

LETTERS TO THE EDITOR

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Letters should not exceed 750 words



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BEYOND PERFORMATIVE NON-PROLIFERATION

My many years spent labouring in the non-proliferation domain, initially in the Caribbean and then in other regions around the world, has afforded me the unique opportunity to interact with literally scores of officials who have central responsibility for the implementation of United Nations Security Council resolution 1540 (UNSCR 1540) and the core components of the global non-proliferation regime.

The typology is that of an earnest and often quite motivated functionary, committed to meeting key national non-proliferation priorities despite prevailing and intractable budgetary and other resource constraints. These constraints have largely impeded the development and enforcement of comprehensive non-proliferation measures, including the establishing of national export controls, strengthening border security, and implementing safeguards on sensitive materials and technologies.

Effectively servicing these obligations has been, understandably, an onerous and demanding challenge. Resultantly, these daunting reporting and administrative requirements, coupled with the lack of technical and financial resources, have often resulted in cursory rather than substantive engagement and, in essence, it has often become a largely performative exercise.

These constraints also occur within a context where issues such as food security, healthcare, and education understandably take precedence over investments in non-proliferation activities and where limited resources are generally, if not necessarily, allocated to more immediate development priorities rather than to other long-term security considerations.

This trade-off has often served to weaken the global consensus and cooperation essential for effectively addressing proliferation challenges, while also allowing these countries the functional space to attend to their development needs.

For example, developing countries increasingly seek access to nuclear technology for peaceful purposes, including energy production and medical interventions or research. However, concerns about diversion of nuclear materials or expertise for military purposes have tended to hinder international cooperation and willingness to provide assistance for these development-oriented nuclear programmes.

In addition to the developmental constraints, officials charged with advancing national non-proliferation action are often quite beleaguered, inundated by a plethora of responsibilities, including other reporting obligations corollary to UNSCR 1540. These often include the Chemical Weapons Convention (CWC), the Biological Weapons Convention (BWC) and the Nuclear Non-proliferation Treaty (NPT), among others.

This performative regimen is often characterized by symbolic gestures including resolute statements in support of the non-proliferation regime, but without concrete national policies to implement legal and regulatory mandates to prevent proliferation. It is also typified by selective compliance and the adoption of token measures which largely do not address the root causes of proliferation or reduce proliferation risks. Yet, given the objective reality facing these countries, this performative action is indeed understandable, if not inevitable.

Preventing the proliferation of weapons of mass destruction (WMD) and their delivery systems is highly dependent on the sustained involvement of key officials. In the Global South, this involvement and focus is often impacted by the loss of expertise and diminished institutional capacity, as a result of high attrition rates among these critical personnel. This diminution of skilled personnel with expertise in nuclear, chemical, and biological security, as well as export control, often serves to impair the ability of regulatory agencies to effectively monitor and enforce non-proliferation measures.

This attenuation can also weaken the overall institutional capacity of these countries to address non-proliferation challenges, as turnover within key agencies disrupts continuity, hampers long-term planning, and impedes the implementation of non-proliferation policies.

High attrition also undermines the effective leveraging of ongoing bilateral and multilateral partnerships which can limit a country's ability to further access beneficial technical assistance, training programmes, and resources. Indeed, the resultant combination of diminished national expertise, reduced technical support, weakened enforcement, and institutional instability resulting from high attrition rates can elevate the risk of WMD proliferation within and from vulnerable countries. This, in turn, further enhances existing threats to national, regional and global security by potentially enabling the acquisition of WMD capabilities by State or non-State actors.

Without question, successful non-proliferation engagement requires sustained international cooperation, robust enforcement mechanisms, and ongoing vigilance to address evolving threats and therefore must not be piecemeal or perfunctory. Absent this dynamic, the non-proliferation and disarmament continuum will continue to be incremental, if not moribund, for the overwhelming majority of countries in the Global South.

While there has been an uptick over the past decade in implementation rates for some countries in Africa, Asia-Pacific, and Latin America and the Caribbean, this movement has not necessarily shown the qualitative advances that are essential to measurably reducing proliferation risks. Likewise, increased frequency in the submission of reports has not necessarily translated into 1540 matrices that provide a robust depiction of legislative or regulatory action, or resulted in declarations, confidence-building measures, or comprehensive safeguards agreements that are substantive.

Undoubtedly, the establishment of national points of contact and national competent authorities responsible for technical and administrative action relating to UNSCR 1540, NPT, CWC and BWC implementation are important activities. However, even more important than checking the obligatory box, or denoting the designation of this or that official as the nominal responsible party, is the need to implement robust export controls to prevent the illicit transfer of WMD-related materials, technologies, and expertise. This involves monitoring trade flows and enhancing border security measures, while strengthening the physical security of facilities that handle WMD-related materials, including adopting secure storage and transportation protocols.

Meeting these demands also requires administrative mechanisms that can help countries to move their non-proliferation agenda forward.

The Organisation for the Prohibition of Chemical Weapons (OPCW) has identified a “structured, multi-year, multi-sectoral and result-oriented framework” administered by the CWC National Authority as being essential for the effective “planning, implementation, monitoring and evaluation of all CWC related activities at the States Party level based on human, financial and other resources.” This approach not only serves to add needed momentum to the implementation process, but simultaneously provides a rationale for and indeed aids the effective functioning of the national authority.

For its part, the United Nations Office for Disarmament Affairs’ (UNODA) BWC-Implementation Support Unit sees the designation of national contact points as being critical to developing and refining a State Party’s processes for preparing and submitting Confidence-Building Measures, coordinating overall national implementation efforts with relevant ministries and agencies, aiding bio-risk management, and also helping to build national capacity in disease surveillance, detection and emergency response.

While functioning national authorities and national points of contacts are of fundamental importance to preventing proliferation, the undeniable reality, certainly over the last 15 years, is that a central national chemical, biological, radiological and nuclear (CBRN) coordinating authority has become an increasingly beneficial component in advancing non-proliferation in the Global South. Whether a Hazardous Substances Regulatory Authority (HSRA) in Jamaica or a Chemical, Biological, Nuclear and Radiological (CBNR) Weapons Management Authority in Botswana, States across Latin America and the Caribbean, in Africa, Southeast Asia and the Pacific have identified these coordinating mechanisms as key to meeting their important treaty obligations.

These countries have stressed that the regulatory oversight and attendant licensing and permitting processes –essential for the safe and secure handling, storage, and transport of CBRN materials– are best achieved with such a coordinating machinery. They have also noted that such an infrastructure essentially forces the conduct of regular inspections and audits of facilities that handle hazardous materials to ensure compliance with safety and security standards.

States have also noted that monitoring and surveillance activity, including consistent inventory management and the maintenance of comprehensive databases of hazardous materials, as well as the use of advanced surveillance technologies to monitor facilities and transport routes for evidence of breaches, are clear benefits which indeed flow from these regulatory constructs. Notwithstanding existing resource deficits, these countries are also quite cognizant of vulnerabilities in the cybersecurity domain and the need to protect digital systems that manage hazardous materials from cyber threats occasioned by malign actors.

Lastly, these States view emergency preparedness and response, as well as CBRN incident management, as an important and attainable objective, even as they wrestle with weightier and more long-term activities, including implementing strategic trade and export control legislation. Over the past five years, this area has shown some promise with increased bilateral offers of assistance and programming from a range of diverse entities, including INTERPOL and the World Health Organization.

Given this burgeoning interest, it is an area that should be resourced and actively supported. Aiding the Global South in building core infrastructure in these oversight and response domains represents nascent, but important, steps in moving beyond performative non-proliferation to building needed institutional capacity to effectively combat these threats.

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