

The Nuclear Nonproliferation Regime: Facing the 2010 NPT Review

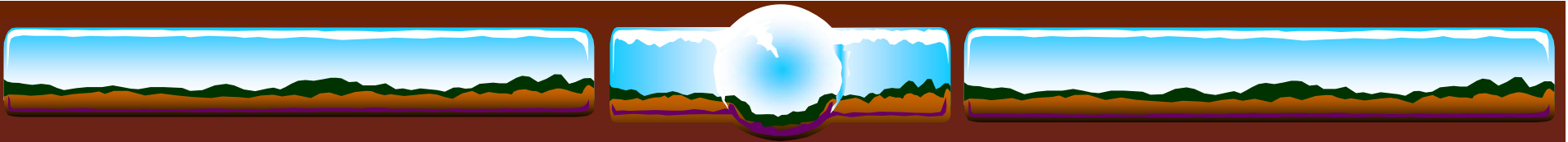


Rebecca Johnson Ph.D
International Seminar,
Rio de Janeiro, October 29, 2009



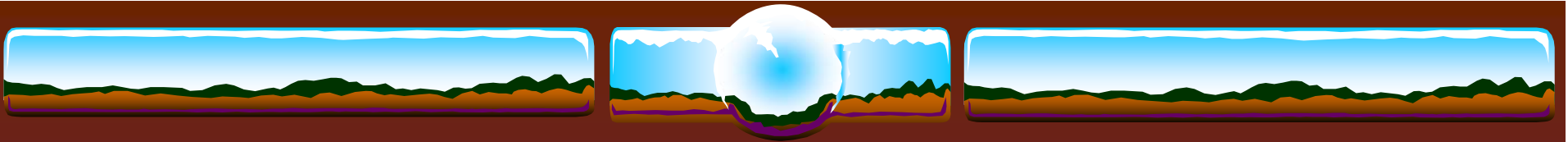
NPT in 2009

- 189 states parties
- 5 NWS still claiming nuclear weapons as indispensable... but signs of change in US and UK
- de-facto nuclear weapon possessors
India, Israel and Pakistan
- Some hedging of bets



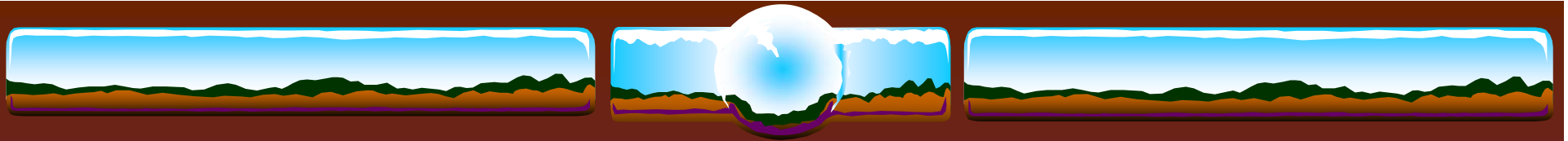
Familiar NPT Challenges

- Resolving current nuclear proliferation concerns and preventing new ones arising
- Non-compliance and bad faith:
 - Iran and North Korea
 - Nuclear powers re their disarmament obligations and the decisions and commitments agreed in 1995 and 2000
- CTBT, impasse over fissban, identifying next steps
- Fuel cycle challenges, espec. plutonium, HEU and terrorism
- Universality and NWFZs, espec relevant to Middle East
- Lack of effective decision-making and institutional powers to address real world challenges



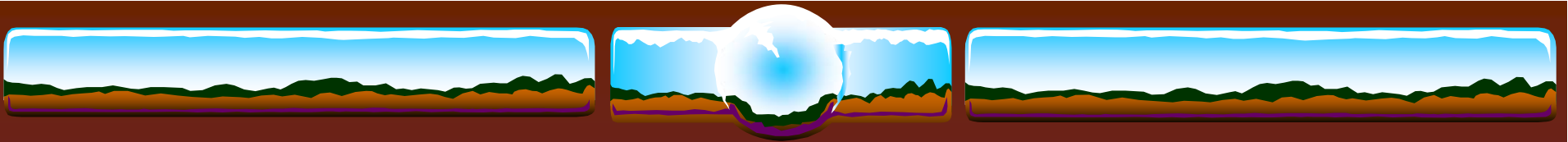
Of diminishing significance for some NWS but still attractive, nuclear weapons appear to bring:

- Strategic stability (US, Russia, China?)
- Keeping seats at the top table (France, UK?)
- Increased bargaining power and higher leverage (India, Pakistan?)
- Power projection – aspirants with nuclear ambitions and suspected or clandestine programmes (Iran?)
- ‘Deterrence’ to shore up weak, aggressive, despotic or failing leadership (Israel, North Korea?)



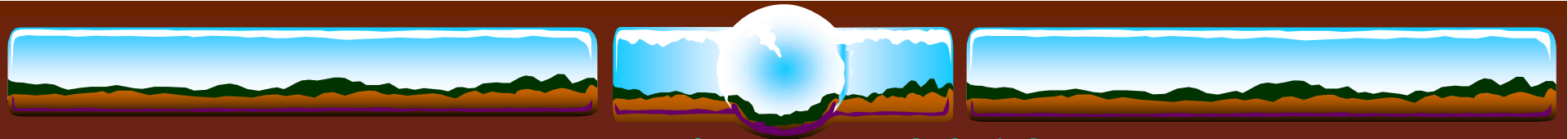
- nuclear insurance strategies, possibly “virtual deterrence” pursued by states with sophisticated levels of nuclear technology (Japan, Brazil?)
- nuclear umbrella allies, questions for NATO, Japan, Australia and the US as their nuclear ‘guarantor’
 - Importance of current reviews of US Nuclear Posture and NATO Strategic Concept and progressive attitudes of new DPJ government in Japan
- Article IV nuclear energy promotion to hedge economic and security bets (e.g. nuclear ‘renaissance’ (nuclear resuscitation?) policies including Arab states’ rush for nuclear energy)

Where does that leave genuinely non nuclear weapon states seeking nuclear abolition?



How do the real world nuclear challenges differ from the NPT concerns?

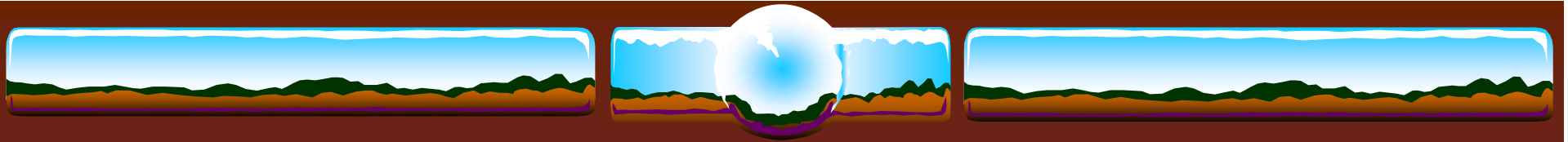
- Does the NPT stem proliferation? **Yes, for now, but declining effectiveness. Needs to marginalise and devalue nuclear weapons and serve security and regional interests better.**
- Will it facilitate nuclear disarmament? **Probably not; might be more of an impediment.**
- Has the NPT become part of the problem or can it be strengthened to build the solutions? **Flawed regime: declining usefulness**
- > Can it be repaired? Or does it need to be transformed to be a **nuclear security and disarmament regime rather than a nuclear technology trade-off (the so-called ‘grand bargain’) ?**



Looking at 2010

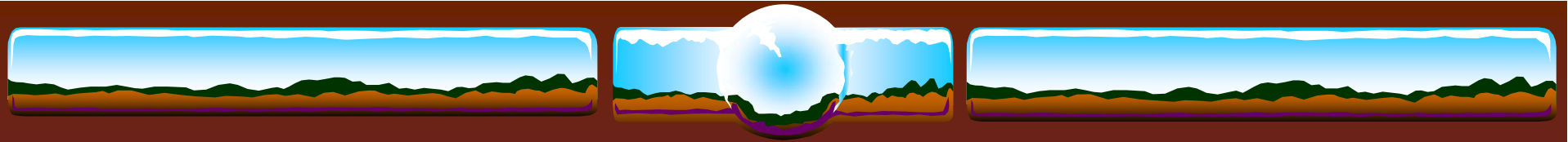
Review process reflects complex interaction of domestic, regional, intergovernmental and international interests

- Perceived, stated and unstated objectives
- the motivation, preferences, perceived interests and political will of the players, especially major players capable of impeding or facilitating progress;
- structure and procedures of the review process, expectations and role of PrepComs and Review Conference



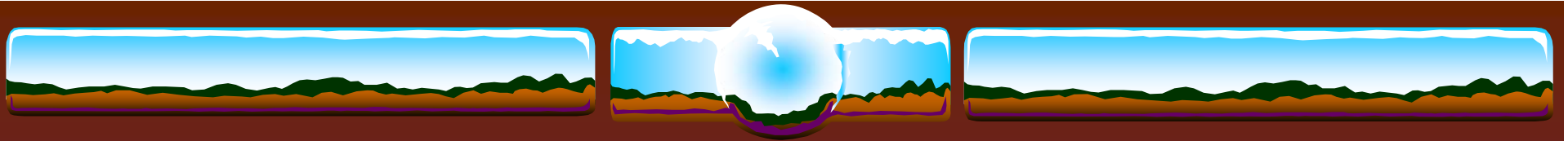
Other relevant factors

- Regional dynamics
- personal and organisational leadership and alliances;
- degree of trust, tension, conflict and cooperation between some or all of the parties;
- bargaining strategies and tactics;
- the diplomatic climate; and
- relative levels of public awareness, engagement and pressure.



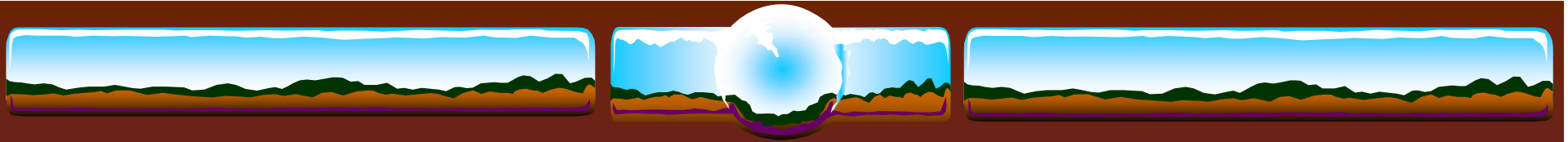
Considerations in run-up to 2010

- Obama administration: From Prague to 2010 Nuclear Security Summit
 - moving from vision to policy... Nuclear Posture Review, START-plus ratification, CTBT ratification...
- US-Russian relations – START-plus and follow on
- Value accorded to nuclear weapons – high or low?
 - Concrete steps v. commitments to a ‘world free of nuclear weapons’
- Iran’s nuclear programme
- Dynamics in Middle East



Related concerns

- Will six power talks bring North Korea back to the NPT?
 - Could Japan and South Korea initiate talks towards a NWFZ in North-East Asia?
- Legacy of US-India nuclear deal, including discrediting of nuclear control regime
 - Can nuclear energy be made proliferation-safe?



Can the NPT deliver nuclear security and stem proliferation?

1. The NPT is a means to an end. What is our real objective?
2. If the means are outdated, inadequate or get in the way, can they be improved or should they be transformed?
3. More important for 2010 to adopt better tools to implement nuclear disarmament and security than to agree another “to do” list
4. Separate debate and adoption of forward looking decisions and commitments from the review
5. Will governments rise to the challenge?



Beyond the NPT

- Implications of ‘success’ or ‘failure’ of 2010 Review Conference
 - What does ‘success’ mean?
 - Adoption of a consensus document?
 - Meaningful debate and decisions on next steps?
 - Agreements with tools and will to implement them?
 - Beyond 2010... where to be in 2015? 2020?
 - Beyond the NPT...



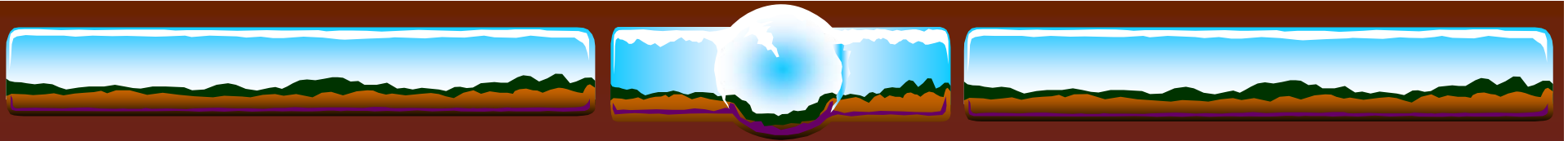
Conclusions:

1. The need to tackle use and doctrine

Proliferation and nuclear terrorism would be better prevented if the *use* of nuclear weapons were recognised as a crime against humanity

This would turn a widespread ethical understanding into a legal norm. It does not require a multilateral treaty to be negotiated. If enacted through the UN Security Council or the International Criminal Court, it would provide nondiscriminatory positive and negative security assurances for all.

**For in depth exploration of this idea, see my article on “Security Assurances for all” in Disarmament Diplomacy 90 (Spring 2009)
www.acronym.org.uk**



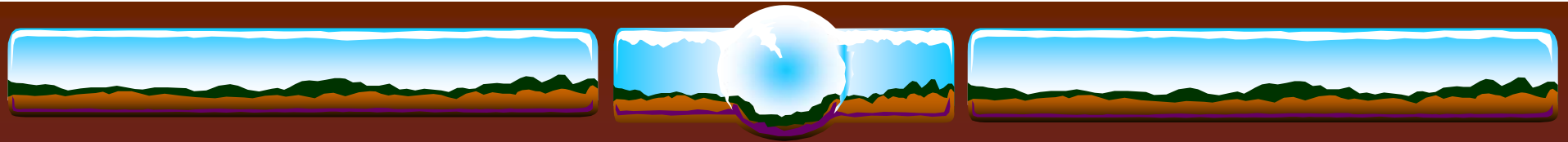
“Weapons of mass destruction cannot be uninvented. But they can be outlawed, as biological and chemical weapons have been, and their use made unthinkable. Compliance, verification and enforcement rules can, with the requisite will, be effectively applied. And with that will, even the eventual elimination of nuclear weapons is not beyond the world’s reach.”

Weapons of Terror, Report of the WMD Commission, June 2006



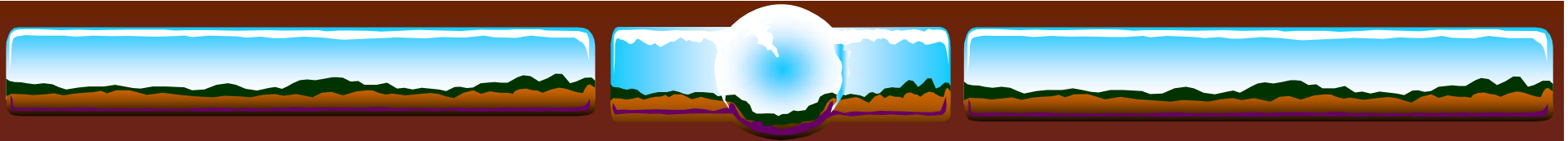
Conc 2: Address Institutional Deficit to strengthen NPT tools

- NPT Parties need more powers to discharge their responsibilities, address withdrawal or noncompliance, and pursue implementation of their decisions.
- There is little point in negotiating another “to do” list like the “13 Steps” of 2000 if there are no powers to oversee their implementation.
- Whether by means of a converting the review process into shorter, annual, decision-making meetings or establishing a Secretariat or both, the NPT’s institutional deficit has to be addressed and better mechanisms agreed for monitoring and implementing compliance and implementation.



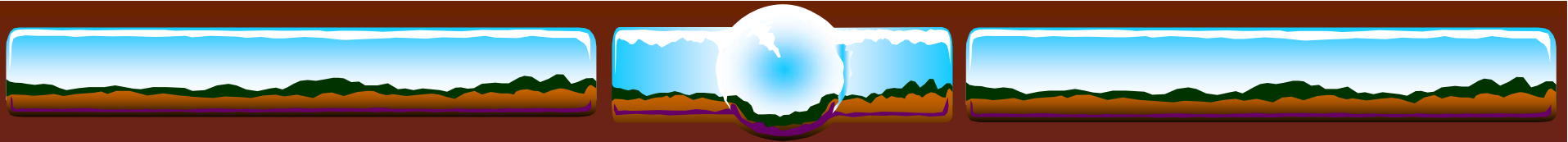
Conc 3: Relationship of CTBT to NPT

- These treaties are inextricably linked, but especially as the Obama administration has clearly stated its intention to ratify the CTBT, it would be a mistake to make CTBT ratification a condition for success of the 2010 NPT Review Conference.
- We should keep up the pressure on all 9 remaining hold-outs to ratify (and for 3, to sign) the CTBT, but not hold the NPT RevCon hostage to the difficult party politics of any individual country. Trade-offs contrary to the treaty's purposes, such as new nuclear weapons, should be opposed.



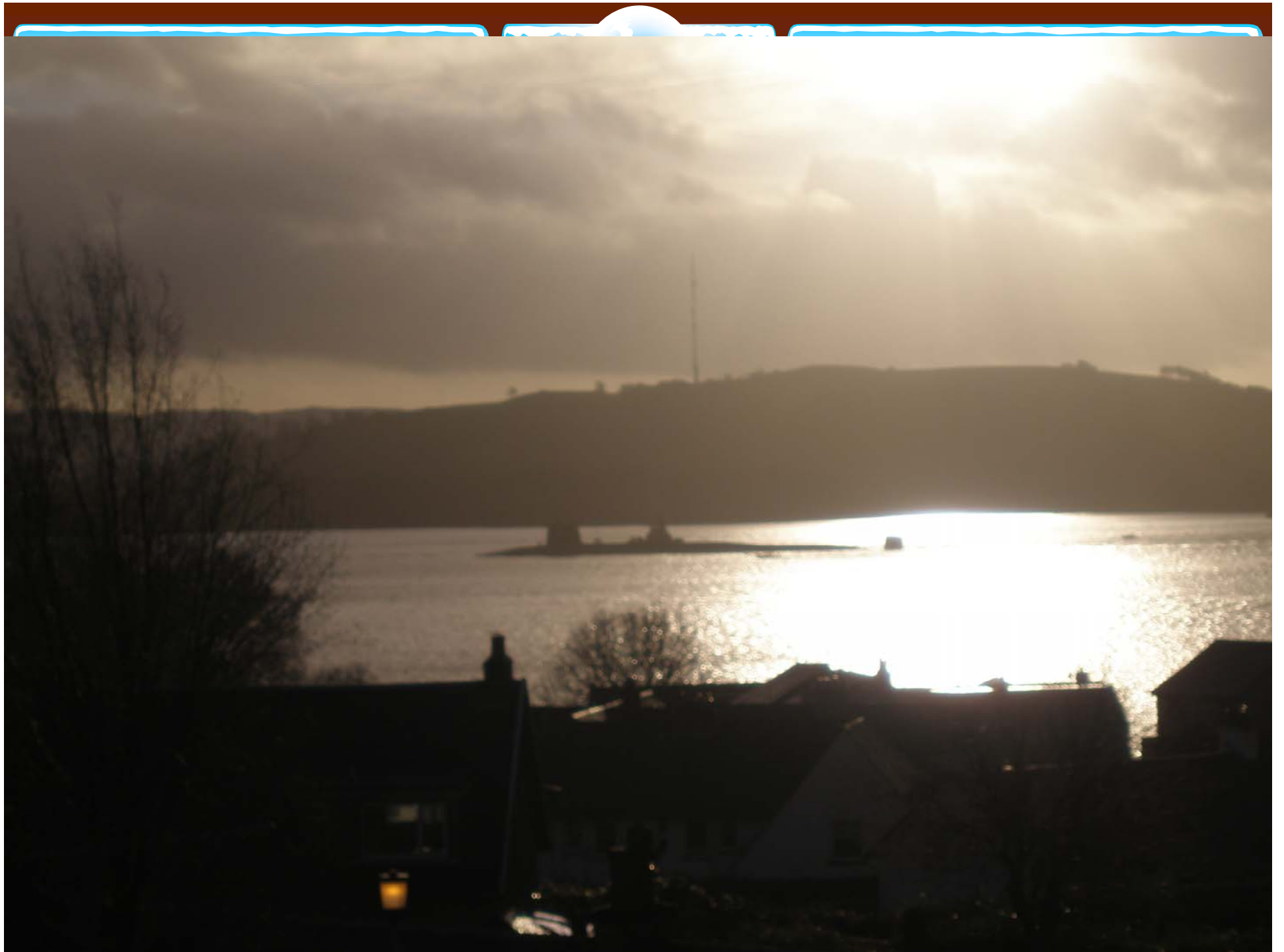
Conc 4: Important to promote successful 2010 RevCon, but not at lowest denominator

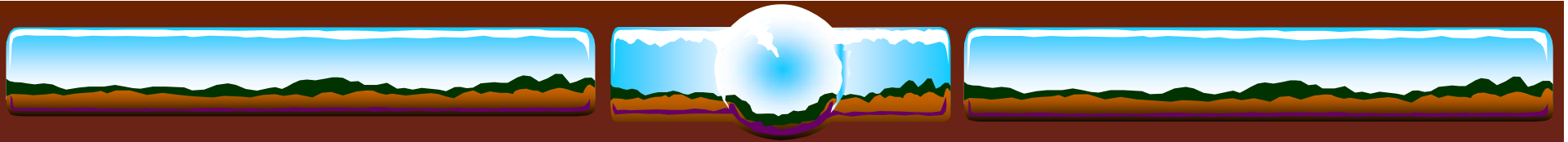
- A successful NPT RevCon will give a boost to President Obama and other leaders now advocating a world free of nuclear weapons, BUT that doesn't mean compromising at the lowest common denominator.
- Pressure must be sustained for more compliance, progress and implementation, especially on disarmament, with agreement on priority actions.



Conc 5: Prepare ground for a Nuclear Weapon Convention (NWC)

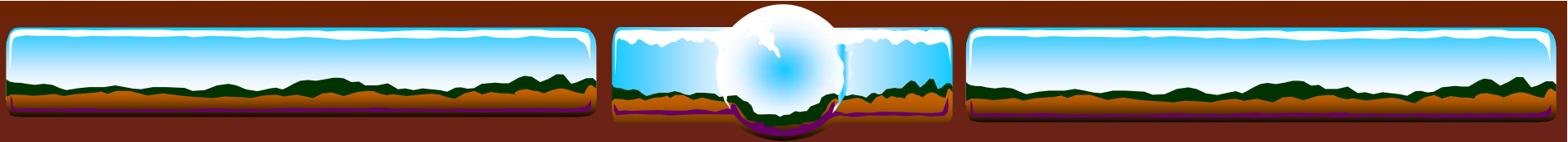
- If you want a world free of nuclear weapons in the future, it is time now to think about the treaty or treaties that will codify the obligations, prohibitions, verification and compliance requirements.
- It is not premature to put into your government statements and papers, inc. to the 2010 NPT RevCon, calls to put the NWC on the negotiating agenda.
- Concerns that talk of a NWC undermines the NPT are misplaced: on the contrary, a NWC would provide the mechanisms, processes and practical timeline to fulfil the NPT, notably Article I, II and VI.





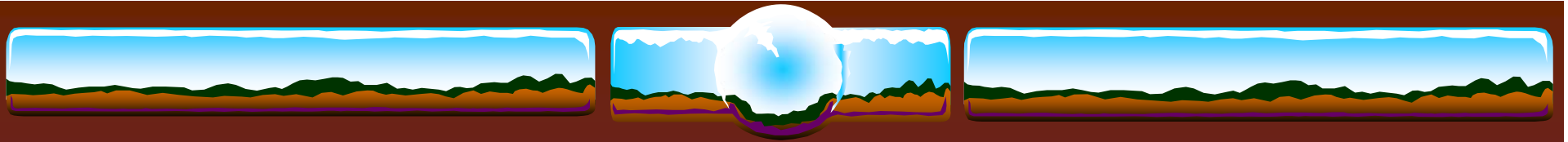
3 Supplementary slides on NPT 2000: The Disarmament Plan of Action (13 Steps)

1. CTBT
2. Testing moratorium
3. Fissile materials (cut-off) treaty
4. CD work on nuclear disarmament
5. Irreversibility
6. Unequivocal undertaking
7. START reductions and ABM Treaty
8. Trilateral Initiative (fissile materials)



Para 9 “steps”/international stability and undiminished security

- Further unilateral reductions
- Transparency
- Non-strategic/tactical nuclear weapons
- Reducing operational status/de-alerting
- Reducing role/minimise risk of use
- Engagement of all five NWS in nuclear disarmament process



NPT 2000 Disarmament plan of action (cont'd)

10. Excess fissile materials under safeguards
11. Ultimate objective: general and complete disarmament
12. Regular reporting of progress
13. Verification