

***Reaching Nuclear Disarmament: The Role of Civil Society in Strengthening the NPT***  
**Seminar: “Accomplishments and remaining tasks: Lessons from the NPT’s 13 Steps and the Blix Commission”**  
8 November 2009, Stockholm, Sweden  
Ray Acheson | Reaching Critical Will

### **13 Practical Steps**

I’m not going to comment on every step, but I have some things to say on several of them.

#### **CTBT**

Certainly, the entry into force of the CTBT would constitute an important step towards an equitable and secure nuclear free world. The CTBT provides measures both to determine compliance with the Treaty (ie. to detect nuclear tests) and to remedy any situation of non-compliance. It is thus one of the best tools the international community currently has at its disposal to establish a process of complete nuclear disarmament.

However, it cannot be held up as a required step in the disarmament process. Other governments and international civil society advocates need to be wary of the process underway in the United States toward CTBT ratification and in their advocacy must emphasise core value of the Treaty: that a ban on nuclear weapon testing is intended to prevent the design, development, or modernisation of nuclear weapons. While RCW certainly welcomes US President Obama’s interest in achieving US ratification, there is such a thing as a price too high. ***Any deals given in trade for ratification will only serve to undermine the Treaty and cannot be accepted.*** The CTBT is not worth the price of modernisation, undermined as it is by technological advances. The continuation of inertial confinement fusion and subcritical tests for warhead purposes circumvent the CTBT’s long-held purpose of capping vertical as well as horizontal proliferation.

#### **Negotiate a fissile materials treaty**

Similar to the entry into force of the CTBT, the negotiation of a treaty on fissile materials should not hold up other steps toward nuclear disarmament. That said, if done right, it could be an important treaty. It can’t just cut off the future production of fissile materials, however. It needs to also prevent the use of existing materials for weapons purposes. To make any contribution to nuclear disarmament, a verified fissile materials treaty will have to both ban all future production for weapons and bring under safeguards all existing civilian stockpiles of fissile material and all the fissile materials that have been declared as excess for weapon purposes. This is the only way to make sure that civilian fissile materials and materials that have been declared excess for weapons are not used to make weapons.

India and Pakistan are the principal countries building up their fissile material stockpiles today. Pakistan is investing heavily in new fissile material production facilities for its weapons program to try to keep up in its nuclear-arms race with India. North Korea suspended its fissile material production but has now started again. Israel, the only other nuclear weapon state, continues to operate its plutonium-production reactor. The P5 stockpiles are so large that they have stopped making fissile materials for weapons. But they have not codified an agreement formalizing their respective moratoria and there are no verification arrangements.

The Review Conference should reaffirm the goal that the Conference on Disarmament begin talks and aim to complete them within five years, on a verifiable Fissile Material Cutoff Treaty that has both

disarmament and nonproliferation objectives.

However, it should also emphasise a few other important elements. Pending the completion and entry into force of a Fissile Material Cutoff Treaty, states should declare a moratorium on all further separation of plutonium and all production of highly enriched uranium and agree to phase out all such production for military and civilian use. This will prevent the stockpiling of weapon-usable fissile material as part of naval propulsion and civilian nuclear energy programs after a Fissile Material Cutoff Treaty comes into force.

To assist the process of Fissile Material Cutoff Treaty verification and to lay a basis for the future verification of nuclear disarmament, states should make complete and comprehensive public declarations of their highly enriched uranium and plutonium stockpiles and production histories.

### **Subsidiary body on nuclear disarmament**

A working group to discuss nuclear disarmament was included in the 2009 CD programme of work. This is a good step toward fulfilling two of the other 13 practical steps: the unequivocal undertaking of Article VI and multilateral negotiations for the elimination of nuclear weapons. The Review Conference needs to reaffirm these steps and package them in an innovative way that facilitates concrete action.

The problem with having everything contingent on a working group or subsidiary body in the CD is that the CD doesn't do anything. The process of multilateral nuclear disarmament cannot be forced to take place in the CD, especially if it insists on pursuing one treaty at time—some inside players suggest that once negotiations on a fissile materials treaty begins, it will **ten years** before it's concluded.

At the Review Conference, governments and civil society should press for the convening of a conference to consider the Nuclear Weapons Convention or other framework agreement for multilateral nuclear disarmament.

### **Bilateral reductions**

In the meantime, it is good that the United States and Russia have returned to the negotiating table to replace START. The NPT Review Conference should include commitment to further bilateral reductions. In the next round, the United States and Russian Federation should each cut their deployed and stored nuclear weapons and delivery systems to at least the low hundreds. This would facilitate multilateral negotiations on elimination. They should also cut their nuclear weapon budgets in half and commit to zero funding for any modernisation or refurbishment programmes.

### **Unilateral reductions**

It is important not to be mesmerised by negotiations, which can be derailed by domestic or international developments. The United States and Russia, and other states with nuclear weapons, can and should undertake unilateral reductions.

### **Other steps**

Some of the other steps, like increasing transparency and establishing a reporting mechanism, reducing non-strategic nuclear weapons, decreasing operational status, and decreasing the role in security postures, should also be kept and reaffirmed at the Review Conference. I talked about all of these in the panel discussion, so I won't bother reiterating them here.

***The important take home point is, we can't retreat from these steps. We must go forward from here.***

*We need innovation in disarmament because the current trend is toward stricter non-proliferation without corresponding disarmament. We need equally strong disarmament measures.*

## **Blix Commission**

Along with the Lawyers Committee on Nuclear Policy and the Western States Legal Foundation, Reaching Critical Will undertook a thorough analysis of the Blix Commission Report. We published our own subsequent report in 2007, called *Nuclear Disorder or Cooperative Security?*, which aimed to assess the WMD Report and its implications in particular for US policy.

The book is very comprehensive and I'm not going to reiterate every compliment and criticism it has of the Blix Commission. You can read the whole thing online at [www.wmdreport.org](http://www.wmdreport.org).

Here are just a few comments:

### **No first use**

The WMD Commission recommends that "All states possessing nuclear weapons should declare a categorical policy of no-first-use of such weapons."

Pledges of no-first-use are welcome, but they are not sufficient to prevent their use. Such pledges are customarily not binding—they are also cast in ambiguous language or conditional language, and more importantly, they implicitly rationalise the second use of such weapons, even against cities.

### **Nuclear weapon modernisation**

One of the most important contributions made by the WMD Commission is its emphatic linkage of nuclear non-proliferation and disarmament, and its clear recognition of the dangers posed by *vertical* proliferation. However, the Commission fails to examine how the United States' approach to negotiation and ratification of the CTBT, under the powerful political influence of its nuclear weapons laboratories, decisively repudiated the treaty's historic disarmament objective, and laid the groundwork for a revitalized nuclear weapons research and development infrastructure, not dependent on full-scale nuclear explosive tests. Nor does the Commission provide any critical assessment of the central role of a constantly reinforced infrastructure in making possible, and even in driving, new arms races.

### **Missiles and delivery systems**

The Commission's recommendations concerning delivery systems are notably weak. Unlike those for the nuclear, chemical, or biological weapons that these systems might deliver, the delivery systems recommendation neither calls for disarmament nor even for universal measures for meaningful control of further missile development. The Commission's recommendations are limited to strengthening non-proliferation measures and to modest stability-enhancing mechanisms, such as missile launch notification and data exchange.

### **Missile defence**

The Commission is also weak in its recommendation on missile defence. It simply says "States should not consider the deployment or further deployment of any kind of missile defence system without first attempting to negotiate the removal of missile threats. If such negotiations fail, deployments of such systems should be accompanied by cooperative development programmes and confidence-building measures to lower the risk of adverse effects on international peace and security, including the risk of creating or aggravating arms races."

In context, the Commission's recommendation at best is a faint reiteration of appeals to sustain "stability," despite the facts that such appeals have little record of success, and that the country with by far the most ambitious missile defense programs, the United States, has largely abandoned "stability" as a strategic goal in favor of "full spectrum dominance."

Viewed more darkly, this recommendation could be seen as acceptance of a two-tiered world where major nuclear powers exchange data and "build mutual confidence" while accepting the use of missile defenses, together with overwhelming conventional expeditionary forces operating beneath the "umbrella" of increasingly capable nuclear and conventional missiles and other long-range delivery systems.

### **Disarmament Machinery**

The WMD Commission recommended that the CD should be able to adopt its programme of work by a two-thirds majority.

Reaching Critical Will is a strong proponent of examining the working methods of the CD. We don't believe that the machinery is actually the problem—it's the abuse of this machinery that is the problem. But there are ways to help make the machinery less susceptible to abuse. Some delegations have argued that the rule of consensus acts as a kind of veto to paralyse the Conference. One Chilean delegate pointed out this year that it is one thing to "safeguard privileged security interests requiring consensus in order to enter into the final stage of a disarmament negotiation, but something quite different to block the initiation of any negotiation or the mere establishment of a subsidiary organ to set the stage for such negotiation."

The idea of a two-thirds majority vote on all procedural matters is an intriguing one. But it's going to be met with opposition. Pakistan's delegation in particular has expressed alarm that that "some delegations have proposed that the rule of consensus may have to be reconsidered if they don't get their way."

The art of compromise seems to have been lost over the past decade. Consensus no longer means working together to reach a mutually acceptable arrangement, it means blocking everything if you don't get your way. Until consensus once again means compromise, the machinery is going to have to account for misuse of its systems by changing those systems to allow for the majority to progress.

### **Nuclear fuel cycle**

The WMD Commission recognizes that the risks associated with the proliferation of nuclear fuel-cycle technology are not exclusive to the Iran situation, but represent a global problem necessitating a global solution. However, the Commission does not suggest what that solution should be, and goes only as far as advocating that various proposals should be considered within the context of the IAEA. In our view, the best course is to seek to end the spread of new national nuclear fuel production facilities, and to phase out existing non-international facilities, including in the weapon-possessing states.

The WMD Commission takes no firm position on addressing the spread of nuclear fuel-cycle technology, calling only for the exploration, through the IAEA, of proposals for international fuel banks, regional fuel-cycle service centers, and restricting fuel production to a few powerful states.

Putting aside specific institutional proposals, the best course would for states to work toward less reliance on nuclear power for energy generation. Regardless of where these facilities are located they

bring with them the fear and possibility of weapons proliferation and ultimately represent a formidable roadblock on the path to elimination of nuclear weapons. Preceding any global phase-out of nuclear power, states should seek to end the spread of new nuclear fuel production facilities, not under international control, and to phase-out existing non-international facilities, including in the weapon-possessing states.

Any global scheme that calls for the indefinite retention of the means to produce nuclear weapons by some, but prohibits their development by others, is doomed to fail. Moreover, many developing states, which have been generally more supportive of Iran's position, are wary of accepting additional constraints on the development of nuclear technology, at least absent demonstrable progress on nuclear disarmament issues. The connection between the 60 year failure to secure the nuclear fuel-cycle and the failure of nuclear disarmament initiatives in this context cannot be overstressed.

### **Gender**

WILPF challenged the WMD Commission to acknowledge the relevance of gender to the science and politics of WMD. In a presentation to the Commission in 2004, WILPF members Carol Cohn and Felicity Hill explained how gender stereotypes affect the ways in which WMD, especially nuclear weapons, are culturally associated with strength, power, and masculinity. They also argued that policy debate is limited and distorted by these gender stereotypes. The Commission responded by recognising that indeed, misguided ideas about masculinity and strength are an obstacle to disarmament.