still unsettled and evolving East-West relationship.

Equally to the point, it coincided with the period of large voluntary force reduction (and scrapping of plans for increases) by all those most involved in the Cold War. At such a time, negotiated reductions did not have to be punitive – as shown by the fact that some countries cut more deeply than they were obliged to – but they could offer some assurance that the other side was acting in parallel and could be called to account if it switched course. For all this, in retrospect, the post-Cold War crop of agreements looks not so much like a new start as like beginning of the end for traditional arms control. Three of its main

products – START II, the CTBT and the CFE Adaptation Agreement – have not entered into force. An important earlier agreement, the Soviet-US 1972 Treaty on the Limitation of Anti-Ballistic Missile Systems, ceased to have force in 2002 when the USA abrogated it in order to proceed with its ballistic missile defence programme."¹¹

Hence, it was obvious that international security infrastructure, especially having in mind the deficits of WMD arms control and disarmament regime, was facing serious challenges at the beginning of the new millennium. Despite the fact that various players contributed to that new reality¹², the fact that the US at that time represented the only superpower, gives more leverage to its main determinants of policy *vis-a-vis* analysed issues. In that period the country changed its course of security policy from collective security order to mainly unilateral approach based on military component strengthening, pre-emptive strikes and offensive counter-proliferation strategies¹³, and this being exercised in practice with military intervention in Iraq. As Susan Willett concludes, "counter-proliferation strategies are designed with two objectives in mind: a) as an ultimate defence against possible attack by intercontinental ballistic missiles (ICBMs), and b) to seek and destroy illicit weapons of mass destruction (WMD) facilities. To achieve these goals, the Bush administration has evolved a two-pronged strategy: the development of a comprehensive National Missile Defence (NMD) system, and a revamped nuclear strategy based on the introduction of a new generation of low-yield nuclear weapons designed to be *used* in missions against hardened underground command centres or hidden weapons facilities."¹⁴

It should be mentioned that broader support for redefinition of national security strategy and its reliance on nuclear rearmament reached its peak after the tragic 9/11, while slow pace of arms reduction negotiation process, lack of its success and the costs seemed to be the reason for dissatisfaction in some circles even during the 1990s. It was clear that 'the perfect momentum' for those opposing arms reduction regime had arrived, so the new

version of the security strategy of the only superpower was issued in September 2002, and development of comprehensive National Missile Defence became one of its main orientations.

2.1. The US National Missile Defence

The National Missile Defence (NMD) concept is meant to ensure the defensive capability against any conventional or nuclear weapons, and as an idea it originally dates back to the Reagan's US presidency as a shield against possible nuclear attack of the USSR. Following the period of *detente* and post-Cold War relaxation of strategic relations that included significant nuclear and conventional disarmament, the 1998 North-Korean test of ballistic missile again brought back the argument in favour of creation of NMD system on the agenda.

However, this initiative faced strong opposition at the international arena, especially from the side of Russia and China which argued that, despite the fact it was presented as a defensive concept, it would stimulate a new strategic arms race and negatively affect the stability of the existing deterrence maxim. The fact that conduct of NMD initiative had been given a top priority position in the US administration agenda at that time significantly contributed to growing tensions and mistrust in relations among the aforementioned countries and hence added to already non-favourable environment at the global level, especially when speaking about nuclear arms reduction and WMD non-proliferation regime.

The prevailing impression among Russian experts and political elites that this initiative has purposely endangered the strategic stability in relations between the two states led to the conclusion that vital security interests of Russia were endangered. As argued by Stanislav M. Menshikov, according to this point of view, the NMD could become a threat to Russia's deterrence capability if it gained the capacity of intercepting more incoming warheads than Russia can effectively retaliate with against a theoretical first strike by the United States. In that context, the NMD is per-

ceived as a part of an offensive rather than of a purely defensive force.¹⁵

According to the aforementioned dominant opinion in Russia, the only proper response would be its decline to reduce the number of nuclear warheads within the framework of SORT agreement¹⁶ and conduct of intense modernisation of its nuclear capacity, which would dramatically narrow down any possibilities for arms reduction in general.

The development of the NMD by the US had a significant negative effect on relations with China in particular, because with several times smaller nuclear arsenal than Russia, it felt even more concerned about its deterrence capacity in probable new circumstances. Therefore, according to some reports¹⁷, China started to invest into development and modernisation of its nuclear arms that contributed to global backsliding in terms of WMD reduction.

In that kind of environment it was obviously difficult to seek for compromise and confidence-building measures, to say nothing of any decisive common position or action and therefore not only arms control of major nuclear actors, but also WMD non-proliferation to other 'rogue states', appeared to be too difficult to properly deal with. Hence, countries like North Korea, Iran and others found the way to use that constellation, which led to the lack of efficiency of global intergovernmental mechanisms that were supposed to deal with these issues of concern. While major nuclear actors continued pursuing only their own national interests and trying to spread their zones of exclusive interest and influence, bodies like the UN Security Council¹⁸ proved to be unable either to obtain common position or initiate any common action, in order to tackle these security challenges. That led to the aforementioned selective formation of 'coalition of the willing', bypass of UNSC procedure by different actors when dealing with security issues of regional and/or global significance and accordingly overall decline of legitimacy of that UN body in given sense. That is why it was obvious that serious changes in attitudes of major players had to take place in order to make ex-

isting global architecture functional or ensure its reformation in the period to come.

3. Signs of Change

Changes in both the US and Russia in 2008 signalled that there might be a window of opportunity for a different approach towards nuclear arms reduction regime and non-proliferation of WMD. Notably, the first incentives came from the US side, where the new Obama administration seemed to be showing intention to change some conflicting determinants of its predecessor and hence to contribute significantly to broader co-operation within the international arena, in particular with the most important factors.

Despite the fact that the economic crisis was dominating the new president's agenda during his first hundred days in office, there were some noticeable signals of change of the foreign policy course of the new US state administration. Apart from certain form of *rapprochement* to the Arab world in general, including the announcement of the closure of Guantanamo campus, responsible withdrawal of troops from Iraq, re-initiation of dialogue with countries labelled as parts of *axis of evil* by the previous administration (Syria, Iran¹⁹, etc.), it has shown the willingness to change the US attitude towards the climate change and build a more constructive relationship with China and Russia on various issues. Indeed, and that is very important for the field of this research, the new administration listed the arms control and non-proliferation of WMD among its top foreign policy priorities, which is more than noticeable at the official web-site of the White House: "On April 5, 2009, in Prague, President Obama presented an ambitious strategy to address the international nuclear threat. He proposed measures to: reduce and eventually eliminate existing nuclear arsenals, including negotiations on further nuclear reductions with Russia, ratification of the Comprehensive Test Ban Treaty (CTBT), and completion of a verified Fissile Material Cutoff Treaty; halt proliferation of nuclear weapons to additional states, and prevent terrorists from acquiring nuclear weapons or materials. We have pledged to work with our partners to

achieve the denuclearization of North Korea through the Six-Party process. And we will present a clear choice to Iran to take its rightful place in the community of nations, including its right to peaceful nuclear energy, or continue to refuse to meet its international obligations and fail to seize the opportunity of a positive future."²⁰

These were the initial small steps, but they seemed to have opened the windows of opportunities for improvements in the field of international co-operation, especially with regards to coming closer to taking a common, or at least harmonised, position *vis-a-vis* major global security challenges.

A significant step ahead in that sense was undoubtedly a US decision to abandon its plans for a land-based missile defence system in the Czech Republic and Poland that was warmly welcomed in many European countries, and China and Russia in particular²¹. Unlike that concept, which attempted to offer a relatively weak solution as a strong response to challenges, the new administration seemed to have achieved at least two things with that decision: displaying seriousness about disarmament and putting additional pressure on countries like Russia and China. Those countries proved not to be willing to compromise on issues of the biggest concern of transatlantic community within the UNSC, especially if we speak about increasing international sanctions to North Korean and Iran for failing to keep their nuclear activities in line with their international obligations and responsibilities.²²

Since relations between DC and Moscow seemed to be determining the pace of development at the international arena concerning WMD disarmament and non-proliferation, it is interesting to try to assess the way Russia should respond to the new dynamics. It may be assumed that in this new environment Russia could display flexibility regarding the talks on WMD cuts as well as on the policy towards North Korea and especially Iran. This could be expected due to the fact that both sides, after a pretty long period, are facing possibility to create an image of fruitful collaboration. However, neither of them is risking almost anything under the given circumstances, owing to

the fact that they still have several times bigger nuclear arsenal than the one needed to secure an efficient deterrence against possible threats.

Despite the fact that there are still some existing arguments that should make Russia reluctant to compromise on the aforementioned issues²³, it is obvious that the context of relations with the West, at least when taking into account Russia's surrounding, has somewhat changed.

As it was noticed by Anatol Lieven, "when it comes to the most serious issues dividing Russia and the West and threatening Russian influence in its neighbourhood, Russia has actually won. When the West was pushing forward against Russia, it made sense for Russia to push back wherever possible; but in the wake of last year's Georgian attack on South Ossetia and the West's failure to save Georgia from Russia's response, the NATO membership for Georgia is almost certainly dead as a nail. America's loss of relative power and its immense commitments elsewhere made this even more probable. In the wake of the present economic recession and the European Union's internal problems, the EU membership for Ukraine is also a dead issue. There is no real need any longer therefore for Russia to fear the expansion of Western influence, or to hold back from supporting the West over Iran in the hope of extracting concessions elsewhere. So, if Moscow refuses to make any positive response to this latest step of Obama's it will ensure that future Democratic attitudes to Russia in Washington will be every bit as bad as Republican ones. After all, president Obama by this step is taking a very serious risk in domestic political terms, and the Russian government needs to recognize this and respond accordingly."²⁴

The thing seem to be moving in that direction at the bilateral meeting between the US and Russian presidents on margins of the UN General Assembly in September 2009, where Mr Medvedev signalled that Moscow might be prepared to soften its opposition to further sanctions against Iran over its nuclear plans. While he stated that "in some cases sanctions where inevitable", an unnamed Russian official did not rule out the UN sanctions against

Iran "if there are objective grounds, which means that the criteria are not individual evaluations, not guesswork, but the report and the recommendations of the International Atomic Energy Agency (IAEA)."²⁵

3.1. The New UNSC Resolution

Stimulated predominantly by the issues of North Korean and Iranian 'nuclear efforts' that were widely perceived as a serious threat to international security, as well as by general stalemate on international nuclear arms control regime, heads of states gathered at the UNSC meeting on 24 September 2009 to discuss the issues of nuclear disarmament and non-proliferation of WMD.

The new US administration, apart from gaining the concession from Russia to take into consideration new and more restrictive sanctions against Iran, made progress on securing support from Russia and China for a UNSC resolution that promotes the idea of nuclear weapons reduction and strengthening of international regime and institutions in that sense. As it was previously underlined, the success where mostly a consequence of shift of the US foreign policy, i.e. a beginning of a new era of engagement with other factors of international politics and delineation from policies of previous administration.²⁶

So, at the mentioned meeting, unanimously supporting the US sponsored Resolution 1887²⁷, the UNSC opted for a support to new global efforts to contribute to the effectiveness of arms reduction regime, combat against proliferation of WMD and control of fissile material. With the aim of empowering the international regime in that field, the summit contributed to enhancing the opportunities to provide the technical assistance for peaceful use of nuclear energy as well as to respect the provisions of existing international treaties, including the prevention of misapplication of the NPT withdrawal clause.²⁸ It also represented an occasion to rethink the capacity of states to fight against networks of proliferation and their means of financing, while strengthening implementation of UNSC Resolution 1540 from 2004.²⁹

In light of a need to strengthen the mechanism of international regime on referent field, the importance of this first comprehensive endeavour during last fifteen years may be seen from the fact that the Resolution explicitly endorses the UNSC as a body that assumes the primary responsibility in addressing nuclear issues on a global level.³⁰

A strong support to one of the fundamental treaties, the aforementioned NPT, was reaffirmed, together with an appeal to countries that are still not signatories to become ones. Apart from that, a compliance requirement was voiced, together with the idea about a need to strengthen all three of its pillars – disarmament of countries currently possessing nuclear weapons, non-proliferation to countries not yet in possession and the peaceful use of nuclear energy for all.³¹ Mostly as consequence of the new US approach to referent issues, the resolution was not explicit with regards to naming the countries whose nuclear activities seem to be worrisome for international community and therefore only ‘major challenges to international regime’³² were called to comply entirely with their obligations and encouraged to negotiate on that matter with partners from international community and specialised institutions in particular. In that sense, the resolution reinforces its support to the work of IAEA³³, affirms importance of its effective safeguards to prevention of WMD proliferation and co-operation in the field of peaceful use of nuclear energy and encourages all parties to fully co-operate with the agency, which is of utmost importance having in mind the aforementioned need to strengthen the institution of international ‘nuclear regime’.³⁴

Related to the role of IAEA, and possible trends in which its development may be contributing to the effectiveness of global nuclear regime, it is important to mention the remarks of its Secretary General (Dr Mohamed El Baradei) made at that UNSC meeting. While reflecting on its current fragility and many shortcomings, he underlined the importance to strengthen the agency, internationalize the control of nuclear fuel cycle and more closely interlink the issues of nuclear non-proliferation and disarmament, calling for the

demonstration of unquestionable determination to achieve a world free of nuclear weapons. In his words, “Our verification mandate is centred on nuclear material. If the agency is to be expected to pursue possible weaponisation activities, it must be empowered with the corresponding legal authority...Our ultimate goal should be the full multinationalisation of the fuel cycle as we move towards nuclear disarmament...I am gratified to see nuclear disarmament back at the top of international agenda, as well as the recognition of the intrinsic link between nuclear disarmament and non-proliferation.”³⁵

Reflecting upon a need for a more effective international control mechanisms in the given field, this resolution also urged states to raise standards of nuclear security in order to reduce the risk of nuclear terrorism, strengthen export control and prevent illicit trafficking of nuclear materials.³⁶ Furthermore, it reaffirms the need for full implementation of the Resolution 1540 (2004) with an aim of preventing access to, or assistance and financing for, WMD, related materials and their means of delivery by non-state actors, which reflects the continuity in the UNSC’s orientation towards the fight against WMD proliferation.³⁷

Taking into consideration all characteristics of the resolution that was analysed here, especially while having in mind the shortcomings and other serious problems of the global ‘nuclear regime’, one may conclude that it is undoubtedly a step forward and, depending on further developments on respective issues, may open new windows of opportunity in the future. However, having said that, one has to bear in mind the fact that it is not legally binding, and in order to become so, the UNSC would have to require the states to take more concrete steps in the direction of nuclear arms control, disarmament and non-proliferation, including making their nuclear exports subject to further restrictions. Furthermore, the NPT review conference has been scheduled for spring 2010 and it seems obvious that only significant improvements there would prove that this resolution has made a noticeable added value to the existing global ‘nuclear regime’. In that sense, one should be aware of

the fact that serious obstacles to success still lie ahead on national levels, including some major states, with regard to some concrete action in the field of nuclear disarmament as well as to ratification and implementation of some 'nuclear regime' legislation that are pending for long time.³⁸

However, notwithstanding these difficulties, there seems to be a trend that adoption of this resolution has brought along, which undoubtedly should not be underestimated, given the praxis that prevailed during last decade or so. The fact that the discussion on the issues of global relevance appears to be brought back within the framework of the UN institutions, no matter how imperfect they are and whatever lies in their background, *au contraire* to the aforementioned 'coalition of the willing' functioning mode, where the decisions are made on the basis of compromise, may be considered as a significant step forward in efforts to strengthen or even revitalise global institutions. Furthermore, in that framework, even small countries with very modest resources and global influence are offered the opportunity to have a voice in issues of significant importance for the international community. In the light of the UN's obvious need to regain global legitimacy and despite the fact that it is almost impossible to question predominance of the most influential countries in the issues of international concern, it is important that the small ones also have the opportunity to obtain a position of a non-permanent member of the UNSC and in accordance with their modest capacities contribute to contemporary stability and welfare of the globe.³⁹

4. Conclusions

One may conclude that the UNSC meeting analysed here represented a new step in international efforts to ensure preconditions necessary to achieve a world free of nuclear weapons. In that light, the new UNSC Resolution 1887 clearly displays an international concern over a stalemate in nuclear disarmament, WMD proliferation threat and a necessity for substantial action at the international level to address these challenges. It is important to stress that, as it was shown in the sec-

tion that offered an in-depth analysis of the text of the resolution, it reaffirms that these issues are a serious threat to global security, showing a broad consensus on a number of actions required to tackle them. Broadly formulated, hence avoiding to point at any single country explicitly⁴⁰, the draft of the resolution removed certain reservations among some countries and made itself more likely to be passed. As it was interpreted by Neil MacFarquhar and Helene Cooper, "The Resolution 1887 was meant to produce a renewed international effort to stop the spread of nuclear weapons, with an eye toward an international review conference on the Nuclear Non-proliferation Treaty next spring, as well as to finally win the passage of the Comprehensive Test Ban Treaty. Among other goals, it tries to improve security around nuclear weapons materials to prevent them from falling into the hands of terrorists; says the council will act against those who provide such material to terrorists; and calls to efforts to strengthen export controls on nuclear-related materials for the detection, deterrence and disruption of illegal trafficking in those materials."⁴¹

What seems to be of paramount importance is the fact that this resolution also contains a clause which implies that countries would be held responsible for activities that infringe the propositions of the NPT even after their possible withdrawal from it. In other words, among other important facts, this resolution is focused at 'fixing the loopholes' of NPT, that contributed significantly to keeping the number of countries that possess nuclear arsenals pretty low, but shows its shortfalls during the last decade or so as well as 'a need for backup'. Using the vocabulary of nuclear armament strategies, this provision should serve as a certain form of deterrence from withdrawal out of the NPT and insurance for reduction of WMD proliferation threats as well as for the usage of nuclear energy in the framework that complies with highest international security standards.⁴²

Notwithstanding its shortfalls and problems with implementation, the NPT still seems to be the main tool for the possible successful conduct of the idea of world free of WMD. Its

review conference scheduled for spring 2010, may appear to be a unique opportunity for the international community to define 'a progressive agenda' that encompasses three main pillars of that treaty. This resolution offers an opportunity for international compromise and increased political will that is undoubtedly needed to empower the legitimacy and authority of the NPT, including the strengthening of the review process that holds parties responsible for the international commitments they have made.

As any other international agreement, this resolution has been a subject to interpretations from various standpoints.⁴³ While there seems to be at least a broad consensus that this was a very important step forward, the one having a less optimistic approach may not find it that outstanding or immensely important for future nuclear disarmament, arguing that extraordinary euphoria about that resolution may be distracting the attention from the enormous amount of work that still lies ahead. The unanimous adoption of a resolution definitively does not occur very frequently when issues of international security are at stake. Thus the adoption of this resolution may be considered only as a consequence of the way it has been written. It contains enough ambiguities to allow countries with very different positions and interests to agree on it, as well as of the fact that the resolution actually did not seriously bind them to change their strategic orientation and actions in this regard.⁴⁴

Viewing the issue from this perspective, it could be concluded that although it is a noticeable step ahead, the unanimously passed resolution is more a consequence of its formulation and composition than of any significant compromise on global level. Thus, if anything is taken as certain, that is the fact that there is a huge amount of work still to be done.

There is no reason to underestimate the *ratio* behind this approach, especially taking into account 'the track record' of nuclear disarmament and non-proliferation during the last fifteen years and serious obstacles to a broader success in that field in the future. However, the fact that the main promoters seem to be aware of those difficulties seems 'promising' – "The

next 12 months will be absolutely critical in determining whether this resolution and our overall efforts to stop the spread and use of nuclear weapons are successful. And all nations must do their part to make this work. In America, I have promised that we will pursue a new agreement with Russia to substantially reduce our strategic warheads and launchers. We will move forward with the ratification of the Comprehensive Test Ban Treaty, and open the door to deeper cuts in our own arsenal. In January, we will call upon countries to begin negotiations on a treaty to end the production of fissile material for weapons. And the Non-Proliferation Treaty Review Conference in May will strengthen that agreement. We harbour no illusions about the difficulty of bringing about a world without nuclear weapons. We know there are plenty of cynics, and that there will be setbacks to prove their point. But there will also be days like today that push us forward – days that tell a different story."⁴⁵

What is important and should be underlined again is that this resolution reaffirms the three main pillars of the existing 'nuclear regime', promoting their interconnectedness, and further encourages countries that possess nuclear arsenal to downsize it and to orientate towards their future elimination. Referring to the importance of signals of determinacy from the side of its main promoter – the US – it is worthwhile mentioning that it restores a few commitments relinquished by the previous administration⁴⁶, including the one to ratify the CTBT. Furthermore, it is important to notice that this approach seems to be gaining international support – the British Prime Minister announced that his country would consider cutting its nuclear forces by 25%⁴⁷, the French President voiced his support, while Russians and Chinese also seem to have taken more constructive role, not to mention strong support from leaders of various nuclear 'have-nots'.

In conclusion, despite the fact that one would find it very difficult to predict the development of the issues analysed here, especially taking into account serious obstacles that are still to be tackled in the future, and admit-

ting that cautiousness seems to be *conditio sine qua non* of any rational and reliable recapitulation in this case, it seems difficult to defend the opinion that this initiative does not 'deserve' or stand a chance to gain a broad support on international level in order to represent a significant step ahead in efforts to rid the world of nuclear weapons. Notwithstanding the fact that it is surely imperfect and that probably its shortcomings would have to be dealt with in the future, one should not under-

estimate the fact that it represents the only attempt to confront the stalemate on this field that lasts for more than a decade. Therefore, however it may sound unrealistic and naive, it would be nice to see that *realpolitik* approach, balance of power and deterrence move away at least a bit and leave the floor for future-oriented international concepts that would lead to substantial WMD disarmament and nuclear-weapons-free world for generations to come. ■

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NOTES

1 The recent military acts led by the US in Iraq and Afghanistan, as well as the one led by Russia in Georgia, undoubtedly represent good examples for that.

2 Good examples for that are North Korea and Iran.

3 The size limits of this paper does not allow us to list all of them here, so it is recommendable to mention at least only the most important treaties, such as the Treaty on the Non-proliferation of Nuclear Weapons (1968), the Biological and Toxin Weapons Convention (1972), Treaty on Reduction and Limitation of Strategic Offensive Arms (1991), etc. For the detailed list of multilateral acts related to non-proliferation of WMD see – Bodell, Nenne: *Annex A: Arms Control and Disarmaments Agreements*, SIPRI Yearbook 2006, Oxford University Press, 2006, p. 800-825.

4 The term Non-proliferation Treaty (NPT) is frequently used for this agreement and so it will be in this paper as well. See the details about the NPT and its full-text at the Official Website of the UN - <http://www.un.org/Depts/dda/WMD/treaty/>

5 Kile, Shanon N.: *Nuclear Arms Control and Non-proliferation*, SIPRI Yearbook 2006, Oxford University Press, 2006, p. 637-638.

6 On top of that, intra-state conflicts and cleavages, like in Northern Ireland, Basque region and others, not to mention numerous examples within the Arab world, are still ongoing as well, while we are still witnessing the existence of regimes like in Cuba or North Korea.

7 Since 1998, when a post-Cold War trend of military expenditure reduction has changed into increase, the US is constantly investing more into military, especially after 9/11 and engagement in combat against terrorism. See the details in Stalenheim, Petter; Fruchart, Damien; Catalina, Perdomo: *Military Expenditure*, SIPRI Yearbook 2006, Oxford University Press, 2006, p. 301 – 306.

8 See the details in Hagelin, Bjorn; Bromley, Mark; Wezeman, Siemon T.: *International Arms Transfers*, SIPRI Yearbook 2006, Oxford University Press, 2006, p. 449 – 468.

9 The EU itself, driven with these new trends in international relations, in accordance with priorities set in the post-Maastricht phase, started developing its own policy (European Security and Defence Policy – ESDP) as a framework for the development of conflict-prevention and peace-keeping capacities.

10 Indeed the new attitude towards threats is clearly displayed in 2002 US National Security Strategy: „We will cooperate with other nations to deny, contain, and curtail our enemies' efforts to acquire dangerous technologies. And, as a matter of common sense and self-defence, America will act against such emerging threats before they are fully formed. We cannot defend America and our friends by hoping for the best. So we must be prepared to defeat our enemies' plans, using the best intelligence and proceeding with deliberation. History will judge harshly those who saw this coming danger but failed to act. In the new world we have entered, the only path to safety is the path of action.” See the details in the National Security Strategy of the United States of America (2002), Full-text, September 2002, <http://georgewbush-whitehouse.archives.gov/nsc/nss/2002/nss.pdf>, p.4.

11 Bailes, Alyson J.K.: *The World of Security and Peace Research in a 40-Year Perspective*, SIPRI Yearbook 2006, Oxford University Press, 2006, p. 21-22.

12 For example, Russian president, Vladimir Putin has announced on several occasions that Russia was developing a nuclear weapons system which had no counterpart elsewhere in the world. The nuclear arsenals of China, the UK and France are considerably smaller than those of the USA and Russia. China is about to deploy a new generation of strategic missiles, but it remains unclear whether it intends to deploy a significantly larger strategic nuclear force or a more modern force of relatively the same size. France is currently engaged in developing and deploying a new generation of nuclear-powered ballistic-missile submarines (SSBNs), submarine-launched ballistic missiles (SLBMs) and air-launched nuclear weapons, although the number of operational warheads may decrease somewhat with the introduction of the new SLBM around 2010. Unlike any of the other nuclear weapon states, France continues to deploy nuclear weapons on its surface fleet in peacetime. The British nuclear weapon stockpile has levelled out at about 200 warheads: the UK is the only one of the five nuclear weapon states that is not known to have new nuclear weapon systems under development. Yet, the UK appears to have begun a multi-year programme to extend the service life of the warhead on the Trident II (D-5) SLBM, and it will soon face a decision about the future of its nuclear deterrent after the Trident system reaches the end of its scheduled service life. – For details see Official Web-Site of the International Peace Bureau, <http://www.ipb.org/nucleararms.html>

13 See the details in the National Security Strategy of the United States of America (2002), Full-text, September 2002, <http://georgewbush-whitehouse.archives.gov/nsc/nss/2002/nss.pdf>

14 Willett, Susan: *Costs of Disarmament – Disarming the Costs: Nuclear Arms Control and Nuclear Rearmament*, United Nations Institute for Disarmament Research, Geneva, 2003, p.1.

15 Menshikov, Stanislav M.: *Russia and Strategic Armament Issue*, EIR, http://www.larouche.com/eiw/public/2007/2007_10-19/2007_10-19/2007-13/pdf/59-60_713_menshikov.pdf, p.7.

16 SORT - Strategic Offensive Reduction Agreement, signed between the US and Russia in 2002. See the full text at <http://www.armscontrol.org/documents/sort>

17 For details see - *U.S. Conventional Forces and Nuclear Deterrence: A China Case Study*, Congressional Research Service, US Congress, 2006, <http://www.fas.org/sgp/crs/natsec/RL33607.pdf>

18 Hereinafter – the UNSC.

19 Notwithstanding the fact that Iran is actually not an Arab country, owing to geostrategical reasons and significance of the wider region, it has been frequently analysed within that framework.

20 *Foreign Policy*, The Official Web-Site of the White House, <http://www.whitehouse.gov/issues/foreign-policy>

21 Even in the US itself, one may have heard various doubts about technical feasibility of the system and the way it really represents an appropriate response to the challenge in given international environment. A radar in Czech Republic and ten interceptor missiles in Poland seem to have been estimated as something that will not significantly improve the security of the US and its allies, especially given the counter-effect it caused in countries like Russia and China that treated it as a challenge to their capacity of deterrence and hence decided to invest more into nuclear weapons programs. See the details on that – Thielmann, Greg: *Strategic Missile Defence: A Reality Check*, Official website of the Arms Control Association, http://www.armscontrol.org/system/files/TAB_StrategicMissileDefense.pdf

22 One may conclude that this change of policy may be adding a significant amount of political credits to the US. Apart from increased pressure on aforementioned states and Iran, it will undoubtedly have effects on Europe as a partner within the transatlantic community, which would be required to assume greater share of responsibility, at least when speaking about a security of *Old Continent*, as its contribution to joint security endeavours worldwide, including WMD disarmament and non-proliferation.

23 Those who are still opposing some more visible concessions on given issues from Russian side frequently mention the relevance of geographic proximity of Iran, common position between two countries regarding insurgence in Afghanistan, cooperative Iranian attitude towards the Chechen problem, relevance of the outcome of the issue on oil and gas prices, etc.

24 Lieven, Anatol: *Russia Should Learn to Take Yes for an Answer*, New America Foundation http://www.newamerica.net/publications/articles/2009/russia_should_learn_take_yes_answer_18036

25 For details see *Russia 'rethinks' Iran sanctions*, The BBC, http://news.bbc.co.uk/2/hi/middle_east/8271990.stm

26 Accordingly, in his address to General Assembly of the UN, president Obama sought to present a kinder, gentler America willing to make nice with the world. He suggested that the United States would no longer follow the go-it-alone policies that many United Nations members complained isolated the Bush administration from the organization. He also stressed that US had re-engaged the United Nations and paid their bills, which was a direct reference to the former administration's practice of withholding some payment due the world body while it pressed for changes there. See the details in Cooper Helene, *Obama Makes Gains at U.N. on Iran and Proliferation*, The New York Times http://www.nytimes.com/2009/09/24/world/24prexy.html?_r=1

27 See the full text of the Resolution 1887 at the Official website of the UN - <http://daccessdds.un.org/doc/UNDOC/GEN/N09/523/74/PDF/N0952374.pdf?OpenElement>

28 The UNSC Resolution 1887 opens the possibility for the international experts to be authorised to proceed with the monitoring of nuclear materials use even after the country announces its withdrawal from the NPT. Ibid, p.4, par.17.

29 UNSC Resolution 1540 (2004), adopted on 28th April 2004. It dealt solely with prevention of WMD proliferation, not even touching the issues of nuclear arms control and disarmament, which clearly displays a lack of compromise within the international arena and an additional reason why the Resolution 1887 may be considered a single joint endeavour in this filed during last fifteen years. See the full text at <http://daccessdds.un.org/doc/UNDOC/GEN/N04/32843/PDF/N0432843.pdf?OpenElement>

30 See the Resolution 1887 at the Official website of the UN - <http://daccessdds.un.org/doc/UNDOC/GEN/N09/523/74/PDF/N0952374.pdf?OpenElement>, p.3, par.1.

31 Ibid, p.3, par. 2-6.

32 Ibid, p.3, par. 10.

33 The central role of IAEA in the global non-proliferation regime has been acknowledged and its role in addressing nuclear threats and non-compliance with nuclear treaties was strongly reaffirmed. In calling for a world free of nuclear weapons, UN Secretary General Ban Ki-moon acknowledged the IAEA's pivotal role in creating such a future. 'We must ensure that the IAEA has the resources and the support it needs to implement its growing safeguards responsibilities. For too long, a divided international community has lacked the will, vision and confidence to move ahead. Together, we have dreamed about a nuclear-weapon-free world. Now we must act to achieve it.' For the details see *States IAEA's Work on Historic Day – UN Resolution on Nuclear Disarmament and Nuclear Non-proliferation Approved*, Staff Report, Official website of the IAEA, <http://www.iaea.or.at/NewsCenter/News/2009/iaeasworkonhistoricday.html>

34 Resolution 1887 at the Official website of the UN - <http://daccessdds.un.org/doc/UNDOC/GEN/N09/523/74/PDF/N0952374.pdf?OpenElement>, p.4, par. 14-16.

35 For the details see *IAEA Chief Addresses Historic UN Security Council Meeting*, Staff Report, Official website of the IAEA, <http://www.iaea.or.at/NewsCenter/News/2009/unsccmeeting.html>

36 Resolution 1887 at the Official website of the UN - <http://daccessdds.un.org/doc/UNDOC/GEN/N09/523/74/PDF/N0952374.pdf?OpenElement>, p.5-6, par. 24-27.

37 Ibid, p.5, par. 23.

38 For example, it is going to be a challenging task for Obama's administration to push for ratification of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) that had been opened for signature on 24th September 1996 and still has not been ratified by some countries, including the US and China. Furthermore, some of them have already voiced concerns and reservations over the requirements, which proves how difficult it would be to achieve a substantial progress at the international level.

39 Among other small countries, good example for that is Croatia that managed to change its position within the UN from being an object of international relations in the early 90s, with UN's mission UNPROFOR and other initiatives to secure peace and stability in the country, to holding a non-permanent seat in the UNSC for the term 2008-2009 and being able to have a voice in various issues of global relevance, including this one. Represented by its president (Stjepan Mesić) at the UNSC meeting analysed here, Croatia firmly supported the resolution, opting for a WMD-free world – „It is my great pleasure to be able to present the views of the Republic of Croatia on the topic put on the agenda for today's session. I avail myself of this opportunity to congratulate the United States and you personally, President Obama, on the initiative for the Security Council to discuss the extremely delicate issue of non-proliferation of nuclear weapons. If this session brings us just one step further on our way to the world without nuclear weapons, the world that you, president Obama, set as a visionary goal that we should strive to, this will be a success. I reiterate: even if we make one single step towards this goal. For the path leading to a world without nuclear weapons is not, cannot and will not be easy, or simple or short. This, however, does not mean that we should abandon it or allow dejection prevail in our mind and actions. Quite the contrary!.....The Republic of Croatia is willing to provide its maximum contribution to the efforts made to reach this goal. As for myself, belonging to the generation of those who lived through the Second World War and who remember its aftermath with all the local wars and crises which threatened global peace, I can do nothing but add that we owe this to those who will come after us. Upon our departure – let us leave them a better world, a world without nuclear weapons." See the full text of his address at the Official website of the President of the Republic of Croatia <http://www.predsjednik.hr/default.asp?ru=2&gl=200909240000012&sid=&jezik=2>

40 Even countries that are 'broadly labeled' as those who are not always willing to align themselves to international obligations on this field, like North Korea and Iran, were not mentioned.

41 MacFarquhar, Neil; Cooper, Helene: *Security Council, with Obama presiding, passes antinuclear measure*, Herald Tribune, The Global Edition of the New York Times, 25th September 2009, p.5.

42 This is very important for resolving situations in which countries use their access to the civilian nuclear benefits of the NPT to conceal the evolving nuclear weapons programme and withdraw after they have gained sufficient technical know-how that makes them capable of conducting it.

43 Reactions ranged from those praising its main promoter's (president Obama) historical achievement to the others treating it as a display of weakness and naivety.

44 There are few examples that may be used in order to support this interpretation. First of all, the way India immediately objected to the par.4 of the resolution that calls upon all states that are not parties of the NPT to accede it as non-nuclear-weapon states and to adhere to its terms, as well as the way it was promptly reassured from the US side about the certainty of their bilateral nuclear agreement is very indicative. Also, one may recall the fact that a number of states that voted for the resolution 1887, which includes agreeing that all non-signatories should accede to the NPT as non-nuclear-weapon states and allow the UN inspections of their nuclear facilities, only few days before that UNSC meeting declined to vote in favour of the resolution that was calling upon Israel to do exactly the same. Furthermore, there are some 'question marks'

over the willingness of nuclear powers to work on disarmament and complete it under international control (par.5), sign and ratify the CTBT, bringing it into force at an early date (par.7), as well as some remarks related to the use of terminology in some parts of the document – *par exemple* the term 'encourages' in par.19 (related to a need to ensure that states that export nuclear materials consider whether the recipient state is applying international regulations) instead of the term 'requests' allows countries like Russia to sign the resolution and continue supporting the nuclear processes in Iranian reactors.

45 *Obama's Speech at the United Nations Security Council Summit on Nuclear Non-Proliferation and Nuclear Disarmament*, September 2009, Essential Documents, Council of Foreign Relations, <http://www.cfr.org/publication/20277/>

46 This has been indicated as well in the Obama's address to the UN General Assembly, where he expressed the readiness of his administration to contribute to achieving the proclaimed goals – „We will complete a nuclear posture review that opens the door to deeper cuts and reduces the role of nuclear weapons.“ – *Remarks by the President to the United Nations General Assembly*, Official website of the White House, http://www.whitehouse.gov/the_press_office/remarks-by-the-president-to-the-united-nations-general-assembly/

47 See the details at the Official website of the British American Security Information Council, <http://www.bas icint.org/update/zero091014.htm>