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# Middle Powers Initiative Briefing Paper

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## **Making Good on the Promises: From the Security Council Summit to the 2010 NPT Review**

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## **THE MIDDLE POWERS INITIATIVE**

A Program of the Global Security Institute

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Through the Middle Powers Initiative, eight international non-governmental organizations (the Albert Schweitzer Foundation, Global Security Institute, International Association of Lawyers Against Nuclear Arms, International Network of Engineers and Scientists, International Peace Bureau, International Physicians for the Prevention of Nuclear War, Nuclear Age Peace Foundation, and the Women's International League for Peace and Freedom) are able to work primarily through "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 Ambassador Henrik Salander of Sweden.

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## **ACKNOWLEDGEMENT**

This Middle Powers Initiative Briefing Paper was prepared by Dr. John Burroughs, Executive Director of the New York-based Lawyers Committee on Nuclear Policy (LCNP). LCNP is the UN office of the International Association of Lawyers Against Nuclear Arms.

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## FOREWORD

It is my honor to present to you this Briefing Paper from the Middle Powers Initiative, *Making Good on the Promises: From the Security Council Summit to the 2010 NPT Review*. The paper comes at a crucial moment between the historic Security Council summit on nuclear non-proliferation and disarmament and the 2010 Review Conference for the Non-Proliferation Treaty (NPT). In both national and international deliberations, there are now a series of extraordinary openings to advance the nuclear disarmament agenda. This paper lays out MPI's analysis of these events and recommends a number of practical and effective steps middle power governments can take to help continue to build the momentum for a nuclear weapon-free world.

I wish to offer my thanks to Dr. John Burroughs, the Executive Director of the Lawyers Committee on Nuclear Policy, for writing this concise and illuminating paper.

MPI will continue its work in assisting this momentum leading up to the NPT Review Conference. In cooperation with the Carter Center in Atlanta, Georgia, USA, MPI will convene its third pre-Review Conference consultation. Following the precedents of 2000 and 2005, the Atlanta Consultation III in January 2010 will draw together diplomats from nations that have played key roles in the NPT review process, international civil servants, and internationally-renowned experts in the field of nuclear non-proliferation and disarmament. The Atlanta Consultation III will continue the tradition of these consultations in working to build common strategies to strengthen and preserve the NPT.

Building on this paper, MPI will release a briefing paper for the Consultation early in 2010.

Sincerely,

A handwritten signature in black ink, reading "Henrik Salander". The signature is written in a cursive, flowing style.

Ambassador Henrik Salander  
Chairman, Middle Powers Initiative

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# Making Good on the Promises: From the Security Council Summit to the 2010 NPT Review

## Executive Summary

The historic UN Security Council Summit held September 24, 2009 added momentum to the drive for a nuclear weapon-free world. While Resolution 1887 adopted by the Summit contains no innovations regarding disarmament, it entrenches the agenda to reduce the risk of a nuclear weapons catastrophe and “to create the conditions for a world without nuclear weapons.”

In his remarks at the Summit, President Obama quoted President Reagan: “A nuclear war cannot be won, and must never be fought.... We must never stop until we see the day when nuclear arms have been banished from the face of the Earth.” Mr. Obama went on: “That is our task. That can be our destiny. We will leave this meeting with a renewed determination to achieve that shared goal.” Speaking to the UN General Assembly the day before the Summit, he made a brief but significant promise: “We will complete a Nuclear Posture Review that opens the door to deeper cuts, and reduces the role of nuclear weapons.”

At the Summit, other heads of state, the UN Secretary-General, and the Director-General of the International Atomic Energy Agency (IAEA) reinforced and amplified the message of resolve, and called for measures going beyond those contained in the resolution, with several speakers supporting a convention prohibiting and eliminating nuclear weapons globally.

This Middle Powers Initiative (MPI) Briefing Paper examines this crucial moment between the Summit and the Nuclear Non-Proliferation Treaty (NPT) Review Conference next spring. MPI and the Carter Center in Atlanta will also hold a consultation in January to assist governments in preparing for the Review Conference. In this paper, MPI recommends that middle power countries:

- immediately and forcefully convey to the Obama administration that the Nuclear Posture Review must reduce the role of nuclear weapons by, *inter alia*, rejecting counterforce and countervalue doctrines, and not treating “extended deterrence” arrangements as a justification for an expansive role;
- oppose conditioning approval of the Comprehensive nuclear Test-Ban Treaty (CTBT) on deals for entrenching and expanding weapons complexes, retaining the option of designing and manufacturing modified or new design warheads, and modernizing delivery systems, and call for the closure of all nuclear test sites;
- negotiate for a Fissile Materials Cut-off Treaty (FMCT) that comprehensively prevents use of existing materials outside military programs for weapons acquisition and that facilitates disarmament;
- support the establishment of a nuclear fuel bank, work toward the global multinationalization of the nuclear fuel cycle, and join and support the International Renewable Energy

Agency;

- work for agreement at the NPT Review Conference on initiatives to create a zone free of nuclear, biological, and chemical weapons in the Middle East;
- support a commitment at the Review Conference to making the Additional Protocol a standard for NPT compliance;
- compliment the United States and Russia for having returned to the bargaining table regarding a Strategic Arms Reduction Treaty (START) replacement treaty and insist on a commitment at the Review Conference to further bilateral reductions facilitating multilateral reductions leading to elimination; and
- press for a commitment at the Review Conference to commencement of deliberations and negotiations on a convention or framework of instruments for the sustainable, verifiable and enforceable global elimination of nuclear weapons.

This Briefing Paper begins with the US Nuclear Posture Review to be issued by the end of this year. It next addresses measures endorsed by Resolution 1887: the CTBT; FMCT; multilateral regulation of nuclear fuel production and supply; nuclear weapon-free zones; and securing nuclear materials, the Additional Protocol, NPT withdrawal restrictions, and nuclear export controls. The Briefing Paper then examines the current US-Russian talks on nuclear arms reductions, and closes with observations on building the architecture for a world free of nuclear weapons. MPI's central contention is that implementation of the steps now on the agenda must visibly and substantively demonstrate the intent to achieve the elimination of nuclear weapons.

## A. Reducing the Role of Nuclear Weapons and Guaranteeing Their Non-Use Against Non-Nuclear Weapon States

1. President Obama's commitment that the Nuclear Posture Review will reduce the role of nuclear weapons carries forward the vital 2000 NPT commitment to a "diminishing role for nuclear weapons in security policies to minimize the risk that these weapons ever be used and to facilitate the process of their total elimination." Resolution 1887 affirms the continuing relevance of that and other NPT commitments in a preambular paragraph recalling the 1995 and 2000 final documents. A foundation for reducing the role of nuclear weapons is the ongoing effectiveness of assurances of non-use of nuclear weapons to non-nuclear weapon NPT states parties made by the NPT nuclear weapon states in 1995. The resolution affirms that those assurances "strengthen the nuclear non-proliferation regime." The Middle Powers Initiative has identified reinforcement of the assurances, including through a legally binding instrument, as one of seven priorities for the NPT review process (see "Toward 2010: Priorities for Consensus," April 2007).

2. The Nuclear Posture Review is now being prepared and will be completed by the end of the year. NATO's "Strategic Concept" is also under revision, and likely will be influenced by the review. Further, Russia is now revising its military doctrine regarding use of nuclear weapons, to be presented to President Medvedev later this year. **Middle power countries should immediately and forcefully convey to the Obama administration that its review must reduce the role of nuclear weapons.** The same message should go to Russia; most of the points made below are applicable. The US review should unambiguously set forth an assurance of non-use against non-weapon NPT states parties, shorn of the Cold War era qualification regarding a country associated with a nuclear weapon states. The review should also reject the doctrine of counterforce which requires readiness to carry out a comprehensive nuclear attack against an enemy's nuclear capabilities. That doctrine is a Cold War recipe for nuclear war fighting. It implies maintaining nuclear forces in a quick-launch status, capable of carrying out a preemptive strike, and increases pressures to resort to nuclear weapons in a crisis. In the US-Russian context, it is also perceived by many to imply maintenance of large and complex arsenals, both to carry out counterforce attacks and to have usable nuclear weapons that would survive such an attack. The review should further reject any "countervalue" doctrine projecting second strikes against cities. It should reflect the operating reality, which is the extremely high threshold – reflected in non-use of nuclear weapons since 1945 – for even considering use of nuclear weapons. And it should pave the way for the only lawful and civilized stance: that nuclear weapons will never be used in any circumstance whatever.

3. **It is particularly important that US allies communicate that "extended deterrence" is not a justification for an expansive role of nuclear weapons in the US posture.** Alliances do not have to depend on nuclear weapons for deterring aggression; non-nuclear military power is quite robust. Alternative security approaches, like the North-East Asia nuclear weapon-free zone long advocated by civil society, have to be developed. Japanese Prime Minister Hatoyama's remarks at the Summit were promising in this regard. He explained the security benefits that would arise from "the creation of a nuclear weapon-free zone, when coordinated between the five nuclear weapon states – the Permanent Five – and non-nuclear weapon states in the region." It is also encouraging that Egypt reportedly has rejected the notion of installing extended

nuclear deterrence in the Middle East, instead reiterating the need for a regional zone free of nuclear weapons. All states now part of nuclear alliances should take steps to reduce and phase-out the role of nuclear weapons in their security doctrines.

4. An *intermediate* step in fulfilling the NPT commitment to a diminishing role would be to affirm that the sole purpose of extended nuclear deterrence is to signal the unacceptability of first use of nuclear weapons by other states. The new Japanese government should insist on that position with the United States, as it seems poised to do. The Democratic Party of Japan has said that a policy of no first use should be discussed with the United States. The Foreign Minister, Katsuya Okada, has expressed support for such a policy. NATO countries also have the obligation to limit the role of nuclear weapons in the revision of NATO's Strategic Concept, to be adopted at the Lisbon summit in late 2010 or early 2011. In 1998, Germany sought to persuade the United States of the merits of a no-first-use policy, only to be firmly rebuffed. NATO countries should press the matter again, this time with an administration whose leader has been eloquent on reducing the dangers posed by nuclear weapons and seeking their elimination.

5. Finally, it is well past time to end the deployment of US nuclear weapons on the territory of several NATO allies (Belgium, Germany, Italy, the Netherlands, and Turkey) subject to release to those allies for employment in time of war. That arrangement sends the wrong signal to the world by elevating the political value of nuclear weapons, and serves as a terrible precedent for other states possessing nuclear arsenals to consider "sharing" their own nuclear weapons. The new German government is moving in the right direction with the announcement that it will advocate within NATO for the withdrawal of remaining nuclear weapons from Germany.

## **B. Measures Making the World Safer Now and Establishing Elements of a Nuclear Weapon-Free World**

6. Resolution 1887 robustly asserts the Security Council's role developed since the end of the Cold War in preventing the acquisition of nuclear weapons by new states and by terrorists and other non-state actors. Without naming Iran or the Democratic People's Republic of Korea (DPRK), the resolution makes very clear that the Council will retain its role in policing compliance with non-proliferation obligations. In statements at the Summit, several heads of state laid emphasis on the need for success in this endeavor. The resolution also emphasizes the need for implementation of Resolution 1540 on prevention of non-state actor trafficking in and acquisition of nuclear, biological, and chemical weapons related materials and equipment.

7. These predictable aspects of Resolution 1887 should not obscure the fact that it approves a number of measures beyond Resolution 1540 that serve crucial functions: preventing horizontal proliferation; preventing vertical proliferation – nuclear arms racing; and, in a nuclear weapon-free world, preventing breakout. Among them are three that the Middle Powers Initiative has identified as priorities: the Comprehensive Nuclear-Test-Ban Treaty, the Fissile Materials Cut-off Treaty, and multilateral regulation of nuclear fuel production and supply. Other notable elements of the resolution relate to nuclear weapon-free zones, and to securing nuclear materials, the Additional Protocol, NPT withdrawal, and nuclear export controls. A significant clause in the resolution, not analyzed in this Briefing Paper but meriting attention in the future, is the call for non-NPT states to adhere to the treaty's terms pending their accession. It signals an expectation that such states are to comply with Article VI, which obligates all states parties, and other provi-

sions as well, though exactly how they would apply remains to be worked out given that the non-NPT states have nuclear arsenals but are not “nuclear weapon states” as defined by the NPT.

### **Comprehensive Nuclear-Test-Ban Treaty (CTBT)**

8. It is indeed important, as Resolution 1887 says and as MPI has contended for years, to bring the CTBT into force “at an early date.” The CTBT inhibits qualitative nuclear arms racing, and is a high barrier to new states acquiring warheads deliverable by missile. In this regard, it was encouraging that US Secretary of State Hillary Clinton spoke at the entry-into-force conference held September 24 and 25. But it is also important that the CTBT be made legally effective “without conditions,” as provided by the first of the 13 Practical Steps adopted by the 2000 NPT Review Conference. While the phrase could be interpreted as referring to qualifications directly attached to ratifications transmitted to the treaty depository, more broadly it weighs against ratification packages, implicit or explicit, whose domestic effect is to reinforce and enhance capabilities for long-term maintenance and modernization of nuclear arsenals.

9. Unfortunately, strong efforts are underway in the United States to tie ratification of the CTBT to commitments to modified or new design warheads and new weapons production facilities, assertedly to maintain a reliable arsenal absent testing, and also to modernization of delivery systems. The US Congress currently is near approval of spending \$32.5 million for design of non-nuclear components of a refurbished version of a nuclear bomb, the B-61, currently deployed in Europe. Congress is also slated to appropriate \$97 million for 2010 for a new plutonium facility at Los Alamos Laboratory, the Chemistry and Metallurgy Research Replacement complex. Other new facilities in early stages of development are the Uranium Processing Facility at Oak Ridge, Tennessee, which would build secondaries for thermonuclear warheads and will receive \$94 million for design in 2010, and a replacement Kansas City Plant in Missouri for production of non-nuclear components of warheads. The new facilities would provide the capability to build up nuclear forces should that be deemed necessary.

10. **Middle power countries should oppose conditioning approval of the CTBT, in the United States and other countries, on deals for entrenching and expanding weapons complexes, retaining the option of designing and manufacturing modified or new design warheads, and modernizing delivery systems.** Building weapons facilities that among other things provide the capability for expanding arsenals runs contrary to the 2000 principle of irreversibility. Modified or new design warheads, despite denials to the contrary, are likely to add military capabilities to nuclear forces, contrary to the 2000 commitment to a diminishing role of nuclear weapons in security policies. This is already happening with the “life-extension” program for the W-76, the main US warhead for submarine-launched ballistic missiles. A high price was already paid in the United States for the CTBT in the 1990s, in the form of commitments to supercomputing and experimental facilities and to “sub-critical” testing known collectively as “Stockpile Stewardship.” A new anti-disarmament package accompanying CTBT ratification in the United States will surely complicate the already difficult task of obtaining ratifications from India and Pakistan. **A far better path would be for the United States, Russia and other states with nuclear arsenals to demonstrate good faith by closing their test sites, as at least France has already done.**

11. Additionally, middle power countries should be wary of making a successful NPT Review Conference outcome contingent upon progress in obtaining CTBT ratifications. The timing of US ratification is uncertain, and there are eight other countries that must ratify before the treaty enters into force. Moreover, at least among the NPT nuclear weapon states, the longstanding moratorium on testing holds and appears likely to do so. Further, making CTBT ratification the single most important sign of fidelity to NPT disarmament commitments plays into the hands of those who seek to extract the maximum anti-disarmament price for its ratification.

### **Fissile Materials Cut-off Treaty (FMCT)**

12. Resolution 1887 calls on the Conference on Disarmament to negotiate an FMCT “as soon as possible.” It also refers approvingly to the CD’s program of work encompassing three other priority items, discussions not excluding negotiations on assurances of non-use of nuclear weapons against non-nuclear weapon states, prevention of an arms race in outer space, and systematic and progressive efforts leading to elimination of nuclear weapons. Aside from the hoped for positive effect of the call in the resolution itself, it does not appear that progress was made in unlocking the CD stalemate. One sign of this is the lack of a call for a halt to production of fissile materials for weapons purposes by all states with nuclear arsenals, pending negotiation of the FMCT. Since the G8 was able to agree on such a call in July, it appears that China (not a G8 member) prevented its inclusion in the resolution.

13. At high levels, governments need to come to grips with the concerns of Pakistan, which is currently producing materials for weapons and building new facilities to produce plutonium for weapons. For its part, India is constructing a fast breeder reactor, to be kept outside safeguards, that will be fueled with reactor-grade plutonium, of which India has a large and growing stockpile, and will produce weapons-grade plutonium. A ban on producing materials for weapons – if coupled with a verified ban on using “civilian” plutonium for weapons – would cap South Asian arsenals at nearly equal levels of up to a few hundred weapons each. As part of the US-India nuclear deal, India committed to “working with the United States for the conclusion of a multilateral [FMCT].” This has, however, not yet been put to any test. China is another key player. It seems to remain concerned about the effect of an FMCT capping the size of its arsenal on its overall strategic position, in view of US pursuit of advanced non-nuclear strike systems and missile interceptor systems. The most significant challenge to an FMCT may come from Israel, which appears to view an FMCT as likely to compromise its policy of opacity and to lead to further demands for dismantlement of its arsenal.

14. When negotiations begin, **middle power countries should strongly support an FMCT that comprehensively prevents use of existing materials outside military programs for weapons acquisition and that facilitates disarmament.** As the International Panel on Fissile Materials has well explained, this requires, *inter alia*, applying safeguards to all weapons-usable materials, including “civilian” plutonium, materials declared excess to military “needs,” and highly enriched uranium for submarine propulsion; that is, all fissile material that is not in weapons or is not assigned to weapons. To maintain this principle, the panel also recommends that all future arms reductions require the fissile material from withdrawn weapons to be placed under safeguards. An additional protocol type inspection regime that enables detection of undeclared activities is also desirable. In addition to increasing confidence that no materials are produced for weapons, this would have the salutary effect of significantly decreasing discrimination between weapon

and non-weapon countries. Regrettably, it seems that the Obama administration has decided on taking a narrow approach to the treaty, while calling for a parallel voluntary initiative on transparency, safeguards on existing materials, and placing “excess” materials under safeguards. **The scope of the treaty is a matter as to which a concerted effort by middle power countries could have an effect.**

### **Multilateral Regulation of Nuclear Fuel Production and Supply**

15. Resolution 1887 urges the IAEA Board of Governors to agree as soon as possible on “multilateral approaches to the nuclear fuel cycle, including assurances of nuclear fuel supply and related measures.” In his statement at the Summit, IAEA Director General Mohamed El-Baradei observed: “I have proposed the establishment of a low enriched uranium bank to assure states a guaranteed supply of nuclear fuel for their reactors so that they might not need their own enrichment or reprocessing capability. A number of complementary proposals have also been made in that regard. Our ultimate goal, however, should be the full multinationalization of the fuel cycle as we move towards nuclear disarmament.” **The Middle Powers Initiative has backed Mr. ElBaradei’s position as a priority for a successful NPT review process. However, MPI also recommends that states strive to increase reliance on renewable sources of energy and to this end, join and support the International Renewable Energy Agency.**

16. Progress has been slow regarding “multilateral approaches to the nuclear fuel cycle.” In the IAEA Board of Governors, this year the relatively modest step of establishing a fuel bank has run into considerable skepticism and opposition, despite assurances that it would not foreclose countries from acquiring enrichment or reprocessing capabilities, only provide an incentive not to do so. This indicates that full success in preventing the spread of nationally controlled nuclear fuel production capabilities will in the end require movement on internationalizing, in some form, existing capabilities in states with nuclear arsenals and a few others.

### **Nuclear Weapon-Free Zones, the Middle East, and North-East Asia**

17. Resolution 1887 provides a welcome endorsement of regional nuclear weapon-free zones (NWFZs), and gives welcome support to the conference of NWFZs to be held in New York just prior to the upcoming NPT Review Conference. The significance of the zones in reinforcing and advancing the denuclearization of much of the planet has been highlighted this year with the entry-into-force of the Pelindaba treaty establishing the African NWFZ and of the Central Asian NWFZ treaty. Disappointingly, the Security Council did not refer to the establishment of a zone in the Middle East, which it had called for in Resolution 687 (1991) imposing terms on Iraq in the wake of the first Gulf War. In his remarks at the Summit, Heinz Fischer, President of Austria, said: “Nuclear weapon-free zones contribute significantly to sustainable stability. Regions like the Middle East would benefit from such a regime.” As the WMD Commission explained, initiating steps toward a zone in the Middle East would contribute greatly to a longer-term solution to the peace and security challenge posed by the Israeli arsenal, the Iranian nuclear program, and the initiation or intensification of nuclear programs by other states in the region. One such step would be a regional freeze on any reprocessing or enrichment activities.

18. Prospects for a Middle East zone will likely have a direct bearing on the outcome of the NPT Review Conference. The 1995 NPT resolution calling for establishment of a Middle Eastern zone

free of nuclear, biological, and chemical weapons will again be a focus of attention. The draft recommendations considered at the 2009 NPT PrepCom contain useful elements, among them convening a conference on a Middle East zone and appointing a special coordinator. **Middle power countries should make it a top priority to work for agreement on a provision regarding the Middle East at the Review Conference.**

19. As noted earlier, the proposal for a North-East Asia nuclear weapon-free zone has gained traction with the advent of the new Japanese government. Such a zone, and the process of creating it, could contribute to the sustainable denuclearization of the Korean peninsula. The DPRK would relinquish its nuclear arsenal and nuclear weapons capabilities, and receive in return binding assurances against use of nuclear weapons – long a top concern of DPRK leadership. By providing Japan and the Republic of Korea binding assurances against use of nuclear weapons, a zone could also facilitate their lessening or ending reliance on US nuclear weapons for defense.

### **Securing Nuclear Materials and Other Measures Endorsed by Resolution 1887**

20. As President Obama said in his remarks at the Summit, Resolution 1887 endorses “a global effort to lock down all vulnerable nuclear material within four years,” an Obama administration priority. He added that the United States “will host a summit next April to advance that goal and to help all nations achieve it.” Expanding this effort beyond its primary locus, Russia, will be challenging, but the goal has been set. A related and worthwhile objective set by the resolution is conversion of research reactors to the use of low enriched uranium fuel.

21. The resolution also calls for all states to ratify the Additional Protocol, which enhances the IAEA’s authority to detect undeclared nuclear activities, and “encourages” supplier states to take a state’s status in this regard into account in making nuclear export decisions. The resolution further highlights the Security Council’s responsibility with respect to withdrawals from the NPT, and urges supplier states to attach conditions to nuclear exports requiring that in the event of withdrawal from an IAEA safeguards agreement, safeguards would continue to apply to exported nuclear material and equipment and the supplier state would have the right to require their return.

22. It will be difficult for the 2010 NPT Review Conference to approve similar provisions. Many non-nuclear weapon states are resistant to agreeing to what they regard as further restrictions on non-military uses of nuclear power, or in some cases on their ability to renounce the NPT obligation of non-acquisition of nuclear weapons, while a discriminatory system remains intact: the application of safeguards in NPT nuclear weapons states is limited, the prevention of further proliferation is in question, and elimination of nuclear weapons is aspirational only. Thus the draft recommendations considered at the 2009 NPT PrepCom contain no reference to the Additional Protocol. Nonetheless, **the Middle Powers Initiative recommends in particular that middle power countries work for a commitment to make the Additional Protocol a standard for NPT compliance.** Achieving greater confidence in prevention of the spread of nuclear weapons is good in and of itself, and also creates a better environment for progress on reduction and elimination of nuclear weapons. For the same reasons, tightening insofar as is possible restrictions on withdrawal from the NPT is desirable.

23. At the Summit, Mr. ElBaradei made several important observations regarding withdrawal

and compliance mechanisms and the role of the IAEA well worth considering in development of the non-proliferation/disarmament regime at the Review Conference and elsewhere. He called for the Security Council “to develop a comprehensive compliance mechanism to address, in a consistent and systematic manner, cases of non-compliance with safeguards obligations or of countries withdrawing from the NPT,” including “giving the Agency the additional authority it may need to deal with specific cases.” Noting that “our verification mandate is centered on nuclear material,” he said that if “the Agency is to be expected to pursue possible weaponization activities, it must be empowered with the corresponding legal authority.” He also observed that “at the current level of funding, the IAEA will not be able to fulfill its mission in nuclear verification and security.”

### **C. Verified Reductions**

24. Resolution 1887 underlines the need to pursue further efforts on nuclear disarmament in accordance with NPT Article VI and welcomes US-Russian negotiations on a treaty to replace the 1991 Strategic Arms Reduction Treaty (START). It does not otherwise offer any specifics or innovations concerning bilateral or multilateral arms control and disarmament. UK Prime Minister Gordon Brown was considerably more to the point. He stated that nuclear weapon states “should commit to making irreversible the steps on disarmament that we have already taken; we should work together to map out the next steps on the road to the elimination of nuclear weapons. Credibility is the key, and the International Atomic Energy Agency already undertakes detailed inspections. We need to be more transparent if we are rapidly and verifiably to reduce nuclear weapons globally.” He also announced his aim to reduce the UK nuclear-armed submarine fleet from four to three.

25. The United States and Russia are presently seeking to agree on a START replacement treaty that would per the July 2009 Joint Understanding limit each side to between 1500 and 1675 deployed strategic warheads and between 500 and 1100 strategic delivery vehicles. If as is intended the agreement is signed by December 5, when START expires, it probably would be applied provisionally pending ratification by the two sides. The goal would be to have the agreement in force by the time of the Review Conference in May 2010. The Obama administration hopes next year to pursue a much more ambitious agreement that would further reduce strategic warheads, reduce non-strategic warheads, and provide, for the first time, for verification of the dismantlement of withdrawn warheads. The result would be verified limits, for the first time, on the entire nuclear arsenals, not just deployed strategic warheads, of both sides. If such an agreement can be reached and the arsenals are sufficiently reduced, a matter as to which other states with nuclear weapons should be consulted, the stage would be set for multilateral negotiations on reductions.

26. The START replacement agreement now under discussion would not fundamentally alter the nuclear balance of terror between the United States and Russia. The 2002 Strategic Offensive Reductions Treaty set a ceiling of 2,200 strategic deployed warheads; the START replacement would lower the ceiling but not enough to qualitatively change the relationship. Its main virtue would be that it would reinvigorate the process of reduction and ensure continued fulfillment of the verification and monitoring functions once met by START. The stakes – and the obstacles – would be much higher with respect to a subsequent agreement.

27. Observers concur that Russia now attaches great importance to its nuclear forces in view of its degraded security and military posture. In his statement to the Summit, President Medvedev made no reference to the objective of a nuclear weapon-free world. Russia is concerned about its security position vis-à-vis the United States and NATO, in light of such factors as US wars waged on its periphery, the color revolutions in Ukraine and Georgia, and NATO expansion. In military terms, Russia is concerned about reducing its nuclear arsenal while the United States spends huge sums to maintain a highly sophisticated and effective military, and makes advances in non-nuclear strategic strike systems, engages in research and development regarding strategic anti-missile systems, and holds open the option of deploying space-based strike and interceptor systems. Russia's statement to the First Committee of the General Assembly on October 15, 2009 made clear that in negotiations after a START replacement is agreed, it will want to address the last three matters. Russia also may prove resistant regarding non-strategic nuclear arms reductions.

28. Whether the United States would alter its overall strategic posture to facilitate deep bilateral reductions opening the way to multilateral reductions remains to be seen. The Obama administration cancelled plans for deployment of ballistic missile interceptor systems in Europe, but research and development continues, and the medium-range systems to be deployed instead may one day be given a long-range capability. One adverse sign was the US Senate's unanimous adoption of a provision on military spending for fiscal year 2010 that bars expenditures to implement reductions pursuant to a treaty with Russia if it limits US "ballistic missile defense systems, space capabilities, or advanced conventional weapons."

29. **Middle power countries should compliment the United States and Russia for having returned to the bargaining table and insist on a commitment at the Review Conference to further bilateral reductions enabling multilateral reductions leading to elimination.** Also essential is working for changes in security architecture that will make Russia and the United States comfortable with making truly deep reductions. Finally, it is important not to be mesmerized by negotiations, which can be derailed by domestic or international developments. It remains the case that the United States and Russia, and other states with nuclear weapons, can and should undertake unilateral reductions, as the 13 Practical Steps provide, and as Jan Lodal and Ivo Daalder recommend in their 2008 Foreign Affairs piece, "The Logic of Zero."

#### **D. Creating a Nuclear Weapon-Free World**

30. In addition to calling for compliance with the Article VI obligation to negotiate nuclear disarmament, in its first preambular paragraph Resolution 1887 states the Security Council's resolve "to create the conditions for a world without nuclear weapons." Creating the conditions for such a world should be understood to refer to implementation of steps set forth in the resolution and called for in statements to the Summit. In particular, initiation of deliberations and negotiations on the framework for sustainable, verifiable, and enforceable elimination of nuclear weapons is an indispensable step.

31. At the Summit, several heads of states expressed support for a convention prohibiting and eliminating nuclear weapons globally. While noting that for the time being the NPT "remains the core" of the regime, President Fischer stated that "Austria supports the idea of a nuclear weapons convention equipped with a sophisticated verification mechanism." Hu Jintao, President of

China, stated that “the international community should develop, at an appropriate time, a viable long-term plan composed of phased actions, including the conclusion of a convention on the complete prohibition of nuclear weapons.” On behalf of Viet Nam, President Nguyen Minh Triet endorsed the Non-Aligned Movement position paper for the Summit, invoked the continuing “urgent demand of mankind” for “nuclear disarmament leading to the total elimination of nuclear weapons,” and called for “early commencement of negotiations on an international nuclear disarmament agreement.”

32. That is not only the demand of the vast majority of the world’s countries, it is also widely supported by civil society. This was just illustrated by the Mexico City Declaration, “Disarming for Peace and Development,” adopted at the September 9-11, 2009 UN DPI/NGO conference and circulated by Mexico to members of the Security Council in advance of the Summit. UN Secretary-General Ban Ki-moon has also lent his authority to this approach, beginning with his October 24, 2008 address laying out a five-point proposal for disarmament, and again at the Mexico City conference. There he urged “the NPT State Parties to pursue negotiations in good faith on nuclear disarmament, either through a new convention or through a series of mutually reinforcing instruments backed by a credible system of verification.” India has also raised its voice, most recently on September 29, 2009, when Prime Minister Manmohan Singh reiterated its proposal for negotiation of a nuclear weapons convention.

33. The call for undertaking a comprehensive approach to nuclear disarmament now reflects a mature understanding of the means to be employed and the challenges to be met. **Middle power countries should press for the NPT Review Conference to adopt a commitment to commencement of deliberations and negotiations on a convention or framework of instruments for sustainable, verifiable and enforceable global elimination of nuclear weapons.**

34. The Council’s commitment to creating the conditions for a world free of nuclear weapons is *not* to be understood as a license to postpone nuclear disarmament. As UN High Representative for Disarmament Affairs Sergio Duarte cogently remarked on September 18, 2009: “I realize that some have argued that we need to postpone significant progress in nuclear disarmament until other problems have been solved first. Some say, let’s first insist upon the solution to the problem of war, or the achievement of world peace or world government. Others add, let’s first reduce to zero the risk of nuclear weapons proliferation and nuclear terrorism, *then* we can take up the challenge of nuclear disarmament. And still others say that real progress in nuclear disarmament will be impossible as long as nuclear weapons continue to exist—a self-fulfilling prophecy, if ever there was one. I believe that such prescriptions will have the effect of jeopardizing not only the achievement of nuclear disarmament, but also the other important goals of non-proliferation and preventing nuclear terrorism.”

35. It is true that achieving the complete elimination of nuclear weapons will likely require complementary arms control and disarmament, notably in relation to space-based systems, anti-missile systems, and non-nuclear strategic strike systems. However, it is established beyond doubt that nuclear disarmament is not to be held hostage to comprehensive demilitarization or a similar transformation of the global security landscape. The 2000 unequivocal undertaking to eliminate nuclear arsenals is separate from the commitment to the ultimate goal of general and complete disarmament, and the International Court of Justice unanimously concluded that Article VI requires negotiations to be completed on “nuclear disarmament in all its aspects,” not

comprehensive disarmament.

### **Conclusion**

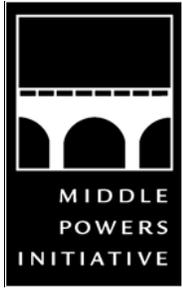
36. In their statements at the Summit, heads of state embraced the objective of creating a nuclear weapon-free world. Prime Minister Hatoyama said: “The vision of a world without nuclear weapons proposed by President Obama this April has encouraged and inspired people around the world. It is high time for us to take action.” Citing Alfonso García Robles, winner of the Nobel Peace Prize, Mexican President Felipe Calderón Hinojosa said that “our children have the right to demand that their parents leave them a world free of nuclear threats.” Arias Sánchez, President of Costa Rica, said: “While we sleep, death is awake. Death keeps watch from ... more than 23,000 nuclear warheads, like 23,000 eyes open and waiting for a moment of carelessness.” He called on leaders to “make good on the promise of a future where – finally – we can sleep in peace.”

**37. Building on the Summit, and working toward a successful NPT Review Conference, middle power countries must seize this once-in-a-generation moment not only to envision a world of peace and security without nuclear weapons, but to set in motion irreversible processes to make it a reality.**









## MIDDLE POWERS INITIATIVE

[www.middlepowers.org](http://www.middlepowers.org)

A program of the Global Security Institute

Through the Middle Powers Initiative, eight international non-governmental organizations (the Albert Schweitzer Foundation, Global Security Institute, International Association of Lawyers Against Nuclear Arms, International Network of Engineers and Scientists, International Peace Bureau, International Physicians for the Prevention of Nuclear War, Nuclear Age Peace Foundation, and the Women's International League for Peace and Freedom) work primarily with "middle power" governments to encourage and educate the nuclear weapon 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 Ambassador Henrik Salander of Sweden.

Middle power countries are politically and economically significant, internationally respected countries that have renounced the nuclear arms race, a standing that gives them significant political credibility.

MPI, which started in 1998, is widely regarded in the international arena as a highly effective leader in promoting practical steps toward the elimination of nuclear weapons.

The work of MPI includes:

- a) **Delegations** to educate and influence high-level policy makers such as Foreign, Defense and Prime Ministers, and Presidents. Delegations focus on leaders who have great impact on nuclear weapon policy making, both domestically and internationally. MPI Delegations are planned to coincide with significant political events such as the NPT Review Conferences and their preparatory meetings, NATO and other summits;
- b) **Strategy Consultations**, which serve as the "off the record" interventions designed to provide a working environment in which ambassadors, diplomats, experts, and policy makers can come together in an informal setting at pivotal opportunities, in order to complement the ongoing treaty negotiations at various forums such as the United Nations or the European Parliament; and
- c) **Publications**, such as Briefing Papers, that examine whether or not the nuclear abolition agenda is progressing and make corresponding recommendations to governments and activists. MPI Briefing Papers serve as intellectual catalysts for the MPI Delegations and MPI Strategy Consultations, and are widely read.



## GLOBAL SECURITY INSTITUTE

[www.gs institute.org](http://www.gs institute.org)

Promoting security for all through the elimination of nuclear weapons

The Global Security Institute, founded by Senator Alan Cranston (1914-2000), has developed an exceptional team that includes former heads of state and government, distinguished diplomats, effective politicians, committed celebrities, religious leaders, Nobel Peace Laureates, and concerned citizens. This team works to achieve incremental steps that enhance security and lead to the global elimination of nuclear weapons. GSI works through four result-oriented program areas that target specific influential constituencies.