

A program of the
Global Security Institute

Middle Powers Initiative Briefing Paper

Middle Powers Initiative · One Belmont Ave., Suite 400 · Bala Cynwyd, PA 19004 · Tel: + 610 668 5488 · www.middlepowers.org

The Article VI Forum: A Creative Initiative

Briefing Paper for

Securing the Future: Strengthening the NPT

A Consultation of Like-Minded States

Co-hosted by the Middle Powers Initiative

and The Netherlands Institute of International Relations, 'Clingendael'

The Hague, The Netherlands

March 2-3, 2006

March 2006

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 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 Hon. Douglas Roche, O.C., former Canadian Disarmament Ambassador.

www.middlepowers.org

ACKNOWLEDGEMENT

This Middle Powers Initiative briefing paper was prepared by James Wurst,
Program Director for the Middle Powers Initiative.

TABLE OF CONTENTS

Summary	1
A. The Beginning of the Article VI Forum	1
B. The First Article VI Forum Meeting: October 3, 2005	2
C. The Second Meeting: March 2-3, 2006	3
D. The Future of the Article VI Forum	4

Summary

The Article VI Forum is a new and creative initiative intended to stimulate and shape effective responses to the crisis of the non-proliferation/disarmament regime manifested by the breakdown of the 2005 Non-Proliferation Treaty Review Conference. The Forum is conducting high-level meetings of diplomats from like-minded States, decision-makers, and experts; engaging in briefings, consultations, and missions to capitals; and producing and disseminating publications. It is examining the political, legal and technical elements required for a nuclear weapons-free world. The aim is to advance international cooperation to prevent the spread of nuclear weapons and to fulfill existing commitments to achieve the reduction and elimination of nuclear arsenals. The initiative takes its name from the article of the NPT requiring good faith negotiations to achieve nuclear disarmament. The Middle Powers Initiative, a program of the Global Security Institute, has convened the Article VI Forum.

The Forum will help reassert the centrality of nuclear disarmament and the validity of multilateral negotiations. It is intended to specify nuclear non-proliferation and disarmament steps that could be taken unilaterally, bilaterally, regionally and/or multilaterally. In addition, it will explore and promote mechanisms and approaches to enhance security without relying on nuclear weapons. This process may well produce an outline or framework for negotiations, as called for in Article VI of the NPT and reinforced by the International Court of Justice.

The Article VI Forum is a response to the institutional and procedural deadlocks in the Nuclear Non-proliferation Treaty, the Conference on Disarmament, and in large measure in the First Committee of the General Assembly. With the stakes for humanity so high, the Middle Powers Initiative believes there must be progress and that middle power countries, working in a non-adversarial environment, focusing on goals for which they already have strong consensus, can and must build a framework to repair the regime. Our faith in the rule of law, multilateral cooperation, and the call of necessity inspires confidence that disaster is not inevitable and success is possible. However, time is running out. The 2010 Review of the NPT serves as a focus for our efforts. The regime cannot withstand another failure as occurred at the 2005 Review Conference.

A. The Beginning of the Article VI Forum

1. The deadlock at the May 2005 NPT Review Conference prevented the needed review of how to extract the international community from the present nuclear disarmament impasse. As such it failed. However, what the Review Conference reinforced was that there is virtual agreement on a wide range of issues including:

- Nuclear Weapon States must stop nuclear sharing for military purposes under any kind of security arrangements;
- The most effective way to prevent nuclear terrorism is the total elimination of nuclear weapons;
- International action to stop proliferation is essential;
- Building upon the decisions taken at the 1995 and 2000 Review Conferences, including the “unequivocal undertaking” for total nuclear disarmament, no new nuclear weapons should be developed;
- Anticipating the early entry-into-force of the CTBT, the moratorium on testing should be maintained;
- The Nuclear Weapon States must respect existing commitments regarding security assurances pending the conclusion of multilaterally negotiated legally binding security assurances for non-nuclear States Parties to the Treaty;
- Nuclear weapon free zones strengthen the non-proliferation regime and deserve to receive security assurances;
- Assurances are not applicable if any beneficiary is in material breach of its own non-proliferation and disarmament obligations.

In addition, there were many practical and popular proposals for making progress on specific areas which have a possibility for implementation but which unfortunately were left in diplomatic limbo. These proposals, put forward in working papers by States and groups of States – if given their proper due –

would do much to strengthen the Treaty that all States Parties say they want to survive. Proposals were also put forward with the goal of advancing the decisions taken in 2000 including actions on the reduction of non-strategic nuclear weapons, concrete agreed measures that should be taken for reducing the operational status of nuclear weapons, the further development of verification capabilities and mechanisms that would assist nuclear nonproliferation and disarmament, and further work on transparency taking into consideration security requirements for information protection. However, all these proposals faded in to the background as disputes over footnotes and whether chairman’s ‘non-papers’ could be transferred from the committees to the plenary sucked much life out of the conference.

2. Taken together, these positions demonstrated the clear desire of the vast majority of States to reduce both the number of nuclear weapons and the military and political space these weapons occupy in doctrines as steps leading towards their total elimination.

3. Many of these proposals and a strategy for implementing them were put forward in a working paper submitted by six nations, led by Malaysia and Costa Rica (WP 41). The paper ventured beyond immediate disarmament steps to consider the elements required to construct a comprehensive nuclear weapons abolition regime. It sensibly reflected an understanding that key legal, political and technical issues need to be addressed to overcome security concerns of the nuclear weapon States, which are currently preventing them from commencing negotiations leading to complete nuclear disarmament. The paper did not attempt to place political pressure on States to take action on nuclear disarmament and non-proliferation steps. Rather it attempted to identify the legal, political and technical elements that would be required for all States to confidently join a nuclear abolition regime. In this way, it took a problem-solving and pragmatic approach rather than a prescriptive or politically-confrontational approach. Thus the paper built on the Practical Steps agreed to in 2000 for systematic and progressive efforts to implement Article VI of the Treaty, but places these in a comprehensive framework for complete nuclear abolition.

4. The Article VI Forum was born out of this desire to carry forward the substantive work of the Review Conference in a forum where like-minded States could nurture these proposals in a positive, cooperative setting. The Forum took as a hallmark the advice given by Ambassador Sergio Duarte, President of the 2005 NPT Review Conference, when he spoke to a forum in Hiroshima, Japan, August 3, 2005:

“It is important to stress once again the urgent need to achieve progress toward the central objectives of the NPT: to prevent the proliferation of nuclear weapons to new States, to promote the goal of nuclear disarmament and to further the peaceful uses of atomic energy. Progress on all three fronts must be simultaneously pursued, and progress in one direction does not preclude progress in the other. Those who attach absolute priority to one or another of those objectives must understand that they are complementary and mutually reinforcing. There is no possibility of success if each group clings to its own narrow perceptions.”

B. The First Article VI Forum Meeting: October 3, 2005

5. The Article VI Forum was formally launched on October 3, 2005 at the United Nations, New York, at a meeting hosted by MPI of 28 invited States, U.N. officials and 12 non-governmental experts. There was broad support expressed at the meeting that the Forum was an excellent way to advance the nuclear disarmament agenda. Featured speakers included Nobuyasu Abe, UN Under-Secretary-General for Disarmament Affairs, and Amb. Choi Young-jin, Chairman of the Disarmament and International Security (First) Committee of the 60th General Assembly, and Permanent Representative of the Republic of Korea to the United Nations.

6. In his introductory remarks, USG Abe welcomed the Article VI Forum initiative as an example of the “new and creative thinking” on disarmament and non-proliferation called for by General Assembly President Jan Eliasson. Amb. Abe’s sense is that some states have been taking multilateralism hostage so as not to move on either disarmament or non-proliferation, and ways have to be found to overcome this roadblock.

7. Hon. Douglas Roche, O.C., former Canadian Ambassador for Disarmament and Chairman of MPI, explained the work ahead for the Article VI Forum: “Instead of accepting the roadblock thrown up by the nuclear weapon States, a group of like-minded States could now start work to identify the legal, political and technical requirements for the elimination of nuclear weapons. This work should start at first among like-minded non-nuclear weapon States working in a non-combative atmosphere. The work could stimulate the deliberating and negotiating processes and thus revitalize the disarmament fora. The Article VI Forum could then follow, in subsequent meetings, a dual track consisting of informational and preparatory work for the development and implementation of the legal, political and technical elements, and the exploration of ways to start negotiations on disarmament steps leading to a nuclear weapons convention or a framework of instruments for the abolition of nuclear weapons.”

8. Representatives of a number of states expressed their support for the Article VI Forum initiative as a means of continuing the political dialogue in the face of the stalemate in the traditional multilateral fora. Some of the observations made at the session included:

- *Amb. Choi Young-jin of South Korea, Chairman of the First Committee:* “One of the major causes of the failure of the 2005 NPT Review Conference was the sharp, perennial division about whether the nuclear weapon states are fulfilling their disarmament obligation. This unhealthy situation should not hold the entire process hostage and there is a need to look to new horizons.”
- *Amb. Paul Meyer of Canada:* “Clearly it is in the interests of nuclear disarmament to ensure that the political utility of nuclear weapons is gradually seen to be the same as the military utility of nuclear weapons; i.e., something close to zero if not a negative number.”
- *Amb. Luis Alfonso De Alba of Mexico:* “Governments seeking progress are not inventing and not confronting; rather they are responding to a need and fulfilling their responsibility as member states that believe in the United Nations and common security.”
- *Amb. Radzi Rahman of Malaysia:* “While the nuclear weapon states might not be ready to begin negotiations, this is the right time for us to ask them and other states to consider what would be the requirements for a nuclear weapon-free world.”

9. The participating states at the initial meeting were: Argentina, Austria, Belgium, Brazil, Canada, Chile, Costa Rica, Germany, Holy See, Hungary, Indonesia, Ireland, Japan, Jordan, Lithuania, Malaysia, Mexico, Mongolia, Netherlands, New Zealand, Norway, Poland, Samoa, South Africa, South Korea, Sweden, Switzerland, and Turkey.

C. The Second Meeting: March 2-3, 2006

10. Immediately following up on the success of the October meeting, MPI began planning the next Article VI Forum meeting. The Forum will convene its second session on March 2-3, 2006, to continue its work on the legal, technical, and political requirements for a nuclear weapons-free world. The session will be co-hosted by the Netherlands Institute of International Relations, Clingendael, The Hague. The meeting will host ambassadors and senior representatives from more than 20 middle powers governments.

11. The session is entitled *Securing the Future: Strengthening the NPT*, and, as was the case at the UN meeting, this meeting will explore practical and effective steps that could be taken in the political, legal and technical realms of nuclear disarmament and non-proliferation. The two-day session will be divided into panels and workshops that will examine the political potential in each of these three fields. To assist on the technical aspects of the conference, MPI is collaborating with the International Panel on Fissile Materials, headed by eminent nuclear physicists Professors Jose Goldemberg and Frank von Hippel. IPFM experts will guide the sessions dedicated to technical issues.

12. The highly respected speakers addressing the Forum will include Ambassador Hans Corell, Former UN Under-Secretary-General for Legal Affairs, the Honorable Ruud Lubbers, Former Prime Minister of The Netherlands, and Right Honorable Kim Campbell, Former Prime Minister of Canada.

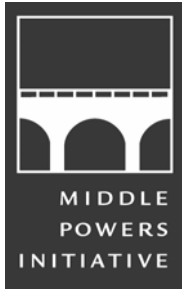
D. The Future of the Article VI Forum

13. Clearly the Article VI Forum has tapped into a rich vein of creative political thought. The Forum is rapidly turning into a "commons" where like-minded governments can explore the issues and map strategies for advancing the nuclear disarmament and non-proliferation agenda.

14. MPI has received an invitation from the Government of Canada to host the third meeting of the Article VI Forum in Ottawa on September 28-29, 2006. Canadian leadership during and after the 2005 NPT Review Conference shows the government's deep concern at the present impasse. By giving support to the MPI and the Article VI Forum at this crucial moment, Canada is taking a leading role in stimulating like-minded countries to work together to build up support for positive action. The third meeting will examine ways to implement the recommendations made at the March meeting. Already, another country is holding discussions with MPI concerning the possibility of hosting the fourth meeting of the Article VI Forum.

15. A question high on the organizational agenda of the Forum is how to engage the Nuclear Weapon States. Involving these States was one of the issues raised at the October meeting. In order to allow the Forum to "find its legs" in a creative, non-combative atmosphere, the first two meetings will include only Non-Nuclear States, but it is intended to open the Forum to the Nuclear Weapon States at an appropriate time.

16. Where is all this work leading? In the near term the Article VI Forum aims to stimulate constructive work on nonproliferation and disarmament steps in order to reduce nuclear dangers and pave the way for a successful 2010 NPT Review Conference. MPI takes the view that the NPT cannot withstand two successive failed review conferences. The Article VI Forum will conclude Phase I of its work at an Extraordinary Workshop at the Thinkers' Lodge, Pugwash, Nova Scotia, July 5-7, 2007 (marking the 50th Anniversary of the Pugwash Thinkers' Lodge). The Extraordinary Workshop, comprising world leaders in the nuclear disarmament movement, will draw together the principal themes emerging from an examination of the reports of the Article VI Forum meetings. A substantive paper, providing expert views, will then be presented to every government in the world in an effort to focus their attention on precise nuclear disarmament requirements. This paper will be of special help as States Parties to the NPT prepare for the 2010 Review Conference. Senator Roche will chair this event.



MIDDLE POWERS INITIATIVE

A program of the Global Security Institute

www.middlepowers.org

Through the Middle Powers Initiative (MPI), eight international non-governmental organizations 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 Hon. Douglas Roche, O.C., former Canadian Disarmament Ambassador.

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 NPT Review Conferences and their preparatory meetings, NATO and other summits;
- b) **Strategy Consultations**, which serve as "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.



THE GLOBAL SECURITY INSTITUTE

Promoting security for all through the elimination of nuclear weapons

www.gs institute.org

The Global Security Institute (GSI), 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.