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ACHIEVING GREATER SECURITY THROUGH A NEW APPROACH IN APPLYING STRATEGY OF NONPROLIFERATION AND ARMS CONTROL: MACEDONIA IN CONTEXT

INTRODUCTION

The end of the Cold War had significantly decreased the threat of large scale nuclear war. However, the emergences of new non-state actors have seriously challenged nonproliferation and arms control regime. Arms control and nonproliferation efforts in general during the Cold War successfully prevented nuclear war. In addition although many believe that nonproliferation and strategic arms control regime will fail to prevent the expansion of nuclear states current reality seems to oppose these thoughts.

Inconsistent policies by permanent nuclear powers have proved to be dangerous example. Using this as an excuse some states have either abandon the nonproliferation regime or have begun unilateral interpretation of its provisions. Fragility of the nonproliferation regime should be also considered in the context of small states interest and the treats by modern terrorism. Therefore the article will examine the effects of globalization on nonproliferation and arms control regime, briefly address the effects from unilateralism and will look into possibility of Macedonia to become nuclear power and the consequences of such an attempt in the context of modern terrorism.

Key words: Nonproliferation, arms control, non-state actors, international relations, dual use of nuclear technology

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1. CHALLENGES TO ARMS CONTROL AND NONPROLIFERATION AFTER THE COLD WAR

One of the greatest challenges that post "Cold War reality" pose to the global peace and security arise from the potential use of weapons of mass destruction-WMD. Spread of globalization has created environment where deterrence is no longer guarantee to security in the context of WMD.

International law, was supposed to build frameworks for implementing nuclear arms control and nonproliferation. Treaty on the Non-Proliferation of Nuclear Weapons [1]; Limited Test Ban Treaty (LTBT) [2]; the 1959 Antarctic Treaty [3]; the 1967 Outer Space Treaty [4]; 1980 Convention on Physical Protection of Nuclear Material-(CPPNM) and the 1987 Intermediate-Range Nuclear Forces (INF) Treaty [5] are some of the documents which build the core of the international legislative efforts to stimulate nuclear nonproliferation and arms control. In addition to above mentioned legislative the post Cold War legislation has been further facilitated by several legal and political documents, as: the 2005 Nuclear Terrorism Convention and United Nations Security Council (UNSC) Resolutions 1373 and 1540, the 1994 Convention on Nuclear Safety, the 1997 Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, and the recent 2005 Convention on Assistance in the Case of Nuclear Accident or Radiological Emergency 2005. Nevertheless all of these documents are only mandatory for the states.

Many had questioned capacities of the Cold War legislation and policy to deal with nuclear powers and maintain peace and security. Even though the adopted agreements have many deficits it seems that international environment perfectly managed nuclear dialog. Mutual assured destruction has prevented superpowers to unleash apocalyptic weapons and has preserved peace. In fact deterrence as the ultimate goal of nuclear arms control became common wisdom. Early assumptions, by some critics held that NPT will not prevent proliferation and that around 30 countries will become nuclear powers. On a contrary since 1970, from five the circle of nuclear powers has enlarged slightly to eight or probably nine (if one considers North Korea as a Nuclear Power).

Tectonic shift after the Cold War has dismantled previous World Order. Globalization supported by technological development has spilled all over the societies. As a result new systems and services that they provide have emerged. These systems and services are interlinked interconnected and go beyond national borders. Many of them are owned by private corporations whose interest is profit not security driven. The ten largest companies in the world for example, have an annual turnover larger than the GDP of most of the UN members [6]. As a result, to some

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extent, states have lost ability to attribute its power to private corporations.

Forces of globalization have stimulated the growth of economies and encouraged cultural exchange throughout the world after the Cold War. Fukuyama argues that process of globalization stimulates democracy and opened new possibilities and realities, thus making the states sufficiently aware of destructive forces of war [7].

The effects of globalization have given unimagined power to non-state actors. Information about the manufacture and use of all types of weapons of mass destruction has become widely available through the Internet and other channels. Emergence of new non-state actors like Al Qaeda and Its Associated Movements-AQAM and their decisive search for WMD creates the horror in the age of globalization among other from legal challenges posed by existing nuclear regime legislation and different stakeholders' interest.

Traditionally, private actors were objects, not subjects of international politics and law. States, or groups of states acting through international institutions, might try to regulate their behavior, but the private groups had little responsibility for setting norms [8].

In this context it could be argued that post 9/11 approaches have made serious efforts to overcome some of the legal challenges regarding nuclear nonproliferation and arms control. Both UNSC resolutions 1373 and 1540 and the Code of Conduct on the safety and security of radioactive sources are essential instruments, developed primarily to address challenges posed by non-state actors. Accordingly they create a framework to prevent, detect, and respond to malicious acts involving nuclear and other radioactive material and facilities. Furthermore 90 states have expressed commitment to put in place safety and security infrastructure and measures to control radioactive sources effectively.

2. DIFFERENT STAKEHOLDER'S INTEREST AND UNILATERALIZSM AS A CHALLENGE TO IMPLAMENTATION OF EFFECTIVE NUCLEAR ARMS CONTROL AND NONPROLIFERATION LEGAL REGIMES AFTER THE COLD WAR

Beside legal challenges effective implementation of nuclear arms control and nonproliferation regime is under serious challenge of different stakeholders' interest. Much of the infrastructure of the modern systems and services that they provide has not being matched by modern security considerations. Mainly cost-reduction and efficiency are primary concerns for private corporation's owners.

Additional challenges come from the AQAM's interest to employ internet for their activities. This fact in the context of advanced

technological protection of nuclear facilities has so far raised serious concern for two reasons.

First, non-state actors have demonstrated their online capabilities to limit and potentially overtake the control of nuclear facilities. The 2002 incident caused by "slammer" worm in the context of AQAM's dedication to cyber-terrorism and use of WMD confirms this thesis. As it was launched on internet, "the slammer" doubled in size every 8.5 seconds and infected more than 90 % of vulnerable hosts within 10 minutes. The worm was also released at a nuclear power plant in Ohio, USA and took command of the SCADA system causing operators to lose control for around six hours [9].

Second, public authorities have already made complains about cooperation with private stakeholders' social and security responsibility. In his testimony Richard D.Pethia, claimed that…"Developers are not devoting sufficient effort to apply lessons learned about the sources of vulnerabilities....We continue to see the same types of vulnerabilities in newer versions of products that we saw in earlier versions. Technology evolves so rapidly that vendors concentrate on time to market, often minimizing that time by placing a low priority on security features. Their customers demand products that are more secure..[10].

Beside this top-down issues in nuclear arms control and nonproliferation, evaporation of deterrence strategy in the post "Cold War" reality have caused some states to shift toward unilateral decisions.

Thus in the age of modern terrorism and globalization, one of the most important issues facing the non-proliferation regime is, how to deal with a determined proliferators.

Concerning the unilateralism as a challenge to nuclear nonproliferation and arms control, we should mention:

-   The US radical policy shift to unilateralism which came in again when US has latently recognized India as nuclear power out of the restriction by the NPT and caused many issues and potential consequences. In short, as it was observed, "…if the exceptions are so severe that the general rule-making that guides others is weakened, then there is a net nonproliferation loss" [11]. Critics argue that this unilateral US policy has downplayed WMD threats, and have opened the Pandora box for other nations to afford to do so [12].

-   The North Korea, aware that cannot become a "de jure" nuclear power under the restrictive provisions of the Nuclear Non-Proliferation Act, decided to act unilaterally. According to these views North Korea "wants to be treated like India and Pakistan: a declared nuclear weapon state existing outside the NPT" [13].

Some argue that decision for unilateralism was generally designed to enhance the military's visibility and prestige in the domestic policy.

-   Iran has also decided to act unilaterally. Iran claims that under the NPT regime it has right to develop nuclear energy. The problem with Iran

claims is not that NPT doesn't allowed development of nuclear energy. We should mention some of the issues:

First, the technology for producing nuclear energy in Iranian way is the same as the technology for producing nuclear weapons [14].

Second, Iranians built their enrichment facility secretly opposite of the Article III from the NPT. Third, concerning the article X of the NPT the shortfalls allowed the country to produce nuclear energy and become a nuclear state.

The outcome of Iran's pursuit of technologies will have a major impact on the future of the regime and thus on international security [15].

3. REGIONAL POLICIES AND POTENTIONAL MACEDONIAN NUCLEAR PROGRAM IN THE CONTEXT OF NONPROLIFERATION POLICIES AND THREATS FROM MODERN TERRORISM

One of the greatest Macedonian issue "energy deficiencies" has urged the interest of than newly elected Macedonian political elite to solve. The idea for nucler energy in Macedonia has its legacy back in the former Yugoslavia, where authorities at that time had planned to build several nuclear reactors. Although the project was ambitious only Krsko (Slovenia) became a true story. However, several years ago, experts and current political elite has begun to re-think the idea of building nuclear power plant.

The serious approach of the recent Government toward consideration of future nuclear power plant confirms 2009 estimates while preparation of the Macedonian energy strategy. There were three courses of action. First course of action was to build 1000 MW nuclear power plant. Second course was to build three thermal power plants with the 300MW/each. The third course of action was to co-invest in Bulgaria's "Belane" nuclear power plant [16].

The estimates were costly. For the first course of action estimates were that it would cost over 5 billion Euros. For the second course of action estimates were that it would cost around 4 billion Euros. And for third one Macedonia initially would have participated with 300 million Euros [17].

Although the NPT stimulates states to pursue nuclear energy, the EU and U.S. will unlikely support this decision. EU dominated by German view will give its best to persuade the Government to give up the program largely due to the radical shift that took place in Germany and some other EU member after the Japan accident. The U.S. on the other hand will be unwilling to support this project since this will open the door for potential threats in the context of modern terrorism. However, one could argue that Government will have little consent to comply with these

requirements especially after as it is largely perceived by the common Macedonian people, recent inconsistent policies by Western powers [18].

The absurd situation with the name issue has especially oiled the fire after the International Court of Justice verdict that has destroyed Greek argument about the name issue in the context of Macedonian Euro-Atlantic integration. Bounded by solidarity, EU and NATO members still support Greece in its efforts to prevent Macedonia entering EU and NATO. Although largely supported on bilateral levels Government has no choice but to seek alternatives.

It seems that nuclear power plant will give more credit for the small country. Beside economic this will include political consideration too. However, regarding the current economic capacities it is hardly to believe that Macedonia alone will have power to success in this potential scenario. And here lies the problem.

Left outside the box, Macedonian leadership could seek partnership willing in to support the program. Turkey and Russia are potential partners. Both of them have specific requirements and interest for this partnership. If EU continues to act in conventional Cold War wisdom from position that it has all the aces on the table, although it is unlikely but is not excluded, might contribute to polarize the situation. As we have discussed above globalization has much more to offer than Cold War stability based on balance of power.

Turkey also rejected from the EU by double standards policy, has seriously begun to dominate in the Region in several areas. Beside its popular presence and traditional military support (especially for Macedonian Armed Forces), Turkey has started to invest largely in the Region. Since both countries share the same issue of perception potential agreement toward nuclear power plant will likely exclude European policy influence.

Russia is growing stronger and is willing to expand its dominance. Additionally, Russia has already established as "gas hegemony" in the Region. Thus instead NATO to surround Russia and have it as controlled credible partner if the trend of inconsistencies continues it could potentially lead to the opposite [19].

With Greece on its knees due to financial crisis, fragile Kosovo and Bosnia situation and the without integrated Western Balkans, EU should reconsider the worst case scenario of potential polarization [20]. This scenario is also alarming in the context of current security analyses over the rapid penetration of Islamic extremists in the remote-pockets of Macedonia, Kosovo, Sandzak and Bosnia [21].

Up to know, there is no evidence of major AQAM attempt or attack to SEE critical infrastructure. However, evidence of individuals from SEE countries involved in major AQAM terrorist attacks around the globe rise serious concerns for SEE security. For example a 2003 Defense & Foreign Affairs report claims that Hussein Zivalj, former Bosnian

Ambassador to the UN, has connections with the broader planning process of 9/11 [22] As Dliso argues, "…Bosnian ties to the 2003 Madrid train bombing and the failed attempt on the Pope's funeral by Bosnia-based radicals in April 2005, to the arrest of a Kosovo Albanian in connection with the London terror plots three months later, and the Bosnia youth arrests in November…" [23].

The practice have shown that cautious political approach from the EU and US policy toward Balkan is more than necessary. Western rhetoric of human rights, democracy, and multicultural tolerance in the Balkans is a religion in itself. Islamic groups have cleverly using it against local societies and, by default, their Western sponsors. The EU and U.S., referencing human rights concerns, have unintentionally urged SEE governments to legalize religious denominations. Under these demands sects like the Wahhabis groups that have no historical ties to the region and that could pose a terrorism threat have largely dominated SEE's Muslim communities. Nevertheless one should not make direct accusation to the West about Wahhabis proliferation in SEE. West has never agitated for this. Instead transition, democratic inexperience and social instability and have created the vacuum that Wahhabists have started to fulfill [24].

Potential nuclear facilities without cautious policy approach might further complicate the situation. Many believe that radioactive material that can be obtained with ease is particularly attractive weapon to terrorists. Two sources of radiological material suitable for terrorism involving such a weapon are military stockpiles and spent fuel from nuclear power plants [25], [26]. Although the supposed scenario does not cheer for military option spent fuel from potential nuclear power plant is scary option.

As we have claimed this option is unlikely to happen but is not excluded. Macedonian Government has not officially excluded nuclear energy option. The analyses shows that even if the worst case scenario (the Government decides to abandon its Euro-Atlantic agenda) is not possible, potential nuclear Macedonia in the context of modern terrorism require careful approach. In short in wake of financial and energy crisis, inconsistent and as perceived by Macedonians unfair policies is yet another challenge to nonproliferation and arms control regime.

CONCLUSION

Nonproliferation and arms control regime is under serious challenge. The globalization have made regime's shortfalls "Achilles heel" in the context of non-state actors with the global and apocalyptic goal and unpredictable regimes.

The short analyses of the new "world order" and the "policy of exception" also proved that polices that were tolerable during the Cold

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War in the context of nonproliferation and arms control regime should be seriously reconsidered.

Describing security trends in globalization, a holistic Strategic management model for Critical information infrastructure treats and risk management is needed [27]. Therefore, in order to survive nonproliferation and arms control policy need comprehensive approach not a sort vision one. This approach in addition should reconsider wider enforcement mechanism that current regime is lacking. Considering how dangerous nuclear weapon could be in the hands of lunatics it will not be exaggeration if one suggest on side ready forces to prevent any unauthorized business in this area. Finally no matter how idealistic this proposal might sound without such pushes it would be fair to expect more nuclear-armed countries and even worst nuclear equipped unreliable leaders.

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3. Treaty that prohibits military bases, maneuvers, and tests on the Antarctic Continent.

4. A veto on the testing or deployment of "weapons of mass destruction" in Earth's orbit or on other bodies in the solar system.

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