



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*



Challenges to collective security

Ray Acheson | Reaching Critical Will of WILPF

On Thursday, statements on Cluster One and the specific issue of nuclear disarmament and security assurances concluded and Cluster Two statements (relating to non-proliferation, safeguards, and nuclear-weapon-free zones) began.

Some of the most interesting remarks, however, were unprepared. For the first time this year, a delegation delivered interactive remarks in response to statements that had been made thus far and to nuclear weapon policies more broadly.

Quoting from the United Kingdom's paper, *Lifting the Nuclear Shadow: Creating the Conditions for Abolishing Nuclear Weapons*, an Egyptian representative noted that the UK justifies its possession of nuclear weapons by emphasizing their "continuing value in deterring war as well as new threats to national security which may emerge in the future." He went on to point out that the paper says, "Including states which come under a 'nuclear umbrella', such as NATO allies, well over half of the world's population is covered by a nuclear deterrent. The impression that only a small minority benefit from nuclear weapons is misleading."

The Egyptian delegate noted that this contradicts other states' concerns with "ensuring collective security". He argued, it is quite difficult to perceive of the NPT in its current status as a preserver of collective security if over half the world's population is "protected" by nuclear weapons while the minority is threatened by them.

The NGO presentation on deterrence, delivered Tuesday afternoon to the PrepCom, argued, "Nuclear weapons are not weapons of deterrence, they are weapons of domination." Writing in the first edition of the NPT News in Review, Andrew Lichterman of the Western States Legal Foundation noted that deterrence is "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 invulner-

able, 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."

Despite its position of power the United States spoke as if endangered. In its Cluster Two statement during the afternoon meeting, US representative Rose Gottemoeller argued, "Today's nuclear weapon states will not eliminate their nuclear weapons without the assurance that additional states will not obtain such weapons tomorrow." This position, that nuclear weapon states will not disarm until they are given absolute guarantees about the future, makes the possibility of nuclear abolition virtually null.

Similarly, the UK delegation spoke about the "real" and "imminent" threat of "a dangerous era of new nuclear-armed states and even of nuclear-armed non-state actors." This assertion also suggests that proliferation is a generalized phenomenon when in fact it very specific, limited to much fewer states than initially predicted at the inception of the NPT, and not necessarily attributable to the broader "security environment". As the Brazilian delegation noted in its Cluster Two statement, "The difficulties and challenges facing the international community in the implementation of the NPT do not derive ... of a supposed inadequacy of the Treaty to today's global environment. It derives from the unbalance in the implementation of all its obligations by the different actors."

Regarding this type of "non-nuclear imperialism," wherein current weapon possessors strive to prevent new possession as a precursor to eliminating their own weapons—an excuse to delay disarmament—the Egyptian delegate argued that the world

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See www.reachingcriticalwill.org for information, statements, papers, reports, archived *News in Reviews*, and more from the NPT.

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Obama and CTBT Ratification: Dangerous Distraction

Greg Mello | Los Alamos Study Group

Today, [U.S. Vice President and CTBT ratification point person Joe] Biden again will be in a pivotal position to win approval of a controversial treaty. This time, to secure enough votes for passage of the CTBT, he will need to sit down and work out an arrangement with [senators] Kyl and Sessions, House Minority Leader Mitch McConnell, and other key Republicans such as McCain and Lugar. What compromises and agreements will be necessary are anybody's guess. But the key will likely not be facts or persuasive arguments, but rather a painstakingly and carefully negotiated deal. - John Isaacs, "A strategy for achieving Senate approval of the CTBT," Bulletin of the Atomic Scientists, April 15, 2009

President Obama has placed Senate ratification of the Comprehensive Test Ban Treaty (CTBT) near the top of his arms control and non-proliferation agenda. As John Isaacs points out above, near-term U.S. ratification will: a) be quite difficult; b) not hinge on "facts or persuasive arguments;" and c) require a "carefully negotiated deal." This deal will be political, as it was in 1996, beneath a technical façade. The names of the very conservative senators Isaacs invokes indicate the gravity and potential scope of any such deal. The dangers involved in such a process can hardly be overstated.

The CTBT we have today is the fruit of decades of work by thousands of people. It is also

a much more significant treaty now than it was when first opened for signature thirteen years ago. Currently 180 states have signed the treaty and 148 have ratified it. The organization created by the treaty – the CTBTO – appears strong, and the worldwide monitoring network is better than ever. The treaty's norm against nuclear testing is robust, perhaps exactly as strong as its signatories want it to be in any given situation. Certainly that norm has been accepted to a very high degree by most nuclear weapon states.

For example, while it is still common for hawks in the U.S. to mutter about having to conduct a nuclear test under this or that hypothetical circumstance, nuclear testing by the U.S. is now inconceivable. The cutting edge of arms control and disarmament has moved on to other issues. There is an unspoken but broad consensus among U.S. elites that there are no circumstances whatsoever in which the U.S. would find it in its national interest to ever conduct a nuclear test. If there ever were such a circumstance, it would certainly command support for withdrawal from the CTBT under its withdrawal clause.

CTBT ratification would not change U.S. testing behavior, then, and at this point no one seriously conceives of the treaty in those terms. All talk of "returning to nuclear testing" is a ritualized form of speech aimed at extracting some kind of budgetary or policy concession. If the Administration pursues ratification it will do so because it believes ratification would help curb proliferation – that is, help change other states' actions.

What deals might be required to get U.S. ratification in the next three years, and how might any such deals affect broader disarmament and nonproliferation aims? The price of ratification can be expressed in precise political terms: what it will take to convince the 67th senator to vote for it. While we can be fairly confident there are 60 votes for ratification, it's a very long way to 67. The political topography gets very steep. The votes just aren't there.

Since a (second) Senate vote against ratification would be a serious setback for the Administration, the Treaty, and nonproliferation efforts generally, and since Republican Party discipline

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Reaching Critical Will

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Obama and CTBT Ratification (cont.)

will make it difficult to be sure of the vote count ahead of time, it may be wise to have some expected extra votes in addition to the bare 67, prior to fully committing to a final vote. This obviously raises the barrier even higher.

The high price of closing today's 7-vote gap could set limits on U.S. disarmament diplomacy for years to come, and could also forestall the gradual budgetary disinvestment in nuclear weapons that quietly began in 2006. To buy the votes needed, the CTBT will have to become, as far as the U.S. is concerned, a nuclear sustainment treaty.

Any ratification deal would be aimed, in part, precisely at negating the treaty's disarmament impact. At a minimum, any such deal would attempt to inoculate the nuclear weapons establishments of the Department of Defense and Department of Energy against institutional decline, as much as possible.

Elements of any deal might include floors under nuclear weapons budgets, commitments to develop new missiles, submarines, and reentry vehicles, promises to re-open the prospect of new warheads (as a Council on Foreign Relations panel recommended last week), commitments to new warhead factories (the fate of which is currently hanging in the balance), commitments to creating nuclear weapons educational and training programs and scholarships to ensure the availability of skilled workers, and so on.

There is a general sense among U.S. hawks that the nuclear weapons establishment is under siege, perhaps not so much by specific people or policies as by history itself. Capabilities are indeed being lost. Budgets are drifting down; people are retiring; knowledge and above all ideological commitment to nuclear weapons are being lost.

Meanwhile the cost of doing business is rising.

At the same time there is a slow but much-needed sea-change in government priorities going on, a gradual redefinition of national security. This process is going to intensify year by year as an interrelated set of all-pervading, profound crises related to finance and economic growth, social inequity, food, energy, and climate increasingly grip the attention of governments. Nuclear weapons are expensive, irrelevant distractions, among their many other liabilities.

In this shifting and uncertain scene, the CTBT ratification process will be viewed by many actors—defense ideologues, nuclear contractors, and pork-barrel politicians—as a means to protect the U.S. nuclear establishment against the vicissitudes of time. There will be many nuclear hawks who relish the ratification process for the opportunity it presents to get favorable legislative outcomes they could not obtain any other way.

A CTBT tied to additional, extensive “safeguards” like the examples listed above might well tarnish the treaty in the eyes of many parties, even more than the current surrogate testing capabilities available to the U.S. and other advanced nuclear weapons states.

For all these reasons it is worthwhile for members of the international community to begin an open dialogue with the State Department and others about the ratification process, lest a handful of conservative U.S. senators dictate the CTBT's future—and much other nuclear policy—here.

CTBT ratification has become a shibboleth in arms control circles. The U.S. will ratify this treaty if and when it has no meaning. For now, it is a dangerous distraction. When the fruit is ripe, it will fall. That time is not yet.

Greg Mello is executive director of the Los Alamos Study Group in New Mexico.

Nuclear Cryptoquote

The following jumbled sentence is a quote by a Nobel Peace Prize recipient. Each letter represents another letter - and there is a pattern! The first to decipher the quote, name the author, and tell a member of the Reaching Critical Will team will receive a prize.

“...JXLEGLJC IRR LFFJRCIB VXSCBM, GLJRFNGLW YPXMC SPGJP PIEC TCCL OXBC BCRFJYILY FV YX LXS, XZ YPC LCJCMGYA YX BCMVCJY YPC ‘EGYIR GLYCBCMYM’ XZ IRR VCXVRCM ILN YX TCJXOC ZFRRA ISIBC XZ YPC VBXXZFLN YBFYP XZ YPC ZXRRXSGLW JXLJRFMGXL SPGJP YPC FLGYCN LIYGXLM IIVVBXECN TA FLILGOGYA ZXFB ACIBM IWX: “OILHGLN GM JXLZBXLYCN SGYP I JPXGJC: SC OFMY PIRY YPC IBOM BIJC ILN VBXJCCN YX NGMIBOIOCLY XB ZIJC ILLGPGRIGYXL.”



News in Brief

Michael Spies | Reaching Critical Will of WILPF

Highlights from the Discussion on Disarmament and Security Assurances*Security Assurances*

- The focused discussion on security assurances did not break any new ground as views remained split along well-worn lines.
- Several delegations emphasized or expressed support for additional assurances only in the context of NWFZ treaties, including Japan, the ROK, and Norway.
- A large number of states, however, continued to express support for negotiation of a legally-binding instrument, including the NAM, Russia, Ukraine, Cuba, Brazil, and Nigeria. In this context, Ukraine recalled its proposal to the second PrepCom for states to convene an international conference on the topic.
- In addition, a few delegation called for establishment of security assurances in the NPT context, where it could take the form of a Protocol to the Treaty. These calls came from South Africa, Iran, and Algeria. South Africa recalled the draft Protocol submitted by the New Agenda Coalition to the 2003 PrepCom. Iran reiterated its proposal for an ad hoc committee to the 2010 RevCon to negotiate a decision declaring illegal the threat or use of nuclear weapons.
- Ukraine called for the P5 to sign a legally-binding instrument granting it security assurances in connection with the expiration of START, calling the Budapest Memorandum no longer sufficient.

Disarmament and Non-Proliferation Education

- Japan again read a joint statement, signed by 29 countries, reiterating their call for implementation of the recommendations of the 2002 UN study on disarmament and non-proliferation education.

Highlights from the Cluster 2 Discussion*Proliferation*

- The EU proposed a proliferation action plan for adoption by the RevCon. Elements related to dealing with proliferation generally included responding resolutely to crises; criminalizing acts of proliferation in national laws; combating proliferation financing; creating alternatives to national development of fuel cycle capabilities; determining consequences for non-compliance and for withdrawal by treaty

violators; and developing proliferation-resistant technologies.

- The NAM, Indonesia, and Malaysia reiterated their view that the IAEA is the sole competent authority for assessing compliance with the non-proliferation provisions of the Treaty. This formulation is typically used as an argument against shifting authority for compliance assessment to the Security Council or to states.

Iran

- The EU described Iran's nuclear and ballistic missile programmes as a substantial threat and called on it to comply with relevant UN Security Council resolutions. The EU, however, recognized Iran's right to nuclear energy in conformity with articles I and II of the Treaty.
- The United States noted Iran had broken the rules of the NPT, but otherwise refrained from commenting on the case directly or indirectly.
- The UK urged Iran to implement relevant Security Council resolutions, describing its "flouting" as unacceptable. The UK urged Iran to engage in negotiations rather than face further isolation.
- France described Iran's nuclear and ballistic missile programmes as sources of concern. France called on Iran to resume suspension of its nuclear fuel cycle programmes and resume negotiations.
- China urged the United States and Iran to engage in direct negotiations and urged the P5+1 to take advantage of recent opportunities to reach a diplomatic solution.
- Russia did not address the issue of Iran in its cluster two statement.

DPRK

- Together with Iran, the UK urged the DPRK to implement relevant Security Council resolutions, describing its "flouting" as unacceptable. The UK urged DPRK to engage in negotiations rather than face further isolation.
- France characterized recent developments in the DPRK as a concern, calling on it to implement Security Council resolution 1718 and to verifiably dismantle its nuclear programme and return to the Six Party Talks.
- Japan did not comment on the case of the DPRK in its cluster 2 statement.

continued on next page



News in Brief (cont.)

- China continued to advocate for a peaceful solution, again appealing for calm and restraint in seeking a return to the Six Party Talks.
- The ROK characterized the DPRK as a threat to peace and security on the Korean Peninsula and to the international community. The ROK urged the DPRK to fully comply with the NPT, Security Council resolution 1718, and the 2005 Joint Statement.

Strengthening Safeguards

- The EU called for the RevCon to universalize the IAEA comprehensive safeguards and Additional Protocol.
- Brazil countered arguments that NPT safeguards are not effective enough, noting the problems in implementation of the Treaty derive from individual actors not from the global environment.
- Australia suggested ensuring the enhanced effectiveness of safeguards; expanding the application of safeguards; and recognizing of the evolutionary development of safeguards.
- Egypt argued comprehensive safeguards remain the only legal requirement and urged efforts to universalize the Additional Protocol to stress its voluntary nature.
- The NAM suggested the RevCon call for the universalization of the Additional Protocol—in contrast with proposals to declare it the verification standard. The NAM also suggested the RevCon should call for the universalization of safeguards and request the nuclear weapon states to place all their nuclear facilities under safeguards.

Export Controls

- The EU recommended the RevCon adopt Zangger Committee Memoranda A and B as minimal export control requirements. As part of its proliferation action plan, the EU also called for the RevCon to recognize the export control regimes and adopt measures to prevent the transfer of knowledge related to proliferation-sensitive technologies.
- The NAM argued NPT states must refrain from restrictions on transfers of nuclear technology.

Security, Physical Protection, and Terrorism

- The EU called on the RevCon to support efforts to improve nuclear security and to minimize the use of HEU.
- The United States called for states to transform the Proliferation Security Initiative and the

Global Initiative to Combat Nuclear Terrorism into durable international institutions.

- The Netherlands described nuclear terrorism as one of the biggest threats to international security.

Nuclear Weapon Free Zones

- The NAM recommended that the RevCon reaffirm establishment of all existing NWFZs and reiterate need for the speedy establishment of such a zone in the Middle East.
- Uzbekistan on behalf of the Central Asian states would like the PrepCom to positively reflect their efforts to implement the Semipalatinsk Treaty. The UK reaffirmed its willingness to resume consultations to allow it to sign the Treaty's Protocol.

Challenges to collective security (cont. from front page)

cannot accept the reduction of the NPT vision to one that features a world no longer threatened by the *spread* of nuclear weapons. He argued, the objective of the Treaty is that the world will be *free* of nuclear weapons. To this end, he emphasized the need of a timebound framework for the elimination of nuclear weapons, arguing that even a guarantee of no first-use of nuclear weapons does not substitute the basic promise of the NPT: a prohibition of nuclear weapons.

During the same meeting, the Indonesian delegation called for the negotiation of a Nuclear Weapon Convention (NWC), which it argued would build upon the NPT and provide the opportunity for non-NPT states to join relevant negotiations. In the NGO presentation on a NWC, the drafters noted, "The Nuclear Weapons Convention provides a nondiscriminatory approach and opens the door for immediate engagement by the non-NPT nuclear weapon states. The expectation that India, Pakistan, and the DPRK could be persuaded to join (or rejoin) the NPT unconditionally as non-nuclear weapon states is clearly unrealistic. The expectation that they would join negotiations on an NWC is not." They also explained, "Adopting a more comprehensive framework does not mean abandoning the step-by-step approach.... The Model NWC has been designed to overcome the divide between incremental and comprehensive approaches" to reaching a nuclear weapon free world.

The text of the model Convention can be found at www.icanw.org and the NGO presentations can be found at www.reachingcriticalwill.org.



Voices From Experience

Emma Rosengren | IPPNW Sweden

This Global Security Institute event, co-sponsored by the UN Office for Disarmament Affairs, featured UN Messenger of Peace and Celebrity Michael Douglas; High Representative for Disarmament Affairs Sergio Duarte; former Under-Secretary-General and Pugwash Conferences on Science and World Affairs President Jayantha Dhanapala; former Under-Secretary-General Nobuyasu Abe; and was chaired by GSI President Jonathan Granoff.

After having served for eleven years as a UN messenger of peace, Michael Douglas is now convinced that the time has come for immoral and suicidal nuclear weapons to be eliminated. While stating that regular summits, a Nuclear Weapon Convention, and a strong system for verification are crucial steps to reach a world free from nuclear weapons, Mr. Douglas also argued that it is time to rely on our passion for peace and to work together, both nations and civil society, for progressive change.

By referencing the UN Charter, Sergio Duarte promoted general and complete disarmament under effective international control as one of the ground pillars in the UN system. He also emphasized that while collective efforts must come from nations and groups of states, civil society often presents the best solutions to reach a world free of nuclear weapons.

Jayantha Dhanapala urged for hope and idealism in the tricky task of reaching a global zero. While emphasizing that it is crucial for US and Russia to continue progressive bilateral negotiations on a post-START agreement, Mr. Dhanapala also underlined the need for all nuclear weapon states to reduce their arsenals, and to take Article VI seriously. He also spoke warmly about civil society efforts and accomplishments, and especially emphasized the role of youth and education (for more information, see <http://cyberschoolbus.un.org/>). Mr. Dhanapala also recognized that the time is now to promote hope and idealism, and that the stalemate that has characterized the Conference on Disarmament for 13 years can now be replaced with action.

Nobuyasu Abe emphasized that by using concrete, efficient, and realistic measures, nuclear disarmament can, and hopefully will, be reached within our lifetime. These measures include the ratification of the CTBT, the reaffirmation of nuclear weapon states to fulfill their commitments under Article VI, and devaluing nuclear weapons.

Q&A session ranged around the need for nuclear credits (comparable to carbon credits), the aggressive NATO nuclear doctrine, the prospect for a comprehensive NWC, and the role of bottom-up activities and civil society efforts.



RCW past and present (from left to right): Rhianna Tyson (now with the Global Security Institute); Jennifer Nordstrom (now with the Institute for Energy and Environmental Research); and Ray Acheson (current RCW project director). *Photo by Linda Belle, Jane Addams Peace Association.*

Happy Birthday RCW!

On Thursday evening, Reaching Critical Will celebrated its tenth anniversary with friends and family. The High Representative for Disarmament Affairs Sergio Duarte, Amb. Landman of the Netherlands, Amb. Jim Kelly of Ireland, Christer Ahlstrom of Sweden, and Dimity Hawkins from ICAN delivered some remarks about the history and the ongoing value of the project. Many members of the Women's International League for Peace and Freedom and other delegations and NGOs attended the event to celebrate.

WILPF, which itself turned 94 last month, hopes to continue the work of this project another ten years or more, until the abolition of nuclear weapons has been achieved!



ICAN: The NPT and the Nuclear Weapons Convention

Nicole Phillips | Reaching Critical Will of WILPF

Hosted by International Campaign Against Nuclear Weapons (ICAN) and chaired by John Loretz of IPPNW (USA) and Dimity Hawkins of ICAN (Australia), this event featured Randy Rydell of the Blix Commission and UNODA, Mayra Gomez and Alyn Ware of Parliamentarians for Nuclear Non-Proliferation and Disarmament, and former Under-Secretary-General Jayantha Dhanapala. The speakers stressed the importance of enacting a Nuclear Weapons Convention (NWC) and addressed many misconceptions regarding the NWC.

One misunderstanding of the NWC is that it would stand as an alternative or competitor to the NPT. The speakers made it very clear that the NPT is the foundation for the whole disarmament process and should not be replaced by the NWC. Instead, they suggested that the NWC run parallel to the NPT. The NWC would then be complementary to the NPT, rather than an opponent.

Another criticism of a NWC lies in the nature

of treaties themselves. Treaties can be complicated, difficult to negotiate, and time consuming. However, previous successful treaties prove that obtaining achievable results through this forum are not impossible. The reduction of nuclear weapons needs to be irreversible, verifiable, and transparent. In order to make sure such conditions are met, a reliable and accountable method needs to be developed, such as binding compliance, to strengthen the commitment to disarmament.

Overall, each speaker stressed the importance of a Nuclear Weapons Convention. The NWC was created as a thought experiment meant to spark discussion and debate. The take-home message at the end of the meeting was that the NWC is not something in opposition to other processes such as the NPT, but was created to make existing processes more effective. What remains congruent between the processes is their mutual goal for the non-proliferation of nuclear weapons.

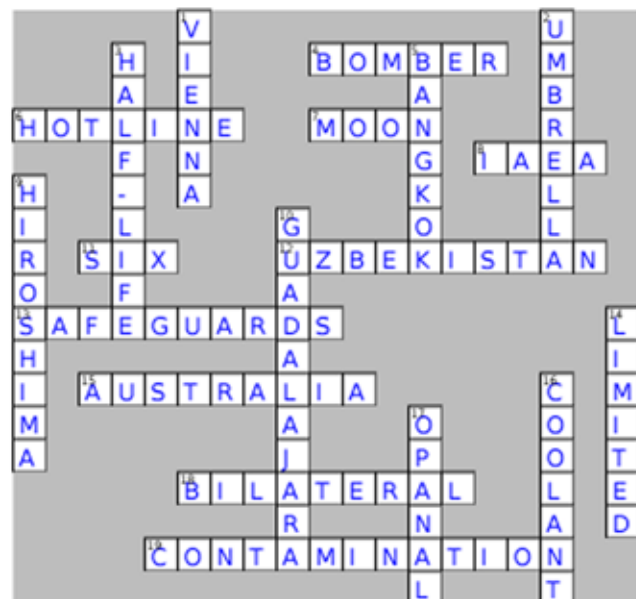
See www.icanw.org for more information.

Nuclear Wordsearch



treaty	fallout	proliferation
NPT	radioactive	geneva
commission	test	CTBT
trinity	india	start

Answers to yesterday's crossword





What's On Today's Calendar of Events

Morning Vigil (all faiths and none are welcome)

Where: Isaiah Wall, Ralph Bunche Park, opposite UN

When: 7:45 AM

Contact: Christian CND

Abolition 2000 Caucus

Where: Conference Room E

When: 8:00–8:50 AM

Actions to abolish nuclear weapons in France

Where: Conference Room E

When: 10:00 AM–1:00 PM

Contact: Pierre Villard, Le Mouvement de la Paix

Government Briefing: Ambassador Boniface G. Chidyausiku of Zimbabwe (PrepCom Chair)

Where: Conference Room D

When: 12:00–1:00 AM

An Update on the UK/Norway/VERTIC research into the verification of nuclear disarmament

Where: Conference Room A

When: 1:15–2:45 PM

Disarmament and Non-Proliferation Education

Where: Conference Room 8

When: 1:15–2:45 PM

Contact: Michiru Nishida, Ministry of Foreign Affairs of Japan; co-sponsored by the UN Office for Disarmament Affairs and the James Martin Center for Nonproliferation Studies. Light meals provided.

The role of parliamentarians in advancing a nuclear weapons-free world

Where: Conference Room D

When: 1:15–2:45 PM

Contact: Alyn Ware, Parliamentaries for Nuclear Non-Proliferation and Disarmament

The NPT and Nuclear Technology: Article IV, Peaceful Use, and Safeguards

Where: Conference Room E

When: 1:15–2:45 PM

Contact: Christopher Ford, Hudson Institute

Northeast Asia Nuclear Weapon-free Zone

Where: Conference Room E

When: 3:00–6:00 PM

Contact: Keiko Nakamura, Peace Depot

NWC Simulation - Preparations (closed workshop)

Where: NGO Room (Conference Room E)

When: 6:15–7:15 PM

Contact: Regina Hagen, INESAP

Parliamentarians for Nuclear Non-proliferation and Disarmament

(PNND)

invites you to a roundtable on:

The Role of Parliamentarians in advancing a nuclear-weapons-free world

Friday May 8. 13:15-14:45

Conference Room D



Dennis Kucinich
US Congress
(by video)



Bill Siksay MP
Canada



Bill Kidd MSP
Scotland



Mayra Gomez
PNND Program
Officer



**Ambassador (retired)
Robert Grey Jr (US),
Director of the Bi-Partisan
Security Group**



Hideo Hiraoka MP
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