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News in Review

Civil society perspectives on the Seventh Review Conference of the
Nuclear Non-Proliferation Treaty
May 2-27, 2005

Sorting Through the Substance

- Rhianna Tyson, WILPF

After almost three weeks of procedural battles, each of the Main Committees (MC) commenced their long-awaited and long overdue work in a deluge of substantive issues. No wonder the President has three Chairs to help him sort it all out. Even they, in turn, each have a subsidiary body Chair to help *them* plot a course toward consensus. Though only five sessions for each Committee remain, the workload ahead is, as New Zealand's Ambassador Tim Caughley acknowledged, "an obviously daunting task."

Of the 27 statements delivered to Main Committee I, the vast majority focused on various issues of disarmament, including the need for transparency and irreversibility in nuclear disarmament, the urgency of the Comprehensive Test Ban Treaty to enter-into-force, the desire for a subsidiary body on nuclear disarmament in the Conference on Disarmament, needed negotiations on legally binding security assurances and other measures agreed upon in past Final Documents that remain unfulfilled today.

Four Nuclear Weapon States (NWS) utilized their MC I statements to demonstrate their commitment and compliance to disarmament commitments. Unfortunately, with few exceptions (such as the UK's work in the field of verification), most of the measures heralded by France, China, Russia and the UK were not taken in the past five years, the focused time period that the Conference is supposed to review.

The US's MC I statement, by contrast, focused entirely on Articles I and II, with examples of Iran's non-compliance comprising the bulk of its MC I statement. Ambassador

Jackie Sanders asserted that Iran's "pursuit of enrichment and reprocessing without an economic justification" is "an indicator of a possible Article II violation." She continued to assert unequivocally that Iran "is determined to acquire an enrichment plant to give itself the capability to manufacture nuclear weapons."

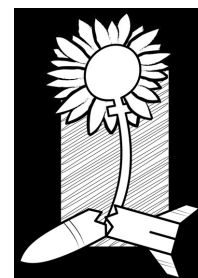
While Main Committee I plodded along with its predictable General Debate as though time was not running out, Main Committees II and III had a bit more difficult of a day.

In MC II, Egypt sought to confirm that one of the two meetings of the subsidiary body be devoted to the Middle East, an "understanding" that Egypt thought "had been reached, already agreed upon 'in principle'". With objections from the US and Australia, this procedural fight is prolonged even further, inciting the Chair to warn that if there is no agreement by Wednesday, he will close Committee and issue a chairman's factual summary.

Normally the most placid of the Committees, MC III turned into the showdown grounds for the face off between the US and Iran. In just one session, accusations were hurled back and forth between the two nemeses, indicating that this normally controversy-free committee will be a bit livelier than in previous Review Conferences.

In a particularly lengthy statement, Iran warned against States restricting transfers of nuclear technology and deplored the unbalanced power that nuclear suppliers have over recipients. Iran also warned that threats of attack faced by Non-Nuclear Weapon States from both Nuclear Weapon States (read: US) as well as non-parties (read: Israel) threaten the very

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Rebuilding Confidence in the NPT

- Ernie Regehr, Project Ploughshares

This is an excerpt from a paper prepared on behalf of the Commission of the Churches on International Affairs (CCIA) of the World Council of Churches. In 2004 Project Ploughshares organized an international church leaders' delegation to several non-nuclear-weapon NATO states and to NATO headquarters to encourage changes to NATO's nuclear policy along the lines presented in this paper.

That the Nuclear Non-Proliferation Treaty is under severe strain is not in doubt. The Treaty's three basic provisions mean that it is rightly described as a cornerstone of global security. First, it reinforces a clear global norm against the legitimacy of nuclear weapons. Second, it encourages the development of nuclear technology for non-military purposes while imposing specific legal prohibitions on the acquisition of nuclear weapons by non-nuclear weapon states (NNWS). Third, it places legal obligations on acknowledged nuclear weapon states (NWS) to dismantle and eliminate their nuclear arsenals. Yet, all three of these fundamental elements of the NPT are severely challenged:

- *Additions to the nuclear "club" have been accepted with relative equanimity.* The global norm against nuclear weapons is undermined by the way the "official" nuclear weapon states have now been joined by three essentially "accepted" nuclear states – India, Israel, and Pakistan. These are accepted as nuclear weapon states inasmuch as they have become publicly acknowledged as such without being subjected to any serious consequences from the international community. In fact, they can be said to have gained new respect, or at least special consideration, as a result of their nuclear status.
- *The international community has to date failed to develop a consistent and compelling collective resolve regarding the ways and means to deal with NNWS parties to the Treaty that are found to be pursuing the acquisition of nuclear weapons or of technologies useful in the pursuit of a nuclear weapons capability in defiance of the letter and spirit of the Treaty.* NPT member states North Korea and Iran continue to challenge the core prohibition of the Treaty and thus to raise doubts about the international community's enforcement capacity or resolve.
- *Nuclear Weapon State adherents to the Treaty continue to avoid their disarmament obligations and continue to affirm the political and military legitimacy of nuclear weapons – for them.* NWS parties to the Treaty continue to claim the right to retain nuclear arsenals and to pursue new nuclear weapons and delivery systems, and refuse to enter into meaningful negotiations on ongoing and irreversible nuclear disarmament.

The Treaty is in trouble and no state or group of states is absolved of the responsibility to help recover the vision and intent of the Treaty. All will have to make a contribution to the survival of the Treaty as an effective and key instrument through which the world seeks to keep at bay, and eventually eliminate, the unrivaled terror of nuclear weapons.

One group of States with a particular responsibility is the Non-Nuclear Weapon States within NATO. These states occupy a unique position and thus bear a unique responsibility to move the world towards the nuclear-weapon-free status

that has been a formal and normative objective of the international community since at least 1968.

The NNWS members of NATO embody public commitments that are uniquely and overtly contradictory. As NNWS signatories to the NPT they are, like all other NNWS signatories to the NPT, pledged to eliminate nuclear weapons and also to eschew the acquisition of nuclear weapons, yet, as members of the world's only current nuclear weapons alliance, they are also pledged to continue to rely indefinitely on nuclear weapons for their own security. Furthermore, some NATO states that adhere to the NPT as non-nuclear weapon states hold nuclear weapons on their territories, making the contradiction all the starker.

It is true that these contradictions have in effect been tolerated by the NPT community throughout the full life of the Treaty, but it does not follow that they will continue to be tolerated indefinitely.

"It is not acceptable to others," says Australia's former Ambassador for Disarmament, Richard Butler (2005), "for the US, for example [and one could add NATO], to claim that its security is so important that it is justified in holding nuclear weapons but this is not the case for other states, such as India and now Iran."

Even John Deutch (2005, pp. 51-52), who has held a number of senior US defence and security posts and who advocates a significantly reduced but ongoing nuclear arsenal for the United States, admits to "a basic hypocrisy on the part of nuclear powers: they retain their own arsenals while denying others the same right." He goes on to say that Washington is pursuing "conflicting goals: maintaining a modern nuclear weapons posture, on the one hand, and curbing the spread of nuclear weapons, on the other." It is a double standard that is formally, but temporarily, accepted in the NPT.

From the beginning of the nuclear age states have responded to three "powerful but contradictory pressures," explains Prof. William Walker (2004, p. 23) of the University of St. Andrews. "The first was to eliminate the weapon and thereby remove the threat of extinction. ... The second pressure was for states to acquire the weapon so as to expand national power and prestige and to balance or gain ascendancy over adversaries. The third combined the first and second: to arm the Self whilst preventing the armament of Others."

The NPT in a sense embodies the third impulse, but with a key qualifier: that the legitimacy of that double standard depends upon its being understood as a transition toward a single standard for all: "the Treaty promised (the word is not too strong) that the asymmetry of capabilities would be nullified over time by the nuclear-weapon states' (NWS) practice of arms control and disarmament" (Walker 2004, p. 13).

While the Treaty envisions the elimination of all nuclear arsenals, five nuclear weapon states are given the legal right to possess nuclear weapons while working in good faith to implement their Article VI commitment to eliminate those arsenals:

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Space Security or Space Arms Race?

- Regina Hagen, INESAP

The "Briefing on Space Security" convened by the Cambridge/US-based Union of Concerned Scientists in NGOs conference room E here at the UN on May 19 could hardly have been scheduled more timely. Just one day before, the New York Times run an article on page 1 that "[US] Air Force Seeks Bush's Approval for Space Arms." The article explains that the US Air Force hopes for approval by US President Bush of a new national policy directive on space. The previous one was issued by Bill Clinton in 1996 and outlined, *inter alia*, that "Consistent with treaty obligations, the United States will develop, operate and maintain space control capabilities to ensure freedom of action in space and, if directed, deny such freedom of action to adversaries."

And now comes Gen. Lance Lord, leader of the US Air Force Command, who, according to the *New York Times*, says that "Space superiority is not our birthright, but it is our destiny. Space superiority is our day-to-day mission. Space supremacy is our vision for the future." The weapons for this endeavor are the Common Aero Vehicle (which would be launched from a space plane and deliver munitions to targets on earth), the Hypervelocity Rod Bundles – the "rods from god" –

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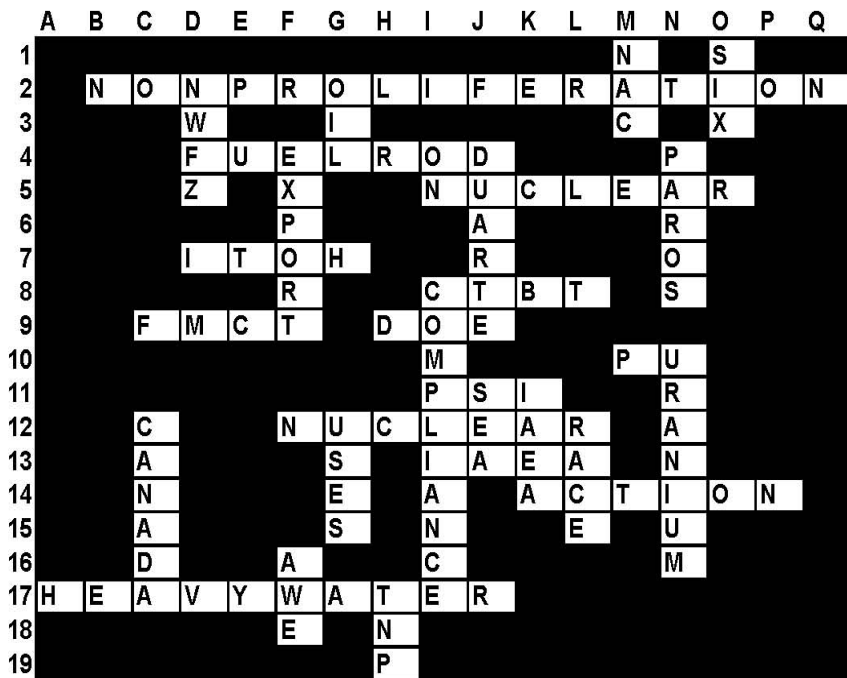
Rhianna Tyson is the Editor of the *News in Review*.

(metal rods deployed on a space platform to hit the earth), the Evolutionary Air and Space Global Laser Engagement (EAGLE; terrestrial, airborne, or space-based lasers relayed by mirrors to "achieve a broad range of effects from illumination to destruction"), or space-based kinetic missile defense interceptors.

Against this background, the experts from UCS presented physical facts and economics. Those promoting war in space often forget basic principles of physics, which have, nonetheless, major impact on the feasibility and costs of space weaponization. To give just a few examples of David Wright's talk:

- To bring one kilogram of payload into space costs approx. US\$ 20,000. Yet in order to change speed – which implies changing orbit – or maneuvering around, a satellite needs fuel, lots of fuel. To boost one three-ton satellite from the low to geo-synchronous orbit takes nine tons of fuel and costs US\$ 180 million.
- The lower a satellite's orbit, the faster it passes over a certain location or country on earth. Thus on lower earth orbits you need many satellites to give permanent coverage of one specific site. To implement space-based boost-phase missile defense, you need 1,000 interceptors in space to prevent one single ballistic missile launch. If you want to protect against 5 simultaneous launches, the number of interceptors rises to 5,000. In order to change orbit and maneuver for the intercept, each interceptor must be provided with one ton of fuel. This brings the cost for such a system to US\$ 20-120 or more.
- Kinetic ground-attack weapons based high up in sky would in principle allow attack on any point on earth within 30 minutes. Due to the laws of physics, that would require a constel-

Yesterday's crossword answers



EEK! We realized after yesterday's edition went to print that some of the questions didn't match up with their corresponding blank squares. If you managed to figure out where everything goes– extra points for you!

continued on page 4

Space Security continued from page 3

lation of 96 satellites, not to forget the fuel which allows them maneuvering. To deploy them in space would cost many tens of times more than setting up conventional ballistic missiles to attack the same targets from the ground.

Laura Grego, also from UCS, continued the briefing from this point. Referring to some of the above-mentioned US military and policy documents, she said that the US Strategic Command (with which the US Space Command has been merged a few years ago) defines its space mission as the possibility to “deceive, disrupt, deny, degrade, or destroy adversary space capability.”

However, she explains, non-destructive interruption of satellite services – such as disturbing communication to and from a satellite (jamming) or temporarily dazzling and permanently blinding of a satellite’s optical instruments – is best done from ground, not from space, and the effect of the operation is difficult to verify.

Space would therefore be best suited for destructive kinetic energy attacks on adversaries satellite systems. This is predictable, verifiable - and creates masses of debris which would pose a whole number of problems to civilian and military spaceflight for the foreseeable future. When we talk about anti-satellite (ASAT) weapons, we should keep the following in mind:

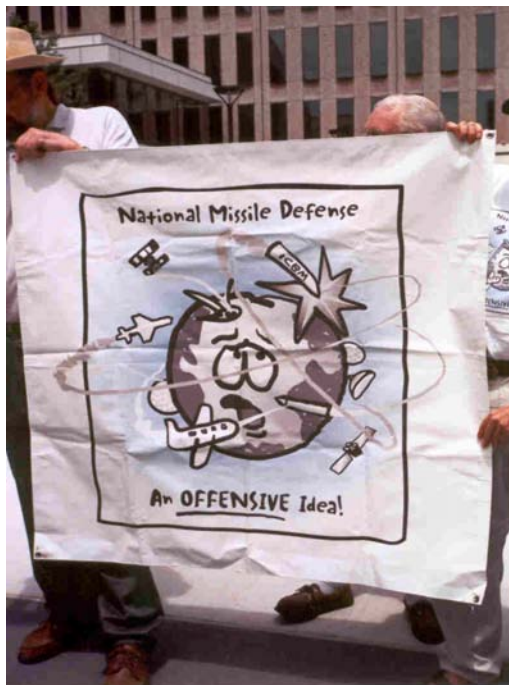
- ASAT weapons that are suited to space-basing have generally destructive effects, i.e. they create permanent damage to the adversary’s systems.
- Countries with the best ability to conduct ASAT attacks are those who have interests and investments in space themselves.
- It will be very difficult to protect a satellite against a determined adversary.

One of Dr. Grego’s conclusions is that a nation could not use space-based weapons to deny other countries access to space, although it could make space launch and operation more expensive. Also, she remarks, the military missions that are well-suited to space (communications, earth observation, broadcast, etc.) are largely already there. At the same time, missions that require large amounts of maneuvering and transfer of mass, like space-based ground attack, are poorly suited to space and are generally not competitive with ground-based systems such as conventional ballistic missiles.

Ambassador Jonathan Dean, UCS advisor on global security issues, concluded the presentations by looking at how legal

regimes govern activities in space and how they could be used to slow down or prevent the weaponization of space.

His starting point was the 1967 Outer Space Treaty, which prohibits only weapons of mass destruction deployed in space and weapons basing on the Moon and celestial bodies. However, the treaty provides some useful provisions when it comes to a dispute over the weaponization of space. Article VII of the Treaty, e.g., makes space launching countries liable for the damage their space objects cause to another country.



Several other agreements are in place that limit military activities in space, such as the Partial Test Ban Treaty of 1963 which prohibits nuclear explosions in space, the Liability Convention of 1972, the Registration Convention of 1976, or the statute of the International Telecommunications Union, which allocates radio frequencies and orbital satellite slots.

Ambassador Dean suggested a whole list of activities under international law or in the framework of the UN that could be undertaken to Prevent an Arms Race in Outer Space (PAROS).

In the discussion it was voiced that the international community should go ahead discussing a space weapons ban even without participation of the United States. Whether landmines treaty, Kyoto protocol, or Comprehensive Test Ban Treaty – it has already several times been shown that legal commitments have a positive overall effect even without the mightiest country’s ratification. This would mean that we need to convince the US by international pressure that something should be done. And if the current NPT Review decides to actually get to work and start negotiations on a Nuclear Weapons Convention this year or soon thereafter, the NGO community will have enough free time to tackle this additional task.

If you want to learn more about “The Physics of Space Security”, check out the Reference Manual under that title authored by David Wright, Laura Grego, and Lisbeth Gronlund, published by the American Academy of Arts and Sciences in 2005, explicitly written for a lay audience, at <www.ucsusa.org/global_security/space_weapons/page.cfm?pageID=1770>.

Regina Hagen is Coordinator of the International Network of Engineers and Scientists Against Proliferation (INESAP).

What's On: Calendar of Events

Friday, May 20

Daily morning interfaith prayer vigil

Where: Ralph Bunche Park, 42nd Street, 1st Avenue

When: May 2-27, 7:30 AM

Abolition 2000 Morning Caucus

Where: UN Conference Room E

When: Daily, 10 AM- 11 AM

Main Committee I

Where: Conference Room IV

When: 10 AM-1 PM

Main Committee II

Where: General Assembly Hall

People of Color Communities Organizing to Ban Nuclear Weapons and Nuclear Energy

Where: UN Conference Room E

When: 11 am - 1 pm

DVD Screening: Peace by Piece/One Thousand Crane Workshop by New York University Students

Where: United Nations Conference Room E

When: 1:15- 2:45

Main Committee II

Where: Conference Room IV

When: 3-6 PM

Main Committee III

Where: Conference Room III

When: 3-6 PM

Monday, May 23

Daily morning interfaith prayer vigil

Where: Ralph Bunche Park, 42nd Street, 1st Avenue

When: May 2-27, 7:30 AM

Governmental Briefing- Ambassador Carlo Trezza (Italy)

Where: UN Conference Room E

When: 9-10 AM

Main Committee I

Where: Conference Room III

When: 10 AM- 1 PM

Main Committee III

Where: Conference Room IV

When: 10 AM- 1 PM

Abolition 2000 Morning Caucus

Where: UN Conference Room E

When: 11 AM- noon

DVD Screening and Discussion: Nuclear Terrorism: Is the World Safer?

Where: UN Conference Room E

When: 1:15- 2:45

Main Committee II

Where: Conference Room III

When: 3-6 PM

Main Committee III

Where: Conference Room IV

When: 3-6 PM

YOUTH CAUCUS: WE ARE THE WORLD

Where: Conference Room IV

When: 1:15 - 2:45

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existence of the NPT.

Canada, which continues to prove itself as an indispensable bridge-builder in progressively polarized debates, addressed Iran's concerns while supporting efforts to freeze enrichment and reprocessing capabilities: "In an increasingly inter-dependent world, few states can claim energy self-sufficiency. Such inter-dependence should not, however, be regarded as a weakness, but rather a testimony to the strength of the global economy...(C)urrent work to develop innovative approaches to the fuel cycle ...could reduce the incentive for States to acquire a production capacity for to weapon-useable material, while at the same time ensuring access by States Party to nuclear energy for peaceful purposes at reasonable market prices. To be viable, such approaches must be consensual and non-discriminatory, providing States a reliable alternative to domestic enrichment and reprocessing."

Over the next few days, the Chairs of these Committees and subsidiary bodies indeed have their work cut out for them. Reports to the Drafting Committee are due by Wednesday, indicating that the Chairs will most probably be working through this next beautiful weekend. Just how they will sort through the mass of working papers, non-papers, statements and accusations in the hopes of conceiving agreeable- yet effective- language for the Final Document will remain to be seen.

This article was written with the gracious assistance from the Greenpeace team, Atsuko Nogawa, Duncan Currie and William Peden, and with assistance from Felicity Hill. With so much going on and so much to follow, be sure to supplement your daily updates with other NGO analyses, such as those from the Acronym Institute, www.acronym.org.uk.

The Nuclear Energy Bargain

- Naomi Gingold, WILPF

The applications of nuclear technology touch our lives every day, from the food we buy at the grocery store to our annual checkups at the neighborhood hospital. In fact, the right to use and develop nuclear energy is enshrined within the framework of the NPT. But how safe is the proliferation of nuclear energy, really? On May 18th, the Panel, "Nuclear Terrorism, Nuclear Power, and Article IV", addressed the viability, safety, use, management and proliferation of nuclear energy.

Dr. Kanter, an internist and member of Physicians for Social Responsibility, presented his case for why Article IV "is a bad bargain." Describing the wide-ranging hazards and issues inherent to the nuclear energy fuel cycle, he highlighted the danger to people and the environment, the possibility of nuclear facilities becoming terrorist targets, and the issue of nuclear waste management and overcrowding in spent fuel pools. Kanter argued that the development of renewable energy technology is the key to future development. Using a computer simulation that took into account place, climate, and weather patterns, Dr. Kanter presented a chilling description of how the world would suffer in the event of a terrorist attack or accident at a nuclear facility.

If a nuclear power plant in Brazil were to have a coolant failure, over 23.3 million people would be affected. Some would die instantly; some would develop varying degrees of Acute Radiation Sickness; some would develop lethal cancer, and some would suffer from irreversible genetic consequences.

If a small terrorist attack or accident were to occur at the Indian Point Power Plant not far from New York City, up to 44,000 people would die instantly. Medical centers, firefighters, and police, themselves affected and contaminated by the radiation, would be unable to respond effectively to the disaster. This does not even begin to describe the magnitude of destruction that would occur in the event of a terrorists attack on the scale of September 11.

Dr. Tariq Rauf from the International Atomic Energy Agency, reminded the crowded room that the NPT, the only forum for which states to talk about their nuclear endeavors, could not have been put into place without Article IV. "Article IV is a crucial part of the balance of the NPT," he stated.

He asserted that nuclear energy use, predicted to double by mid-century, is a necessary requirement for global development. According to Dr. Rauf, renewable energy resources have not shown the capacity to replace the needed energy output of fossil fuels; nuclear energy, a fuel that emits smaller amounts of Co2 than fossil fuels, can easily fill the gap.

The IAEA has suggested and undertaken many directives to deal with nuclear security issues. The IAEA's Security plan, reformulated after 9/11, is characterized by three objectives: prevention, detection, and response. "The IAEA does not peddle nuclear energy," Dr. Rauf told the attendees; the IAEA is a safety mechanism both established and circumscribed by its Member States. Rauf reminded the audience that, in regards to nuclear energy, one must balance the risks versus the benefits

As Dr. Kanter stated, "You have to choose where to invest your future."

Rebuilding Confidence continued from page 2

Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control.

All other states are prohibited from acquiring nuclear weapons at any time. It is a double standard that NNWS states were largely powerless to protest through decades of nuclear arming by nuclear weapon states in the deadliest arms race in human history – a period that certainly did not include good faith efforts toward disarmament, leading instead to the collective accumulation of more than 70,000 nuclear warheads. Since that peak in the early 1980s the numbers have been sharply reduced, but they remain at levels still readily capable of human annihilation, without any demonstrable commitment from key NWS to achieve their elimination and prohibition.

That double standard is not sustainable, morally or politically, and the preeminent current danger is that this double standard will be resolved by the broader acquisition of nuclear weapons rather than through their universal elimination. A number of non-nuclear weapon states could become nuclear weapon states relatively quickly; others have the means to pursue a nuclear capability over a longer period of time, even if it takes decades. The hope that those states with the technical and financial resources to acquire nuclear weapons, either quickly or over time, will continue to voluntarily forego a nuclear capability is bound to be dashed in a world in which nuclear weapons are seen to confer legitimacy and authority on those who possess them. It is a hope that certainly will not be realized as long as some of the world's most secure states, in North America and Western Europe, continue to insist that their security depends on the retention of nuclear weapons.

The central premise of this report, therefore, is that NATO's NNWS could make a major contribution to restoring international confidence in the Treaty by taking overt measures to acknowledge, mitigate, and ultimately end their contradictory status. There are other serious, and more immediate, threats to the NPT, but this report starts from the premise that the NNWS members of NATO bear a special responsibility to come into full compliance with the spirit and letter of the Treaty, and that in so doing would render a singular service to the urgent, and far from guaranteed, mission to save the NPT from disintegration. This report is also premised on the responsibility of the World Council of Churches, whose member churches are prominent within many NATO states, to draw attention to the NATO/NPT contradiction and to encourage action to resolve it in order to strengthen the Treaty as the core instrument for the pursuit of a nuclear weapon-free world.

The full report can be found at: <http://www.ploughshares.ca/>