

PAKISTAN'S NUCLEAR SECURITY STANDARDS AND THE INTERNATIONAL NORMS

[Zahir Kazmi's Speech Text for Seminar at ISS, Islamabad on Tue, 3 May 2016 on Pakistan's Non-proliferation Efforts and Strategic Export Control System]

Notes:

- Not to be cited till published.
- **Preceding speakers:** Amb Masood Khan, SAPM Sartaj Aziz, DG SEC Div Dr Zafar Ali, DG ACDA Air Cdre Banuri, Amb Hyder, Dir RAD PDS Air Cdre Sultan, DG PNRA Mr Mansoor
- **Preceding Topics:** Latest developments in Pakistan's strategic export control system, nuclear safety and security in Pakistan, overview of Pakistan's non-proliferation efforts, balancing South Asian nuclear security triangle and regulating safety and security of radioactive sources.
- **Followers:** Pakistan's engagement with the non-proliferation regime by DG Dsmt Mr Kamran Akhtar

SPEECH

Introduction

1. Thank you Ambassador Masood Khan for providing me the opportunity to speak about Pakistan's nuclear security standards and the international norms.

2. **The views that I express are do not necessarily reflect the State's policy.**

3. **Ladies and Gentlemen:** we have already heard quite a bit about nuclear safety and security in Pakistan, its strategic export control system and have had an overview of country's non-proliferation efforts.

These are quite well known to this august audience.

4. Therefore, in the interest of saving time and for brevity's sake, I have chosen to bring much-wanted focus only on the discriminatory international norms that strain not only the nuclear security regime but also the nuclear order.

5. Besides this, I will proffer five steps to normalise the norms and for bringing order to the inconsistent nuclear non-proliferation regime.

Nuclear Apartheid

6. Despite extensive engagement with the nuclear security and the non-proliferation regime, Pakistan is the object of what I term as a **nuclear apartheid**.

7. The biased **nuclear haves** make Pakistan fight the odds of norms while giving laissez-faire to a particular old proliferator for geopolitical and geo-economic reasons.

Spotlight on Pakistan

8. It is quite strange that **some** media keeps a spotlight **primarily** over nuclear security issues of Pakistan – overlooking the fact that Pakistan is the most transparent State in nuclear security domain amongst the non-NPT States.

Indian Opacity

9. India's nuclear security infrastructure and its standards are shrouded in layers of mystery like its huge nuclear enterprise. Some relatively independent and value neutral institutions have begun expressing concerns **over the absence of transparency and non-proliferation control in three streams of overlapping functions of India's civil and military nuclear enterprise.**

10. Owing to political and economic imperatives, the international norms have been blindsided to an on going vertical proliferation and nuclear security risks in India.

11. While the nuclear haves look the other way over Indian nuclear opacity, New Delhi has not reciprocated by strengthening its nuclear security and safety practices. For instance, as quid pro quo, it has signed a lame and moth eaten Additional Protocol that provides little transparency over its safety and security measures.

Selectivity and Exceptionalism

12. The non-proliferation regime adopts selective application of norms that are state-specific or regional in nature – like in the case of Nuclear Supplier Group's membership.

13. I believe that this enduring discrimination would ultimately undermine the support towards universality of the non-proliferation regime.

14. Such discrimination against Pakistan also exposes the degree of legitimacy and fairness in the nuclear order – that is fast moving towards disorder and anarchy that mirrors the imbalance in the international system.

15. Mainstreaming Pakistan is in the wider interest of the non-proliferation regime. In similar vein, it is quintessential to seek more oversight over India's nuclear enterprise.

16. As seen in NSG's waiver to India, a country-specific approach for membership would affect the interests of other non-NPT States.

Recommendations

17. In this regard I would like to make few propositions that would bring a semblance of normality in the so-called nuclear norms. These are quite well known to my friends and I apologise for reiterating these **five** steps.

18. **First** – The nuclear haves must insist on applying the norms on India in letter and spirit because the country has the propensity of

diverting imported fuel towards its military program, which is the largest unsafeguarded and fastest enterprise in the world.

19. **Two** - In order to normalise the regime and mainstream the non-NPT States, some mutually reinforcing readjustments can be made in which the Nuclear Haves shall have to play a major role.

- a. The U.S. strong-armed the NSG members in granting an exceptional waiver to India. Although India's full participation appears to be on the hold due to apprehensions of some participating governments in NSG. The U.S. may again put its political weight behind New Delhi.
- b. However, if some States take principled stance, there would be space for the NSG to consider simultaneous membership of other non-NPT States on the basis of uniform criteria.

20. **Three** - In this regard the participating governments of NSG have to first mull over the costs and benefits of giving up the NPT and/ or NWFZ Treaty accession criteria for simultaneously mainstreaming Pakistan and India. A particular view holds that in return, both non-NPT nuclear powers can 'undertake to comply (as have the five NPT nuclear-

weapon states) with the requirements of Article I, III (2) and VI of the NPT, which deal with non-proliferation and disarmament.¹ This quid pro quo would not only strengthen the NPT regime but would perhaps be acceptable to all NPT outliers.

21. **Four** – Pakistan should be granted a NSG waiver under identical terms as India's. Further expansion in the Group might be put on hold for fixed period, say eight years, as the 2008 NSG waiver to India is that old. This measure would also assuage Pakistan's concerns and allow the Group's participants to observe the non-NPT States' non-proliferation credentials. Meanwhile, the non-NPT States can explore reaching trade deals with likeminded countries under IAEA safeguards and make efforts to build confidence with the regime's Haves.

22. **Fifth and last** – This interim period would also afford a full term opportunity to Indian and Pakistani governments to build confidence and take tangible steps towards resolving their bilateral issues that affect their nuclear postures and policies. Beyond this time, may come a period where the environment would be ripe for well-considered and prudent decisions regarding further expansion in the NSG and other export control arrangements.

23. The current seemingly shameless haste in the efforts for granting membership to a particular State neither suits the nuclear security and non-proliferation regime, nor South Asian strategic stability.

Conclusion

24. With these provocative thoughts. I end here and thank you for your patient hearing.

ⁱ Pierre Goldschmidt, "NSG Membership: A Criteria-based Approach for Non-NPT State," *Carnegie Endowment for International Peace*, May 24, 2011, available at <http://carnegieendowment.org/2011/05/24/nsg-membership-criteria-based-approach-for-non-npt-states>

Article I

Each nuclear-weapon State Party to the Treaty undertakes not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly, or indirectly; and not in any way to assist, encourage, or induce any non-nuclear-weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices.

Article III

2. Each State Party to the Treaty undertakes not to provide: (a) source or special fissionable material, or (b) equipment or material especially designed or prepared for the processing, use or production of special fissionable material, to any non-nuclear-weapon State for peaceful purposes, unless the source or special fissionable material shall be subject to the safeguards required by this Article.

Article VI

Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control.