

Presentation

by

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Paris



No weapon yet produced has a comparable romantic appeal

RAF Chief Scientist RV Jones

After the V-2 rockets fell on London in 1944, the first case of ballistic missile attack



Ballistic Missiles
in the
UN context



HCOOC: Past, Present, Future

Structure of Presentation

- *Introduction*
- **Contextualizing....**
- **About HCOC**
- **Difficulties, Limitations etc.**
- **Future**
- *Conclusion*

The Threat

- Proliferation of weapons of mass destruction and their means of delivery has happened and may happen in the future too
- Delivery systems constitutes of land, sea and air/space based systems
- The major threat is envisaged from Ballistic Missiles

The Issue

- BM proliferation and WMD proliferation go hand-in-hand
- **BM: Central element in the military arsenals of nations around the globe**
- BM can deliver WMDs to densely populated areas

Security Dilemma

- Defence against BM is extremely difficult
- States view possession of BM as a counter to BM threat
- Offer prestige, coercive diplomacy and deterrence

The Problem

- BM are considered as ineffective strike weapons but with the nuclear warhead...
- Proliferation of technology remains a grey area
- Missile norms remain the most chronically under-developed of all the international arrangements surrounding WMD

The Requirement

- WMDs are unlawful (!) But BM per say are not....so...
- Argued that 'what is required is stigmatization of missiles'
- A Zero Ballistic Missile (ZBM) regime
- Middle path could be to establish 'rules of the road' through a Code of Conduct

The Efforts...



- MTCR, 1987, 34 member countries established in response WMD proliferation
- The aim is to maintain vigilance over transfer of missile equipment, material & related technologies usable for systems capable of delivering WMD
- National export licensing efforts

MTCR: Gray Areas

- Not all missile producing countries are members
- Different interpretations by states
- Proliferation record to member states...
- Agreements are made at international level but export laws are implemented at national level

The Approach...

- The overall approach has been to develop a second line of defence in regard to nuclear proliferation
- Should a state succeeds in evading international controls & defy international norms on nuclear weaponsmake it also difficult to obtain a delivery system
- Purpose has never been the ***control of missiles*** as an independent system

A Soft Law

- **HCOC:** A stand-alone regime against ballistic missile proliferation, 130 signatories
- Brought into effect in **November 2002:** Has earned respect as a soft but effective law
- Voluntary in nature, no penalties for non-compliance

The UN Endorsement

- A multilateral code not negotiated in the context of UN system
- Resolution regarding HCOC tabled during 59th /60th /63rd meetings of UN General Assembly
- UN adopted on Dec 3, 2004 resolution
- On Dec 8, 2005 158 countries voted in favor

HCOC: What is it?

- General Measures-Follow various space treaties/conventions like OST, Moon, Liability for damage, Registration of objects
- To curb and prevent proliferation of BM
- To exercise restraint in development, testing and deployment of BM
- Be careful in assistance of SLV programmes
- BM assistance to states having WMD interests

In regard to BM Programmes...

- Make annual declarations providing outline of BM policies
- Annual info on last years launch data and pre launch notifications
- Subscribing states on voluntary basis develop additional bilateral/regional transparency measures in addition to above
- Regular meetings, working on code etc.

What HCOC Means?

- Is the only normative to verify the spread of BM
- The code does not call destruction of any missiles
- It is an agreement amongst the states on conduct of their trades in missiles

Verification & Compliance

- The code is advisory in nature
- No inspection regime, no sanctions
- More of a politically binding document-aim is to undertake limited measures
- Supplements MTRC



The Journey

- Increase in members from 80+ to 130
- Every year annual meetings are held
- 2004-name changed from ICOC to HCOC
- Outreach seminars /expert workshops
- Working towards real time information sharing module –involving IT tools



Who has Chaired the HCOC

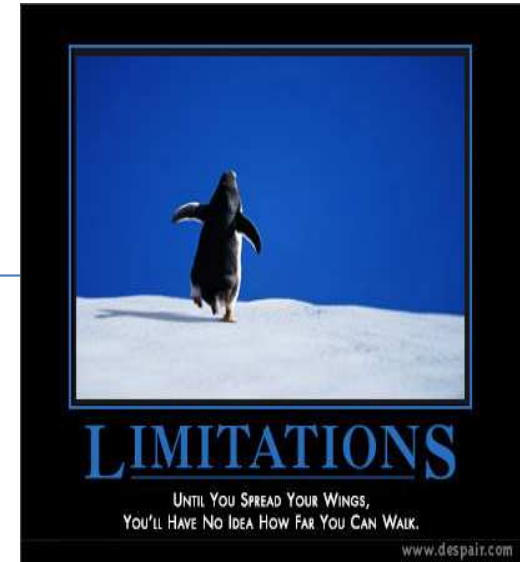
- 2002-2003 The Netherlands
- 2003-2004 Chile
- 2004-2005 Chile
- 2005-2006 The Philippines
- 2006-2007 Morocco
- 2007-2008 Bosnia and Herzegovina
- 2008-2009 Hungary
- 2009-2010 Costa Rica
- 2011 – 2012 France

MTCR & HCOC: *Baggage* Problem

- HCOC-origins of birth in MTRC?
- Not formally negotiated at the UN...
- MTCR: The basic purpose is to make NPT more effective....how about HCOC?
- What is more important: more no of governments should sign or to have a legally binding mechanism

Limitations

- Text of the HCOC remains provisional
- Voluntary in nature, no penalties for non-compliance
- No non-member of MTCR with significant missile capability has signed
- Cruise missiles....



NMD



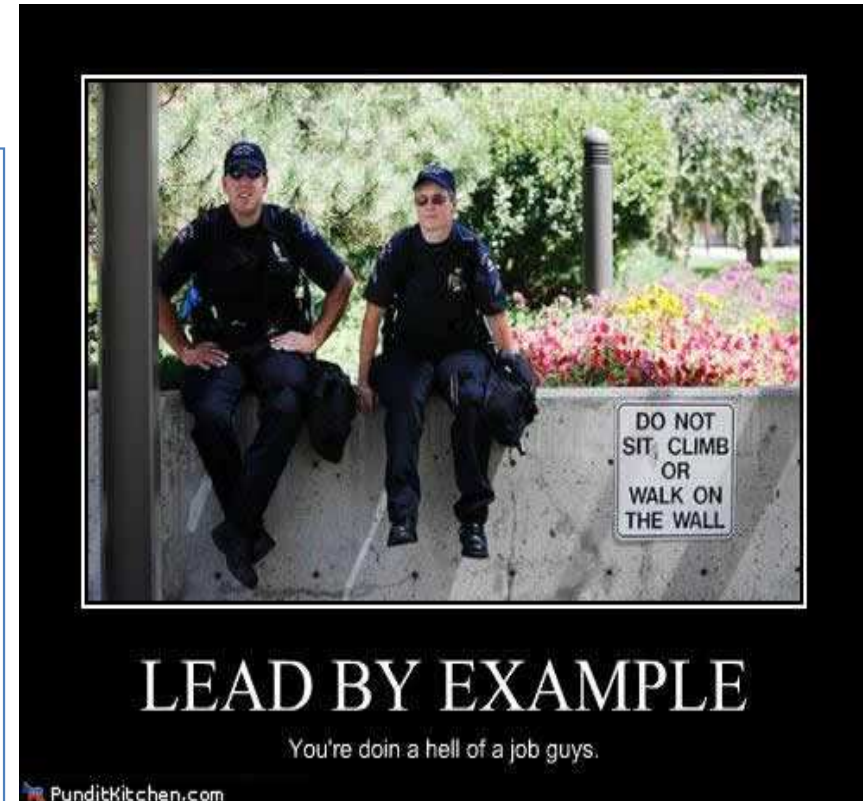
- Missile defence- using poison to kill poison
...likely to increase importance of BM
- Technology is evolving-danger of accidents during experimentation and testing
- Further development in NMD technologies – need to monitor

Missile Defence growth will happen

- US & Poland signed modified missile shield deal on Jul 03, 2010. Stationing of a US land-based SM-3 missile defence interceptor system in Poland
- Luckily this **new plan is based on existing technology** (*project agreed by Bush administration was based on untested missile technologies*)
- HCOC need to monitor and question its members on such issues

Lead By Example!

- Russia halts missile launch (pre-launch) notices (*it was a one year bag in 2008 but...*). It had began providing them in 2004
- Other participants including the US, also are not fully implementing their commitments
- May 2010: The US has agreed to notify



Space Activities



- States should not be excluded from utilizing the benefits of space for peaceful purposes, but while doing this **they must not contribute to the proliferation of ballistic missiles**
- Necessity of appropriate **transparency measures** on Ballistic Missile programmes and Space Launch Vehicle programmes

New age fears...

- Threats are increasing
- Asymmetric warfare
- States may come in the deterrence trap (are threats becoming non-deterrable???)
- Nuclear weapons may lose its sheen but space weapons may overtake

Could be done...

- CoC to cover cruise missiles
- Look beyond WMD & missile relationship
- Campaign against Missile defence systems
- Address issues related to OST
- Missile behavior is a symptom (*possession is the disease*) , should HCOC have some provisions...

Conclusion

- Unconstrained proliferation of missiles is a threat to regional & international stability
- At a macro level HCOC contributes to the overall disarmament and non-proliferation process
- HCOC has made a place for its self need to continue the efforts
- Weaponisation of space needs to be factored in...
- Bow, Arrows and Nuclear Weapons....

Thank you