

WORLD NUCLEAR ENERGY

Toward a Bargain of Confidence

Edited by
IAN SMART

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**(Toward a Bargain
of Confidence)**

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World Nuclear Energy

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1

Introduction

Ian Smart

An introduction to this somewhat unusual book has to explain not only what the papers in it contain but also how and why they came to be written, for this particular collection of papers about international nuclear policy issues cannot be fully understood outside the context of its origin.

No one has ever doubted the technical difficulty of exploiting nuclear energy. No one has ever been unaware of the challenge its use presents to those concerned with policy at the local or national level: to men and women in government, but also to ordinary citizens. By 1976, however, some of us who had been involved in one aspect or another of those issues found ourselves increasingly worried also about what we saw as a growing danger of international friction over the ways nuclear energy was being developed for civil use, and especially over the alleged relationship between civil nuclear power and nuclear weapons.

The Non-Proliferation Treaty (NPT), which came into force in 1970, had suggested to many that governments in the West, the East, and the Third World were on the way to establishing an agreed framework of effective rules for separating the atoms of peace from the atoms of war. It seemed that the group of only five countries that had already proved their possession of nuclear explosives might, after all, grow no larger, and that civil nuclear cooperation might meanwhile, on that basis, flourish in an atmosphere of international harmony. Sadly, the hope was short-lived. The problems that, in fact, remained in 1970 turned out to be of daunting proportions. They were increasingly complicated, moreover, by the progressive international diffusion of nuclear technology capable of serving either civil or military purposes. Finally, in 1974, the possible implication of failure to solve those problems was forcefully signaled when a sixth country, India, made and exploded a nuclear device.

Faced with a rising tide of evidence pointing to the enormous difficulty of regulating the spread of inherently ambiguous technology and materials,

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many governments, in countries at very different levels of nuclear development, began to question the adequacy or acceptability of existing international arrangements. "Supplier" countries in the industrial world, newly alarmed and suspicious about the use to which such technologies or materials might be put, sought, unilaterally or in concert, to reinforce the barriers to their uncontrolled dissemination. "Recipient" countries, not least in the Third World, found much to resent or fear in what they sometimes saw as an unjustifiable attempt to hinder their civil nuclear development. Thus, by 1976, when the issues of nuclear energy use and nuclear export policy emerged prominently in an American presidential election, the relations between countries engaged in nuclear trade or cooperation had already become increasingly fractious, and sometimes embittered.

The first of the conversations that led eventually to the establishment of the International Consultative Group on Nuclear Energy (ICGNE) took place at about that time between Mason Willrich, while he was still professor of law at the University of Virginia, and myself, while I was still director of studies at the Royal Institute of International Affairs. We both felt that the situation that had come about since 1974 entailed two risks of a kind that might not easily be addressed through formal intergovernmental channels. One was the obvious risk of growing political, as well as commercial, friction between nuclear exporters and importers — suppliers and recipients — especially where the division between them coincided with that between the industrial world of the "North" and the Third World of the "South." The other risk was the more general one that, because of the inhibitions that naturally characterize formal communication between governments, and because so many of the issues likely to affect future nuclear power use were sufficiently delicate or speculative to fall foul of those inhibitions, some prospective sources of serious international friction were unlikely to be explored quickly or effectively enough through official channels.

With the latter risk particularly in mind, we were persuaded that it might be helpful if there could be brought together, under nongovernmental auspices, a small group of people experienced in international nuclear relations, including both senior policymakers and independent observers, to address longer-term issues in that field in a less inhibited manner. Since it would necessarily draw upon experts from importing countries, including those in the Third World, as well as on nuclear suppliers, the group might also have some value as a vehicle for the frank discussion of reasons for, and possible responses to, the growing friction between those groups.

Our interest in the idea of such a group grew stronger as international nuclear relations deteriorated further. The adoption of a more restrictive policy on nuclear exports by the United States, first under President Ford and then under President Carter, was matched by tighter regulations on the part of other exporters of uranium or nuclear equipment and services. Importing countries were audibly unhappy about the effects. Moreover, exporting coun-

tries were by no means in complete agreement as to what should or should not be done. When President Carter, in April 1977, gave notice that his administration would seek to revise bilateral cooperation agreements to reflect its own opposition to separating and using plutonium, the critical international reaction was no more than the predictable expression of a wider malaise.

The great majority of governments continued to share a desire to prevent control of nuclear weapons from spreading to additional countries, as they also shared a general interest in securing for the world the peaceful benefits of nuclear power. Palpably, however, nations were increasingly at odds about the appropriate means to those separate ends and about the way they were to be reconciled. There was every reason, in those circumstances, to persist in the attempt to investigate those problems through the informal medium of a new international group of experts. Our plans were therefore pressed to fruition. The Rockefeller Foundation (to which Mason Willrich had moved to direct the International Relations Division) was willing to consider an application for funds, and the Royal Institute of International Affairs (from which I was preparing to depart) agreed in principle to act as the proposed group's cosponsor. The way was thus clear to issue preliminary invitations, in June 1977, to those who might form the ICGNE.

It required no great perspicacity in 1977 to see the need for a larger effort to understand and resolve international discord over nuclear energy development. Certainly the governments concerned were well aware of the costs and risks involved. It came as no surprise, therefore, when the United States government took the lead in launching, from October 1977, a broad intergovernmental assessment of the technical relationship between civil nuclear programs and nuclear weapons proliferation, in what was entitled the *International Nuclear Fuel Cycle Evaluation* (INFCE). By that time, plans for establishing the ICGNE had of course reached maturity. Clearly, however, the fact that governments had agreed to set up INFCE at about the same time raised a question about the sense of international deficiency that underlay the ICGNE concept.

On reflection, those in New York and London who had been planning the ICGNE enterprise were firm in the view that the proposal had lost none of its force as a result of government plans. Although motives for the two initiatives overlapped, and though some individuals might be involved in both exercises, their expected results were quite different. Three things stood out. First, the ICGNE would be predominantly concerned with political, rather than technical, issues, whereas INFCE was expressly to limit itself to technical assessment. Second, the ICGNE, partly because of its bias toward politics, would have a broader and longer perspective. Third, the ICGNE would be a small group of not more than twenty persons, meeting privately and speaking exclusively in their personal capacities, without any duty to represent states or national policy positions. Their deliberations could therefore expect to be less inhibited than those in a larger and more open government forum.

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A measure of incidental complementarity between the roles of INFCE and the ICGNE could not be excluded, but no conflict was seen. Nevertheless, it was prudent to submit that view to the judgment of those who would actually constitute the ICGNE. The formal invitations spoke, therefore, of an initial meeting "to evaluate our tentative plans for the Group's activity, before committing ourselves and those we are inviting to a longer programme of meetings." In the event, the unanimous opinion was that the ICGNE should be constituted for at least two years. On that basis, the Rockefeller Foundation agreed to provide the additional funds needed and to act formally, with the Royal Institute of International Affairs, as the group's sponsor.

The group invited to meet for the first time in London at the end of October 1977 had a broad but not unlimited purpose and a diverse but not unconstrained membership. The cosponsors had agreed at an early stage that, if useful results were to be obtained in a reasonable time, some limit would have to be placed on the ICGNE's agenda. The most important limit was that the group should not be expected to debate the intrinsic virtues and vices of nuclear power. Given that the aim was to focus on questions of international cooperation and conflict, it should rather assume that attempts to exploit nuclear power would occur in a growing number of countries and should concentrate on how such an expansion might be made internationally tolerable and harmonious. From that decision there flowed conclusions not only about the agenda but also about the group's composition. It became unnecessary, for instance, to include a complete spectrum of opinion on the inherent value of nuclear fission as a means of supplying energy. Arguments for and against nuclear power, in terms of cost, safety, environmental impact, and social effect, were familiar ground, and no one involved in the ICGNE was insensitive to their significance or to the sometimes delicate balance between them. But it was never intended that the ICGNE should conduct, still less resolve, arguments of that kind. Nor, therefore, was it necessary that its membership should embrace the diverse strands of opinion on those issues.

What was necessary was that the ICGNE's membership should be balanced in at least three other respects, all bearing on the central theme of international nuclear relations. It should include a range of views on the rate at which civil use of nuclear power could realistically be expanded in different parts of the world. It must also include a diversity of interests in civil nuclear activities and the nuclear fuel cycle: the supply and processing of nuclear raw materials, the design and operation of nuclear power plants, the regulation as well as the management of nuclear industries, and above all the conduct of international negotiations on nuclear energy and its control. Finally, it was essential that the ICGNE should include personally authoritative voices from a representative selection of regions and nations, covering suppliers and recipients and developing as well as industrialized states. When that last point was weighed against the earlier conclusion that not more than twenty persons