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# Middle Powers Initiative Policy Brief

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## **Re-nuclearization or Disarmament:**

## **A Fateful Choice for Humanity**

**A Political Analysis of the Third Preparatory Committee Meeting for  
the 2005 Review Conference of the Non-Proliferation Treaty**

**By Senator Douglas Roche, O.C.**

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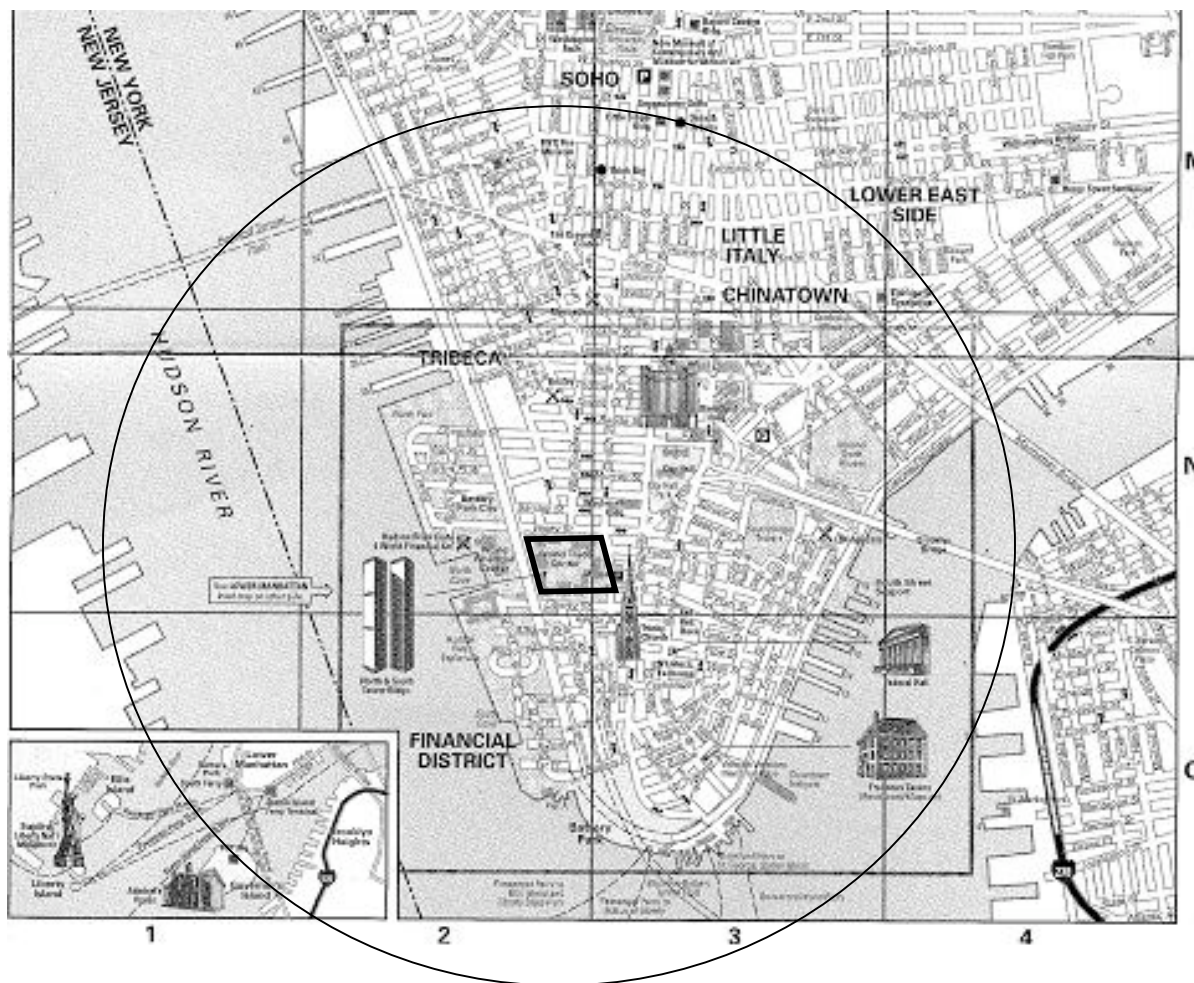
### **SENATOR DOUGLAS ROCHE, O.C.**

This is the last of three reports on the meetings in 2002, 2003 and 2004, of the Preparatory Committee for the 2005 Review Conference of the Non-Proliferation Treaty. The first two reports, “The NPT: Crisis and Challenge” (2002) and “Ritualistic Façade” (2003), are available on Senator Roche’s website <<http://www.sen.parl.gc.ca/droche>>.

Senator Roche was Canada's Ambassador for Disarmament from 1984 to 1989. He was elected Chairman of the United Nations Disarmament Committee, the main U.N. body dealing with political and security issues, at the 43rd General Assembly in 1988. Senator Roche was elected to the Canadian Parliament four times, serving from 1972 to 1984 and specializing in the subjects of development and disarmament. He holds six Honourary Doctorates.

He was appointed to the Senate of Canada in 1998. He is an Officer of the Order of Canada and Chairman, **Middle Powers Initiative**, a network of eight international non-governmental organizations specializing in nuclear disarmament. Senator Roche is the author of seventeen books, and has contributed chapters to fourteen more. His most recent is The Human Right to Peace (Novalis, 2003).

## Ground Zero in New York



***“Nothing could be simpler!”***

*This illustration of a Hiroshima-equivalent area of death within a one-mile radius of the World Trade Center in Lower Manhattan (square area) was provided by Frank von Hippel, Global Security Institute advisor and former Assistant Director for National Security in the White House Office of Science and Technology, to a briefing on May 5, 2004 to delegates and NGOs at the Third Preparatory Committee meeting for the 2005 Review of the Non-Proliferation Treaty. On a business day, several hundred thousand people live or work within the circle. In addressing the capacity of terrorists to obtain highly enriched uranium and improvise an explosive device with power equal to that of the Hiroshima bomb, Dr. von Hippel said, “Nothing could be simpler!”*

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## Executive Summary

In light of the real possibility that terrorists could acquire and use nuclear weapons to kill hundreds of thousands of innocent people, never has the need to eliminate the threat posed by nuclear weapons been more urgent. Tragically, this sense of urgency was not shared by many delegates to the third and final meeting of the Preparatory Committee for the 2005 Review Conference of the Non-Proliferation Treaty (NPT). The meeting at the U.N. in New York ended May 7, 2004 in disarray, the delegates unable to agree even on an agenda and background documentation for the Review Conference. Acrimony and weak leadership characterized the PrepComm. Issues of substance concerning the future of nuclear weapons were lost in the procedural wrangling that dominated the final two days of the two-week meeting.

The failure of the PrepComm, which was mandated to make recommendations to the Review Conference, augured ill for the 2005 conference (May 2-27 in New York). The Review Conference, which will be presided over by Ambassador Sergio Duarte of Brazil, will face a stark reality: the Nuclear Weapons States (NWS), led by the United States, are claiming that the NPT priorities should be directed to stopping the proliferation of nuclear weapons and that the problem of their own compliance with Article VI, which calls for good faith negotiations toward the complete elimination of nuclear weapons, is non-existent. The leading non-nuclear weapons states claim the exact opposite: the proliferation of nuclear weapons cannot be stopped while the nuclear weapons states arrogate unto themselves the possession of nuclear weapons and refuse to enter into comprehensive negotiations toward elimination as directed by the International Court of Justice. The gulf between the two positions is so wide that even the diplomatic skills of Ambassador Duarte are unlikely to produce some sort of harmony between the two camps without a major change in attitude.

The present crisis is the worst in the 34-year history of the NPT. While the NPT meetings have never been free of conflict, the battles of the past were frequently patched over by an application of good will and a minimum show of trust. Now the good will and trust are gone largely because the NWS have tried to change the rules of the game. At least before, there was a recognition that the NPT was obtained through a bargain, with the NWS agreeing to negotiate the elimination of their nuclear weapons in return for the non-nuclear states shunning the acquisition of nuclear weapons. Adherence to that bargain enabled the indefinite extension of the Treaty in 1995 and the achievement of an "unequivocal undertaking" in 2000 toward elimination through a programme of 13 Practical Steps. Now the U.S. is rejecting the commitments of 2000 and premising its aggressive diplomacy on the assertion that the problem of the NPT lies not in the NWS's own actions but in the lack of compliance by states such as North Korea and Iran. The United Kingdom, France and Russia are abetting the U.S. in the new tactics of shifting attention away from Article VI commitments and towards break-out states. Brazil bluntly warned:

"The fulfilment of the 13 steps on nuclear disarmament agreed during the 2000 Review Conference have been significantly – one could even say systematically – challenged by action and omission, and various reservations and selective interpretation by Nuclear Weapon States. Disregard for the provisions of Article VI may ultimately affect the nature of the fundamental bargain on which the Treaty's legitimacy rests."

The whole international community, nuclear and non-nuclear alike, is concerned about proliferation, but the new attempt by the NWS to gloss over the discriminatory aspects of the NPT, which are now becoming permanent, has caused the patience of the members of the Non-Aligned Movement to snap. They see a two-class world of nuclear haves and have-nots becoming a permanent feature of the global landscape. In such chaos, the NPT is eroding and the prospect of multiple nuclear weapons states, a fear that caused nations to produce the NPT in the first place, is looming once more.

That is the real point of the NPT crisis today. The crisis has been building through the two previous PrepComms, in 2002 and 2003, but a weak facade of harmony was maintained. Now the fuse has blown.

A new coalition of States determined to save the NPT in 2005 must now be forged. A working partnership of important non-nuclear States must occupy the centre of the nuclear weapons debate and exert its strength in 2005. The beginning of such a partnership exists in the New Agenda Coalition, which was largely responsible for the success of the 2000 Review Conference. The leading non-nuclear States of NATO, such as Canada, Germany, Norway, Belgium, the Netherlands and Italy, must now work closely with the New Agenda to lead the international community toward a positive, if still modest, success in 2005.

Some of the 70 Non-Governmental Organizations (NGOs) that attended the PrepComm have already lost hope that the NPT can be saved and are looking beyond its collapse to some new instrument that can effect political action against nuclear dangers. But many, perhaps most, of the NGO observers, who are for the most part more knowledgeable on the issues than some diplomats, want the NPT to endure on the grounds that it is the only legal instrument to effect the elimination of nuclear weapons. They are looking to the 2005 exercise with a final glimmer of hope.

## 1. Recommendations – Or the Lack Thereof

1.1 The chief task of the PrepComm was to make recommendations to the Review Conference. None emerged, but it was not for lack of trying.

1.2 The New Agenda Coalition (Brazil, Egypt, Ireland, Mexico, New Zealand, South Africa and Sweden) was fast off the mark, tabling on the first day a list of 44 substantive recommendations (see Appendix “A”). The recommendations centred on implementing the Final Document of 2000 with its 13 Practical Steps, strengthening the safeguards work of the International Atomic Energy Association, setting up a subsidiary body at the Conference on Disarmament to deal with nuclear disarmament, resuming negotiations for a Fissile Material Cut-Off Treaty, reducing and eliminating tactical nuclear weapons, supporting the establishment of a Middle East zone free of nuclear weapons, and promoting better reporting on nuclear activities by all States.

1.3 This list, though too much for the NWS in their present posture, stops well short of the demand by the Non-Aligned Movement for immediate comprehensive negotiations for a time-bound programme for nuclear disarmament. It is not so far from the positions of the non-nuclear members of NATO as to be incapable of serving as a bridge in negotiations. The list is by far the clearest, most coherent and positive approach to moving the nuclear disarmament agenda forward.

1.4 A good number of the New Agenda points made their way into the “Chairman’s Summary,” a 55-paragraph document prepared by Ambassador Parnohadiningrat of Indonesia, who chaired the PrepComm. Ambassador Parnohadiningrat’s document tried to reflect the diverse views of competing interests. But because it tried to give something to each faction, it had little general appeal and was pumelled by the U.S., U.K., France and Russia for its purported lack of balance. The U.S. refused even to allow the Chairman’s Summary to be annexed to the PrepComm report, as had been done in the two previous PrepComms, forcing on Ambassador Parnohadiningrat the indignity of sending the document forward in his own name only, deprived of any official status at the PrepComm.

1.5 Foreseeing the fate of his own paper, Ambassador Parnohadiningrat tried to insert a simple and single recommendation into the PrepComm report. It read:

“In accordance with the 1995 decision on strengthening the review process for the Treaty and the Final Document of the 2000 Review Conference, and taking into account the deliberations and results of its previous sessions, the Committee agreed at its third session to recommend to the 2005 Review Conference to consider the establishment of subsidiary bodies to take up issues of the Main Committees of the Conference.”

1.6 Though not much more than procedural in nature, this recommendation would have brought the accomplishments of the 2000 Review Conference to the forefront. The U.S. showed its antipathy to any recollection of the 2000 Review (it disowned its own participation in the 2000 consensus as the work of a previous Administration) by refusing to have the agenda for the 2005 Review take account of the 2000 Review. When accommodating language on the agenda was worked out, largely due to the negotiations conducted by Ambassador Paul Meyer of Canada, it appeared briefly that the agenda for 2005 would be agreed upon and then, in turn, the single recommendation of the Chairman.

1.7 However, the Non-Aligned Movement (NAM) then refused consent unless the NAM’s boiled-down recommendations were also accepted. These recommendations called on the PrepComm to agree that:

- the 2005 Review Conference consider the further strengthening or enhancement of the review process, including with regard to the institutions of the Treaty;
- the establishment of subsidiary bodies, in accordance with rule 34 of the draft Rules of Procedures for the 2005 Review Conference, to consider, respectively, issues

related to nuclear disarmament, safety and security of peaceful nuclear programmes, security assurances, regional issues with particular reference to the 1995 Resolution on the Middle East;

- the Review Conference consider the further strengthening or enhancement of the regular reports provided for in accordance with the 2000 Review Conference of the Parties to the Treaty on the Non-proliferation of Nuclear Weapons, Final Document;
- the Review Conference consider the steps and other actions that could be undertaken to promote disarmament and non-proliferation education, with particular reference to the Treaty on the Non-proliferation of Nuclear Weapons.

1.8 The Western NWS (U.S., U.K., France) absolutely refused to consider subsidiary bodies on security assurances even though a 1995 resolution of the Security Council provided security assurances that nuclear states would not attack non-nuclear states. These Negative Security Assurances were deemed to be political commitments. The NAM wants legal commitments and wants the 2005 Review Conference to take up the subject in a discrete debate.

1.9 When the abbreviated list of NAM recommendations (it did not even refer to their standard demand for a time-bound program) was rejected by a number of States, the Malaysian spokesman for NAM tried to link NAM's approval of the agenda to the PrepComm's acceptance of NAM's list. The linkage tactic was condemned as the precise reason the Conference on Disarmament has been paralyzed for seven years. The PrepComm then collapsed at 7:55 p.m. on the final day and even the Chairman's one-paragraph recommendation went down, dragging with it all references to documentation and the agenda.

1.10 Ambassador Duarte, foreseeing a wrangle at the opening of the 2005 Review Conference on the agenda, which could drag on for several days, pleaded three times with the PrepComm to at least agree on an agenda so that he could get on with his pre-conference consultations with all the major groups of states.

1.11 However, amidst the acrimony, his plea went unheard. While it could be said that the NAM was responsible for the closing-day debacle, the hesitancy of Ambassador Parnohadiningrat to exercise the authority of the Chair in bringing matters to a resolution, compounded by excessive devotion to absolute consensus when the dissent of just one State can derail proceedings, was also a chief factor in the impasse. Any assessment of the particularities of the conclusion of the PrepComm cannot overlook the stonewalling of the NWS (with the exception of China, which played a quietly supportive role for progressive objectives). The NWS rejected negotiations toward elimination, refused to legalize Negative Security Assurances and stayed quiet when the chief state among them dismissed the Comprehensive Test Ban Treaty and the full implementation of Article VI of the Treaty.

1.12 In the end, a PrepComm report was adopted, which merely sets out process steps. Though devoid of substance, it does contain a paragraph allowing representatives of non-governmental organizations, as previously, to attend meetings at the 2005 Review Conference, other than those designated closed. They will be allowed to address one session of the conference and may make, at their own expense, written material available. It is not likely that NGOs will be impressed.

## **2. United States: A Vigorous Defence**

2.1 The United States' vigorous defence of its policies and actions in supporting the NPT, particularly Article VI, was a distinguishing characteristic of the PrepComm. The U.S. gave no ground to its critics and laid the blame for the problems of compliance on countries such as Iran and North Korea, which "are using the NPT as cover for the development of nuclear weapons."



2.2 While the other NWS, Russia, the U.K., France and China are also engaged in upgrading of their nuclear forces in contravention of the NPT (a point that will be elaborated on later in this report), it is the role of the U.S. that must be carefully examined. The U.S. is by far the leading military power in the world, the lynchpin of NATO, and the dominant voice at the United Nations. With 31 members, the U.S. delegation was the largest at the PrepComm. U.S. views deeply affect the policies of all Western nations.

2.3 From the opening speech by John R. Bolton, Under-Secretary of State for Arms Control and International Security, U.S. representatives insisted that attention not be diverted from violations of the NPT by would-be nuclear powers “by focusing on Article VI issues that do not exist.” In fact, Assistant Secretary of State Stephen G. Rademaker stated, “there can be no doubt that the United States is in full compliance with its Article VI obligations.” Over the past 15 years, he said, the U.S. has:

- Reduced over 10,000 deployed strategic warheads to less than 6,000 by December 5, 2001 as required by the START Treaty.
- Eliminated nearly 90% of U.S. non-strategic nuclear weapons and reduced the number of types of nuclear systems in Europe from nine in 1991 to just one today.
- Dismantled more than 13,000 nuclear weapons since 1988.
- Not produced highly enriched uranium for nuclear weapons since 1964 and halted the production of plutonium for nuclear weapons in 1988.
- Not conducted a nuclear explosive test since 1992.
- Removed more than 200 tons of fissile material from the military stockpile, enough material for at least 8,000 nuclear weapons.

2.4 Rademaker’s speech was followed by an unusual document, “Article VI: The U.S. Record of Compliance,” which listed in great detail all the U.S. has done to uphold Article VI. It began in a strange manner by setting out U.S. security strategy in the 21<sup>st</sup> century, in which “nuclear and non-nuclear offensive strike systems” are the first leg of a New Triad. The other legs are active and passive defences and a revitalized defence infrastructure to provide new capabilities to meet emerging threats. “The nuclear infrastructure is assessed constantly, with the objectives of eliminating unneeded weapons, increasing confidence in the remaining deployed forces, and mitigating the risks of technological surprise.” Since nuclear stocks are being reduced, “nuclear weapons will play a smaller role in U.S. security than at any other time in the nuclear age.”

2.5 The document emphasized that the U.S. is not developing any new nuclear weapons and that “the study of new weapons designs that will be possible under current Congressional funding for advanced concepts will be entirely conceptual... We are not planning to resume nuclear testing, nor are we improving test readiness in order to develop new nuclear weapons.” However, the document goes on: “The United States does not support the Comprehensive Nuclear Test Ban Treaty and will not become a party to it... It should be remembered that the NPT does not prohibit nuclear weapons states from modernizing their nuclear forces while they possess nuclear weapons... [Thus] it would be a novel interpretation of the NPT to assert that conceptual work on a ‘Robust Nuclear Earth Penetrator’ or other new weapons designs is problematic under the NPT.”

2.6 The document concludes: “A gradual step-by-step process toward nuclear disarmament is the proper and most effective course to pursue. The United States is on that course, and is making real achievements toward that end. Arguments that the United States is not proceeding to fulfil its Article VI commitments have no factual basis.”

2.7 The U.S. thinking underlying this statement is contained in a March 2004 Report to Congress jointly submitted by the U.S. Secretaries of State, Defense and Energy, which asserts that Congress should not worry that permitting Low-Yield Warhead development (only the research, not the

development, is currently allowed) would compromise compliance with Article VI. The report seeks the lifting of the Congressional ban on the engineering development phase of the new warhead, commonly called “bunker-buster.” The report protested against the “chilling effect” the ban has on the U.S. Administration’s “efforts to restore a nuclear weapons enterprise as called for in the [Nuclear Posture Review].” The report claimed that nothing in the NPT prohibits the U.S. from carrying out the development and fielding of new or modified nuclear warheads. The report suggested that the U.S. deal with an expected challenge to its commitment to the NPT “by calling attention to our leadership in supporting non-proliferation efforts worldwide. ...”

2.8 The report makes clear that the U.S. is employing a double standard concerning compliance with the NPT. Whereas the U.S. wants to move forward into a new generation of nuclear weaponry, it adamantly rejects the attempt of any other state to acquire any sort of nuclear weapon. The U.S. clearly wants to stop the proliferation of nuclear weapons; of that there can be no doubt. But it does not want to be questioned on what it regards as its right to maintain enormous stocks (despite numerical reductions) and to keep nuclear weapons as a cornerstone of its military doctrine.

2.9 The U.S. is widely criticized around the world for this double standard. For example, Brazil said at the PrepComm: “One cannot worship at the altar of nuclear weapons and raise heresy charges against those who want to join the sect.” The New Agenda protested imbalanced statements assailing proliferation while remaining mute on the equal responsibility for disarmament by the nuclear powers. The New Agenda stated: “Any plans or intentions, including the allocation of resources for studies, by the Nuclear Weapons States, to develop new types of weapons or rationalizations for their use stand in marked contradiction to various initiatives against proliferation. ...” South Africa said: “One cannot undermine one part of an agreement and hope that other parts will continue to have the same force, or that others will not in turn attempt to follow the same practice.” New Zealand scorned the present diminishment of the Treaty as a whole and urged the U.S. to at least review its opposition to a nuclear test ban treaty.

2.10 Criticism of U.S. nuclear weapons policies also emanates from important observers within the U.S. A briefing for PrepComm delegates and NGOs was convened by the Friends Committee on National Legislation (Quakers), which stated that, as a result of the terrorist attacks of September 11, 2001, many in Congress “are now so consumed by fear of terrorism that they support policies that would have been unfathomable five years ago.” For example, policies of pre-emptive nuclear strikes, new “usable” nuclear weapons, and resumption of nuclear testing are now openly discussed in Washington. “The United States finds itself at a crossroads; it stands at the point between re-nuclearization and disarmament.” Daryl Kimball, Executive Director of the Arms Control Association, told the briefing that the crisis of the NPT can be attributed to the expanding role of nuclear weapons in U.S. military policy. He said that if Congress does not rein in the Administration, present trend lines will lead to testing of new weapons and re-deployment of 2,400 strategic nuclear weapons after the Moscow Treaty expires in 2012. It was “troubling” that the U.S. contemplated the use of a nuclear weapon in response to a biological or chemical attack.

2.11 A detailed critique of the stand taken by the U.S. at the PrepComm was published in *News in Review*, a daily record of the PrepComm published by Reaching Critical Will, a program of the Women’s International League for Peace and Freedom. Written by Andrew Lichterman and Jacqueline Cabasso of the Western States Legal Foundation, the document rebutted the U.S. defence of its actions for failing to address:

- the normalization of still objectively very large nuclear arsenals, with the largest Nuclear Weapons States preparing to keep thousands of nuclear weapons deployed indefinitely;
- efforts to make nuclear weapons more useable in ordinary warfare, indicative of a shift, especially on the part of the U.S., away from a policy emphasizing diplomatic efforts to restrain nuclear weapons proliferation, and towards a counter-proliferation policy mainly based on the threat of overwhelming force;

- the continued existence of Nuclear Weapons States outside the NPT, with nuclear-armed militaries engaged in confrontations in the most volatile regions on earth;
- the integration of nuclear weapons, eventually including more useable nuclear weapons, into global warfighting systems that are taking a quantum leap in complexity, with more types of weapons that can strike half-way across the planet in hours or minutes, and more dependence on electronic systems that operate at speeds beyond human comprehension and that themselves will be the targets of new forms of deception and attack.

2.12 The document gave several examples to show that the U.S. is not in compliance with the NPT: more than 2,000 U.S. strategic nuclear warheads remain on hair-trigger alert, and U.S. Trident submarines continue to patrol the seas at Cold War levels, ready to fire hundreds of the most destructive and precise weapons ever conceived on 15 minutes' notice. Answering the U.S. claim that it is not developing any new nuclear weapons, the document declared:

"Fact: The 2005 budget provides for upgrades to every nuclear weapon in the U.S. stockpile, requests \$336 million to manufacture and certify new plutonium pits, the first stage in a nuclear weapon, requests \$28 million for 2005 and \$485 million over five years to design a "Robust Nuclear Earth Penetrator," and requests \$30 million for Enhanced Test Readiness to reduce the time needed to prepare for and conduct a full-scale underground nuclear test to 18 months."

2.13 The document concluded:

"There is no way to reconcile this resurgence of nuclear weapons development with disarmament. The U.S. position that Cold War stockpile numbers should be the yardstick for disarmament also makes little sense. By this logic, if the stockpiles had been twice as excessive, twice as insane, if the scenario spinners and the war planners and the arms industry lobbyists had been twice as successful in their efforts to accumulate more and more and more, we should be willing to wait twice as long for disarmament. The second nuclear arms race may not look like the first. Sheer numbers of nuclear weapons are less the goal than a new kind of military dominance that combines computing, aerospace technologies, and nearly unlimited capacities for raw destruction in devastating new ways. But it is an arms race nonetheless, and the world must end it, before it ends the world."

2.14 The U.S. is conscious of the build-up of criticism of its nuclear weapons policies. Two days before the PrepComm ended, the U.S. delegation issued a Fact Sheet, "Correcting the Record: U.S. Nuclear Weapons Policies," which is appended to this report as Appendix "B". Calling critics mistaken, the Fact Sheet says: "The threats and uncertainties in today's international security environment make it necessary for the United States to consider new ways to adapt our nuclear forces to the changing circumstances."

2.15 Many delegations indicated privately that they are waiting to see the future direction of U.S. policy inasmuch as a Presidential election will occur before the 2005 Review. The positions of John Kerry, the presumptive Democratic nominee, are being examined. An analysis of his comments shows that Kerry is opposed to the Bush Administration's plans to develop new nuclear weapons, which Kerry believes "will make America less secure by setting back our country's longstanding efforts to lead an international non-proliferation regime. It could set off a dangerous new nuclear arms race, while seriously undermining our ability to work with the international community to address nuclear proliferation threats in places like North Korea and Iran." Instead, Kerry believes the United States should work for the creation of "a new international accord on nuclear proliferation to make the world itself safer for human survival."

2.16 In terms of concrete measures to advance non-proliferation and disarmament, Kerry supports the CTBT (having opposed Bush's decision to withdraw), and advocates greater emphasis on securing nuclear stockpiles around the world by extending ongoing American efforts in the former Soviet Union to other countries to ensure fissile materials do not fall into the hands of terrorists. Kerry recognizes the importance of international cooperation in achieving results in non-proliferation, and promotes a multilateral approach, pointing to the shared global interest in preventing terrorists from acquiring nuclear weapons. This approach should extend to U.S. Missile Defence programs, which Kerry supports, but believes should be developed in accordance with American treaty obligations, ensuring that American foreign relations are not damaged in the process.

### 3. New Zealand's Focused Analysis

3.1 During the two-and-a-half day general debate opening the PrepComm, states once again staked out their well-known positions. The Nuclear Weapons States defended their actions, the Non-Aligned Movement called for immediate comprehensive negotiations for a time-bound program to eliminate all nuclear weapons, and the New Agenda Coalition repeated its stand that nuclear non-proliferation and nuclear disarmament are mutually reinforcing processes that require continuous and irreversible progress on both fronts.

3.2 The speech by Marian Hobbs, New Zealand's Minister for Disarmament and Arms Control, put the key issues into sharp focus. It was sobering to reflect that, by the time of the next Review Conference, the Treaty would have been in force for 35 years, she said. Events since the last review clearly showed that the purposes of the Preamble and the provisions of the Treaty were not being realized, either in respect of non-proliferation or of nuclear disarmament.

Despite the 1995 agreed programme, the Advisory Opinion of the International Court of Justice (concerning the 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), and the 2000 outcome, few of the steps towards nuclear disarmament had been taken, she said. The Nuclear-Weapons States – China, France, the Russian Federation, the United Kingdom, and the United States – were reminded that Article VI made it clear that the obligation fell on each of the parties to the Treaty. There was no scope for selective or deferred compliance. Indeed, it was inherent in their capacity as permanent members of the Security Council that those States had special responsibilities for fulfilling their international obligations.

Looking forward, she said, the underpinnings of the NPT should be emphasized as positively as possible. Its parties numbered virtually the entire international community. The five Nuclear Weapons States, in word at least, continued to voice their support for it. In any case, widely observed law should not be called into question simply because several of its subjects had acted outside of it. On the contrary, it should be reinforced and strengthened. On the other hand, would law that was not fully observed and complied with stand the test of time? That, in the case of the NPT, was where the obligations on nuclear disarmament and non-proliferation intersected. She was greatly concerned about the proliferation of nuclear and other weapons of mass destruction. No nation could stand aloof from the current threats to international peace and security, especially those emanating from terrorists.

Several concrete practical steps could be taken by the Nuclear Weapons States to build international confidence and negate the pretext of proliferating States that sought to justify their need for nuclear weapons on the grounds of fear of the development or use of weapons of mass destruction by their enemies, she said. Referring to the omnibus resolution, tabled by the New Agenda Coalition and adopted at the last General Assembly session, she said that none of the steps proposed were impractical and each could be carried out immediately. Among them were: the irreversible destruction (rather than the storage) of non-deployed nuclear warheads; making verifiable, irreversible and transparent the potentially significant United States-Russian commitments under the Moscow Treaty and giving priority to reductions in non-strategic, or tactical, nuclear weapons.

#### 4. IAEA: Limited Ability for Detection

4.1 The report given to the PrepComm by the International Atomic Energy Agency is extremely important because the Agency's role as an independent, objective verification body is central to the effectiveness of the NPT regime. The IAEA's verification activities are designed to provide credible assurance that States honour their undertakings not to use nuclear material and facilities for nuclear weapon purposes. Although the IAEA's safeguards system was strengthened six years ago to enable it to detect undeclared nuclear material as well as declared (the enhanced capacity is known as Additional Protocols), the Agency complained that more than 100 NPT States Parties do not have Additional Protocols in place. Moreover, the basic safeguards agreements have not been entered into by 44 non-nuclear States.<sup>1</sup> The IAEA called for universality of comprehensive safeguards agreements and Additional Protocols; otherwise, the Agency would continue to have a limited ability to provide credible assurances about the peaceful nature of their nuclear programmes.

4.2 The Agency reported on its findings in the states suspected of nuclear weapons activity: North Korea, Iraq, Iran, and Libya.

4.3 **North Korea.** The Agency has not been able to perform any verification activities since December 2002, and therefore cannot provide any assurance about the nature of North Korea's nuclear programme.

4.4 **Iraq.** The Agency stands ready to resume verification activities if authorized by the U.N. Security Council.

4.5 **Iran.** The Additional Protocol was signed in December 2003. "Iran has also decided to suspend enrichment and reprocessing activities as a confidence-building measure.... The Agency currently is working with Iran to verify this suspension." Remaining urgent tasks include verifying the origin of the highly-enriched uranium particles found at a number of locations in Iran, and fully understanding Iran's possession of P-2 uranium enrichment centrifuge technology and related R & D.

4.6 **Libya.** Following its renunciation of all nuclear weapons activities in December 2003, which were a breach of its NPT obligations, Libya has granted the Agency unrestricted access to all requested locations. The Agency is now trying to trace the supply routes and sources of sensitive nuclear technology and materials.

4.7 To further strengthen safeguards over all nuclear materials, the IAEA called for the production of enriched uranium fuel, the reprocessing of plutonium, and the disposal of spent fuel and radioactive waste to be brought under multilateral control in regional centres. Due to national concerns over commercial competitiveness, this is unlikely to happen. Even the Trilateral Initiative (Step 8 of the 13 Practical Steps), in which the U.S. and Russia are to submit nuclear material released from their military programmes to Agency verification, is stalled. The Agency said it was regrettable that negotiations for a Fissile Material Cut-off Treaty, which could put an end to the production of fissionable material for nuclear weapons, have not moved in eight years.

4.8 The promotion of safety in nuclear power plants is also a chief concern of the IAEA. This work is directly related to the enhancement of security and protection against nuclear terrorism. The Agency provides assistance to States to formulate national strategies for locating and securing high-risk radioactive sources, which are not under proper regulatory control. All in all, the IAEA feels it has "made solid progress in building an effective nuclear safety regime – but pockets of weakness remain, in both the nuclear and the radiation safety areas." Nuclear technologies provide significant opportunities for economic and social development, but risks remain as long as the IAEA is under-funded.

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<sup>1</sup> The 44 States are: Andorra, Cameroon, Cuba, Gabon, Haiti, Mauritania, Niger, Oman, Rep. of Moldova, Seychelles, Sierra Leone, Tajikistan, Togo, U.R. Tanzania, Equatorial Guinea, Angola, Bahrain, Benin, Botswana, Burundi, Cape Verde, Central African Rep., Chad, Comoros, Congo, Rep. of Djibouti, Eritrea, Guinea, Guinea Bissau, Kenya, Liberia, Marshall Islands, Micronesia, Mozambique, Palau, Qatar, Rwanda, Sao Tome & Principe, Saudi Arabia, Somalia, Timor-Leste, Turkmenistan, Uganda, Vanuatu.

## 5. European Union: Enlarged Power

5.1 During the NPT PrepComm, a development took place in Europe that could have a profound effect on the non-proliferation regime. A ceremony in Dublin saw the 15 nations of the European Union welcome the largest expansion of its borders ever by taking in eight former Communist States of Eastern Europe and two Mediterranean countries. The European Union flag, a circle of stars on a blue field, is now hoisted in Poland, Hungary, the Czech Republic, Slovakia, Slovenia, Lithuania, Latvia, Estonia, Malta and the Greek half of a divided Cyprus. The expansion has pushed Europe across a critically important psychological barrier, completing a unification process that began after the collapse of the Soviet bloc more than a decade ago. With 450 million people, the European Union is half again more populous than the United States and marginally stronger in economic output. While its diplomatic heft is still considerably less than the dominance of the United States in world affairs and global security, the expanded European Union presents a unique opportunity to strengthen stability and the rule of law.

5.2 Thus, the views of the European Union were given special attention at the PrepComm. In most of the areas under discussion, the European Union presented a unified view in a single speech given in each case by Ireland as the current president of the E.U. (European states could still give individual speeches.)

5.3 In the General Debate, Irish Ambassador Richard Ryan made clear the European Union's support for the Final Document of the 2000 Review Conference and the Decisions and Resolution of the 1995 Review and Extension Conference. In other words, no backsliding. Though Ryan's speech did not mention the U.S., which indicated throughout that it wants to forget about previous commitments, the message of Europe to the U.S. was clear:

“The E.U. will continue to encourage the progress made toward systematic and progressive efforts towards disarmament, and will remain fully committed to the effective implementation of Article VI of the NPT and of the 1995 Decision and the 2000 Final Document.”

5.4 Though still somewhat muted in its protestations of fealty to the NPT, the E.U. did make a point of affirming its commitment to preserving the integrity of the Treaty. This basic upholding of the disarmament side of the Treaty as well as the non-proliferation side, when coupled with the similar stance of the New Agenda (of which Ireland is also a member) strengthens what could be described as the “Moderate Middle.” Can the U.S. continue to ride roughshod over these states in the 2005 Review? Not if the moderate middle asserts itself – an action the PrepComm showed is desperately needed if the Treaty is to survive.

## 6. NATO: Contradicting the NPT

6.1 The problem of a nuclear-weapons armed NATO is central to fulfilment of the Article VI pledges of the NPT States Parties. Despite cuts in the numbers of tactical nuclear weapons NATO maintains in Europe, the fact that NATO's nuclear forces remain what the Alliance itself calls “an essential element” of military capability undermines the credibility of the NATO countries when they claim to be adhering to the NPT. The contradiction is blatant: whereas all the NATO countries have signed on to the “unequivocal undertaking” to eliminate nuclear weapons through a program of 13 Practical Steps, the same countries are upholding a central doctrine of the largest military alliance in the world that says nuclear weapons are the “supreme guarantee” of their security.

6.2 The U.S. has 180 tactical nuclear weapons dispersed at airfields in six NATO member states: Belgium, The Netherlands, Germany, Greece, Italy, and Turkey (Greece has suggested, though not confirmed, that nuclear weapons stationed on its territory may have been removed.). NATO explains their presence by saying:

“The presence of U.S. nuclear forces based in Europe and committed to NATO provides an essential political and military link between the European and North American members of the Alliance. At the same time, the participation of non-nuclear countries in the Alliance Nuclear Posture demonstrates Alliance solidarity, the common commitment of its member countries to maintaining their security, and the widespread sharing among them of burdens and risks.”

6.3 This statement clearly makes it difficult for states such as Canada and Germany, which would like to see progress toward the complete elimination of tactical nuclear weapons in Europe, to adhere to NATO policy. Nonetheless, the policy continues to be driven by the U.S., supported by the U.K. and France, the other two NWS within NATO.

6.4 The Middle Powers Initiative Brief, “Building Bridges: What Middle Power Countries Should Do To Strengthen the NPT,” distributed at the PrepComm, addresses this contradiction:

“... while a number of NATO NNWS are supportive of centrist positions in the nuclear debate, the security policy of NATO remains strongly opposed to nuclear disarmament and thus incompatible with the obligations of NATO member States under the NPT. This inherent contradiction prevents the middle power country members of NATO from playing a more effective role in strengthening the centre of the nuclear weapons debate. Regardless of the individual intents of these States, current NATO security policy sends the wrong message to militaries, governments, and publics around the world, namely that the possession of nuclear weapons is legitimate, necessary for true security, and the defining characteristic of powerful states; that the members of NATO will continue to arm themselves with these weapons regardless of the nuclear abstinence of other states and regardless of their NPT obligations; and that the opposition expressed by NATO States to the possession of nuclear weapons by other States is hypocritical and self-serving.”

6.5 Of course, the problem of tactical nuclear weapons in Europe is not just NATO's. Russia possesses numbers in the low thousands, and reported to the PrepComm that it is pursuing the elimination of land-based tactical missiles, nuclear artillery shells and nuclear mines. However, Russia draws a distinction between its possession and that of the U.S.: whereas Russia has them on its own territory, the U.S. has them in six ostensibly non-nuclear countries. “It is essential that nuclear weapons be pulled back to national territories of the nuclear powers,” Russian Ambassador Anatoly Antonov told the PrepComm. “This could be a major step toward enhancing international stability and providing additional favourable conditions for further nuclear arms reductions.”

6.6 Later, Russia complained that NATO's expansion, now including states that border on Russia, was further complicating the process of nuclear disarmament, since, as Karel Koster, Director of the Project on European Nuclear Non-Proliferation, pointed out in *News in Review*, “The enlargement of the Alliance eastwards essentially constitutes the creation of a Nuclear-Weapons-Free-Zone in reverse: the number of countries committed to supporting and planning for the use of nuclear weapons is actually increasing.” The 12 founding members of NATO in 1949 have now grown to a total of 26 nations with a combined population of 880 million people. Nearly one in six persons on earth now live under the nuclear umbrella of the Western military alliance. How can the NPT be fulfilled in such a setting?

6.7 Karel Koster reported that the U.S. is now hinting at withdrawing part or even all of its forward-based, tactical dual capable aircraft. However, there is as yet no sign of NATO abandoning its “essential” nuclear policy. At the very moment the NPT is struggling to survive, NATO is sending the wrong message to would-be proliferators.

## 7. Canada: A Bridge-builder?

7.1 The role of Canada in the NPT crisis is extremely important, much greater than its size and over-all place in the international community would indicate. As with many nations, the NPT is central to Canada's involvement in the nuclear disarmament agenda. Canada has the moral credentials for this work because it was the first country in the world to possess and then renounce the capability of nuclear weapons. Canada might well be a world leader in disarmament, were it not for the restricting pressures exerted by its neighbour, the United States, with whom it does \$2 billion in trade daily, and which has always regarded Canada as the northern extension of its own territory and thus the preserve of U.S. security interests. Canadian values in foreign policy are essentially the values of the United Nations and certainly the values of the NPT.

7.2 In this light, Canada's vote in the U.N. First Committee in 2002 and 2003 in favour of the New Agenda Coalition's omnibus resolution (the essence of which is contained in the 44 recommendations made to the PrepComm, see Appendix "A") was rather brave, considering that no other NATO country would do the same. Given the predilection for NATO solidarity, Canada stuck its neck out. But in so doing, Canada showed that a bridge between NATO (at least the non-nuclear countries of NATO) and the New Agenda Coalition could be built. The centre ground of the nuclear debate – between the polarities of the recalcitrant NWS and the demands of the Non-Aligned Movement for an immediate time-bound programme for nuclear disarmament – could be significantly strengthened by the two entities working together with the common goal of saving the NPT in 2005. When the enlarged European Union (some countries overlap into the different entities) is considered as another element in a working partnership for the NPT, the prospects of the moderate middle of the Treaty becoming a predominant force are greatly enhanced.

7.3 The disastrous outcome of the PrepComm showed how urgently this bridge-building work is needed. Will any moderate nation take the lead? Canada would much prefer that Germany take the lead, and there are signs that Germany may take a more positive role in the run-up to 2005. The test will be whether Germany votes for the New Agenda omnibus resolution at the 2004 General Assembly. The New Agenda, for its part, ought to have the foresight to fine-tune its resolution so that Germany (and perhaps a number of other NATO states) vote in its favour.

7.4 In this diplomatic dance, the role of Canada is key. Adroit diplomatic efforts can work around the edges of U.S. opposition and build new coalitions. Whether such efforts can really amount to anything will depend on the political stance of the Government of Canada, which will not be clear until after the federal election (which many are predicting will take place in June 2004).

7.5 Meanwhile, Canada sent a team of 12 representatives to the PrepComm, headed by Ambassador Paul Meyer, who was called upon by the Chairman (as Meyer's predecessors have been by past Chairmen) to work out thorny problems. Ambassador Meyer worked diligently to keep references to the 2000 NPT Review gains alive, despite the U.S. effort to rewrite history by forgetting about 2000.

7.6 The Canadian delegation included two NGO leaders of the nuclear disarmament movement in Canada: Ernie Regehr, Director of Project Ploughshares, and Debbie Grisdale, Executive Director of Physicians for Global Survival.

7.7 Canada entered the PrepComm with two major papers. "Overcoming the Institutional Deficit of the NPT" called for annual conferences of NPT States Parties and the creation of a standing bureau of the Treaty able to convene extraordinary sessions of all States Parties when the integrity or viability of the Treaty is threatened. The second paper, "Reporting by States Parties," enlarged on Canada's previous efforts to get nations to agree to better reporting on their implementation of the Treaty as a way to reach the NPT goal of "permanence with accountability." Canada holds that "a culture of transparency" would boost a demonstrable commitment to the Treaty. The Canadian delegation was unhappy that the institutional deficit initiative did not even make it into the "Chairman's Summary."



7.8 For its own reporting method, Canada chose to go through each article of the Treaty, while some other States elected to review how they had approached the 13 Steps. The lack of mandatory and standardized reporting methods remains a great detriment to a comprehensive analysis of how the NPT is being implemented.

7.9 Reporting on Article VI, Canada drew attention to its vote for the New Agenda omnibus resolution as an indication of its support of the 13 Practical Steps. Further, Canada's Foreign Minister had recently written his G8 counterparts urging that negotiations start in the paralyzed Conference on Disarmament on a Fissile Material Cut-off Treaty. Canada is contributing \$1 billion over ten years to the dismantlement of nuclear materials in Russia, including on efforts to secure spent nuclear fuel from Russian submarines, and \$18 million to re-employ former Russian nuclear weapons scientists in peaceful research projects.

7.10 Canada, which maintains a robust civilian nuclear power program, also drew attention to the agreements it has in place to ensure that the nuclear exchange agreements it has with 37 countries guarantee that Canadian nuclear materials are only used for peaceful purposes.

## **8. Regional Issues: Attack, Counter-attack**

8.1 The indefinite extension of the NPT in 1995 would not have been obtained without the attachment of a resolution on the Middle East, which called for progress on a Nuclear-Weapons-Free-Zone in the Middle East. This means that Israel would have to give up its nuclear weapons.

8.2 Israel's possession of nuclear weapons and refusal to join the NPT and enter into the IAEA's safeguards programs is a thorn in the side of the Arab states. While considering the NPT one of the most important treaties ever concluded, the Arab League finds it unacceptable that Western States have become "slack" in pressing Israel to join the NPT. (Israel's constant position is that a Nuclear-Weapons-Free-Zone in the Middle East is dependent on an Israeli-Arab comprehensive peace settlement.) At the PrepComm, the Arab States insisted that sufficient time be set aside at the 2005 Review for discussion on the implementation of the 1995 Resolution.

8.3 This demand was backed by the Non-Aligned Movement, which demanded that "Israel, the only country in the region that has not joined the NPT, nor declared its intention to do so, renounce the possession of nuclear weapons, accede to the NPT without delay, [and] place promptly all its nuclear facilities under IAEA safeguards."

8.4 U.S. Assistant Secretary of State John S. Wolf, speaking on the Middle East, said: "All of us here support the goal of a region free from weapons of mass destruction. It will not happen without achievement of a political settlement that provides safe and secure borders for the parties involved." However, the threat of weapons of mass destruction is "compounded in the Middle East because some states are sponsors of terrorism."

8.5 Even though "one grave danger to international security has been eliminated" (the Saddam Hussein regime in Iraq), other dangers gather, the U.S. spokesman said, turning his attention to Iran:

"We should be deeply concerned by Iran's desire to continue developing a full nuclear fuel cycle capability and by its repeated lack of transparency in almost all aspects of its nuclear program. For the United States, it is clear; Iran long has been developing capabilities for producing nuclear weapons. We have said so publicly for more than a decade, and the facts revealed the past twelve months unambiguously support this conclusion."

8.6 The U.S. launched its attack on Iran on the opening day of the PrepComm when Under-Secretary John Bolton said:

“Iran’s oil rich environment, grudging cooperation with the IAEA, its deception, and its 18-year record of clandestine activity leads us to the inevitable conclusion that Iran is lying and that its goal is to develop a nuclear weapon in violation of its Article II commitments.”

8.7 Canada added its voice to the charge against Iran.

“The confession by Dr. Khan, the founder of Pakistan’s nuclear weapons proliferation program, and subsequent revelations have laid bare a trafficking ring in nuclear weapons-related technologies of potentially global reach. Consistent with these disclosures, the February 24 report of the IAEA Director-General on Iran’s implementation of the NPT Safeguards Agreement noted that various aspects of Iran’s nuclear program shared “common elements” with that of Libya and that its “technology is very similar and was largely obtained from the same foreign sources.”

8.8 As noted above, the IAEA is currently working with Iran to resolve disputed questions and a full IAEA report will be made shortly.

8.9 In response to the U.S. attack, Iran’s representative noted that the United States had violated Articles I, IV and VI of the NPT and undermined all multilateral forums on disarmament. He also encouraged the U.S. to respond to the international community’s concern over the new types of nuclear weapons it was currently developing. Noting its active nuclear proliferation activities, its lowering of the threshold of resort to nuclear weapons, even in conventional conflicts against non-nuclear-weapon States, and its support for Israel’s nuclear programme, he also criticized the U.S. for its extraterritorial legislation that had challenged international law and hampered Iran’s economic and technological development. Regretting that the U.S. had launched a vicious disinformation campaign against Iran, he drew attention to the findings of the International Atomic Energy Agency (IAEA), which failed to provide evidence of any wrongdoing on Iran’s part. Additionally, since the IAEA was already dealing with his country, there was no need for the United States to engage in “baseless accusations.”

8.10 The PrepComm paid little attention to North Korea, which actually says it has nuclear weapons capability. Most States seemed willing to let the present Six-Party talks, aimed at resolving the North Korea crisis diplomatically, take their course and hopefully pave the way for a denuclearized Korean Peninsula. North Korea, the only state ever to have withdrawn from the NPT, was not present.

8.11 Libya, which has won new favour in the international community for renouncing its nuclear weapons program, was among the 153 States Parties attending the PrepComm, but kept a low profile.

8.12 In addition to Israel, the other conspicuous nuclear powers absent were India and Pakistan. All three, of course, resolutely remain outside the NPT. The absence of India and Pakistan points to the fundamental flaw in the operation of the Treaty. As long as the five permanent members of the U.N. Security Council retain their nuclear weapons and claim the right to do so, India will continue to scorn what it calls a discriminatory Treaty. Had the Chairman’s Summary been accepted, it would have, in the name of the PrepComm, once more called on Israel, India and Pakistan to join as non-nuclear states and refrain from undermining efforts to prevent the proliferation of nuclear weapons. This is clearly a case of attempting to close the barn door once the horses are out.

## **9. The Security Council Weighs In**

9.1 Though not a part of the NPT proceedings, the unanimous adoption by the U.N. Security Council of Resolution 1540, aimed at stopping the proliferation of weapons of mass destruction, at the same time the PrepComm was meeting, was a notable development. Introduced by the U.S. on March

24, 2004, the resolution determined, under Chapter VII of the U.N. Charter, that all States shall refrain from supporting by any means non-state actors that attempt to acquire, use or transfer nuclear, chemical or biological weapons and their delivery systems. The Council also decided that all States would establish domestic controls to prevent the proliferation of such weapons and means of delivery, in particular for terrorist purposes, including by establishing appropriate controls over related materials, and adopt legislative measures in that respect.

9.2 Since the resolution is clearly aimed at stopping the proliferation of weapons of mass destruction, it would be hard to oppose it. Indeed, in the rising tide of fear of terrorism, some States embraced the resolution and promised to enforce it by toughening their own domestic laws.

9.3 However, the resolution gives a certain credence to the growing acceptance of nuclear, chemical, and biological weapons as parts of the single category of “weapons of mass destruction.” This plays into the arguments of those who blur the distinction between nuclear weapons with their enormous blast and radioactive fallout and weapons of a biological and chemical nature. Furthermore, the resolution scarcely mentions the word “disarmament” and thus has the effect of shoring up global efforts to stop the proliferation of nuclear weapons while staying silent on the obligation, under the NPT, of the nuclear powers to negotiate the elimination of their nuclear stocks. South Africa, in association with Canada, Mexico, New Zealand, Sweden and Switzerland, said it was a cause for concern that the resolution contained only a passing reference to disarmament despite the fact that chemical and biological weapons had been banned by international law and despite the unequivocal undertaking by the nuclear weapons states to eliminate their nuclear arsenals.

## **10. Mayors for Peace: Emergency Campaign**

10.1 A new feature at the Third PrepComm was the presence of representatives of Mayors for Peace, led by its President, Mayor Tadatoshi Akiba of Hiroshima. Mayor Akiba, a 62-year-old former member of the Japanese Diet, was educated in the U.S., where he obtained a Ph.D in Mathematics at the Massachusetts Institute of Technology. He has revived Mayors for Peace, which was started in 1982, building an organization of 580 Mayors in 108 countries. Concerned that the NPT is on the verge of collapse, Mayors for Peace representatives met in Manchester, U.K., in 2003 and adopted, under the title of “Vision 2020,” an Emergency Campaign to Ban Nuclear Weapons. The heart of the campaign is a demand that at the 2005 NPT Review (just prior to the 60<sup>th</sup> anniversary of the atomic bombing of Hiroshima and Nagasaki) States Parties start negotiations on a Nuclear Weapons Convention to ban the production and deployment of nuclear weapons. Mayor Akiba calls for the Treaty to be completed by 2010, giving ten years for the physical work of eliminating all nuclear weapons by 2020.

10.2 Mayor Akiba plans to mobilize a delegation of 200 Mayors and representatives of cities to attend the 2005 Review. He is calling for massive public demonstrations around the world to focus attention on the urgency of mapping the road to a nuclear-weapon-free world and the political commitment to reach that goal by 2020.

10.3 As a warm-up exercise, Mayor Akiba brought the Mayors and representatives of 30 cities to the PrepComm. He and his colleague, Mayor Icoho Itoh of Nagasaki, addressed the PrepComm during the NGO presentations. Mayor Itoh said:

“The cry of the citizens of Nagasaki for the elimination of nuclear weapons began with our unspeakable experience of 59 years ago, and continues to this day. But we bear no hatred against the United States, the nation that dropped the atomic bomb. In fact, the first sister city relationship between Japan and the United States was established between Nagasaki and St. Paul, Minnesota in 1955, and we are now looking forward to the 50th anniversary of exchange between our citizens. The suffering sustained by Nagasaki must never happen again to anyone. We continue to voice our appeal to the world that the citizens of Nagasaki may be the last victims of nuclear warfare. Nevertheless, looking at the state of the world in recent years with respect to nuclear arms, we see a

situation that betrays our hope. We see the appearance of nations newly engaged in the development of nuclear weapons. Meanwhile, the United States, the sole remaining nuclear superpower, seeks to resume nuclear testing and to develop tactical weapons. The danger is readily apparent.”

Mayor Akiba followed up:

“When you gather here next year for the Review Conference, you will be the focus of greater worldwide attention, expectation, and hope than has ever been accorded the NPT in its 35-year history.

Mr. Chairman, for more than half a century every human being on this planet has been living under a threat so horrifying that most of us fail to comprehend it. Today, that threat is not diminishing, it is growing. On behalf of the people of Hiroshima and Nagasaki, on behalf of the 350 million citizens of the 580 cities that are members of the Mayors for Peace, on behalf of thousands of NGOs with millions of members, on behalf of all human beings who wish to live free of the nuclear threat, and on behalf of our children and generations of children to come to whom we are duty-bound to bequeath a safe, peaceful, and clean planet, I urge you to establish a clear timeframe and begin negotiating and planning for the total abolition of all nuclear weapons by the year 2020. Please let our venerable *Hibakusha* [Japanese atomic bomb victims] go to their final rest comforted in the knowledge that the world’s leaders are at last determined to take the steps necessary to welcome future generations into a nuclear-weapon-free world.”

10.4 Mayor Akiba’s thinking is revealed in the City of Hiroshima Peace Declaration of August 6, 2003 (see Appendix “C”). Read in comparison with the speeches of the majority of governments at the PrepComm, a startling difference is evident. Mayor Akiba brings a dynamic view to a field where lassitude generally prevails.

10.5 Mayors are sometimes asked why they have entered a political and diplomatic field occupied for the most part by national governments. Mayor Akiba has a ready response: in the event of nuclear war, it is the cities that will be wiped out. All the services (food, water, sanitation, health, transportation) that people need and which are provided on a daily basis by municipal infrastructures will be totally destroyed. Saving cities from such catastrophic damage (as occurred in Hiroshima and Nagasaki) ought to be any Mayor’s first order of priority, Akiba says.

10.6 Akiba led his team to New York’s City Hall, securing cooperation for events in New York in 2005. Mayor Akiba also joined the Middle Powers Initiative as a member of the International Steering Committee. The Mayors for Peace Coordinator is Aaron Tovish <a.tovish@pcf.city.hiroshima.jp.>

## 11. NGO Statements: Evidence and Heart

The PrepComm devoted one afternoon session to hearing statements from NGO leaders. Here are excerpts from some of the speeches.

### Jackie Cabasso, Western States Legal Foundation

We present to you overwhelming evidence that the United States, the Russian Federation, the United Kingdom, France and China are all proceeding with vertically proliferating programs that undermine the Treaty in profound ways. Here we define vertical proliferation as increases in the size of arsenals; the introduction of new weapons and new capabilities to arsenals – including new means of delivery; and changes in the role of nuclear weapons in defence policy.

## China

China maintains a declaratory No First Use policy with regard to nuclear weapons, and has sponsored many disarmament resolutions in UN fora. Moreover, China maintains a small, largely stable nuclear arsenal. However, in contradiction of those policies, China is modernizing its arsenal, while increasing its military capabilities. As the NRDC says: China is modernizing its missile force ... [including] mobility, solid fuel, improved accuracy, lighter warheads, and a more robust command, control, communications, and intelligence (C3I) system. A new missile, the three-stage, solid fuel, mobile DF-31, is the program's mainstay. Its range is estimated at 8,000 kilometres.

## France

France is modernizing and upgrading its nuclear arsenal, and has adapted its nuclear doctrine to give a more important role to nuclear forces in military policy. As President Chirac said in 2001:

“...our security is now and will be guaranteed above all by our nuclear deterrent. Deterrence must also enable us to face the threats against our vital interests by regional powers equipped with weapons of mass destruction... [this] is the best guarantee against threats born of the proliferation, whatever their means of delivery.”

New French nuclear missile submarines continue to enter service. The purchase of the first M51 missiles will happen in 2004. They will be equipped with a new warhead, the Tete Nucleaire Oceanique (TNO). Development of the ASMP-A, air launched nuclear missile, continues apace. This missile will carry the Tete Nucleaire Aeroportee (TNA), another new warhead. This increases France's nuclear weapons capabilities, and, according to the French National Assembly, will assure France's status as a NWS until 2040.

## Russian Federation

The Russian Federation maintains a considerable nuclear arsenal, despite deep cutbacks since the end of the Cold War. Under START II Russia had agreed to de-MIRV its nuclear missiles, but has now decided to retain SS-18s and SS-19s with multiple warheads until at least 2016. President Putin has said that the SS-19s could be deployed until 2030. Production of the Topol-M (SS-27) continues as a priority. Some analysts believe that it is this missile that President Putin said would be equipped with Maneuverable Re-Entry Vehicles (MARV) technology as a direct counter to US ballistic missile defence deployments. Since 1999 Russia has, like other nuclear powers, reserved to itself the right to use nuclear weapons in response to the use of chemical or biological weapons.

## United Kingdom

The UK has recently finished a modernization program, and has adapted its Trident missile force for tactical nuclear missions against potential proliferators. This change has expanded the range situations when the UK could use nuclear weapons. Prime Minister Blair refused to rule out their use against Iraq last year. Despite the recent conclusion of the Trident program, the UK is actively upgrading and expanding its facility at Aldermaston to make it possible to design, develop and build a replacement for Trident, a decision on which will be made in the next Parliament. This includes a laser facility to simulate nuclear test explosions.

## United States

The administration is pursuing design work on new nuclear weapons, as well as new capabilities for existing weapons. The Robust Nuclear Earth Penetrator, a new “bunker-buster” variant of the B83, will move from design to development in the 2005-2006 period. Other advanced concepts include nuclear weapons tailored for specific targets – such as chemical or biological weapons stores. Other arsenal upgrades include improvements to missiles already in service, and a survey of concepts for future

missiles. The next generation of land-based nuclear missiles is also under study. Matched to these new warheads and delivery vehicles are planned improvements in the Strategic War Planning System.

All these weapons are designed for use, not deterrence, under the policy of counterproliferation, as elaborated in the National Security Strategy, the National Strategy to Combat Weapons of Mass Destruction and the Nuclear Posture Review.

Changes in US nuclear doctrine have dramatically extended the role given to nuclear weapons. The process has reached fulfilment under the Bush administration since the last Review Conference. The US now reserves the right to use nuclear weapons against facilities which it even suspects of containing biological or chemical weapons or their means of production or delivery. This counterproliferation policy is now the main means by which the United States envisages the disarmament of other nations. It does not envisage its own disarmament. As the Nuclear Posture Review makes clear, nuclear weapons will be part of the US arsenal until at least 2070 – the 100th anniversary of the entry-into-force of the NPT. This is unacceptable.

### **Rhianna Tyson, Reaching Critical Will, Women's International League for Peace and Freedom**

Some cases of horizontal proliferation – Iraq, Libya, the DPRK – have been handled partially or even largely outside the context of the NPT/IAEA and the Security Council. There may be good reason for this in a given case, for example the DPRK. Nonetheless, this approach means that treaty-based mechanisms are not developed and may atrophy, while doctrines of reliance on unilateral and plurilateral measures, even including preventive war, are reinforced. The context and capabilities for addressing vertical proliferation – for promoting disarmament – are not adequately evolving. It is important, therefore, to push, even when inconvenient or time-consuming or otherwise momentarily disadvantageous, for maximum use of the IAEA and the Security Council in responding to suspected proliferation. Additional mechanisms should also be considered: a permanent NPT body, and a UN-based inspectorate, drawing on UNMOVIC capabilities, able to supply expertise regarding biological weapons and missiles, and to supplement as needed the work of the IAEA and the OPCW. One bright spot in recent years is that UNMOVIC proved its efficacy and the value of international cooperation. In the development of any or all of these mechanisms, it must always be kept in mind that the aim of the NPT is the elimination of all nuclear arsenals.

### **Ron McCoy, International Physicians for the Prevention of Nuclear War**

The path toward the future in which the shadow of nuclear war is forever lifted requires bold steps that must be taken today. First, the nuclear double standard has to end, and the process of complete global nuclear disarmament has to begin. It is long past time for the nuclear weapon states to concede that the fundamental problem with nuclear weapons is the existence of the weapons themselves, not the intentions of their owners. In plain language, the United States, Russia, China, France, the UK, Israel, India, and Pakistan must stop making excuses for their own nuclear arsenals while pretending, to varying degrees, that proliferation is the only real problem.

Second, the CTBT must enter into force, and all forms of nuclear testing, including sub-critical testing, must be prohibited. This body should explicitly condemn the creation of new justifications for a new generation of nuclear weapons that will become the excuses for new rounds of nuclear test explosions.

Finally, the NPT itself must be transformed into a true disarmament and non-proliferation treaty, as was the intent of the States Parties in 2000 when they committed themselves to an “unequivocal undertaking” to rid the world of nuclear weapons. Negotiations on a time-bound framework to eliminate nuclear weapons by 2020 must begin no later than the close of the 2005 NPT Review.

### **Mayor Olexandr Omelchenko, Kyiv, Mayors for Peace**

With apologies to the mayors of the American cities present in this hall, I must point out that it is the US Government that is proposing a fatal thesis regarding the use of small-yield nuclear weapons, the so-

called mini-nukes. Bombs and shells with depleted uranium were widely used in former Yugoslavia, Afghanistan and Iraq. Surely this is not a price one is forced to pay for victory. The world scientific community speaks with one voice to highlight the heavy ecological impact in regions of armed conflict.

I would like to underscore the fact that nuclear weapons are the greatest misfortune our planet has suffered. Any idea for regulating nuclear weapons sounds like nonsense. The very presence of nuclear weapons is an enormous risk, regardless of any expression of peaceful intentions.

Therefore it is extremely important to remove this sword of Damocles. An agreement on a comprehensive prohibition of nuclear testing must enter into force in full and without exception. For this to be realized, we must have an effective agreement on the relationship between disarmament and non-proliferation.

### **Alice Slater, GRACE**

There are now 440 “peaceful” reactors in 31 countries — all producing deadly bomb materials with 283 research reactors in 56 countries, some producing highly enriched uranium. US CIA Director, George Tenet warned, “The difference between producing low-enriched uranium and weapons-capable high-enriched uranium is only a matter of time and intent, not technology.” There are nearly 2 million kilograms of reactor wastes in the world—with only 5 kilograms needed to make one bomb. The US plans 50 more reactors by 2020; China plans 30; with 31 more presently under construction—to churn out bomb-making materials. There is no known solution to safely containing the tons of nuclear waste that will be generated over the unimaginable 250,000 years it will continuously threaten life on earth. We urge you to begin serious negotiations on a treaty to eliminate all nuclear weapons and call for a moratorium on the building of new nuclear reactors as we close the old ones down. Shift those loans and subsidies to an International Sustainable Energy Fund and promote life, not death. Albert Einstein said “the release of atom power has changed everything except our way of thinking... the solution to this problem lies in the heart of mankind”. Listen to your hearts, try new thinking, and let us put an end to the nuclear age and the deluded dream of “atoms for peace” that has only led to war and death.

### **Hon. Bill Perkins, Deputy Majority Leader, New York City Council**

I don't think I have to tell you why I am here. The world has yet to recover from the fear, hatred, and economic turmoil caused by the loss of the World Trade Center complex. Just imagine what would have happened if, instead, a small nuclear device had been used and half of Manhattan was turned to rubble. Or, what if the two planes that struck the towers had struck the Indian River Power Plant just thirty miles from here? We might well have lost all of New York City for centuries to come.

I am taking part in this delegation to express my firm belief that we must ban, stigmatize, and proceed to actually dismantle all nuclear weapons, and the sooner the better. I also want to let you know that the mayoral delegation here today is just the beginning of a worldwide movement that will call increasingly strenuously for real action in that direction. For example, tomorrow at 3 p.m. this delegation will meet with the New York City Council at City Hall. There, we will discuss plans for the future, and one of those plans is to hold a World Fair of Cities in Central Park next May to coincide with the NPT Review Conference. We will work closely with the Mayors for Peace to ensure that hundreds of mayors from around the world are in New York for that conference, and we will make sure that the New York residents who happen to be from the cities or countries represented have an opportunity to come out and meet the mayors. We will have food, music, poets, artists, speakers and communities from those nations all converging on Central Park, but the focus will be on what you will be doing in this building.

### **Senator Patrik Vankrunkelsven, Belgium, Mayors for Peace**

You see before you a strange combination of a Belgian Senator and a citizens' weapons inspector of secret nuclear weapon bases. In Belgium many know me from the TV screen as a most agile politician, scaling high fences - and sometimes falling down. So, why should a politician belonging to the

conservative liberal party let himself be manhandled by the police and spend hours in handcuffs in cold police stations, if I already have the democratic authority to question our ministers in Parliament? Because in Parliament I can be sure of never getting a simple answer to a simple question: are there nuclear weapons in my country? Most frustrating, ... which is why I have considered it necessary to participate with other responsible citizens in "Citizens' Weapons Inspections". This movement anticipated, as it were, the 2000 NPT Review Conference, where all signatories to the treaty agreed to 13 steps towards the abolition of nuclear weapons. Among these steps were calls for greater transparency by the nuclear weapon states, which are also required to report on their compliance with Article VI; yet none of the weapon states has so far delivered any adequate or meaningful report on their current stocks of nuclear weapons, facilities and fissile materials

### **Mayor Andreas Pahatourides, City of Peristeri, Greece**

Dear Friends and Colleagues,  
Delegates of the World,

Athletics has been proven to be one of the most effective ways of encouraging and promoting human understanding and the spirit of peace. Thus, I call to you, let us seize the opportunity and reaffirm our will for a world without violence, without threats, without nuclear weapons. Let us declare an Olympic Truce that will be a great step towards a constant and permanent truce to be adopted by the family of humankind. Towards a world of co-operation and common values, a shared peaceful future, our Vision and Hope is a Truce lasting 365 days a year. Because Peace is our Right and our Choice.

### **John Loretz, International Physicians for the Prevention of Nuclear War**

A clear timeframe for the total abolition of all nuclear weapons should be established- no later than 2020, and negotiations should commence as of the 2005 NPT Review on a phased program of incremental steps leading to the complete elimination of nuclear weapons within that timeframe. A specific course of milestones to reach in verification technology, in storage capability, in disposal plans, and in other aspects of dismantling and destroying existing nuclear arsenals would serve as a plan of action by which to measure progress. While attempts were made to do this with the 13 Steps of the 2000 Final Document, time bound targets were not attached to any of the goals and incessant backsliding has been the result. We recommend that the United Nations convene a Summit meeting on nuclear disarmament and non-proliferation as a prelude to the opening of negotiations on a Model Nuclear Weapons Convention. A deadline of no later than the 2010 NPT Review should be set for completion of those negotiations and submission of the Convention for signature and ratification. Within this framework, an International Nuclear Disarmament Organization should be created, with the authority and resources to facilitate the elimination of all nuclear weapons from the world's arsenals by no later than 2020 and to monitor this nuclear-free status for the foreseeable future.

## **12. Disarmament Education: Japan's Leadership**

12.1 It is often said that nuclear disarmament is not on the "radar screen" of public interests. Consequently, there is little public outcry against the possibility of a nuclear holocaust, and the media pay little attention to the issue. While a relatively small number of NGOs know a great deal about the subject, it is true that the public is generally ill-informed. Hence, the U.N. recently published a study on how education on all disarmament issues could be broadened by international organizations, civil society, NGOs and the media.

12.2 A group of countries, including Egypt, Hungary, Japan, Mexico, New Zealand, Peru, Poland, and Sweden, presented a paper to the PrepComm urging all States Parties to foster educational and training programs and workshops centred on the Non-Proliferation Treaty. Information on the NPT, the paper said, should be integrated into various levels of education for different target audiences and economic and social groups.



12.3 A Working Paper by Japan elaborated on what is being done in that country to educate people. Since 1983, Japan has invited 480 participants in the U.N. Disarmament Fellowship Programme to visit Hiroshima and Nagasaki. The Government of Japan also works with Educators for Social Responsibility to bring visitors into contact with the atomic bomb victims (*Hibakusha*). Seminars and conferences are regularly held in Japan and the Peace Museums of Hiroshima and Nagasaki draw enormous numbers of visitors each year. Both cities, along with the International Peace Research Association, are, with the support of UNESCO, cooperating to establish Hiroshima-Nagasaki Peace Study Courses in universities around the world.

### 13. In the Rest of the World

13.1 For more than two decades, the United Nations has fostered a better understanding of how human security can be strengthened by the simultaneous application of both disarmament and development. As disarmament steps are taken, more funds should be released for economic and social development; as development is implemented, it should reduce tensions and make significant disarmament measures tenable. Taken together, disarmament, development and security form a “dynamic triangular relationship.” Very few states, however, have seized on these mutually reinforcing steps for security, as the burgeoning military expenditures and the shrinking pools of capital for the alleviation of poverty attest.

13.2 A striking example of a “wall of separation” between these two great themes was evident during the first week of the NPT PrepComm. Another meeting held in an adjoining conference room in the U.N. basement was composed of delegates to the Commission on Sustainable Development, which deals with the world’s threatened natural resource base, unsustainable consumption and production patterns, deforestation and biodiversity loss, the growing HIV/AIDS burden, and economically and environmentally harmful trade subsidies. The governmental delegates and NGO observers at each meeting shared the same coffee area, but actual contact between the two groups was virtually nil. Each meeting went through its own agenda (one might say contortions) oblivious of the concerns of the other.

13.3 It would have done some good for the NPT meeting to consider how the militarization of the world is hampering the development of peoples. Similarly, the Commission on Sustainable Development would have benefited from considering the problem of nuclear weapons in the context of the destruction of huge swaths of humanity.

13.4 Speaking to the Commission on Sustainable Development, U.N. Secretary-General Kofi Annan said high-level political attention had been diverted from sustainable development by the intense focus on terrorism, weapons of mass destruction and the war in Iraq. Mark Malloch Brown, Administrator of the U.N. Development Programme, added that public investment in solutions to water-borne diseases, which claim 3.5 million lives per year, had actually shrunk over the last decade. Jeffrey Sachs, Director of the U.N. Millennium Project, pointed out that some \$900 billion was spent each year on armaments, while only \$50 billion was spent on development assistance. “We must change the balance in the world,” he said.

13.5 The development needs of people in poor areas of the world are enormous. To meet water needs alone, 275,000 people must be hooked up to water sources every day between now and 2015. Halving those without access to water and sanitation would require at a minimum \$10 billion per year. The nuclear weapons states spend at least 10 times that amount every year on maintaining their nuclear arsenals – weapons which, it is often said, cannot be used and which the International Court of Justice has said are generally illegal. While the NPT meeting was taking place, the U.S. Administration, bogged down in the increasingly ugly Iraq war, asked Congress for another \$25 billion to add to the existing \$400 billion defence budget. Weapons or water? Guns or bread? This is the stark choice facing humanity, yet the governmental systems are mired in inertia, seemingly incapable of effecting political priorities to stop the race to destruction and promote a life of basic decency for all.

13.6 A welcome beginning in addressing the integrated agenda for human security might be for delegates who go to U.N. meetings on specialized subjects to at least exchange views.

#### 14. Conclusion: An Awakening to Combat 'Wooden-headedness'

Watching the NPT PrepComms for three years – six weeks of meetings and hundreds of speeches devoid for the most part of any passion to speak up for a gravely endangered humanity – brings to mind the analysis of government action offered by historian Barbara Tuchman in one of her principal works, "The March of Folly":

"Wooden-headedness, the source of self-deception, is a factor that plays a remarkably large role in government. It consists in assessing a situation in terms of preconceived fixed notions while ignoring or rejecting any contrary signs. It is acting according to wish while not allowing oneself to be deflected by the facts."

Ms. Tuchman might well have had the Nuclear Weapons States in mind and their various supporters, who make a show of desiring the elimination of nuclear weapons while making accommodations to the status quo. The status quo is this: the NWS are insisting that a more-or-less perfect world will have to arrive – no regional wars or instabilities among emerging nations – before they can seriously address the actual work of eliminating their nuclear weapons. However, the status quo cannot hold because an increasing number of nations are not willing to live under a non-proliferation regime dominated by powerful states that refuse to give up weapons they maintain as instruments of their power. The world is bound to see either more Nuclear Weapons States (India, Pakistan, Israel, and North Korea are prime examples) or less. The present situation will change, and present trend-lines point in the direction of proliferation, not elimination.

In this current chaotic environment, the risk of terrorists acquiring nuclear materials is growing. Russia conceded this point at the PrepComm: "Terrorists are smart and resourceful and are willing to go to any length to get hold of the weapons of mass destruction production components in order to strike at innocent people." That is why the illustration provided by the eminent physicist Frank von Hippel, used as the frontispiece to this report, is so important. It shows graphically that, if the 9/11 terrorists had used a nuclear device at Ground Zero, hundreds of thousands of people would have met the fate of those in Hiroshima on August 6, 1945. Nations are trying to tighten controls on nuclear materials, but it is well known that large quantities have gone missing. Still, the International Atomic Energy Association is seriously under-funded in effecting its safeguards program while the NWS continue to spend billions of dollars on upgrading their nuclear arsenals.

Disaster is staring humanity in the face. Yet the large number of middle power states, which could have a significant influence on the NWS, keep tinkering at the edges of the problem. The NWS keep pretending their intransigence is not the source of the problem. The States clamouring for a Nuclear Weapons Convention are themselves in disarray and the political structure has stopped listening to them. All this is due, once again, to the wooden-headedness of governments.

Now the 2005 Review of the NPT looms. The maintenance of present attitudes will guarantee failure. Failure of what? Lack of agreement on a Final Document? Reversal of the gains of 2000? Countries leaving the Treaty? It is unlikely that any dramatic event will ensue from the failure of the 2005 Review. It is even possible that some kind of patch will be put on the tears in the NPT cloth. However, the Treaty will mean less and less as the next cycle, 2005-2010, starts to unfold.

The only way to stop this erosion is for a new burst of energy to be shown by the middle power states – the New Agenda, non-nuclear NATO, the European Union and a few other like-minded states – to shore up and influence the centre positions in the nuclear weapons debate. The "Moderate Middle" hold in their hands the future of the NPT. They must stop being cowed by the all-powerful NWS; they must speak up forcefully, in the name of humanity, to the United States, a country that has done much good for the world in other contexts but whose nuclear weapons doctrine is a threat to civilizations everywhere. It is the U.S. that can influence the other NWS, not likely the other way around.

Speaking up takes courage and leadership. The middle power states, which by and large stayed out of the U.S.-led Iraq war, are not lacking in either. They have to make prudential judgments on

when to give voice to their concerns. Perhaps they still need to be convinced that a practical course of action to stave off the nuclear peril lies in building new partnerships of cooperation to develop common positions and advocate them vis-à-vis the NWS. The vigorous exercise of a common front advancing the ideas of time-bound steps to nuclear disarmament – a comprehensive approach taken in the name of humanity – is now urgent. It may be the only thing that can save the NPT.

The voice of the public matters a great deal in whether governments will bestir themselves. It was the voice of the public that obtained the Partial Test Ban Treaty in 1963; it was the voice of the public that led to the Intermediate Nuclear Forces Treaty of 1987. Now the voice of the public has gone soft.

It is paradoxical that just when its voice is most needed to move governments on nuclear disarmament, it is most difficult to awaken the public. The public is by no means uncaring about war; they just do not see the connection between retention of nuclear weapons and the likelihood of mass destruction ahead. An awakening of the public is, of course, a profound concern of the NGOs, stalwart in the dedication they showed to the issue, many travelling to the PrepComm at their own expense because of the continual deprivation of funding by foundations which have turned their attention elsewhere. An awakening of the public is precisely the strategy of Mayor Akiba in his Emergency Campaign for Mayors for Peace. If the people in the municipalities around the world make their voices heard, the national politicians and diplomats will be quick to get the message.

The recent comments by Mikhail Gorbachev are especially practical in this instance. The last president of the Soviet Union, having been awarded the Nobel Peace Prize for helping to bring the Cold War to an end, he is now President of Green Cross International. Referring to the panoply of human security issues besetting the world, Gorbachev says he is convinced the citizens of the world need a reformulated “glasnost” to invigorate, inform and inspire them to put the staggering resources of our planet and our knowledge to use for the benefit of all. The empowerment of peoples is needed to address the dominance of short-term interests and lack of transparency where the planet’s fate is being decided by what to do about nuclear weapons. Gorbachev says he has faith in humankind. “It is this faith that has allowed me to remain an active optimist.”

In the desultory atmosphere of the NPT PrepComm, one meaningful sign of optimism stands out. Stephanie Fraser, mother and producer at <[www.Banningthebomb.tv](http://www.Banningthebomb.tv)>, an NGO enterprise to bring the NPT process into the spotlight, could be seen, child in tow, working at the NGO meetings. Stephanie wants for her child a future without nuclear weapons. As she wrote in *News in Review*, “It is utterly imperative for people involved with the NPT Review Process to keep heart.

## APPENDICES

### Appendix A: New Agenda Coalition's 44 Recommendations

NPT/CONF.2005/PC.III/11

**Preparatory Committee for the 2005 Review  
Conference of the Parties to the Treaty on the  
Non-Proliferation of Nuclear Weapons**

**Third session**

New York, 26 April-7 May, 2004

**New Agenda Coalition substantive recommendations to the  
third session of the Preparatory Committee of the 2005 NPT  
Review Conference**

The 2000 Final Document of the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons mandated the third session of the Preparatory Committee of the 2005 Review Conference to take into account the deliberations and results of its previous sessions and make every effort to produce a consensus report containing recommendations to the Review Conference. In this regard, building upon the working papers presented during the first and second sessions of the Preparatory Committee, namely:

NPT/CONF.2005/PC.I/WP.9

NPT/CONF.2005/PC.II/WP.11

NPT/CONF.2005/PC.II/16

The New Agenda Coalition presents its substantive inputs to be considered by the Preparatory Committee as recommendations to the 2005 Review Conference.

1. **To reaffirm** that any possibility that nuclear weapons could be used represents a continued risk for humanity.
2. **To agree** that the full and effective implementation of the Treaty has a vital role in promoting international peace and security.
3. **To recall** that each article of the Treaty on the Non-Proliferation of Nuclear Weapons is binding on the States Parties at all times and in all circumstances and that it is imperative that all States be held fully accountable with respect to the strict compliance with their obligations under the Treaty.
4. **To reaffirm** that every effort should be made to implement the Treaty in all its aspects and to prevent the proliferation of nuclear weapons and other nuclear explosive devices, without hampering the peaceful uses of nuclear energy by States Parties to the Treaty.
5. **To agree** to pursue, with determination, the full and effective implementation of the agreements reached in the Final Document of the 2000 Review Conference, the outcome of which provides the requisite plan to achieve nuclear disarmament, and of the 1995 Decision on Principles and Objectives for Nuclear Nonproliferation and Disarmament and the 1995 Resolution on the Middle East.
6. **To call on** all States to refrain from any action that could lead to a new nuclear arms race or that could impact negatively on nuclear disarmament and non-proliferation.
7. **To agree** that the fundamental principles of transparency, verification and irreversibility be applied to all nuclear disarmament measures.
8. **To call on** all States Parties to work actively towards the universal adherence to the Treaty and not to take any action that would undermine in any way the determination to prevent the proliferation of nuclear weapons.
9. **To call upon** those three States, India, Israel and Pakistan, which are not yet parties to the Treaty on the Non-Proliferation of Nuclear Weapons and which operate unsafeguarded nuclear facilities, to accede to the Treaty as non-nuclear weapon States promptly and without condition, to bring into force the required comprehensive safeguards agreements, together with additional protocols, consistent with the Model Protocol Additional to the Agreement(s) between State(s) and the IAEA for the Application of Safeguards approved by the Board of Governors of the IAEA on 15 May 1997, for ensuring nuclear

nonproliferation and to reverse clearly and urgently any policies to pursue any nuclear weapons development or deployment and refrain from any action that could undermine regional and international peace and security and the efforts of the international community towards nuclear disarmament and the prevention of nuclear weapons proliferation.

10. **To agree** that universal adherence to the Treaty, and full compliance of all Parties with all its articles, are the best way to prevent the proliferation in all its aspects of nuclear weapons and nuclear explosive devices.

11. **To stress** the importance of reversing the announcement by the Democratic People's Republic of Korea of its intention to withdraw from the Nuclear Non-Proliferation Treaty and to call on it to return to full compliance with the Treaty, and in this connection to support all diplomatic efforts for an early resolution of the situation and for the establishment of a nuclear weapons free Korean peninsula.

12. **To recall** the importance of universal adherence to the full-scope safeguards agreements with the IAEA and **to call upon** those States that have not yet done so to conclude such agreements; **to stress** the importance of the Model Additional Protocol aimed at strengthening the effectiveness and improving the efficiency of the safeguards system.

13. **To stress** that the IAEA must be able to verify and ensure that nuclear facilities of the States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons are being used for peaceful purposes only, and call on States to co-operate fully and immediately with the Agency in resolving issues arising from the implementation of their respective obligations towards it.

14. **To call upon** the nuclear-weapon States to implement the commitments made in the Treaty on the Non-Proliferation of Nuclear Weapons, as well as in other nuclear disarmament or reductions agreements or initiatives, and in this context uphold to their commitments to irreversibility by destroying their nuclear warheads and avoid keeping them in a state that lends itself to their possible redeployment, and by closing and dismantling their nuclear test sites.

15. **To recall** the unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament.

16. **To reiterate that** all States Parties must pursue, with determination, the full and effective implementation of the practical steps agreed at the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

17. **To affirm** that a nuclear-weapon-free world will ultimately require the underpinning of a universal and multilaterally negotiated legally binding instrument or a framework encompassing a mutually reinforcing set of instruments.

18. **To agree** on the importance and urgency of signatures and ratifications required to achieve the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty, as an essential element of Nuclear Disarmament and the Non- Proliferation regime.

19. **To call for** the upholding and maintenance of the moratorium on nuclear weapon-test explosions or any other nuclear explosions pending the entry into force of the Comprehensive Nuclear-Test-Ban Treaty.

20. **To welcome** the important contribution to maintaining the momentum towards early entry into force of the Comprehensive Nuclear-Test-Ban Treaty through the work carried out by the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organisation in building the verification regime.

21. **To recall** that the Conference on Disarmament is the sole multilateral negotiating body on disarmament.

22. **To agree** that the Conference on Disarmament should establish, without delay, an appropriate subsidiary body to deal with nuclear disarmament. Such a body could inter alia deal with the practical steps for the systematic and progressive efforts towards nuclear disarmament.

23. **To agree** that the Conference on Disarmament, should resume negotiations on a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, taking into consideration both nuclear disarmament and nuclear non-proliferation objectives;

24. Pending the conclusions of such negotiations, **to call for** the upholding and maintenance of a moratorium on fissile material production for military purposes, and the establishment of a regime for transparency and accountability and an appropriate experts group.

25. **To agree** that the Conference on Disarmament should establish a subsidiary body to deal with the prevention of an arms race in outer space that could identify and examine without limitation, any specific topics or proposals, including the possibility of negotiating a relevant international legal instrument.

26. **To express concern** that the development of missile defences could impact negatively on nuclear disarmament and non-proliferation and lead to a new arms race on earth and in outer space.

27. **To call upon** all States to fulfil their obligations under international treaties and international law in the field of nuclear disarmament and nuclear non-proliferation.

28. **To call upon** the Russian Federation and the United States of America to approach the IAEA to carry out promptly the verification requirements for the implementation of the Plutonium Management and Disposition Agreement.

29. **To reiterate** the continued need and importance for further efforts by nuclear-weapon States:

ī to effectively reduce their nuclear arsenals unilaterally, and

ī to formalize their unilateral declarations into legal instruments including provisions ensuring transparency, verification and irreversibility.

30. **To acknowledge** that the reductions in the number of deployed strategic nuclear warheads envisaged by the Treaty on Strategic Offensive Reductions (“the Moscow Treaty”) represent a positive first step, and call on the United States of America and the Russian Federation to make the Treaty transparent, verifiable and irreversible and to address non-operational warheads, thus making it an effective nuclear disarmament measure.

31. **To agree** that nuclear-weapon States take further action towards increasing their transparency and accountability with regard to their nuclear weapons arsenals and their implementation of disarmament measures and in this context to recall the obligation to report as agreed in step 12.

32. **To agree** that the further reduction of non-strategic nuclear weapons should be accorded a higher priority as an important step towards the elimination of nuclear weapons and be carried out in a comprehensive manner, including:

(a) Further reductions in and elimination of non-strategic nuclear weapons based on unilateral initiatives and as an integral part of the nuclear-arms reduction and disarmament process;

(b) The implementation of reductions in a transparent, verifiable and irreversible manner;

(c) The preservation, reaffirmation and implementation of the 1991 and 1992 presidential nuclear initiatives of the United States of America and the Union of Soviet Socialist Republics/Russian Federation on non-strategic nuclear weapons;

(d) The formalization by the Russian Federation and the United States of America of their presidential nuclear initiatives into legal instruments and the initiation of negotiations on further reductions of such weapons;

(e) The enhancement of special security and physical protection measures for the transport and storage of non-strategic nuclear weapons, their components and related materials through, inter alia, the placing of such weapons in physically secure central storage sites with a view to their removal and subsequent elimination by the nuclear-weapon States as a part of the nuclear disarmament process to which they are committed under the Treaty on the Non-Proliferation of Nuclear Weapons, as well as the necessary steps to be taken by all nuclear-weapon States in possession of such weapons in this regard;

(f) The achievement of further confidence-building and transparency measures to reduce the threats posed by non-strategic nuclear weapons;

(g) The achievement of concrete agreed measures to reduce further the operational status of non-strategic nuclear weapons systems so as to reduce the risk of use of non-strategic nuclear weapons;

(h) The undertaking by the nuclear-weapon States that possess these weapons not to increase the number or types of weapons deployed and not to develop new types of these weapons or rationalizations for their use;

(i) The prohibition of those types of non-strategic nuclear weapons that have already been removed from the arsenals of some nuclear-weapon States and the development of transparency mechanisms for the verification of the elimination of these weapons.

33. **To agree** that the nuclear-weapon States take further measures to de-alert and de-activate nuclear weapons systems, to remove nuclear warheads from delivery vehicles, and to withdraw nuclear forces from active deployment pending the total elimination of these weapons.

34. **To agree** that the nuclear-weapon States diminish the role of nuclear weapons in their security policies, reduce the number of nuclear weapons deployed, and not develop new types of nuclear weapons or rationalizations for their use.

35. **To underline** that nuclear-weapon States must undertake the necessary steps towards the seamless integration of all five nuclear-weapon States into a process leading to the total elimination of nuclear weapons.

36. **To stress** the need for all five nuclear-weapon States to make arrangements for the placing of their fissile material no longer required for military purposes under IAEA or other relevant international verification and to make arrangements for the disposition of such material for peaceful purposes in order to ensure that such material remains permanently outside military programmes.

37. **To stress** the importance of regular reporting in promoting confidence in the Treaty on the Non-Proliferation of Nuclear Weapons.

38. **To agree** that regular reports by all States Parties on the implementation of article VI and paragraph 4 (c) of the 1995 decision be presented to each session of the Preparatory Committee and to the Review Conference and to address policies, intentions and developments. These reports should cover issues and principles addressed by the thirteen steps and include specific and complete information on each of these steps.

39. **To call upon** the nuclear-weapon States to respect fully their existing commitments with regard to security assurances pending the conclusion of multilaterally negotiated legally binding security assurances for all non-nuclear-weapon States Parties; which could either be in the format of a separate agreement reached in the context of the nuclear Non-Proliferation Treaty, or as a protocol to the Treaty.

40. **To reaffirm** that the establishment of nuclear-weapon-free zones enhances global and regional peace and security, strengthens the nuclear non-proliferation regime and contributes towards the objective of nuclear disarmament, and in this context urges all concerned States to complete the necessary signatures

and ratifications for the entry into force of the Treaties establishing Nuclear Weapon Free Zones and their Protocols without conditions.

41. **To recall** the resolution on the Middle East as an integral part of the outcome of the 1995 Review and Extension Conference of the Treaty on the Non-Proliferation of Nuclear Weapons and **to renew** its support for the establishment of a Middle East zone free of nuclear weapons and other weapons of mass destruction, and in this regard, to note that all States of the region with the exception of Israel are States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and to call upon Israel to accede to the Treaty promptly and without conditions and to place all of its nuclear facilities under comprehensive IAEA safeguards.

42. **To welcome** Iran's signing of the Additional Protocol and to urge it to promptly complete the process of ratification, and to call upon it to resolve the outstanding questions regarding its nuclear programme.

43. **To welcome** Libya's voluntary decision to abandon its programmes for developing weapons of mass destruction and cooperate fully with the IAEA and other relevant international organizations. Recognizing this as a step forward, while remaining concerned at the development of such programmes.

44. **To renew** also its support for the establishment of nuclear weapons free zones in Central Asia and South Asia and in this context, urgently **to call on** India and Pakistan to pull back from their aspirations to nuclear weapons and to accede to the Treaty promptly and without conditions.

## **Appendix B: U.S. Delegation Fact Sheet: "Correcting the Record"**

### **UNITED STATES MISSION TO THE UNITED NATIONS**

**May 5, 2004**

#### **U.S. Nuclear Weapon Policies**

The President directed that the United States reduce its operationally deployed strategic nuclear weapons to the lowest number commensurate with the security requirements of the United States, its Allies and friends. The December 2001 U.S. Nuclear Posture Review (NPR) envisions, among other things, that we reduce our reliance on nuclear weapons for achieving defence policy goals. In fact, U.S. efforts underway in implementing the NPR seek to understand whether high-precision, advanced conventional weapons could replace nuclear systems for holding at risk certain high-value installations. Nonetheless, the threats and uncertainties in today's international security environment make it necessary for the United States to consider new ways to adapt our nuclear forces to the changing circumstances. There is much misunderstanding about these U.S. policies and this fact sheet offers some clarifications.

*Criticisms:*

The United States is developing new nuclear weapons with lower-yields as well as new bunker-buster nuclear weapons.

These activities will lower the nuclear threshold by blurring the distinction between conventional and nuclear weapons.

These activities are contrary to U.S. Article VI undertakings and motivate other states to seek nuclear weapons.

The United States is planning to conduct nuclear explosive tests.

*Facts*

Although the U.S. Congress repealed legislation that prohibited exploratory research on new, low yield nuclear weapons, **the United States has no program to develop and field such weapons** or any other new nuclear weapons. The **studies** underway are entirely conceptual. On bunker-busters, we are continuing an effort begun in the previous Administration to **study** the cost and feasibility of whether two **existing** weapons could hold at risk hard and deeply buried installations. There has been **no recommendation** to the President for development of a low-yield weapon or a bunker-buster; and such development **can proceed only with U.S. Congressional approval**.

**The United States is not lowering the threshold** for the use of nuclear weapons. U.S. Presidents have always understood the gravity and consequences of a decision to authorize the use of nuclear weapons. The **yield** of a nuclear weapon **would not alter that fact**. The United States has had low-yield nuclear weapons in its stockpile for decades, and does so today. Certainly, **studies** on low-yield weapons and on buster-bunkers, which may or may not be developed or deployed, **cannot affect the threshold question**. In fact, **the United States is reducing its reliance on nuclear weapons**. The addition of defences and conventional forces into our strategic concept means we will be less dependent on nuclear weapons for deterrence. We are looking only at **whether** there are new ways to meet new threats to U.S. security. These studies signal a U.S. commitment to maintain the credibility of its deterrent. Having a **credible deterrent lowers the risk of war** and further decreases the chances that the use of nuclear weapons might have to be contemplated. NPT Article VI contains no prohibition on modernization of nuclear weapons by nuclear weapon states.

**The United States is in full compliance with Article VI**, as set forth in our statements and the U.S. information paper. It is misleading to suggest that non-nuclear-weapon states decide to acquire nuclear weapons in reaction to U.S. nuclear weapon policies. In South Asia, the Middle East, and North Korea, states have pursued a nuclear weapons capability to deter, intimidate or coerce adversaries in their region and/or in a vain effort to gain prestige and status. **Their motivations are not influenced by U.S. studies on low-yield weapons. Nuclear proliferation actually accelerated** during the decade that the U.S. ban on low yield nuclear weapons was in place and during which there was substantial progress on Article VI. India and Pakistan conducted nuclear tests and it is now clear that North Korea, Iran and Libya were in various stages of pursuing nuclear weapons.

**U.S. policy on nuclear explosive testing has not changed.** We continue to observe our moratorium and encourage other governments not to test. We believe the stockpile stewardship program can provide the tools to ensure **stockpile safety and reliability for the foreseeable future**.

### Appendix C: Hiroshima Peace Declaration

August 6, 2003

This year again, summer's heat reminds us of the blazing hell fire that swept over this very spot fifty-eight years ago. The world without nuclear weapons and beyond war that our *hibakusha* have sought for so long appears to be slipping deeper into a thick cover of dark clouds that they fear at any minute could become mushroom clouds spilling black rain.



The nuclear Non-Proliferation Treaty, the central international agreement guiding the elimination of nuclear weapons, is on the verge of collapse. The chief cause is U.S. nuclear policy that, by openly declaring the possibility of a pre-emptive nuclear first strike and calling for resumed research into mini-nukes and other so-called "useable nuclear weapons," appears to worship nuclear weapons as God. However, nuclear weapons are not the only problem. Acting as if the United Nations Charter and the Japanese Constitution don't even exist, the world has suddenly veered sharply away from post-war toward pre-war mentality. As the U.S.-U.K.- led war on Iraq made clear, the assertion that war is peace is being trumpeted as truth. Conducted with disregard for the multitudes around the world demanding a peaceful solution through continued UN inspections, this war slaughtered innocent women, children, and the elderly. It destroyed the environment, most notably through radioactive contamination that will be with us for billions of years. And the weapons of mass destruction that served as the excuse for the war have yet to be found. However, as President Lincoln once said, "You can't fool all the people all the time." Now is the time for us to focus once again on the truth that "Darkness can never be dispelled by darkness, only by light." The rule of power is darkness. The rule of law is light. In the darkness of retaliation, the proper path for human civilization is illumined by the spirit of reconciliation born of the *hibakusha's* determination that "no one else should ever suffer as we did."

Lifting up that light, the aging *hibakusha* are calling for U.S. President George Bush to visit Hiroshima. We all support that call and hereby demand that President Bush, Chairman Kim Jong Il of North Korea, and the leaders of all nuclear-weapon states come to Hiroshima and confront the reality of nuclear war. We must somehow convey to them that nuclear weapons are utterly evil, inhumane and illegal under international law. In the meanwhile, we expect that the facts about Hiroshima and Nagasaki will be shared throughout the world, and that the Hiroshima-Nagasaki Peace Study Course will be established in ever more colleges and universities.

To strengthen the NPT regime, the city of Hiroshima is calling on all members of the World Conference of Mayors for Peace to take emergency action to promote the abolition of nuclear weapons. Our goal is to gather a strong delegation of mayors representing cities throughout the world to participate in the NPT Review Conference that will take place in New York in 2005, the 60<sup>th</sup> year after the atomic bombing. In New York, we will lobby national delegates for the start of negotiations at the United Nations on a universal Nuclear Weapons Convention providing for the complete elimination of nuclear weapons. At the same time, Hiroshima calls on politicians, religious professionals, academics, writers, journalists, teachers, artists, athletes and other leaders with influence. We must establish a climate that immediately confronts even casual comments that appear to approve of nuclear weapons or war. To prevent war and to abolish the absolute evil of nuclear weapons, we must pray, speak, and act to that effect in our daily lives.

The Japanese government, which publicly asserts its status as "the only A-bombed nation," must fulfil the responsibilities that accompany that status, both at home and abroad. Specifically, it must adopt as national precepts the three new non-nuclear principles - allow no production, allow no possession, and allow no use of nuclear weapons anywhere in the world - and work conscientiously toward an Asian nuclear-free zone. It must also provide full support to all *hibakusha* everywhere, including those exposed in "black rain areas" and those who live overseas.

On this 58th August 6, we offer our heartfelt condolences to the souls of all atomic bomb victims, and we renew our pledge to do everything in our power to abolish nuclear weapons and eliminate war altogether by the time we turn this world over to our children.

Tadatoshi Akiba, Mayor, The City of Hiroshima.

## Appendix D: Report: Middle Powers Initiative Forum

The Middle Powers Initiative (MPI), held a Forum, "Ensuring Full Implementation of the Non-Proliferation Treaty," on April 26, the opening day of the PrepComm. The Forum, attended by 30 government and 40 non-governmental representatives, was chaired by Dr. **Randy Rydell**, Senior Political Affairs Officer in the Office of the Under-Secretary-General for Disarmament Affairs at the United Nations.

The keynote speaker, **Marian Hobbs**, New Zealand's Minister for Disarmament, underscored the centrality of nuclear disarmament in the effort to stem nuclear proliferation. "The possession of nuclear weapons by any state is a constant stimulus to other states to acquire them," Minister Hobbs stressed. "Proliferation of nuclear weapons will only cease when the weapons themselves cease to exist."

Cooperation between officials and non-governmental organizations such as MPI is crucial to amplify this central disarmament message, Minister Hobbs stressed in her conclusion, while thanking MPI for its effective global advocacy.

Ambassador **Sudjadnan Parnohadiningrat** of Indonesia, Chair of the Third PrepComm, encouraged countries to pay attention to MPI's work. "MPI provides viable, practical, realistic proposals regarding nuclear disarmament and non-proliferation, through 2005 and beyond," he pointed out in his opening remarks to the Forum. "It thus warrants serious consideration by all NPT States parties."

Speaking on behalf of Dr. **Mohamed ElBaradei**, Director General of the International Atomic Energy Agency (IAEA), Dr. **Tariq Rauf** highlighted eight priorities to strengthen the NPT regime. They include tightened universal export controls, stronger political and financial support for the IAEA, negotiations of a fissile material treaty, and greater disarmament and non-proliferation education efforts. Rauf, currently Head of the IAEA's Verification and Security Policy Office, concluded his intervention with an appeal to end the existing nuclear double standard: "We must abandon the unworkable notion that it is morally reprehensible for some countries to pursue weapons of mass destruction yet morally acceptable for others to rely on them for security."

Canada's Disarmament Ambassador **Paul Meyer** said that his country's goal remains the total elimination of nuclear weapons worldwide. To achieve this goal, Meyer recommended that NPT States parties and civil society organizations help promote three Canadian initiatives at the forthcoming NPT Review Conference, namely the submission of regular annual NPT reports, the establishment of a standing NPT bureau that would be organizing annual NPT implementation meetings, and heightened NGO participation in the NPT Review process. "The adoption of these measures at the Review Conference would go a long way to reinforcing the Treaty's authority and vitality in the face of serious challenges," Meyer stated.

A final set of recommendations was presented by Ambassador **Henrik Salander**, Secretary-General of the new, independent Weapons of Mass Destruction Commission. After emphasizing the key challenges to the NPT regime - among them the continued possession by eight countries of usable nuclear weapons, recent breakouts by some non-nuclear weapon States, and the adoption of new doctrines considering the actual use of nuclear weapons - Salander called upon participants to help strengthen existing and emerging normative standards. "I suggest that we all strive to adjust our thinking ... to the following two notions," the Swedish diplomat said. "One - democratic states can never use nuclear weapons first. And two - nuclear weapons are unusable weapons."

In his concluding remarks, **Jonathan Granoff**, President of the Global Security Institute, stressed the human right to live in a world without nuclear weapons. "At the end of the day, the elimination of nuclear weapons is what we are supposed to achieve. The NPT, if fully implemented, can help us attain this goal."





## **THE MIDDLE POWERS INITIATIVE**

A program of the Global Security Institute

Through the Middle Powers Initiative, eight international non-governmental organizations are able to work primarily with “middle power” governments to encourage and educate the nuclear weapons states to take immediate practical steps that reduce nuclear dangers, and commence negotiations to eliminate nuclear weapons. MPI is guided by an International Steering Committee, chaired by Senator Douglas Roche, O.C., former Canadian Disarmament Ambassador. [www.middlepowers.org](http://www.middlepowers.org)