



THE FUTURE OF DIPLOMACY PROJECT

Diplomacy and Nuclear Non-Proliferation: *Navigating the Non-Aligned Movement*



HARVARD Kennedy School

BELFER CENTER for Science and International Affairs

Yvonne Yew

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Born out of the turbulent years of decolonization and Cold War superpower rivalry, the Non-Aligned Movement (NAM) has long viewed international developments through the prism of North-South politics and defined its modus operandi along these lines. This is evident as well on NAM's approach to nuclear issues. Many of the initiatives promoted to reduce proliferation risks have been opposed by the NAM as either: unfair, unnecessary, or disproportionately burdening developing countries. At the International Atomic Energy Agency (IAEA) which serves as the guardian to ensure nuclear power is not misused for military purposes, the NAM has frequently opposed initiatives to reduce proliferation risks as either: unfair, unnecessary, or disproportionately burdening developing countries. While some NAM countries have tried to run the nuclear debate as a confrontation between the developed and developing world, the reality is much more complicated. The Movement's polarized positions have failed to reflect its memberships' more nuanced opinions. NAM members also implement more robust non-proliferation standards based on their own political, security and economic calculations. Recognizing that NAM positions bear no strong correlation with its members' actions expands the scope of the possibility of diplomatic engagement on nuclear non-proliferation issues.

Introduction

In a post-Cold War world, states have been transitioning towards a different global order. As the international community continues to evolve, nations, organizations and groupings find themselves operating under different conditions. New partnerships and an increasingly complex pattern of inter-linkages have challenged old dichotomies such as North-South divisions. Shared challenges to global issues have called for multilateral solutions. Recent groupings such as the G-20 highlight cooperation between developed and developing countries to tackle common problems.

A key challenge the international community faces today is nuclear proliferation. Countries like North Korea and Iran have defied their nuclear non-proliferation treaty obligations and engaged in clandestine nuclear activities. North Korea has conducted nuclear tests while Iran is believed to be developing the necessary nuclear technology for a bomb. The existence of an active nuclear black market network has raised fears that the number of nuclear-armed countries or countries with the capacity "to go nuclear" is on the rise. As nuclear power usage is expected to expand to encompass many more countries, increasing attention is also being paid to ensure that nuclear energy is used in a safe, secure and properly safeguarded manner. This also means ensuring that the sensitive aspects of nuclear technology, including uranium enrichment and reprocessing, is managed in a way that does not lead to proliferation under a nuclear renaissance. With terrorist organizations seeking to wage a war of large-scale destruction, concerns have arisen over the threat of nuclear terrorism by non-state actors. Stockpiles of fissile material at unsecured or vulnerable locations could provide terrorists groups ready-made nuclear material for a bomb. Nuclear security in terms of safe storage of nuclear material,

prevention of theft, acts of sabotage, and related safety concerns are very real issues that all states have to face in operating nuclear power plants.

While there is little dispute that states would like to live in a safer and more secure world, the challenge facing implementation of more stringent nuclear non-proliferation measures has been complicated by differences of views and priorities expressed by developed vs. developing countries. Much of the developing world's nuclear narrative is represented by the Non-Aligned Movement or NAM, whose historical legacy of anti-colonialism has shaped its perspective on international issues. Many of the initiatives promoted to reduce proliferation risks have been opposed by the NAM as either: unfair, unnecessary, or disproportionately burdening non nuclear weapon states (NNWS) and developing countries. Overshadowing this perception is the mistrust generated by the slow rate of disarmament by nuclear weapon states (NWS) over the years.

The Obama Administration has sought a global cooperative approach to stem the spread of nuclear weapons. One aspect has been to strengthen international institutions, treaties, agreements, and mechanisms responsible for nuclear non-proliferation, including the International Atomic Energy Agency (IAEA), which is charged with the dual mandate of promoting as well as safeguarding the peaceful uses of nuclear energy.¹ This push for a stronger global engagement on the non-proliferation front has also been paralleled by an American commitment to promoting nuclear arms control; increasing its voluntary funding for nuclear technical assistance to developing countries; supporting developing countries' access to nuclear energy for peaceful purposes; and embracing the longer-term vision of a world without nuclear weapons. More recent examples include the US-Russian replacement new Strategic Arms Reduction Treaty (START), pursuit of ratification of the Comprehensive Nuclear Test Ban Treaty (CTBT), and an American initiative supporting peaceful uses of nuclear energy at the IAEA. In committing support as well as investing capital in all three pillars - nuclear non-proliferation, disarmament and nuclear energy - the United States has created an opening to reinvigorate multilateral cooperation.

Such a shift in direction has affected the NAM. In particular, it challenges NAM leaders that have capitalized on the sensitivities of the NAM and portrayed efforts to strengthen nuclear non-proliferation measures as an American-led agenda to further weaken non-nuclear weapon states' rights that should be rejected. Despite the push to maintain the ideological divide with its Western interlocutors, NAM members have to a large extent participated in various non-proliferation initiatives. The deepening global threats posed by nuclear proliferation, alongside

¹ Under the NPT, the IAEA has specific roles as the international safeguards inspectorate and as a multilateral channel for transferring peaceful applications of nuclear technology: NPT Article III: The IAEA administers international safeguards to verify that non-nuclear weapon States party to the NPT fulfill the non-proliferation commitment they have made, "with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices." NPT Article IV: The Agency facilitates and provides a channel for endeavors aimed at "the further development of the applications of nuclear energy for peaceful purposes, especially in the territories of non-nuclear-weapon States Party to the Treaty, with due consideration for the needs of the developing areas of the world." In practical terms, the IAEA also is seen as having roles in connection with verification of nuclear-weapon-free zones and in the context of verifying ex-nuclear weapon material. Source: IAEA and NPT, iaea.org website.

the security and economic benefits derived from cooperating with the United States, have continued to tip the balance toward encouraging NAM states to support more robust non-proliferation mechanisms. For those NAM states who do not view defending nuclear rights and pursuing non-proliferation efforts in zero-sum terms, the Movement's polarized positions have failed to reflect this significant nuance.

Outline of Paper

How then, should one understand the NAM, and more importantly, what do NAM positions really signify for the global non-proliferation drive? This paper attempts to address the question by providing a deeper analysis of the NAM. First, the major differences between the NAM and its western interlocutors are identified. Next, the paper examines the role the NAM plays and what it means to its members. The paper draws examples from the NAM Vienna Chapter at the IAEA (which deals specifically with nuclear non-proliferation issues) to illustrate the NAM dynamics.² A few broad policy implications that leverage on the diversity within the NAM are drawn. The paper proposes that recognizing that NAM members' actions are not strongly correlated with NAM positions expands the scope of possible diplomatic engagement between the developed and developing world on nuclear non-proliferation issues.

Differing Approaches to Nuclear Non-Proliferation

A few broad conceptual differences have underlined the nuclear non-proliferation discourse over the years. The fault lines that separate the developing world (or NAM states) from the developed world (made up primarily of western states), hinge on varying interpretations, understandings and normative drivers that push each grouping in separate directions. Overshadowing this discourse is the general mistrust that has reinforced caucus positions on nuclear disarmament and non-proliferation matters.

Broadly speaking, the NAM views the NPT as a bargain where NNWS have given up their rights to acquire nuclear weapons in exchange for concrete steps undertaken by NWS in the area of disarmament and arms control. The NAM argues that the pace of disarmament has not kept up with the stronger push for additional non-proliferation commitments. Hence, more progress on disarmament has to proceed before NAM takes on further commitments on the non-proliferation front. In contrast, the Western group and other like-minded states view commitments undertaken by NNWS as intrinsically important. While supportive of nuclear disarmament, they have not generally tied their non-proliferation undertakings to the disarmament process. Apart from linking stronger non-proliferation steps to the disarmament

² A targeted analysis on the Vienna Chapter not only offers a more focused analysis but also duly recognises the variations of inter and intra-NAM dynamics that differ amongst the various NAM Chapters. The on-going nature of IAEA Board meetings and discussions also provides a yardstick to compare NAM's stated positions against its members' actual actions. In this context, related non-proliferation initiatives that deal with export controls arrangements outside the IAEA purview, while equally relevant to the larger non-proliferation effort, will not be addressed given the absence of official NAM caucuses under such arrangements.

process, the NAM also views current steps on nuclear non-proliferation and safeguards as largely sufficient and has resisted stronger nuclear safeguards and verification measures. In contrast, the Western group of states prioritize fixing the loopholes of the NPT regime and seek to correct these limitations. Along the way, the different emphases have framed nuclear negotiations in a deadlocked cycle of mutual recriminations and served as a stumbling block to building mutual trust.

Another area of disagreement lies in the issue of nuclear rights. While NAM stresses an unfettered understanding of interpreting the “inalienable rights” of peaceful nuclear energy provided to NNWS under the NPT to use nuclear energy, the West views this as a conditional right that emphasizes the non-proliferation commitments that comes along with such rights. The NAM also takes the view that more stringent non-proliferation measures infringe on the rights to peaceful nuclear technology, and has effectively used this argument to justify its/or members’ inaction in adopting stronger non-proliferation measures.

Nuclear non-proliferation measures such as export controls and restricting access to sensitive nuclear technology, including uranium enrichment and reprocessing, have been interpreted as limiting economic development and deepening the existing technological divide by the NAM. At the IAEA, which is charged with the dual mandate of promoting as well as safeguarding the peaceful uses of nuclear energy, NAM has resisted improvements made to safeguards standards, prevented more intrusive inspections, and opposed measures to tighten control over the nuclear fuel cycle process on the basis that such steps infringed on states’ nuclear sovereignty and disproportionately burdened NNWS’ commitments.

The NAM in Historical Context

Much of the NAM’s divisive politics have been framed by its historical legacy. Non-alignment, which sought to promote an independent path to pursuing a policy freed from external dependencies, emerged out of post-colonial thinking in the 1950s. The 1955 Afro-Asian Conference (also known as the Bandung Conference), viewed as a pre-cursor to NAM, was identified as a forum where “third world leaders shared their similar problems of resisting the pressures of the major powers, maintaining their independence and opposing colonialism and neo-colonialism, especially western domination.”³ While the Bandung Conference fleshed out the principles of non-alignment,⁴ it took the instability generated by the Cold War on the newly

³ The Non-Aligned Movement, Description and History, www.nam.gov.za.

⁴ The ten principles of Bandung were later incorporated as founding principles of NAM. These principles comprised: (i) respect for fundamental human rights and for the aims and principles of the Charter of the United Nations; (ii) respect for the sovereignty and territorial integrity of all nations; (iii) recognition of the equality of all races and of the equality of all nations, large and small; (iv) abstention from intervention or interference in the internal affairs of another country; (v) respect for the right of each nation to defend itself individually or collectively, in conformity with the Charter of the UN; (vi) (a) abstention from the use of arrangements of collective defence to serve the particular interests of any of the big powers and (b) abstention by any country from exerting pressures on other countries; (vii) refraining from acts or threats of aggression or the use of force against territorial integrity or political independence of any country; (viii) settlement of all international disputes by

independent countries to create the NAM. Its first Conference was held in 1961 in Belgrade, former Yugoslavia. Since then, NAM goals have sought to achieve “the right of independent judgment, the struggle against imperialism and neo-colonialism, and the use of moderation in relations with all big powers.”⁵

In the 50 years since the NAM’s founding, the external environment has undergone numerous and profound changes. With the end of the Cold War, the constraints of pursuing foreign policy in a bipolar context have disappeared. Released from the fetters of an East-West ideological divide, NAM members have been gravitating towards centers of power that would best serve their interests. Patterns of global interdependence have also become too complex to characterize global problems in rigid developed-developing world confines. Past attempts have been undertaken within the NAM to try to evolve its approach, but these have largely proven insufficient to turn the tide against conflicting North-South politics, which largely continue to drive the NAM’s agenda. For instance, following the 1992 NAM Summit held in Jakarta, Indonesia, the NAM pursued avenues to promote and institutionalize dialogue and interaction with its external interlocutors. These included NAM Chair correspondences with G-8 Presidencies, NAM Ministerial Troika meetings with their European Union counterparts on the margins of UN General Assembly sessions, and issuing invitations to non-NAM countries to attend NAM Summit meetings as guests. Despite professing cooperation and promoting constructive dialogue and interaction, successive NAM Chairs have overall focused on presenting NAM positions rather than on advancing the process of dialogue towards common action.

Understanding the NAM

While some leading NAM countries have sought to run the nuclear debate as an antithesis between the developed and developing world, the reality is much more complicated. A few key actors have played an active role in the movement, creating a false perception of homogeneity of the 120 members to outside actors. In more recent years, much of the debate against strengthening safeguards measures that guard against proliferation has been driven by the NAM’s Vienna Chapter. The creation of this chapter in 2003⁶ essentially coincided with Iran’s nuclear dossier being brought before the IAEA and has served Iran’s interest in acting as a

peaceful means, in conformity with the Charter of the UN; (ix) promotion of mutual interests and cooperation; (x) respect for justice and international obligations. See “*Document on the Methodology of the Non-Aligned Movement*”, 11-16 Sep 2006, Havana, Cuba.

⁵ Ibid.

⁶ Meeting of the Ministers of Foreign Affairs of the Non-Aligned Movement at the 58th Session of the General Assembly of the United Nations, *NAM/FMM/GA58/Chair/Report 26 September 2003*, New York. To address the short-comings of the lack of a NAM Secretariat, NAM positions have been coordinated by NAM delegations in New York, also referred to as the NAM Coordinating Bureau (CoB). Coordination of NAM actions also take place under specific offices or Chapters, that focus on pertinent topics. The NAM Kuala Lumpur Declaration of 2003 called for “enhancing ... coordination and cooperation through regular meetings of the Co-ordinating Bureau in New York, as well as in Geneva, Vienna and Nairobi and other centres, if necessary, with the view to responding, on timely basis, to international developments affecting the Movement and its members”. *NAM/FMM/GA58/Chair/Report*, 26 September 2003, New York.

diplomatic bulwark over Iran's nuclear violations. In the process, Iran has also manipulated much of the developing world's nuclear discourse.

Part of the confusion in making sense of NAM positions arises from the fact that analysts have often failed to differentiate between the NAM:

- (i) as a concept, as it represents a normative value;
- (ii) as an association, which is a manifestation of group dynamics within the respective multilateral settings it operates under; and
- (iii) as a foreign policy tool, where it involves different players within the NAM whose actions are largely divergent, and based on individual motivations and calculations.

The inter-play of NAM positions representing - a normative concept; as a guardian of shared norms and principles; as a manifestation of multilateral group negotiations; and as part of a state's foreign policy calculus; - has resulted in much of the Movement's schizophrenic behavior. Understanding the various facets the NAM provides to its members explains how some NAM members may subscribe to the Movements' grievances over curbs to NNWS' nuclear rights, but could still be seen to support non-proliferation measures based on their individual security, political and economic needs. These NAM states may feel obliged to stay within the boundaries of NAM positions for various reasons but at the same time act in ways that are not tightly bound by the Movement's "principled positions".⁷

NAM as Guardian of Shared Norms and Principles

The NAM as a concept represents an alternative path that promotes a more equitable global order, emphasizing sovereignty, and promoting independent action. NAM principles were developed to fulfill these normative goals. These principles have held together an otherwise loose and disparate grouping of largely developing states. Ideologically, NAM plays the role of "defender of the global South" and serves as a pressure group to redress issues that disadvantage the developing world. Understood in this normative sense, NAM has generally enjoyed broad support amongst its members as is reflected in the numerous declarations and statements.

Much of the NAM's positions on nuclear issues can be understood from this normative perspective. Insofar as the NAM has chosen to interpret nuclear rights as synonymous with promoting greater equality for developing countries, either in the form of its promised nuclear entitlement, as a security asset, as an economic benefit, or from the derived prestige in acquiring nuclear technology,⁸ this view has largely been shared and supported by NAM members. Stronger non-proliferation undertakings were conversely interpreted by the NAM as detracting from these rights and have therefore been resisted. And while divergences may exist within the NAM on interpreting the scope of such nuclear rights, attempts to limit these rights have overall

⁷ NAM's principled positions refer to a set of principles set down over the years on a broad range of international issues that are reiterated in various NAM documents, including NAM Summit statements.

⁸ Article IV of the NPT purports to grant all parties the "inalienable right" to "develop research, production and use of nuclear energy for peaceful purposes without discrimination." But that right is not inalienable, even within the terms of the NPT itself, since it is subject to compliance with Articles I and II. These Articles ban the provision of assistance to the NNWS to help them acquire nuclear weapons and prohibits their acceptance of such assistance.

been viewed by the NAM as an effort to restructure rather than strengthen the basic NPT commitments the NNWS had originally signed on to.

NAM as an Association

NAM positions are also partly reflective of the divisional group dynamics prevalent within multilateral diplomatic discussions. Viewed in this context, NAM positions at the IAEA typify the polarized caucus group positions that have long characterized diplomatic negotiations at various UN forums. At the NPT Review Conferences, divergent views between the NAM and the Western Group paralyzed negotiations in 2005, and provided limited progress at the 2010 Review Conference. At the IAEA, conflicting positions, exploited by NAM spoilers, have resulted in a breakdown of consensus. This has in turn contributed to a growing reliance to resort to voting to determine a particular proposal's outcome by the IAEA Board of Governors.⁹

NAM as a Foreign Policy Tool

As a foreign policy tool, support for NAM principles is often calculated within a larger geopolitical, security and economic context. NAM positions have served as a useful hedge as well as an excuse for NAM countries seeking to forestall larger powers' assertions to take on additional obligations. For countries that have found it in their interest to use the NAM platform to garner support for their cause/s, the Movement continues to serve as a ready-made cache to rally support in the name of third world solidarity. Alternatively, members that sought to avoid international criticism and protection from international censure have also found the NAM a useful refuge. This has been largely effective insofar as a NAM country could rely on not being publicly challenged by the Movement in view of its membership affiliation, and as an expected quid pro-quo return of support to fellow members. Thus, for many developing countries that have infringed on international norms, staking out mutual support within NAM has had and continues to have its appeal.

In situations where NAM states saw the benefits of cooperation with the West as outweighing the actual implementation of the Movement's principled policies, NAM positions have mattered little. As the predominant power in a post-Cold War world, partnership with the US in various fields - political, security, military, economic, social – became part of the fabric of international relations. This is no exception for many NAM members. Real world politics and national interest dictated that NAM members (like any other country) chose their partners and cooperated based on national interests over ideological divisions within the NAM, including on nuclear matters. And even when maintaining a certain level of neutrality or leverage by jumping

⁹ The IAEA Board of Governors is responsible for approving IAEA procedures and agreements, and provides general supervision of the Agency's activities. The Board consists of 35 members, of which 13 are permanently designated by the Board and 22 are elected by the IAEA General Conference. The elected members sit for a two-year term and are rotated onto the Board on the basis of regional groupings and according to agreed upon turns within each grouping. The IAEA Board members for the 2010 - 2011 duration are : Argentina, Australia, Azerbaijan, Belgium, Brazil, Cameroon, Canada, Czech Republic, Chile, China, Denmark, Ecuador, France, Germany, India, Italy, Japan, Jordan, Kenya, Korea, Republic of, Mongolia, Netherlands, Niger, Pakistan, Peru, Portugal, Russian Federation, Singapore, South Africa, Tunisia, Ukraine, United Arab Emirates, United Kingdom, United States and Venezuela.

on the bandwagon of a NAM position may hold certain attraction, this choice has to be calibrated against the potential opportunities that alignment with a major power might bring in the long or short term.

To apply the various meanings the NAM offers to its members, the idea of the ‘NAM as a normative concept’ helps to explain why there is a broad subscription to NAM principles and positions. At the same time, ‘NAM as an association’ allows NAM members to remain under the NAM umbrella and to acquiesce to NAM statements even if this does not mean sharing similar national positions or undertaking similar actions with regards non-proliferation with fellow NAM members. The ‘NAM as a foreign policy tool’ has enabled NAM countries to sign on to stronger non-proliferation measures based on their own security, political and economic calculations despite divergences of views from NAM stated positions. Understanding the NAM in this multiplicity of contexts raises questions as to how much weight should be given to the NAM’s stated intransigent positions.

NAM’s Intransigence in Perspective

Distinguishing NAM players

In examining NAM positions, it is important not to view the NAM as a unified entity. Instead, the NAM must be seen as a number of different, inter-related players. For ease of classification, NAM players can be depicted as falling into three broad categories based on similarly manifested behaviors – “leaders,” “spoilers,” and “others.” As with any type of classification method, it has its short-comings and therefore serves as a generic guide. However, classification is useful in understanding certain behavioral trends displayed by NAM members’ in response to non-proliferation efforts. NAM negotiations conducted at the IAEA have shown that these rough classifications have largely held true.

As a general rule, NAM “leaders” have sought to utilize the Movement as a platform to assert their stewardship within the developing world. They have in large part benefited from identifying closely with NAM principled positions. Algeria, Egypt, Malaysia and South Africa have played leadership roles to varying degrees in their (past) capacities as NAM Chairs. These NAM leaders are not homogenous and pursue separate motivations. However, they do share a similar inclination towards prioritizing a “developed-developing world” approach in an effort to retain the NAM’s identity badge. They also share a long-standing historical role within the Movement and routinely mobilize sections within the NAM to promote its principles. Assuming an intransigent position within the NAM leadership has also given NAM leaders a greater negotiating lever with major powers.

NAM “spoilers” such as Cuba, Iran, and Venezuela have sought to run the NAM Vienna Chapter on a regressive platform based on divisiveness, virulent anti-Americanism, and have exploited the NAM for their individual political ambitions. Iran (and Syria), both currently facing international censures over their nuclear programs, have found it expedient to deflect focus on their nuclear safeguards transgressions and by spinning the issue on a debate about

nuclear rights, and redirecting discussions to Israel's nuclear status. Iran has also engineered diplomatic stalemates to buy time and continue its nuclear enrichment program. The Movement on the whole is most threatened when NAM leaders team up with NAM spoilers or when their interests coincide.

While the voices of NAM spoilers have been loudest on nuclear non-proliferation issues at the IAEA, their views do not represent a shared position within the Movement. Other influential NAM leaders such as India and Indonesia have tended to adopt more balanced NAM positions on certain issues. Their focus on compromise has not, however, equaled a concerted effort toward adjusting the NAM's rules of engagement. As for the majority of NAM members, mainly comprised of smaller states ("others"), NAM intransigence does not offer much beyond the ability to create a diplomatic stalemate, when this is of use to their national objectives. These NAM members also do not view promoting nuclear rights of NNWS as a zero-sum game versus stronger nuclear non-proliferation measures favored by the developed countries. As such, NAM positions have generally featured low in their non-proliferation calculations and choices for cooperation. Moreover, many of these delegations have limited human resources and technical expertise, compared to NAM leaders who are able to devote the necessary time, energy and personnel to nuclear discussions at the IAEA. As a result, few NAM "others" participate in NAM meetings, leaving much of the NAM's positions to be shaped by NAM leaders and/or spoilers.

Growing NAM Fractures

As noted, final NAM positions have largely been dominated by its key players – either leaders or spoilers, or a combination of the two. The general structure of the NAM has also allowed for an intransigent tone to be perpetuated. The NAM Chairmanship, which rotates once in every three years, is based not on a selection process but on the willingness of candidate/s to assume the role. Thus, NAM leaders and spoilers are the ones most interested to head the Movement: Egypt and Cuba have repeatedly held the Chairmanship. The absence of a physical NAM Secretariat further allows the NAM Chair to chart the Movement's direction, priorities, and activities for the period of its tenure, adding to the preponderance of the Chair's role.

The inflexibility with which NAM principles have been interpreted put the Movement's key players at odds with the wider NAM membership, who do not share the same motivations. Contrary to much of the more vocal NAM leaders, a large group of NAM members do not want to sacrifice nuclear cooperation options with the developed world. The price of pursuing NAM goals in zero-sum terms has increasing political, economic and security cost. It is important to realize that the countries that presently make up the Movement are vastly different than half a century ago when it was first established. Many NAM members have, over the years, enjoyed higher levels of economic growth. At the same time, this uneven economic development among member countries has created a widening gap to the least-developed countries within its membership, further exacerbating the NAM's identity of "the global South." Thus, several NAM members have graduated to become engines of economic growth, regional cooperation centers and good governance models of governance in their own right, while others are still struggling to cope with economic and political difficulties.

Continued NAM recalcitrance and its insistence on its “principled positions” has largely failed not only to deliver, but has further widened the gap between the Movement’s rhetoric and its members’ actions. Commonality of action within NAM becomes especially problematic when, for instance, NAM spoilers insist on maintaining untenable positions in an interconnected world. Shared interests in reducing the dangers of nuclear proliferation and nuclear terrorism have led to cooperation among NAM members, the United States and other countries, regardless of NAM posturing on non-proliferation issues. The growing concern among certain NAM countries and their Western interlocutors over issues such as Iran’s nuclear program and American initiatives on the prevention of nuclear terrorism has allowed these to draw closer, irrespective of wider NAM positions.

Decreasing NAM Legitimacy

Why have pragmatic NAM states, especially its larger and more influential members not attempted to change the NAM’s terms of engagement and push for a middle ground approach? To respond to this question, one could evaluate the level of importance these countries attach both to the NAM per se and their own membership. If member states, for instance, felt that the NAM was highly relevant, one would assume that these countries would invest in changing it within.. Conversely, for those that saw limited value in NAM membership and/or its overall role, they might engage in limited (at best) efforts to provide the Movement with new direction. Furthermore, the creation of other informal groupings such as the G20 as well as other multi-lateral initiatives such as the Nuclear Security Summit and the Proliferation Security Initiative have provided alternative avenues for developing countries to cooperate across developed-developing world confines.

NAM’s overall decline in relevance as an international player over the years simultaneously decreased the emphasis and commitment many NAM members have placed on NAM positions. As an organization, the NAM remains problematic. Politically, NAM membership ranges from anti-America leaders such as Iran’s President Mahmoud Ahmadinejad and Venezuela’s President Hugo Chavez to countries including NAM’s founding members like India and Indonesia, who seek good relations with the United States. Further divisions exist: - rich and poor, nuclear and non-nuclear - span all forms of governing polities. This diversity has hampered a common understanding of the NAM and more importantly, resulted in a lack of solidarity of actions by its member states.

The NAM’s membership explosion (most of which took place during the Cold War years) from its initial 25 members to the current 120 countries has challenged its identity and solidarity. As such, much of NAM’s capacity to work together has remained limited and uncertain. At the IAEA, NAM members have repeatedly undercut collective solidarity when faced with the specifics of implementing NAM positions. For instance, while NAM members largely act collectively on IAEA General Conference resolutions, which set the general direction and implementation of the IAEA’s mandate, their votes at IAEA Board meetings where decisions are taken on significant issues, are divided.¹⁰

¹⁰ The IAEA Board of Governors decides upon core issues that include: the election of the IAEA Director-General, budget allocation, and referral of a country’s safeguards non-compliance to the UN Security Council.

Persistent efforts by NAM key players to derail potential compromises continue to alienate many NAM members. Ironically, as such intransigence exacerbate the existential crisis within NAM and further decrease NAM's value, strong statements from the Movement came to matter less. For many NAM delegations that hold a different outlook, few have deemed it necessary to defend their positions within the Movement. Instead, these countries have preferred to express their views outside the NAM through national statements, bilateral channels, or through their voting positions.

As a result, NAM delegations themselves have also been paying less attention to NAM positions. Over time, NAM's statements are carried over from meeting to meeting, less out of a sense of conviction, than as a result of inertia and impasse. The fact that the NAM has no ability to enforce its policies means that in many cases, NAM agendas and resolutions are not given its full weight, both within and outside NAM, or are deemed of little consequence in defining NAM states' actions. With the increasing fragmentation of NAM members' actions, there are also fewer political costs associated with breaking from NAM positions.

At other times, NAM positions can be seen to result from NAM's internal workings. The NAM majority's aversion to openly criticizing other NAM members have prevented the creation of real consensus positions, as seen in the case of NAM addressing Iran and Syria's nuclear programs. Further evidence that NAM's support for its principled positions has less to do with the verdict as is its general unwillingness to pass judgment amongst its own ranks, could be seen in NAM's traditional position of singling out Israel but not member countries India and Pakistan in its push to join the NPT. This reluctance by NAM to criticize its own is not new and has been demonstrated in other numerous cases where NAM had chosen to ignore and / or failed to effectively mediate in the internal disputes among its members, e.g. human rights abuses in Myanmar and the Iran-Iraq war. The Movement faces a serious drawback in this regard.

Policy Implications

The paper's preceding sections have attempted to create a better understanding of the NAM and in particular, what NAM's position signify for the global non-proliferation drive. In examining the NAM, a few broad policy implications can be derived when reviewing diplomatic engagement with the Movement:

NAM Principles in Perspective

Much of the NAM's positions towards strengthening nuclear non-proliferation measures have been shaped by the normative discourse over the fairness of placing additional obligations upon developing countries, and of eroding NNWS' inalienable nuclear rights. However, such normative arguments are prescriptive and not descriptive, and do not necessarily determine NAM states' behaviors and actions. For example, in the case of NAM statements concerning Iran's nuclear program, many NAM delegations have defended Iran's rights "to the development, research, production and use of atomic energy for peaceful purposes, without

discrimination and in conformity with their respective legal obligations”¹¹. Despite adopting these views, NAM Board members’ individual final voting positions have instead supported decisions to censure Iran.¹²

Yet, disregarding NAM positions is neither realistic nor particularly helpful. As more developing countries seek to expand their nuclear power, the developing world’s narrative could begin to weigh more heavily in shaping the future of the global nuclear order. Much will depend on the path taken by key developing countries that choose to support rather than weaken the nuclear non-proliferation regime. Along the way, NAM states will likely try to maximize the commitments they receive from major powers with minimal compromises made to curtailing their nuclear rights. In this sense, NAM positions will continue to complicate nuclear non-proliferation discussions and produce on-going debates on the boundaries around nuclear rights and sovereignty. In all likelihood, proposals that would require IAEA Board approval are likely continue to face stiff resistance by NAM spoilers, or achieve little consensus. However, this should not be confused with an arbitrary rejection of stronger non-proliferation efforts by NAM members. But it should neither be taken for granted.

While NAM positions have occasionally produced an impasse in nuclear non-proliferation deliberations, this outcome has not necessarily prevented NAM members from engaging in non-proliferation efforts or agreeing to stronger safeguards. Rather, NAM members have shown both autonomy and a flexibility to shift their positions (persuaded or otherwise) as they see fit. Diplomatic outreach coupled with incentives and disincentives (‘carrots’ and ‘sticks’) will continue to play a crucial role in determining the final consensus position or voting outcome of NAM Board members. A realistic assessment would therefore be to calibrate NAM spoilers’ strong opposition with the more nuanced positions exercised by the Movement’s wider membership.

Rhetoric vs. Realities

It is also useful to note that some NAM countries may choose to cooperate with Western interlocutors in supporting nuclear non-proliferation matters while retaining a certain ambivalent attitude to the non-proliferation discourse within the NAM. NAM leaders have traditionally professed affinity to the Movement by retaining an independent / ambivalent position with the developed world. In many cases this is done to placate domestic constituencies, such as in the case of many countries in the Arab world. Yet other NAM states, like Indonesia, have cultivated

¹¹ NAM Statement to the IAEA Board of Governors on Safeguards Implementation in the Islamic Republic of Iran, September 15 2010.

¹² On each occasion where a vote was required on Iran’s nuclear program at the IAEA, NAM delegations were not unified in their positions on Iran. In September 2005 when a resolution was passed at the IAEA Board of Governors finding Iran in non-compliance with its NPT safeguards obligations, 12 members of NAM who sat on the Board either voted for or abstained from the resolution. Only Venezuela casted the sole negative vote. In February 2006, NAM members while committing themselves to official NAM positions supporting Iran, again voted differently on a resolution seeking to refer Iran to the UN Security Council. New NAM members, Colombo and Egypt, who had joined the IAEA Board during the period casted positive votes, leaving Cuba, Syria and Venezuela voting against the resolution. A similar lack of consensus from NAM states represented at the UNSC was reflected at the various UN Security Council deliberations on Iran, including supporting sanctions against Iran – a move which has been indirectly criticised in previous NAM statements.

a foreign policy based on “a thousand friends and zero enemies.”¹³ These countries are careful to avoid a position that could be seen as choosing one side over another. Countries for which the ‘NAM as a concept’ carries certain weight in domestic politics may further serve as a restraint in criticizing positions taken in the name of the Movement by ‘NAM spoilers.’ Thus, to attempt to forecast member states’ behavior, the symbolism the NAM provides for the developing must be understood in its full complexities. Under such circumstances, divorcing NAM rhetoric from actual support obtained from these NAM states would allow for a more holistic measure of NAM cooperation on the nuclear non-proliferation front.

Evolving the Nuclear Narrative

Given the differences and normative drivers behind NAM and Western states’ approach to nuclear non-proliferation matters, political compromises will likely not be easy within a NAM caucus context. At the IAEA, the active role played by ‘NAM spoilers,’ the political nature of nuclear disputes discussed such as on Iran and Syria, and on-going debate to balance nuclear regulation and safeguards with technical assistance and promotion of nuclear energy, have sustained current political divisions. NAM positions are not necessarily irreconcilable with those of non-proliferation advocates and need not be viewed in zero-sum terms. But as long as pragmatic NAM members continue to remain apathetic to acrimonious positions promoted within the Movement, the possibility of moving beyond deadlock remain limited. At best, agreements will reflect the lowest common denominator.

Under such circumstances, calling upon influential pragmatic developing countries to demonstrate leadership within the NAM can be problematic, though not impossible. With ‘NAM spoilers’ such as Cuba and Iran hijacking the NAM platform to pursue an anti-American agenda, NAM members who have an interest in establishing their credentials as reasonable international actors have progressively distanced themselves from a more radical NAM. Attempts to change the Movement’s direction to seek middle ground positions would not be beyond pragmatic NAM states. But few have cared to do so and the resulting apathy is evident in the lack of appetite to transform a NAM that lacks legitimacy, leverage, and homogeneity.

Promoting Voluntary Adherence

One way to shift seemingly given realities would be for non-proliferation advocates to create avenues to advance their goals by address the NAM narrative instead of simply opposing it. Taking the case of the Additional Protocol (AP) - which is a negotiated voluntary Protocol that supplements the traditional Comprehensive Safeguards Agreement (CSA) to extend assurances to verifying the absence of undeclared nuclear activities - NAM has rejected the CSA with an AP as a standard safeguards standard for NNWS. NAM has also rejected efforts to link the AP as a requirement for nuclear technology transfers or transfers of nuclear equipment.

The NAM’s rejection of multinational approaches to the nuclear fuel cycle (MNA) and related international nuclear fuel bank proposals did not necessarily translate to countries wanting to

¹³ Annual Press Briefing by the Minister for Foreign Affairs of the Republic of Indonesia, H.E. Dr R.M. Marty M. Natalegawa, “Indonesia and the World 2010”, 8 January 2010, www.deplu.go.id.

develop their own enrichment programs. Some NAM members who have objected to MNAs could well have done so to keep the option open down the road, or as in the case of Iran, to defend their operating enrichment programs. Other NAM countries like South Africa and Nigeria, who possess large supplies of natural uranium reserves, would also not have wanted to see their path of value-added enrichment be denied. However, most NAM countries would likely choose not to enrich their own nuclear fuel, as it does not make much economic sense. NAM states seeking nuclear power now or in the future would also benefit from the supply guarantees that MNAs provide. MNAs may prove a slippery conceptual slope potentially compromising nuclear sovereignty, but in practice they make less of a difference to those NAM states that have little interest in enrichment or reprocessing.

As the implementation of the Additional Protocol and efforts to multilateralize the nuclear fuel cycle have shown, the adoption of such measures are much easier when they not presented as binding commitments. Subsequent assurances that MNAs will not detract from a state's rights and renewed emphasis on the voluntary nature of forgoing enrichment and reprocessing capabilities, have helped rein in opposition from within the NAM on these principled grounds.¹⁴ For instance, the initiatives to establish nuclear fuel banks promoted by the United States and the United Kingdom resulted in final NAM votes that were either in favor or abstention despite the criticisms against these initiatives. In the case of the AP and MNAs, the flexibility in incorporating some NAM concerns had moved the process forward. Understanding the difference between what should be done and what can be done can slowly build consensus and establish the norms needed to accustom countries to gradual change.

However, there is a down side to accepting voluntary enforcement of stronger non-proliferation measures. This is particularly evident for countries like Argentina, Brazil, Egypt, and Syria, who have significant nuclear activities and still continue to refuse to adopt the Additional Protocol. Keeping the option to forgo nuclear enrichment and reprocessing as a voluntary measure also leaves the door open for states to pursue an indigenous nuclear fuel cycle. These issues remain serious obstacles that have not proven to be immediately resolvable.¹⁵ Over the longer term, investing in the development of alternative options for NAM states – such as promoting regional MNAs to build confidence and developing proliferation-resistant technologies for the next generation of nuclear reactors – could be a more effective manner of addressing proliferation concerns.

Complementing Competing Priorities

While the NAM considers non-proliferation efforts a lesser priority, this need not be inconsistent with stronger verification measures. Their implementation must offer developing countries some form of accrued benefits in line with their interests. Under such circumstances,

¹⁴ NAM advocates were in a position to carry the wider NAM membership to resist progress made on MNAs for a few years. Ultimately, the dilemma within NAM split the NAM votes - either in favour or abstention, when the issue of creating an international nuclear fuel bank under IAEA auspices was brought to a vote before the IAEA Board of Governors in December 2010.

¹⁵ For a comprehensive review of these issues in the Nuclear Suppliers' Group context, see Fred McGoldrick, "Limiting Transfers of Enrichment and Reprocessing Technology: Issues, Constraints, Options" (Cambridge, Mass.: Project on Managing the Atom, May 2011).

NAM states could choose to align their nuclear policies with stronger safeguards standards. As more developing countries seek to develop nuclear power for the first time, it has proven expedient for several of these newcomer countries to forge partnerships with nuclear technology holders and abide by the required stringent non-proliferation requirements¹⁶.

Recognizing the necessity of addressing NAM priorities can also be useful for the developed world. At the IAEA, developing countries prioritize technical cooperation (TC) activities as they are the chief beneficiaries. Countries can be encouraged to benefit from increasing technical cooperation largess if they understand that stronger national nuclear verification measures should also be put in place. This is not a particularly new nor surprising idea as both the developed and developing countries at the IAEA have benefitted from ‘trade-offs’ between nuclear verification and TC activities. What it means is that support for TC activities by the United States and other developed countries can help developing countries implement the right nuclear policies and benefit from peaceful uses of nuclear energy. It also means careful monitoring of TC activities that support purely peaceful uses.

As the largest contributor to the IAEA’s TC funds, the United States’ has shown that peaceful uses of nuclear energy are consistent with American priorities. In 2010, the United States provided an additional commitment of \$50 million over five years to support projects in developing countries that include nuclear applications for water resource management, human health, food security and nuclear power infrastructure development. NAM member states have not recognized the merit of these contributions sufficiently. This can only end up hurting efforts within the United States that emphasize promotion of peaceful nuclear assistance alongside stronger nuclear non-proliferation measures.

Implications of an Iranian NAM Chairmanship

Placing NAM intransigence in perspective would help the international community gauge the degree of support from NAM members under an Iranian NAM Chairmanship from 2012 to 2015. If Iran were to maintain its past actions within the NAM, it will likely attempt to steer the organization based on an anti-American and anti-Western agenda. Under such a scenario, an Iranian Chairmanship could ironically force more NAM countries to limit their cooperation on NAM positions, should Iran press for stronger and more concrete NAM support. NAM members that do not want to be forced into a situation that compromises their margins of maneuverability and autonomy will likely abstain or reject adopting more extreme positions outright.

How Iran decides to proceed with its nuclear program will also have a significant bearing on the dynamics within the NAM Vienna Chapter. The NAM’s support for Iran, which had been more forthcoming during the initial period when Iran’s nuclear dossier was addressed at the IAEA, has faced increasing strain over the years as the country continues to ratchet up its uranium enrichment and disregarded IAEA and UN Security Council resolutions. Many NAM delegates

¹⁶ The current NAM states represented at the IAEA Board of Governors from 2010 to 2011 include: Cameroon, Chile, Ecuador, India, Jordan, Kenya, Niger, Pakistan, Peru, Singapore, South Africa, Tunisia, United Arab Emirates and Venezuela. Apart from India, Pakistan, and South Africa who already possess nuclear power, the remaining NAM Board members with the exception of Cameroon have expressed interest to seek nuclear power. Out of these, all with the exception of Venezuela and Cameroon, have signed and ratified the Additional Protocol.

have expressed concerns over the nature of Iran's nuclear program on the sidelines, evidence that NAM countries and the rest of the international community are much more aligned, than previously thought. NAM delegations have also increasingly called upon Iran to cooperate with the IAEA. Developing countries seeking nuclear power may also view support for stronger safeguards measures as beneficial as a means of distinguishing their own non-proliferation credentials under a more recalcitrant NAM Chairmanship.

Iran can also be expected to stymie discussions on stronger safeguards measures and to further politicize NAM positions. But it is unclear if this will impact ongoing NAM states' cooperation on non-proliferation. Maneuvers to heighten the acrimony between NAM members and developed countries could backfire on the wider NAM membership and produce the opposite results. However, a different scenario may prove to be the case for states in the Middle East. Faced with strategic and national security uncertainties and a possible future nuclear-armed Iran, some countries in the Middle East may seek to explore or develop their own (latent) nuclear weapons capabilities, based on their respective national security and related concerns. Under such circumstances, they ironically like Iran, would have an equal interest in advocating a minimalist-type nuclear verifications system. Further NWS commitments towards nuclear disarmament may not be sufficient or relevant in such situations, if net security assurances cannot be given to these countries. Progress toward the creation of a WMD-free zone in the Middle East under such a scenario will remain frozen at its still-born stage.

As the effects of the socio-political turmoil within the Middle East continue to unfold in the near future, it also remains unclear whether certain countries will choose to limit their alignment with the United States. They may choose to do so in the face of changing regional dynamics, or decrease their over-reliance on American protection as a hedge against further dependence or abandonment. This would in turn reduce the influence the United States has shown thus far in determining the non-proliferation calculation of these states. The situation in the Middle East merits exceptional scrutiny as it continues to challenge the building of a more proliferation-resistant global nuclear order. Much more research will be needed to better elucidate the nuclear non-proliferation directions of these states. What remains clear is that a multi-nuclear Middle East will present an alarming scenario and signal collapse of the nuclear non-proliferation treaty.

Diplomacy and Outreach

A broader understanding of the NAM reveals that its members' actions are not dictated by NAM positions. On the contrary, NAM states have shown that additional non-proliferation obligations can and have been adopted based on their own national interest calculations, regardless of the sympathies they may share on NAM's principled positions concerning nuclear rights and fairness. President Obama's shift towards a stronger multilateral approach and commitment to reducing the size of nuclear arsenals may have done little to sway 'NAM spoilers' who continue to question the adequacy of addressing the NPT's balance between NWS and NNWS commitments. But the United States' initiative has provided greater legitimacy for NAM members to seek a more balanced approach on nuclear issues and serves as an incentive to encourage NAM states looking to reassess their positions within the Movement.

Acknowledging that the NAM comprises a diverse set of countries with different outlooks and approaches to nuclear non-proliferation issues will provide others the opportunity to expand the scope of diplomatic engagement between NAM and non-NAM countries. If NAM members' respective actions can be understood as the result of a cost-benefit analysis, the right mixture of incentives and promotion of mutual interests can narrow the gap on nuclear cooperation. NAM states may not necessarily attach the same intrinsic value to more robust nuclear verification measures, but they can be persuaded to be flexible, even in absorbing certain costs, if it is in their interest to do so. As the discussion of the Additional Protocol proves, NAM states' resistance to it becoming part of the standard for international safeguards has not stopped them from signing up to the AP for their own individual reasons.

On the flip side, efforts to heighten the disincentives to acquire nuclear weapons should remain a central focus. The resilience of the NPT regime, the effective prevention of a state's latent nuclear weapons capability acquisition, coupled with meaningful steps towards global disarmament and the NNWS' means of curtailing the acquisition of sensitive nuclear technologies - all of these lend credibility to the view that 'nuclear renaissance' must not be accompanied by heightened proliferation risks. With more developing countries seeking or expanding their nuclear power capacities, their role in shaping the future of the global nuclear order remains to be seen.

Key developing countries that choose to support rather than weaken the nuclear non-proliferation regime have a crucial responsibility in shaping the future nuclear order. Along the way, NAM states can be expected to continue to try to maximize the commitments they receive from major powers, while they will attempt to make only minimal compromises if these curtail their nuclear rights. In this sense, NAM positions will continue to complicate nuclear non-proliferation discussions and produce on-going debates on the boundaries around nuclear rights and sovereignty. However, this should not be confused with an arbitrary rejection of stronger non-proliferation efforts by all NAM members.

Given the above scenarios, diplomacy with its outreach capacities and negotiated flexibility must be the tool of choice. NAM countries' decisions to sign up to stronger non-proliferation measures are not made in a vacuum. Other international actors must continue to underscore the 'costliness' of seeking nuclear armament. This can best be achieved if developed countries understand which aspects of NAM positions address deeper concerns that go beyond the normative arguments the organization makes.

The caucused NAM positions taken at various UN settings in Vienna that do not necessarily reflect NAM members' actions reinforce the importance of intensifying diplomatic engagement. At the same time, the lack of cohesion within the NAM beyond supporting NAM principles and statements is unlikely to advance real change, unless developing countries can be persuaded to do so. Building support for such arrangements with a finite amount of resources and ability to fully address the diverse concerns of NAM states remains a work in progress. In other instances, where NAM states could be convinced to accept stronger verification measures, these states may face obstacles to proper implementation. Continued engagement and sustained assistance, including support to establish the appropriate institutions and enact the necessary laws are required to keep countries focused on the job.

Conclusions

Cleaving to principled and intractable negotiating positions may prove tempting for NAM key players as a means of drawing attention to themselves and enhancing their bargaining leverage in the short term. But continuing on an intransigent path can also undermine their leadership role within an increasingly disarrayed NAM. Holding out against non-proliferation measures could in reality offer low returns. Key players may command the rhetoric coming from the Movement, but they do not exercise control over the choices made by the wider NAM membership participating in global efforts to control nuclear proliferation. They often remain guided by broader considerations discussed above. And while NAM resistance to implementing stronger verification measures exists, this needs to be placed in perspective, given that NAM members are heterogeneous and have different foreign policy calculations from one another when implementing nuclear policies.

The NAM Vienna Chapter can be expected to continue its opposition to stronger verification measures. North-South acrimony can be expected to heighten under Iran's NAM Chairmanship. But a hardened NAM position under a future Iranian NAM Chairmanship does not necessarily translate into stronger opposition to taking on added non-proliferation obligations. If NAM members can be persuaded that it is in their own interest to do so, along with the necessary support provided, they will likely accept these obligations. Conversely, continued NAM inflexibility and the resulting limited returns in engaging in a game of diplomatic stalemate could end up prompting more NAM countries to question the productivity and long-term soundness of such a strategy, resulting in further breakaways from NAM positions.

NAM positions have not served as the overriding factor in influencing or explaining developing countries' decisions to implement additional non-proliferation obligations. This suggests the need to calibrate the weight attached to NAM positions of intransigence, and to divorce its rhetorical posturing from action. Placing the various attitudes and motivations within the NAM in perspective is also an important step to help reduce the pessimism generated by NAM's polarized positions on nuclear non-proliferation matters.

Ultimately, states cannot be forced to adhere to stronger non-proliferation options. At the same time, failure of the NPT is also not in anyone's interest. Diplomatic outreach and a clear understanding of NAM can help sharpen the substantive differences, as opposed to those that can be overcome. Given the divergence of views on the future global nuclear order and its accompanying nuclear rights, a robust engagement through diplomacy to creatively narrow the divide among key stake-holders of the developed and developing world to construct new shared understandings will help determine and nature of the spread of nuclear energy use.

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