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Critics Fault U.S. for Pursuing Mini-Nukes

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Critics Say American 'Double Standard' Will Undermine Efforts to Curb Nuclear Arms

VIENNA — Research on a new generation of precision atomic weapons by the Bush administration threatens to undermine international efforts to stop the spread of nuclear arms and to tarnish recent successes, according to diplomats and nonproliferation experts.

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The criticism focuses on the administration's decision to lay the groundwork for developing low-yield weapons — known as mini-nukes — while pursuing President Bush's doctrine of preemptive strikes against rogue states.

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The diplomats and independent experts said Washington's strategy weakens support for more stringent controls at a time when the Nuclear Nonproliferation Treaty faces serious challenges from North Korea and Iran and amid widespread fears of terrorists acquiring atomic weapons. The U.S. strategy, critics say, may cause other countries to pursue nuclear arms.

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"The U.S. follows a double standard that allows it to develop and threaten to use nuclear weapons while denying them to smaller countries," said Hussein Haniff, Malaysia's ambassador to the International Atomic Energy Agency in Vienna. "We do not know whether the nuclear nonproliferation treaty can survive with these U.S. policies."



Haniff heads a group of 13 countries that constitute a nonaligned bloc on the IAEA's 35-nation Board of Governors. The bloc is often at odds with the United States and last month opposed U.S. efforts to declare Iran in violation of the nonproliferation treaty.

The Bush administration argues that mini-nukes would provide flexibility to respond to changing threats and small-scale conflicts that do not require full-size nuclear armaments.

Nonetheless, some U.S. allies are alarmed. A senior Western diplomat called the prospect of mini-nukes "politically stupid" and said it would complicate U.S. security by weakening support for tougher nuclear controls.

Anger over the U.S. policy has risen steadily since the spring when the administration requested funding for research on mini-nukes, in effect seeking a reversal of a 1993 ban on research and development of low-yield atomic weapons. After much wrangling, Congress approved the bill last month, granting \$7.5 million, half of what the administration had sought.

The weapons would be designed to penetrate underground bunkers presumed to conceal weapons of mass destruction or command centers. Pentagon planners say the low yield would limit nuclear fallout, a claim some scientists dispute.

Administration officials have said the research into mini-nukes was insignificant compared with its larger arms control effort, which would cut the U.S. nuclear stockpile by two-thirds by 2012.

"If you look at reality, and not just a sound bite, we are not ramping up our nuclear arsenal, we are ramping down," a senior administration official in Washington said.

Officials said the administration's multi-pronged strategy helped persuade Libya to give up its nuclear, chemical and biological programs.

"The administration's tough stance on Iraq, its national security strategy and President Bush's firm speeches against terror all got Tripoli's attention," a U.S. official said Monday.

Libya's surprise decision, which followed months of talks with the U.S. and Britain, may have been motivated by outside factors, and did not necessarily reflect a bow to American threats, foreign officials said.

"It's hard to tell what the reasons were just yet, but the Libyans told me that the programs had become too expensive and that world conditions had changed," said a Western diplomat in Vienna.

The Libyan decision did not put to rest questions about the U.S. strategy. Some experts said the research on mini-nukes violated U.S. legal obligations to disarm and blurred the line between conventional warfare and nuclear conflict.

"Preemptive strikes linked to the development of new nuclear weapons sends a threatening message to nonnuclear states," said Jean du Preez, a former South African diplomat who is an analyst at the Center for Nonproliferation Studies in Monterey, Calif. "Even some nuclear states, including India and Pakistan, may decide, well, why not do the same."

The debate over the U.S. posture comes as anxiety over the spread of atomic weapons is rising after the nuclear standoff with North Korea and the disclosure of Iran's uranium-enrichment program and Libya's progress.

Iran has maintained that its nuclear program exists solely to generate electricity.

"I would not be surprised if we see more countries acquire nuclear weapons," Mohamed ElBaradei, director-general of the IAEA, said recently at the agency's headquarters in Vienna.

ElBaradei did not suggest which countries might try to do so, but diplomats said Algeria, Sudan and Syria were on the list and the number would grow sharply if North Korea or Iran obtained weapons.

Technology that was once the preserve of the five original nuclear weapons states — the U.S., Russia, China, Britain and France — is now available worldwide. Export controls have eroded and technical barriers have fallen.

At the same time, detecting the early phases of a weapons program remains virtually impossible. U.S. officials who visited Libyan nuclear facilities after Tripoli's decision said the weapons work was far more advanced than they had suspected.

ElBaradei said on Monday that Libya had tried to use centrifuges to enrich uranium for over a decade, but that it had not produced

weapons-grade material.

The Treaty on the Nonproliferation of Nuclear Weapons, was developed in 1968 and went into force in 1970. It was drafted to curb the spread of nuclear weapons and bind the five existing nuclear powers to reducing their arsenals to zero.

The International Atomic Energy Agency, set up under United Nations auspices in 1957 to promote peaceful nuclear energy, was given responsibility for monitoring compliance. So far, 183 countries have accepted the treaty.

Most nonproliferation experts applaud the treaty. President Kennedy's famous 1963 prediction that between 15 to 20 countries would be armed with nuclear weapons in a decade did not come true; only eight countries are known to have atomic arsenals. South Africa willingly gave up its weapons and other countries abandoned weapons programs or surrendered inherited weapons.

On the negative side, three nations with nuclear weapons — India, Israel and Pakistan — refuse to sign the nonproliferation treaty. Pakistan is suspected of supporting weapons programs in Iran and North Korea. Intelligence experts are divided on whether North Korea yet has atomic bombs.

Developments in Iran and North Korea in the last year highlighted other major treaty shortcomings.

The biggest flaw is that the treaty grants countries the "inalienable right" to acquire the technology to develop nuclear fuel. The provision was essential to convince countries without nuclear arms to forgo any aspirations in return for access to nuclear technology for peaceful purposes.

The problem is that fuel, whether enriched uranium or plutonium, is the most critical ingredient in nuclear weapons and the hardest to obtain. But the same technologies used to manufacture fuel for reactors can, with minor changes, be used for weapons. So countries with fuel cycles can move to within a short step of weapons while appearing to comply with the treaty.

This is precisely what the U.S. has accused Iran of doing. Washington said Tehran used the cover of a civilian program to develop the ability to enrich uranium for weapons, an accusation that Iran denies.

Responding to international pressure, Iran disclosed details of its nuclear program and opened its doors to tougher inspections last month. On Thursday, it signed an agreement to permit more intrusive inspections by the IAEA.

The nuclear nonproliferation treaty allows inspectors to visit declared nuclear sites. But an additional protocol permits them to examine other suspicious locations after telling the country which installations they want to inspect.

Diplomats said the protocol is an important step forward, but it is not a panacea and acceptance has been slow. Iran was the 79th country to sign the pact, but only 38 have ratified it. The U.S. signed it but has not ratified it.

"The treaty and the protocol only buy time," said a diplomat in Vienna. "They don't stop anyone determined to build a nuclear bomb."

To close the gap, ElBaradei recently proposed controls to restrict access to the nuclear fuel cycle. The approach envisions multinational control over the sensitive aspects of fuel development, coupled with guarantees to countries that they could buy fuel for civilian uses.

The Bush administration has acknowledged the problem ElBaradei's proposal aims to address.

"We must seriously limit enrichment and reprocessing capabilities while allowing access to appropriate reactor fuels," Mitchell B. Reiss, director of policy planning at the State Department, said in a speech this month.

But other countries, including Iran, expressed strong reservations about giving up the right to indigenous fuel sources and diplomats said it was unlikely to happen without a major diplomatic fight.

Another treaty shortcoming often pointed out is the absence of set penalties for violating or withdrawing from the agreement while under suspicion of developing a weapons program.

The agency's Board of Governors can refer violators to the U.N. Security Council for possible sanctions, but both bodies are political arenas where compromise often trumps punishment. The U.S. is angry that the IAEA failed last month to refer Iran's concealment of nuclear activities to the council.

North Korea is considered a more pressing nuclear threat — and a more glaring example of the treaty's lack of teeth.

Early this year, North Korea became the first nation to withdraw from the treaty, a step that followed years of it being declared in noncompliance. Still, the U.N. has not punished North Korea.

"It's always a case-by-case basis and the Security Council is helpless to act," said a European diplomat who advocated that the U. N. adopt a set of escalating sanctions for violators.

The debate over strengthening the nonproliferation regime will heat up in preparation for a treaty review in the spring of 2005. The Bush administration's push for new controls, however, may be stymied by the anger generated by its policies.

While the administration takes credit for pressuring Libya to relinquish its weapons programs, Tripoli's voluntary action probably will present an obstacle in U.S. efforts in the coming months to persuade other countries to support tighter nuclear controls.

Egyptian President Hosni Mubarak said over the weekend that Israel should now give up its nuclear arsenal. On Monday, the IAEA's ElBaradei praised Libya's decision and repeated his call for eliminating nuclear weapons in the Middle East.

Washington has long refused to pressure Israel over its ample nuclear stockpile, a position many countries regard as a double standard when it comes to who can possess nuclear weapons — the same concerns diplomats said have been reinforced by the mini-nukes prospect.

"Bush's posture makes the job of selling nonproliferation more difficult," said a senior Western diplomat in Vienna. "If nuclear weapons are necessary for the sole surviving superpower, what hope does Iran or any number of other countries have without them?"

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