

*Civil society perspectives on the First session of the Preparatory Committee for the 2010 Review Conference of the Nuclear Non-Proliferation Treaty, April 30-May 11, 2007*

## Business as Usual? A SWOT at the Prepcom

*Susi Snyder, Women's International League for Peace and Freedom*

Still unable to reach consensus on the proposed agenda, substantive debates at this PrepCom are postponed until 3 PM today. Instead of moving directly into the focused disarmament discussions, as outlined in the indicative timetable, Chairman Amano will conduct "intensive consultations" with states and regional groupings, seeking consensus on the proposed agenda.

Iran is continuing to block consensus because it objects to the inclusion of "reaffirming the need for full compliance with the Treaty" in the proposed agenda. While the Non-Aligned Movement (NAM) has not publicly distanced itself from its Iranian member, Iran, and Iran alone, is blocking agreement and thus movement forward.

In order to avoid the infamous procedural nightmare that mired the 2005 Review, perhaps diplomacy can take a cue from the private sector, whose emphasis on efficiency and productivity may be as foreign as possible to those of us in the political world.

In the business world, there is a managerial analysis called SWOT, whereby management assesses the strengths, weaknesses, opportunities, and threats that arise in any process. In order for Iran—and all states parties for that matter—to more effectively exercise the art of the practical, such a SWOT analysis could be a useful tool to assess where we are and provide insight on how to move forward.

There are several **strengths** with which we can work, derived from both the international political climate as well as this specific PrepCom. These include: an agenda that includes both the 1995 resolution on the Middle East and the 2000 outcome document; a strengthened and renewed New Agenda Coalition; an active and evolving Non-Aligned Movement; a relatively congenial and constructive approach by the United States, demonstrated in their recent compromise in the Conference on Disarmament and their willingness to work with an NPT agenda including 1995 and 2000; the recent positive tones and movement in the CD; and the recent success of the heretofore stalled UN Disarmament Commission, which concluded last week with a working paper that contained

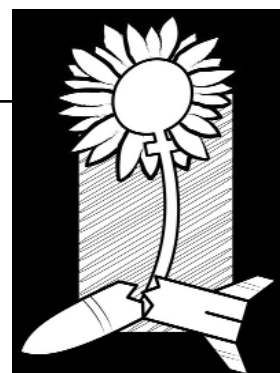
ten fundamental principles for the implementation of nuclear disarmament and non-proliferation.

These strengths are accompanied by several **weaknesses**, the utmost of which is the current failure to adopt an agenda. It is unfair and manipulative for Iran to object to the agenda at the last minute, after months of intensive consultations. We are plagued by other relevant weaknesses as well, including that the CTBT has not yet entered into force, continued vertical proliferation by the nuclear weapon states, the struggle to bring the DPRK back into the NPT fold, and other such oft-cited predicaments.

Despite these problems, there exist several **opportunities** which must be seized. Chairman Amano's agenda gives the chance to assess compliance in all its aspects—an opportunity that the Iranians have yet to recognize in the very wording they oppose. While they see the reference in the agenda to "full compliance" as an invitation for states to heap criticism on their nuclear programme, they should also see it as an opportunity to address compliance with Articles VI, IV, the 1995 resolution on the Middle East, the 13 steps, and the other elements that make the NPT the cornerstone of our international security regime. By seizing such an opportunity—rather than squelching it in a purely defensive posture—all states can work to set a framework for 2010 and begin to build the consensus necessary for a strong, balanced, and progressive outcome document.

If states do not recognize our strengths, mitigate our weaknesses, or seize our opportunities, they risk increasing the **threats** to our security—including further treaty outbreaks, a cascade of proliferation and, ultimately, the potential collapse of the entire disarmament and non-proliferation regime and a global security structure based on cooperation and the rule of law.

The longer we delay, the less time there will be for talking about nuclear disarmament. We expect all states to find a way to agree at 3pm today to get back to the substantive work we came here to do. The world needs this PrepCom and this review cycle to assess and ensure compliance with the non-proliferation and disarmament obligations enshrined in the Treaty, and avoid the business as usual that has characterized disarmament machinery for the last several years.



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## The U.S.-Indian Nuclear Deal: Round II

Daryl G. Kimball, Arms Control Association

The nuclear Nonproliferation Treaty (NPT) faces enough difficulties without the additional burden of preferential treatment for NPT hold-out states. Nevertheless, the George W. Bush administration won congressional approval last December for an ill-conceived nuclear trade bill that opens the way for special exemptions from longstanding nonproliferation rules. The legislation would allow India-specific waivers to U.S. laws designed to prevent the misuse of nuclear technology to build weapons, as India did in the 1970s when it used U.S. material and Canadian technology to build its first nuclear device.

Yet the deal is not done. The controversial plan must still clear three more difficult hurdles: negotiation and Congressional approval of a formal U.S.-Indian nuclear cooperation agreement; negotiation and approval of a new IAEA-Indian safeguards agreement; and changes to Nuclear Supplier Group (NSG) guidelines.

In the weeks ahead, U.S. officials cannot afford to make further concessions that could compound the damage to nonproliferation system. Other leading governments also have a responsibility to help remedy the deep flaws in the deal.

In exchange for U.S. help to lift restrictions on nuclear trade with states that do not accept comprehensive safeguards, Indian leaders reiterated some previous nuclear and missile restraint commitments, including a pledge not to resume nuclear testing, and agreed to allow international inspections over eight more reactors by 2014. But the Indian government insists upon keeping India's extensive military nuclear complex off-limits and, in defiance of UN Security Council Resolution 1172 of June 1998, it refuses to halt the production of bomb material.

Consequently, the deal is a net loss for nonproliferation. Partial safeguards are all symbol and no substance when a country continues parallel bomb production activities. Even worse, the proposed arrangement would contradict the NPT's safeguard provisions given that NPT states-parties agreed at the 1995 NPT Review and Extension Conference that Article III.2 should be interpreted to mean that recipient states must accept comprehensive safeguards. Foreign supplies of uranium could also violate NPT nuclear-weapon states' obligations under Article I because they would indirectly assist India's bomb program by freeing more of its limited domestic uranium supplies to be used for weapons purposes. NPT states-parties should formally review whether more

liberal nuclear trade with India is consistent with their interpretation of their treaty obligations.

While the Bush administration has brushed aside these objections, new difficulties are surfacing that could derail the deal. First, U.S. and Indian negotiators are at odds over their draft agreement for nuclear cooperation. Under pressure from its nuclear establishment, Indian officials are lobbying for further U.S. concessions that would provide its civil and military programs greater flexibility and capacity, but would be inconsistent with the U.S. legislation approved only last year.

Current U.S. law stipulates that nuclear trade would end and U.S. nuclear supplies must be returned if India resumes testing or otherwise violates the agreement. Nevertheless, New Delhi wants to drop references in the agreement to these requirements and ensure that commercial nuclear contracts continue even if the underlying agreement is breached. Unlike 177 other states, India has so far refused to sign the Comprehensive Test Ban Treaty and is under no legal obligation not to test. At the same time, New Delhi must face the reality that the other states are under no

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### THE NONPROLIFERATION REVIEW

Editor: **Stephen Schwartz**, Center for Nonproliferation Studies, Monterey Institute of International Studies, USA

Volume 14, 2007, 3 issues per year

**The Nonproliferation Review** is a refereed journal concerned with the causes, consequences, and control of the spread of nuclear, chemical, biological, and conventional weapons. **The Review** features case studies, theoretical analyses, reports, and policy debates on such issues as individual country programs, treaties and export controls, terrorism, and the economic and environmental effects of weapons proliferation.

**The Review** has proven to be an essential resource for policymakers and scholars worldwide.



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## Genie in a Bottle – Unleashed: Part 2

### European Youth Network BANg release DVD

*Julia Kramer (and Giorgio Alba & Sophie Lefeez)*

At the NPT Review Conference 2005, two then 13 year old's from Elmhurst, USA, inspired the NGO community by showing their short film "Genie in a Bottle – Unleashed". In their creative documentary, Trace Gaynor and Stephen Sotor tell the story of the nuclear genie which was released by the Manhattan Project and finally dropped on Hiroshima and Nagasaki.

After the failure of the Review Conference 2005, Giorgio Alba from Italy, Sophie Lefeez from France and me from Germany, who were all in New York with youth delegations, decided to organise a meeting of youth in Europe who are active on nuclear disarmament. Our aim was to share ideas and to work together more closely in the future. In October 2005, we met with youth from seven countries in Milan, Italy, to found "BANg" (Ban All Nukes generation), the European Youth Network for Nuclear Disarmament. Among much discussion, sharing and organising, Giorgio showed the movie "Genie in a Bottle – Unleashed" to us there. He was by then already working on a synchronised version of the film in Italian.

Everyone loved the movie, and so we had the idea to subtitle it in more languages to make it available to youth all over Europe (and beyond). We additionally translated it into Croatian, Dutch, French, German, Russian, Spanish and Swedish, and compiled a lot more items, information and short films, and now finally the BANg DVD of "Genie in a Bottle – Unleashed" is in production! With it, we hope to provide a tool for awareness-raising and inspiration to many young (& not so young) people.

The DVD will be presented for the first time on Thursday, May 3rd, 12.30pm at the NGO room, and will be available from end of May onwards from [contact@BANg-europe.org](mailto:contact@BANg-europe.org).

[www.BANg-europe.org](http://www.BANg-europe.org)

#### ABOLITION 2000 AND ABOLITION 2000 EUROPE.

#### A European proposal for nuclear disarmament.

Friday, May 4, 2007

13:15-14:45

NGO Room in the Austria Center

**Dominique Lalanne** (France), Abolition 2000-Europe/Stop Essais;  
**Peter Nicholls** (U.K.), Abolition 2000 UK;  
**Pol d'Huyvetter** (Belgium), For Mother Earth/Abolition 2000 - Europe;  
**Axel Schwanhäusser** (Germany), Institute for Peace Research and Security Policy, University of Hamburg.

*Discussion: How can the European Nuclear Weapons States and NATO respond to the Hans Blix WMD Commission's recommendations?*



**Abolition 2000**  
**europe**

*continued from page 2*

legal or political obligation to assist India if it defies the world with another nuclear blast.

Congress also specified that the safeguards over India's "civil" nuclear facilities and U.S. supplied material must be permanent and consistent with International Atomic Energy Agency (IAEA) standards. India has rejected comprehensive safeguards, but allows permanent, facility-specific (INFCIRC/66/Rev.2) safeguards for six older reactors. Nevertheless, New Delhi is seeking "India-specific" safeguards that would be suspended if foreign fuel supplies are ever interrupted. There is no precedent or safeguards plan for such an option, and it would be highly irresponsible for the United States, the IAEA Director-General, or the IAEA Board of Governors to ever approve such a hollow arrangement.

Last year's legislation specifically prohibits U.S. transfers to India of sensitive nuclear technology, including uranium enrichment and plutonium separation equipment. It also preserves a requirement for U.S. consent for the enrichment or reprocessing of U.S.-origin material. Indian officials are strenuously objecting. They note that U.S. agreements with Japan and EURATOM do not require U.S. consent rights. But so far, U.S. negotiators are holding firm, because India (unlike Japan and EURATOM) has not agreed to accept comprehensive safeguards and has not agreed to permanent safeguards for any of its reprocessing and enrichment facilities, nor even its plutonium-producing "fast breeder" reactors.

Finally, the deal must win the NSG's consensus approval. Despite heavy pressure from U.S. and Indian diplomats, many NSG states remain skeptical or opposed, but until they see the details, they are officially reserving judgment. The United States should be working to ensure that NSG guidelines for trade with India conform to U.S. law so that other states do not have unfair access to the Indian market.

Meanwhile, some states including China and France suggest the NSG should adopt a "criteria-based" trade guidelines rather than an "India-specific" rule. This could open the way for nuclear trade with China's ally Pakistan, and possibly with Israel, creating additional proliferation risks.

To ensure that any nuclear assistance to India or others does not aid weapons production, responsible states must hold the line in the context of the NPT and the NSG. At a minimum, they must be prepared to oppose any proposal that could allow nuclear trade involving enrichment or reprocessing technology to any non-NPT member and oppose nuclear trade with any non-NPT member that continues to produce fissile material for bombs or resumes nuclear testing.

The ongoing struggle to stop the spread and stockpiling of nuclear weapons will only become more difficult if leading states preach compliance for the many and create exceptions for their friends. As an early proponent of nuclear disarmament, India should do its part to end the nuclear arms race. For others, this is a fundamental test

## Nuclear and Sustainable Energy in the Light of the NPT

*Michael Spies, Lawyers' Committee on Nuclear Policy  
Ray Acheson, Reaching Critical Will*

Pressehütte's event about future energy supply, evoked two views of the future. In one, nuclear energy is seen as a viable, safe, affordable, and non-discriminatory source of energy for the world. In the other, alternative, renewable sources of energy are seen as not only feasible but necessary. The second view posits that the first is an ideal not suited to the current international political, economic, or environmental reality, and argues that instead of relying on a technology that has not, and cannot in the foreseeable future, solve its problems, we should be looking at alternatives.

Zia Mian, from the Princeton Program on Science and Global Security and member of the International Panel on Fissile Materials, provided an overview of the history of nuclear power, dispelling the fallacious promises that it is an inexhaustible source of energy "too cheap to meter". Mian countered widely expressed anticipation of the expansion of nuclear power, noting that the rate of new power plant construction in developed states has fallen flat since the 1980s and that existing projects would not be sufficient even just to replace retiring plants, much less provide for an overall expansion.

Jürgen Scheffran, from the International Network of Engineers and Scientists Against Proliferation, described the dire consequences for ecology and human security posed by the unmitigated effects of climate change. Scheffran also described the potential for future sustainable energy options that would reduce global carbon emissions without relying on nuclear power. Despite

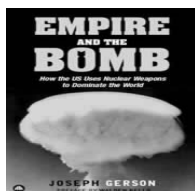
this fact, he noted that the dramatic increase of deployed renewable energy over the past decade in places like Europe has largely been due to private funding, because public funding for research and development in renewable energy technology had dropped over this same period.

Ian Fischer, a nuclear engineer with the International Atomic Energy Agency, asserted his belief that nuclear energy is part of the solution to climate change and meeting future energy needs, and should not be excluded from consideration. Alice Slater, from the Nuclear Age Peace Foundation, passionately disagreed, pointing to the availability of renewable energy to meet human energy needs. Slater also described a proposal for the establishment of an International Sustainable Energy Agency. Other panelists noted this campaign has also been introduced at the Commission for Sustainable Development, where it has potential for great impact. It would also be appropriate for the negotiations over the follow-up to the Kyoto Protocol.

The heated and occasionally curt discussion following the panel covered a wide range of issues, from technical matters related to electrical grid infrastructure to the politics of proliferation, and revealed the depth of disagreement on these issues. Despite the widely varying range of opinions, all panelists agreed on the point that the answers to the questions we face now will have a major impact on many issues from human security to national sovereignty and the quality of both global and local democratic governance.

www.reachingcriticalwill.org

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## The US-India Nuclear Deal and the Future of the NPT: A Role for the Nuclear Suppliers Group?

Where: NGO Room in the Austria Center (02 C 246)

When: Friday, May 4, 10:30-12:30

Contact: Regina Hagen for CNIC, Gensuikin, INESAP, and IPFM

<http://cnic.jp/english/>  
[www.gensuikin.org](http://www.gensuikin.org)  
[www.inesap.org](http://www.inesap.org)

## NGOs Demand Disarmament, Suggest Solutions

*Beatrice Fihn, Reaching Critical Will*

This year, NGO presentations started off with the most important message: "No more Hiroshima. No more Nagasaki", presented by A-bomb survivor Mr. Tanaka Terumi.

During the last couple of months, NGOs from across the world have drafted, revised, and edited statements in order to present their view of the NPT to states parties. After a lot of work, 18 civil society experts made presentations on various issues related to the treaty. These presentations contained analysis and recommendations on issues including vertical and horizontal proliferation, nuclear energy, disarmament negotiations, environmental effects, the 13 steps and compliance with Article VI, nuclear weapons free zones, and a future nuclear weapons convention. Civil society can say what states cannot, and in these presentations, NGOs criticized specific countries and proposed progressive steps forward.

In addition to the statement by the Hibakusha (A-bomb survivor), there were also statements by the youth and Mayor Akiba, City of Hiroshima, who reminded us of the humanity that requires nuclear abolition. Mayor Akiba highlighted that even the threat of use nuclear weapons

would be a crime against humanity.

Wrapping up the session, civil society summarized its recommendations to states parties. Some of them are familiar, like calling for the commencement of negotiations on a Nuclear Weapons Convention, while some of them were responses to recent developments, like urging members of the NPT and the Nuclear Suppliers Group to reject the U.S.-India deal. Of course, civil society also "urge[d] the NGO oral statements become a permanent feature of the review process, that the process be more open to NGOs, and that NGOs be invited to address the sessions, including Committees, subsidiary bodies and cluster sessions."

After the presentations, New Zealand and Sweden took the opportunity to engage in an interactive dialogue with the NGOs. Sweden thought it was useful and important to have these contributions of NGOs and joined the call for more civil society access to the proceedings.

All of the NGO statements are available on the Reaching Critical Will website, at:  
[www.reachingcriticalwill.org/legal/npt/prepcom07/statements.html](http://www.reachingcriticalwill.org/legal/npt/prepcom07/statements.html)

## What's On: Today's Calendar of Events

### **Exhibition: "Verifying the Comprehensive Nuclear Test Ban"**

Where: Austria Centre, Foyer A

When: all day

Contact: [info@ctbto.org](mailto:info@ctbto.org); +43 (1) 26030 6200

Website: [www.ctbto.org](http://www.ctbto.org)

### **Abolition Caucus Strategy Meeting: Open**

Where: NGO Room in the Austria Center (02 C 246)

When: 8-9am

Contact: Anthony Salloum

Website: [www.abolition2000.org](http://www.abolition2000.org)

### **CTBTO's "Putting an end to nuclear test explosions: 10 years of building the verification regime and the lessons learned from the 9 October 2006 event in the Democratic People's Republic of Korea"**

Where: The New Operations Centre of the CTBTO, Vienna International Centre, E-building, 6th floor

When: 9 - 10 am

Contact: [info@ctbto.org](mailto:info@ctbto.org); +43 (1) 26030 6200

Website: [www.ctbto.org](http://www.ctbto.org)

### **Fissile Materials**

Where: NGO Room in the Austria Center (02 C 246)

When: 10:30-12:30

Contact: Regina Hagen for IPFM and iGSE

Website: [www.fissilematerials.org](http://www.fissilematerials.org), [www.igse.net](http://www.igse.net)

### **BANg Youth Network: presentation of DVD "Genie in a Bottle - Unleashed"**

Where: NGO Room in the Austria Center (02 C 246)

### **Balancing three with six: moving towards a stable equilibrium: Approaches to balanced implementation of NPT Articles III and VI**

Where: NGO Room in the Austria Center (02 C 246)

When: 1:15-2:45

Contact: Ian Davis, BASIC, Michael Crowley, VERTIC

Website: [www.basicint.org](http://www.basicint.org); [www.vertic.org](http://www.vertic.org)

### **Return to the International Court on Disarmament Compliance**

Where: NGO Room in the Austria Center (02 C 246)

When: 3:30-5:30

Contact: George Farebrother

Website: <http://wcp.gn.apc.org/>

### **exhibition: "Verifying the Comprehensive Nuclear Test Ban": opening by CTBTO Executive Secretary Mr. Tibor Tóth**

Where: Austria Centre, Foyer A

When: 4 pm, followed by reception

Contact: [info@ctbto.org](mailto:info@ctbto.org); +43 (1) 26030 6200

Website: [www.ctbto.org](http://www.ctbto.org)

### **Abolition2000-Europe General Assembly**

Where: NGO Room in the Austria Center (02 C 246)

When: 5:45-7:45

Contact: Dominique Lalanne

website: [www.abolition2000europe.org](http://www.abolition2000europe.org)

