



NPT News in Review

*Civil society perspectives on the third Preparatory Committee
for the 2010 nuclear Non-Proliferation Treaty Review Conference
4–15 May 2009*



Optimism is on the table

Ray Acheson | Reaching Critical Will of WILPF

When it comes to nuclear weapons, there is much anticipation of a new chapter in international security and disarmament. US President Obama's 5 April speech in Prague, coupled with the proliferation of newspaper op-eds calling for the elimination of nuclear weapons, has made the topic of nuclear disarmament more popular than it has been since the 1980s.

Recent policy declarations like the Prague speech and the joint statement between Obama and Medvedev have increased many governments' and NGOs' level of optimism. Everyone, however, should be sure to consider the substantial challenges on the PrepCom's plate.

Some of these challenges—and opportunities—have been laid out in a variety of working papers submitted to this review cycle so far. They consist of a good mix of disarmament and non-proliferation proposals, including (in no specific order):¹

- Revitalizing or restructuring the “practical steps” to nuclear disarmament;
- Strengthening states' commitments to the NPT with a “new consensus”;
- Implementing the 1995 NPT resolution on the Middle East;
- Regular reporting;
- Considering negotiation of a Nuclear Weapons Convention;
- Prohibiting the development of new types of nuclear weapons;
- Drafting a binding protocol on negative security assurances;
- Recognizing and strengthening various nuclear weapon free zones;
- Adopting the IAEA Additional Protocol as the safeguard standard;
- Developing national means to detect and reverse non-compliance;
- Endorsing compliance enforcement by the UN Security Council;
- Requiring “adequate security” as condition of transfer of nuclear materials;
- Recognizing export control regimes;
- Establishing principles and response mechanisms for withdrawal;

- Considering steps to promote disarmament/non-proliferation education;
- Considering ways to control the nuclear fuel cycle; and
- Establishing a Universality Adherence Support Unit and/or a standing secretariat.

Much food for thought is provided in these proposals. However, basic underlying tensions will continue to plague delegations at this PrepCom, such as: the continued debate between non-proliferation first or disarmament first; the tensions between those accused of non-compliance with their obligation to disarm and those accused of non-compliance with their commitment to not develop or acquire nuclear weapons; and the overwhelming non-implementation of the 13 practical steps to nuclear disarmament.

Furthermore, despite rhetoric calling for the elimination of nuclear weapons from western policy elites, their conception of the process of disarmament process is characterized by steps and conditions to be imposed almost exclusively on non-nuclear weapon states. If this sort of narrow, self-interested pursuit of nuclear disarmament through non-proliferation is upheld at the PrepCom, it will likely be the biggest stumbling block to success. Only when disarmament and non-proliferation efforts move forward jointly, will success be achieved.

As an NGO dedicated to nuclear abolition, WILPF welcomes all the new attention to disarmament. WILPF encourages more leaders and people to speak out, loudly, in favour of abolishing nuclear weapons and to engage in good faith dialogue about the proposals, challenges, and opportunities ahead of us.

Notes

1. See Michael Spies, “Toward 2010: Proposals, Positions and Prospects,” *Disarmament Diplomacy*, No 90, Spring 2009 [forthcoming] for details.

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Deterrence, Torture, Power

Andrew Lichterman | Western States Legal Foundation

"If they can get you asking the wrong questions, they don't have to worry about answers." - Thomas Pynchon, Gravity's Rainbow

In significant ways, the discourse of nuclear "deterrence" resembles the discourse of torture. We can understand this parallel better if we substitute the term "enhanced interrogation techniques" for "torture," as the Bush regime attempted to do (with some success, as manifested in widespread use of the term, often without criticism, in the mainstream news media).

The difference is that the success of those in power at placing the notion of "deterrence" at the core of nuclear weapons discourse has been far greater than the Bush regime's effort to place the notion of "enhanced interrogation" at the center of discourse about torture. This is likely so because torture has existed for a very long time across a vast range of human experience, and hence is a well-known and relatively well-understood horror—opaque only to those in populations that have not in living memory been on the receiving end of it. Nuclear weapons, on the other hand, still are a new part of the collective human story, and were created and remain closeted still within powerful, secretive, institutions. Hence their perceived character and meaning have been subject to planful manipulation from the very moment of their creation. Elite efforts to define nuclear

weapons—and to limit permissible meanings we may give to them—have been so successful that we have no easily available alternative to "deterrence". We don't even have our own word for the permanent presence of nuclear weapons in our lives.

So we must first solve the equation: "enhanced interrogation techniques" is to "torture" as "deterrence" is to "_____". The horrors of nuclear weapons use are so great that it is hard to come up with an appropriate phrase. Constant threat of genocide and ecocide? (Too clinical, lacks the deep reference in the concretely rooted collective imaginary of "torture".) "Hell on earth?" (Too abstract and theological, also completely omits the element of human intention that is at the core of whatever the permanent, constant brandishing of nuclear weapons by largely unaccountable elites for decades on end really means.)

We can find our starting point, perhaps, in clues that suggest my analogy is appropriate. The intention of the Bush regime's rhetorical move—calling torture "enhanced interrogation"—was to encapsulate the justification for an inherently awful, degrading, and unjustifiable practice in its new name. If this "move" is successful, then the purpose, the intention, behind torture will simply be assumed, rather than discussed. The "purpose" of "enhanced interrogation" obviously is to "obtain information". Once this is accepted, the metaphorical battle is quite nearly won. And if the "information" to be obtained can be portrayed as essential to "national security" (another self-justifying phrase in great need of disaggregating), the battle is virtually over.

So too with "deterrence". The word itself presumes not attack, but defense. It is implicitly passive, unless one linguistically and politically disaggregates it to reveal its terrorist roots. And if one accepts that the purpose of nuclear weapons is only to defend against attack, the purposes of nuclear weapons (and the intentions of those who control them) are already assumed, and assumed to be in the general interest of the nation-state that "possesses" the nuclear weapons. The only question left is whether deterrence "works," and actually makes a country or the world (again assuming without scrutiny or debate that everyone has the same interests) "safer". Here too, if

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Reaching Critical Will

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Deterrence, Torture, Power (cont.)

this rhetorical move is successful, the argument is nearly over, and readily subject to pacification (another neologism whose real meaning is its opposite) via traditional rhetorical moves and tools of the powerful: deployment of legions of experts claiming privileged access to knowledges too complex and obscure for ordinary folk to understand and to secret “information,” and if necessary attacks on the “patriotism” of any who nonetheless persist in raising questions.

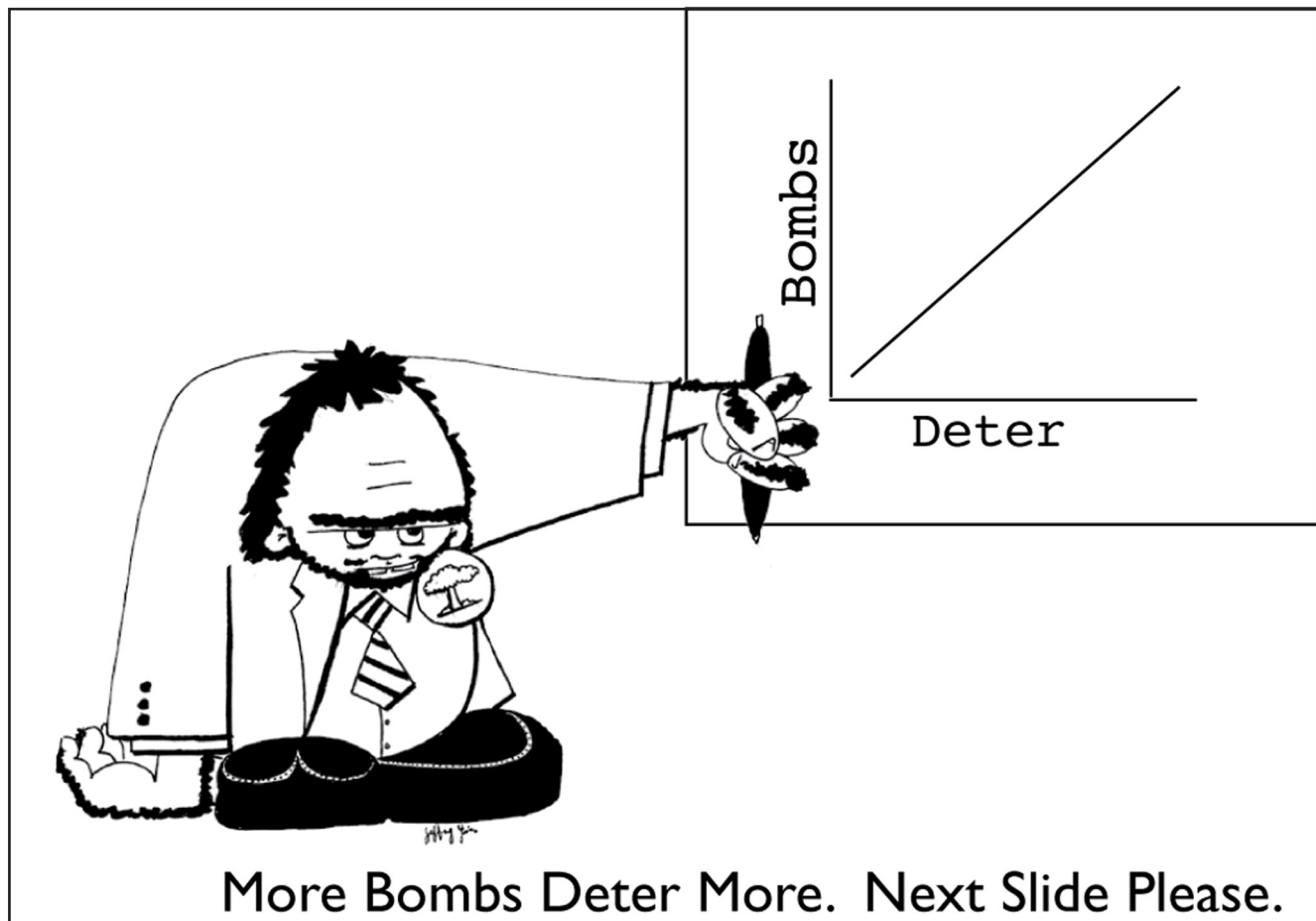
There are other parallels between the discourses of torture and constant-nuclear-weapons-threat (my clunky temporary stand-in for “deterrence”). Both abound with—and place at the center of public discourse justifying these practices—empirically unlikely, even fantastic, narratives of existential threat, and protection against it by selfless (if secretive) public servants (yet another self-justifying phrase). For torture, there is the captured terrorist who has hidden the ticking time bomb; for nuclear weapons, there is the ever-present possibility of a bolt from the blue nuclear attack. And today, these two narratives converge: the ticking time bomb is nuclear, and anyone who

would oppose our nuclear weapons with their own presumptively is a terrorist—and might give them a bomb. Actual, everyday uses of torture and constant-nuclear-weapons-threat—to intimidate and silence entire populations, to provide what American generals call the ultimate “top cover” backing world-wide wars of aggression to sustain a global empire—remain largely unmentionable in a discourse where “reasonable” experts and politicians talk of “enhanced interrogation” and “deterrence”.

And even the central—and continuing—confrontation among nuclear-armed states is misrepresented in an increasingly dangerous and contradictory kind of circular reasoning unconsciously engaged in even by many advocates of nuclear disarmament. The possibility of wars among the most powerful states—the kind of wars that in modern times have been precipitated by the kind of broad, complex, economic and political crisis that we face again today—are treated as extremely unlikely, largely because most policy experts be-

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“Cold War Troglodyte” by Jeffrey Lewis,
ArmsControlWonk.com



Deterrence, Torture, Power (cont.)

lieve at some level that “deterrence works”. And yet we have not faced a moment in which the fundamental drivers of conflict among the most powerful states have been present—competition over key resources, intensifying political tension within states over wealth distribution, and general collapse of a prevailing “normal” order of international economic and political relationships—since before the dawn of the nuclear age. Wars among “great powers” are presumed to be largely obsolete—but this assumption is due in large part to a belief in deterrence rooted in the particular geopolitical conditions and experience of a Cold War nuclear confrontation rooted largely in ideology and the existence of the weapons themselves. The dangers presented by thousands of nuclear weapons in the hands of “great powers” thus are implicitly discounted, and most in the “arms control and disarmament community” remain comfortable talking about plans for nuclear disarmament in which truly meaningful progress—reduction to global nuclear weapons numbers below civilization-destroying numbers—is largely aspirational, a hazy distant goal many years, or even decades, in the future.

The result is that dominant opinion among experts and political leaders generates policy debate that viewed with even a smidgen of historical perspective appears increasingly absurd—and absurdly dangerous. President Obama’s White House web site tells us, “the gravest danger to the American people is the threat of a terrorist attack with a nuclear weapon and the spread of nuclear weapons to dangerous regimes.”¹ In this view, nuclear weapons that don’t yet exist are more dangerous than the thousands that already are in the hands of elites who today face growing threats to their hold on power—concrete social conflicts that also are euphemized myriad ways, from “global instability” to “populist anger”—unseen for a generation.

The hand that controls nuclear weapons is no different from the hand the tortures. The hood of the torturer and of those who threaten us all with death by nuclear annihilation must be removed, their true faces revealed. The legal historian Robert Cover wrote, “The torturer and victim do end up creating their own terrible ‘world,’ but this world derives its meaning from being imposed upon the ashes of another. The logic of that world is complete domination, though the objective may

never be realized.”² The practice of constant-nuclear-weapons-threat carries this logic to its existential, its apocalyptic, limit, a world in which those who strive to wield absolute power impose their will by threatening to reduce the world of all who stand in their way to literal, rather than metaphorical, ashes. This will to absolute power is the abiding purpose of those who wield both torture and nuclear weapons. Both torture and nuclear threat are intended to emphasize through terror that transcends all reason that the victim—or potential victim—is utterly vulnerable, and that the hand that wields the power of ultimate violence is not, is invulnerable, all powerful. The intention—and the effect—is to sustain a world in which most are powerless but some hold great power, most are poor but a few hold great wealth, most are vulnerable but a few can at least convince themselves that for the duration of their time here on earth they are not.

It is a story that those who wield this power tell us is as old as human history—implying as well that it will be with us always, that it is our inescapable fate. Insisting upon the eternal presence of boundless violence in that way only obscures the immense scale and reach of the particular horrors of our chosen modernity. “But even if things have always been so,” Theodor Adorno observed, “although neither Timur nor Genghis Khan nor the English colonial administration in India systematically burst the lungs of millions of people with gas, the eternity of horror nevertheless manifests itself in the fact that each of its forms outdoes the old.” Adorno concludes, “He who relinquishes awareness of the growth of horror not merely succumbs to cold-hearted contemplation but fails to perceive, together with the specific difference between the newest and that preceding it, the true identity of the whole, of terror without end.”³

Adorno wrote in the wake of a cataclysmic global war, with the age of nuclear weapons just beginning, and a world of constant-nuclear-threat still in the future. What has become clear is that humanity can not long survive a global order of things in which “terror without end” lies at the center of power, with those who rule most of us in most places still deploying limitless violence to keep things as they are. The conditions for another global cataclysm are quickening. Our technologies have brought us to the point where

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Deterrence, Torture, Power (cont.)

we can destroy ourselves and much of the chain of life that sustains us either quickly with nuclear weapons, or slowly simply by staying on the course that those in power insist upon, and insist on “defending” with a spectrum of violence that extends from the midnight knock on the door through the torture chambers to the incineration of cities, lands, and peoples. Even Martin Luther King’s call for “nonviolence or nonexistence” no longer is enough, now it also must be democracy or nonexistence, a full and final recognition of our collective vulnerability and our interdependence, one world, with every voice heard equally, or none.

Andrew Lichterman lives in the San Francisco Bay Area and has worked for disarmament in various capacities for decades. He is a member of the board of the Oakland, California-based Western States Legal Foundation.

Notes

1. White House web site, “The Agenda: Foreign Policy,” http://www.whitehouse.gov/agenda/foreign_policy, accessed March 25, 2009.
2. Robert Cover, “Violence and the Word,” (1986) 95 Yale L.J. 1601,1603.
3. Theodor Adorno, *Minima Moralia: Reflections from Damaged Life*, E.F.N. Jephcott, trans. (London: NLB, 1974) pp.234-235.

Nuclear Wordsearch

a	r	m	a	m	e	n	t	s	s	a	h
t	c	p	h	u	r	m	u	o	r	t	y
s	n	t	g	l	l	u	u	k	t	s	d
e	a	n	s	t	a	i	i	s	e	e	r
c	s	e	t	i	n	n	n	i	r	s	o
u	c	c	a	l	e	o	o	a	s	e	g
r	c	a	t	a	s	t	r	o	p	h	e
i	d	e	s	t	r	u	c	t	i	o	n
t	s	p	a	e	a	r	t	i	s	t	
y	c	n	e	r	a	p	s	n	a	r	t
m	r	r	e	a	n	o	i	s	s	i	f
t	u	r	m	l	n	o	l	o	e	t	i

transparency	multilateral	fission
hydrogen	security	armaments
peace	nukes	arsenal
catastrophe	plutonium	destruction

The NPT: A Time for Boldness

David Krieger | Nuclear Age Peace Foundation

Today, nearly four decades since the Non-Proliferation Treaty (NPT) entered into force, there are nine nuclear weapons states in the world and five of these are parties to the NPT. There are not as many nuclear weapons states today as was feared in the 1960s, but there are still nine too many. These nine states appear proud of their nuclear arsenals, when they should be shamed by the nearly unlimited indiscriminate destructive power that these weapons represent. Nuclear weapons of these states put at risk the future of the human species and most life on the planet.

The NPT has a basic bargain. The non-nuclear weapons states agree not to develop or otherwise acquire nuclear weapons and, in return, the nuclear weapons states agree to pursue “good faith” negotiations for nuclear disarmament. All parties to the treaty agree that there is an “inalienable right” to the use of nuclear energy for peaceful purposes. President Obama has referred to this “basic bargain” of the NPT as “sound.” He has called for establishing a structure capable of ensuring consequences for any country party to the treaty that breaks its rules.

Up to now, however, the rules have only been brought to bear against the non-nuclear weapons states, those without nuclear weapons. It has not been possible, within the structure of the treaty, to enforce its rules against the countries that never signed it (Israel, India and Pakistan) or those that have withdrawn from the treaty (North Korea). There has also been a lack of enforcement of the treaty against the five nuclear weapons states that are parties to the treaty (US, UK, France, Russia, and China).

The NPT is the only treaty in which there is a legally-binding commitment to nuclear disarmament. It provided the International Court of Justice with the legal basis to conclude: “There exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.”

President Obama recently argued in Prague, “Rules must be binding. Violations must be punished. Words must mean something. The world must stand together to prevent the spread of these weapons.” But it is not only the spread of



The NPT: A Time for Boldness (cont.)

nuclear weapons that must be prevented. It is also the possession, threat, or use of the weapons that must be prevented. The attention of the world has largely focused on the proliferators or potential proliferators, such as North Korea or Iran. It is desirable to try to prevent proliferation by new states, but this is no more important than eliminating the arsenals of the existing nuclear weapons states. President Obama has, in fact, provided hope that the US is ready to lead in moving toward a nuclear weapons-free world.

The United States was established because a colonial power sought to impose taxation without representation. How much worse is what is imposed on all humanity by the nuclear weapons states? It is the threat of destruction of cities, countries, civilization, and the human species without representation. No one votes on our nuclear future. The best structure we have at the moment for controlling and eliminating nuclear weapons is the NPT, a treaty in which the people of the world deserve a voice.

Representatives of civil society will gather at the United Nations in New York in May 2009 for the Preparatory Committee meeting for the 2010 NPT Review Conference. It is appropriate that they should make their voices heard among the delegates of the governments represented. It is also right that civil society representatives should be critical of measures taken there that fall short of the clear obligation of "nuclear disarmament in all its aspects."

So let this NPT meeting not focus on seeking sanctions for North Korea and Iran without also seeking unambiguous commitments from the nuclear weapons states to achieve the goal of a world without nuclear weapons. Three critical questions face the parties to the NPT. Civil society as well as governments must demand answers to these questions.

First, what is the plan of the NPT nuclear weapons states to move from 25,000 nuclear weapons to zero? Such a plan is overdue. If the nuclear weapons states are unprepared to offer such a plan, they should be requested to engage in the "good faith" negotiations required of them and to present an agreed upon plan at the 2010 NPT Review Conference.

Second, how can the NPT be made universal? This question boils down to how can Israel, India, Pakistan, and North Korea, all non-NPT nuclear

weapons states, be brought under its jurisdiction. If it is not possible to obtain the consent of these states to the rules of the NPT, then the United Nations Security Council needs to act to assure that these states will be bound by an agreed upon roadmap to rid the world of nuclear arms.

Third, is it possible to achieve a world without nuclear weapons while at the same time promoting the spread of nuclear energy and, if so, what conditions would be required?

The answers to these questions will have powerful implications for actually achieving a world free of nuclear weapons. As the delegates to the NPT Preparatory Committee meet at the United Nations, let us hope that they will do more than continue to posture and mark time. Nuclear weapons are genocidal, if not omnicidal, weapons. They threaten, but do not protect. Their use or threat of use is illegal under international law. We share a moral responsibility to end the nuclear weapons threat to humanity. Now is the time for boldness.

David Krieger is President of the Nuclear Age Peace Foundation (www.wagingpeace.org) and a Councilor of the World Future Council.



Campaign
for Nuclear
Disarmament
at the nuclear Non-
Proliferation Treaty
Preparatory
Committee,
New York 2009

Evaluating Obama: Progress for global abolition?

Speakers:

Jeremy Corbyn, Member of Parliament (UK)
Judith Le Blanc, Co-Chair, United for Peace and Justice, (USA)
Ambassador Henrik Salander, Chairman, Middle Powers Initiative (Sweden)
Hiroshi Taka, Gensuikyo (Japan)
Prof. Carlos Vargas, International Law Professor (Costa Rica)
Pierre Villard, Le Mouvement de la Paix (France)
Professor Dave Webb, Vice Chair, CND (UK)

Statement from:

Baroness Shirley Williams, adviser to UK Prime Minister Gordon Brown on Nuclear Non-Proliferation issues.

Monday 4th May 2009

3-6pm, NGO Room, Conference Room E

Please join us for discussion.

All welcome



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We cordially invite the Permanent Representative and your delegation to the NPT Preparatory Committee Conference to a series of special events at the UN

May 5, 2009 Special Book Promotion Event:

Towards a Nuclear Weapon-Free World

edited by Manpreet Sethi, published by the Centre for Air Power Studies and Kalpana Shukla.
United Nations, UN Bookstore — 1:15-2:45

Brief remarks by:

UN High Representative for Disarmament Mr. **Sergio Duarte**

H.E. Mr. **M.S. Puri**, Acting Permanent Representative of India

Hon. **Douglas Roche**, O.C., Chairman Emeritus of the Middle Powers Initiative

Mr. **Jonathan Granoff**, President of the Global Security Institute



Sergio Duarte

May 6, 2009

Panel Event:

"Progressive Initiatives"

Co-sponsored by the Government of Austria.

Speakers:

Hon. **Gareth Evans** of the International Commission on Nuclear Non-proliferation and Disarmament

GSI Board Member **Christie Brinkley**

Yukio Hiraoka, Member of the Japanese Diet

Panel chaired by MPI Chairman **Henrik Salander**



Gareth Evans



Christie Brinkley



Henrik Salander

May 7, 2009 Panel Event:

"Voices of Experience"

co-sponsored by the United Nations Office for Disarmament Affairs
United Nations, Conference Room 1— 1:15-2:45 PM

Speakers:

High Representative **Sergio Duarte**

Former Under-Secretary General **Nobuyasu Abe**

Former Under-Secretary General **Jayantha Dhanapala**

UN Messenger of Peace **Michael Douglas**



Jayantha Dhanapala



Michael Douglas

May 8, 2009 Panel and Roundtable Event:

"The Role of Parliamentarians in Advancing a Nuclear Weapons-Free World"

sponsored by Parliamentarians for Nuclear Non-proliferation and Disarmament.
United Nations, Conference Room D— 1:15-2:45 PM

Featuring presentations by:

Congressman **Dennis Kucinich**, US Congress (invited)

Bill Kidd, MSP, Scotland

Mayra Gomez, PNND Program Officer

Hideo Hiraoka, MP, Japan

Chaired by **Alyn Ware**, PNND Global Coordinator



Dennis Kucinich

Confirm your Attendance by April 29th

For more information contact:

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What's On Today's Calendar of Events

Morning Vigil (all faiths and none are welcome)

Where: Isaiah Wall, Ralph Bunche Park

When: 7:45 AM

Contact: Christian CND

Registration

Where: Lobby of the Visitor's Entrance

When: 8:00 AM–12:00 PM and 3:00–5:00 PM

Contact: Silvia Mercogliano, UNODA

US prospects for Nuclear Free Future

Where: Conference Room E

When: 11:00 AM–1:00 PM

Contact: Carol Urner, Women's International League for Peace and Freedom, US Section

Renewable Energy: Cheaper, Safer, Smarter than Nuclear Energy

Where: Conference Room E

When: 1:15–2:45 PM

Contact: Jennifer Nordstrom, Institute for Energy and Environmental Research

Evaluating Obama: progress for global abolition

Where: Conference Room E

When: 3:00–6:00 PM

Contact: Sam Akaki, Campaign for Nuclear Disarmament

Meeting of the New Agenda Group

Where: Conference Room D

When: 3:00–6:00 PM

Contact: Nanis Fahmy, Egyptian Council for Foreign Affairs

The Strangest Dream

Where: Conference Room 1

When: 6:00–8:00 PM

Contact: Jeffrey Boutwell, Pugwash Conferences

*For a complete listing of upcoming events, see
Reaching Critical Will's online Calendar of Events:
[www.reachingcriticalwill.org/legal/npt/prepcom09/
events09.html](http://www.reachingcriticalwill.org/legal/npt/prepcom09/events09.html)*

UNITED NATIONS INSTITUTE FOR DISARMAMENT RESEARCH

UNIDIR

UNIDIR invites you to the seminars

A Multilateral Approach to the Nuclear Fuel Cycle

Can It Strengthen the NPT?

5 May 2009, 13:15–14:45, Room 8

Nuclear Renaissance

Non-proliferation and Shared Responsibilities

6 May 2009, 13:15–14:45, Room 8

Unfinished Business

New Opportunities for the CTBT

13 May 2009, 13:00–14:30, Room 8

a sandwich lunch will be provided at each seminar

IDEAS FOR PEACE AND SECURITY

WWW.UNIDIR.ORG