The Nuclear Non-Proliferation Treaty 2000 Review Conference: Turning Point on the Road to Nuclear Disarmament?

The Treaty on the Non-Proliferation of Nuclear Weapons, commonly called the NPT, aimed to stop the spread of nuclear weapons by brokering a deal between the Nuclear Weapon States (NWS) and the Non Nuclear Weapon States (NNWS). The NWS pledged to end the nuclear arms race and move toward disarmament, while the NNWS pledged not to acquire nuclear weapons. As an incentive, the NNWS were promised assistance with research, production and use of nuclear energy for peaceful purposes “without discrimination.” Each NNWS also agreed to accept “safeguards” under the auspices of the International Atomic Energy Agency. These safeguards do not apply to the NWS. The Treaty defined a NWS as one which had manufactured and exploded a nuclear weapon or other nuclear explosive device prior to Jan.1 1967, thus effectively limiting membership in the exclusive “nuclear club” to the U.S., the Soviet Union (and its successor state, Russia), the U.K., France and China.

The NPT was signed in 1968 and entered into force in 1970. Its initial duration was 25 years. In 1995 it was extended indefinitely, with a review conference to be held every five years. Nearly every country in the world -- 187 in all -- is a signatory to the NPT, with four exceptions: Cuba, India, Israel and Pakistan.

At the 1995 Review and Extension Conference, there were deep divisions between the NWS and many of the NNWS about the terms for extension of the treaty. The NNWS felt that the NWS had not lived up to their part of the bargain: that the nuclear arms race had not ended, as claimed by four of the five NWS (excluding China) and that the nuclear weapon states are not demonstrating a meaningful commitment to disarmament. Essentially, they felt that the NPT was being used by the NWS as a mechanism for perpetuating a hypocritical international double standard. The U.S. and its allies insisted on indefinite extension. In order to make the deal palatable to the NNWS the extension decision was coupled with a package containing nonbinding Principles and Objectives for Nonproliferation and Disarmament and a strengthened review process.

In the “Principles and Objectives” document the NWS reaffirmed their commitment, as stated in NPT article VI, to pursue in good faith negotiations on effective measures relating to nuclear disarmament. Several measures were specified to demonstrate this commitment and to move towards nuclear disarmament, including negotiation of a Comprehensive Test Ban by 1996, “immediate commencement and early conclusion of negotiation of a ban on production of fissile materials for nuclear weapons use, and “the determined pursuit by the NWS of systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goals of eliminating those weapons, and by all States of general and complete disarmament under strict
and effective international control.\(^1\)

Also adopted was a call for universal adherence to the treaty and progress towards establishment of a Middle East Zone free of weapons of mass destruction, including nuclear, chemical and biological. This was directly primarily at Israel, an undeclared NWS. In order to join the treaty, Israel would be required to give up its nuclear weapons and open its nuclear facilities to international safeguards and inspections. (The same conditions now would apply to India and Pakistan.)

Because of the special close relationship between Israel and the world’s leading nuclear power, the U.S., the Middle East proposal has emerged as one of the areas of deepest division between the NWS and the NNWS, and especially between the U.S. and the Non-Aligned Movement (NAM).\(^2\)

The Strengthened NPT Review Process

When the NPT was extended indefinitely in 1995, the extension decision was coupled with a package including a strengthened review process establishing annual preparatory committee ("PrepCom") meetings in between each five year review conference. The first PrepCom meeting took place at the United Nations in New York in April 1997. Much of what happens at the PrepComs substantively is manifested primarily in procedural decisions, for example those concerning how time for debate will be allotted and what issues should receive special attention in future PrepComs and at the five year Review Conferences, for which the PrepComs set the agenda.

The First PrepCom: Calls for Nuclear Disarmament and Nuclear Weapons State Resistance

At the 1997 PrepCom, a number of NNWS pushed for special attention for nuclear disarmament. There had been important developments manifesting broad support for nuclear weapons elimination in the period between the extension of the NPT and the first PrepCom, including the historic opinion of the International Court of Justice on the legality of nuclear weapons use. The Court delinked the obligation to achieve nuclear disarmament from the obligation, also found in Article VI, to achieve comprehensive ("general and complete") disarmament, and held unanimously “There exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.”\(^3\)

The NWS resisted any attempt to give special attention to disarmament matters with the U.S. claiming that adequate progress was being made through unilateral steps and bilateral negotiations towards reductions, although tens of thousands of nuclear weapons still remained in superpower arsenals. Douglas Roche, former Canadian Ambassador for Disarmament (currently a Canadian Senator) summarized the disappointing proceedings:

Far from helping to fulfill the NPT (or even staying neutral), the Western NWS are actively working to impede discussions and negotiations for the elimination of nuclear weapons. It is their outright rejection of the ICJ advisory opinion that is the most stunning manifestation of their disregard for world opinion against nuclear weapons... The Western NWS use every diplomatic trick to stifle discussions and inhibit even those governments that want to move forward. It is not too strong to state that the U.S., the U.K., and France are bullying the non-nuclear weapons States, which are themselves not united and give every appearance of being fearful of the economic consequences of pushing the NWS too hard.\(^4\)

PrepCom 1998 and After: NPT Deadlock and a New Arms Race in South Asia

The first PrepCom had raised doubts about the commitments that the NWS had made in 1995 to obtain extension of the NPT. The second PrepCom, held in Geneva in May 1998, showed that those doubts were more than justified. Characterized by continued intransigence on the part of the Western NWS on all disarmament-related matters and followed closely by nuclear weapons tests by both India and Pakistan, the second PrepCom and its aftermath were an unambiguous warning to the world that the nonproliferation regime was in danger of unraveling.

China, one of the original NWS, initially broke ranks with the other NWS, harshly criticizing the other NWS (and by implication, the U.S. in particular) for continuing to develop high technology weapons, antiballistic missile systems, and other weapons using outer
Non-Governmental Organization Participation at the NPT Review Conferences and PrepComs

Non-governmental organizations (NGOs) have had a substantial presence at the 1995 NPT Review and Extension Conference and at each of the NPT PrepComs since. NGOs, most of which are proponents of nuclear weapons elimination or substantial cuts in nuclear arsenals, provide governments with information on the activities of the nuclear weapons states, analysis of developments in nuclear arms control, and proposals for action on issues ranging from verification and nuclear material control regimes to extensively elaborated frameworks for the path to nuclear weapons abolition.

At the Review and Extension conference In 1995, groups seeking a truly international approach to nuclear weapons issues, not tied to the national security policy of any individual state, founded the Abolition 2000 Global Network to Eliminate Nuclear Weapons. Abolition 2000 has had an extensive presence at each of the subsequent PrepComs, providing information to delegations and conducting informational events for diplomats and the public in and around the United Nations facilities in New York and Geneva. In 1997, Abolition 2000 member groups were instrumental in drafting and distributing a Model Nuclear Weapons Convention (treaty), providing an example of how multilateral negotiations could lead to a comprehensive agreement for the phased elimination of nuclear weapons within a time-bound framework and to establish a treaty regime which would prohibit their development, testing, production, possession, threat, use, and transfer.

Also in 1997, NGOs successfully negotiated for the first time a block of time for joint presentations to the NPT delegations. These presentations were organized around subject themes ranging from laboratory weapons testing and new weapons development to indigenous perspectives on the nuclear age. NGOs from around the world and reflecting varying perspectives worked together in a process, often difficult, to formulate common statements. This process was repeated at the 1998 and 1999 PrepComs. Delegations from many states have expressed great appreciation both for the joint NGO statements and for the information provided by individual NGOs before and during the PrepComs.

The 2000 NPT Review Conference is considered a crucial watershed by many NGOs and by Abolition 2000 network members in particular. Abolition 2000 had hoped to gain commitment to negotiation of a nuclear weapons convention by 2000, a goal which seemed reasonable in the post-Cold War context of 1995. Faced with continued intransigence on the part of the most powerful nuclear weapons states, escalating tensions among nuclear-armed nations, and a new arms race in South Asia, many Abolition 2000 member groups hope to find opportunities at the 2000 NPT Review to move nuclear weapons abolition to the center of the public agenda, and to cooperate with like-minded states to find truly international solutions to what remains an imminent threat to all humanity.

KEY INFORMATION SOURCES AND CONTACTS TO GET INVOLVED AT THE 2000 NPT REVIEW

Abolition 2000
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NPT 2000 Review Conference Schedules, Events and UN Access Information

NGO Committee on Disarmament Web site
http://www.peacenot.org/disarm/

Lawyers Committee on Nuclear Policy
http://www.lcnp.org

Women’s International League for Peace and Freedom; NPT Review Conference “Reaching Critical Will” Web Site:
http://www.reachingcriticalwill.org/

Additional Background Information on the NPT PrepComs and Review Conferences

Acronym Institute Web Site:
http://www.acronym.org.uk/nptdesc.htm

Senator Douglas Roche, Canada, analyses of NPT Prepcoms and related writings
http://sen.parl.gc.ca/droche/
space, and for using nonproliferation mechanisms primarily to pursue military advantage. In the end, however, China joined the other NWS in a broad statement generally endorsing nuclear disarmament as a goal, and linking it to the need for progress on general disarmament. The other weapons states continued to claim sufficient progress through negotiations among themselves, rejecting all calls for broader multilateral disarmament negotiations in any forum, and criticizing as unrealistic any time-bound framework for disarmament.

The U.S. Continues to Block Special Attention for Middle East Nuclear Weapons Issues And Disarmament

In addition, the United States continued to block proposals for a nuclear free zone in the Middle East, and even for measures which would allow special attention for the issue at the review conference. The United States took this position despite its assent to language endorsing nuclear weapons free zones in the Middle East and other “regions of tension” in the 1995 “Principles and Objectives” document, a statement by the treaty parties key to gaining agreement by the NNWS to extension of the NPT. Consistent refusal by the U.S., France, the U.K., and Russia to agree to measures which would promote substantive debate on this and other priorities identified in the Principles and Objectives statement, including nuclear disarmament obligations under Article VI, further undermined confidence in the workability of the “enhanced review” process which had been an essential element of the renewed NPT bargain.

The 1998 PrepCom ended at an impasse, with no discernible progress and little hope that the next PrepCom would be different. Within days, both India and Pakistan conducted rounds of nuclear weapons tests, jarring the world with the prospect of a new nuclear arms race in South Asia, and demonstrating just how significant the immediate effects of continued lack of progress towards nuclear weapons abolition could be.

John Holdren, the Chair of the Committee on International Security and Arms Control of the National Academy of Sciences, noted after the May 1998 nuclear weapons tests by India and Pakistan that

It is not obvious that more leadership and less hypocrisy from the United States and the other

established nuclear-weapon powers would have tipped the balance against testing in these two countries, given the tensions and domestic political pressures in play there. But it ought to be plain that the insufficiency of the major weapon states in relation to their own nuclear arsenals strengthens the hands of pro-nuclear-weapon factions in threshold states everywhere, weakening the case against those weapons and providing an additional push toward proliferation. If we do not admit this and move finally to correct it, we markedly increase the chances that the recent nuclear follies will not be the last.5

There can be little doubt that the continued possession of many thousands of nuclear weapons, along with the expenditure of billions of dollars annually to build new, more sophisticated nuclear weapons research and production facilities by the United States (through the “Stockpile Stewardship” Program) and similar, more modest nuclear weapons research programs being pursued by the other NWS has made it clear to the rest of the world that the NWS do not intend to give up their weapons anytime soon.6 It also appears, as Holdren suggested, that this nuclear business as usual attitude has indeed provided arguments for the elites of threshold, now nuclear, states to justify the legitimacy of their own nuclear ambitions. Following India’s round of nuclear weapons testing, Indian Prime Minister Atal Bihari Vajpayee stated in response to a question from a reporter regarding U.S. insistence that India sign the CTBT that

We have made our stand on the CTBT very clear. We have indicated our readiness to discuss certain provisions of the treaty on a reciprocal basis. But, taken as a whole, the CTBT is discriminatory because it allows nuclear weapons states with advanced technology capabilities to continue their nuclear weapons programme. And so also is the Nuclear Non-Proliferation Treaty (NPT). There is no question of India accepting any treaty that is discriminatory in character. No one should have any illusions on this score.7

1999: New Tensions Among the Nuclear Weapons States and New Proposals for Progress on Disarmament

At last year’s PrepCom, held in May in New York,
Indigenous peoples have borne the brunt of nuclearism through the nuclear fuel cycle. This begins with uranium mining on their own lands, often doing the mining themselves with little or no protection, to having nuclear tests carried out on their lands, and culminating in their lands being used as radioactive nuclear waste dumps. We recognize that we are not the only ones who have been affected by this process. Nevertheless, with 70 percent of the world's uranium resources located on the lands inhabited by Indigenous Peoples in Africa, Asia, Australia and North and South America, and a vast network of mining extraction of these uranium resources, fraught with racism and irresponsible environmental practices, the net result is a toxic legacy to indigenous communities of genocidal proportions.

Justice considerations also compel us to confront the international political economy of resource extraction and utilization and the attendant violence that is perpetrated against communities standing in the way of such resource acquisition. We see a direct connection between nuclear violations of our lands and colonialism. What we are experiencing is a foreign economic and political regime, imposing itself and depriving peoples of their rights to self-determination.

As Indigenous peoples, our demand for nuclear abolition is also a key component of our struggle to bring an end to the violence of colonial rule. As developments of recent years have shown, the fates of Indigenous and non-indigenous communities are intimately tied together.

It is time that local, national, regional and international bodies own up to the problems created by nuclear weapons and fuel production and begin a healing process that is overdue. States party to the NPT have and should bear the responsibility for ensuring that such a process begin and be supported.

You have before you the task of finding practical ways to stem the tide of proliferation of instruments of mass killing that lie dangerously close to your own doors. But any such effort must also re-visit the roots of nuclearism. We in the Indigenous communities around the world challenge this body to consider the national and global arrangements of power served by weapons of mass destruction.

Indigenous Peoples Speak Truth to Power: Environmental and Human Health Aspects of the Nuclear Age, NGO presentation to the 1999 NPT PrepCom, Presenter: Richard Salvador, Pacific Islands Association of NGOs.

The stalemate continued, and in some respects worsened. During the run-up to the PrepCom, a U.S.-led NATO had commenced a massive air war against Yugoslavia without U.N. Security Council sanction and over the objections of fellow NWS China and Russia. This followed a short but intense U.S.-U.K. bombing campaign against Iraq in February, also over Russian and Chinese objections. The United States also was publicly discussing deployment of a national defense system and sharing of ballistic missile defense technology with Japan. Both China and Russia expressed grave concerns about continued U.S. development of missile defenses and high-tech “conventional” weaponry, particularly given an apparent intention to use overwhelming force outside the U.N. framework, either unilaterally or within a NATO now willing to act outside the boundaries of its member states. The combination of continued lack of substantive movement by the U.K., the U.S., and France, and rising tensions among the original NWS, made progress on the disarmament issues central to the NPT deadlock seem less likely than ever.

The New Agenda Coalition: Influential NNWS Push for Progress on Nuclear Disarmament

Against this background, a growing number of states aligned themselves with substantive proposals for progress on disarmament. The New Agenda Coalition, consisting of Brazil, Egypt, Ireland, Mexico, New Zealand, South Africa and Sweden, made a statement delivered by Brazil and joined by a number of other states noting that “the pace of efforts to implement all the obligations of the NPT is faltering,” and that “as a consequence, negotiations on the measures required to achieve the ultimate elimination of nuclear weapons are in serious deficit.” The New Agenda Statement focused particular attention on the nuclear weapons states:
Of profound concern is the lack of evidence that the nuclear-weapon states consider their treaty obligations as an urgent commitment to the total elimination of their nuclear weapons consistent with the Article VI obligations and the 1995 Principles and Objectives. On the contrary, the continued possession of nuclear weapons has been re-rationalised. Nuclear doctrines have been reaffirmed....

The indefinite extension of the NPT does not sanction the indefinite retention of nuclear weapons. We must be absolutely clear about that. We must not enter the next millennium with the prospect that the retention of these weapons will be considered legitimate for the indefinite future.

The New Agenda statement stressed that “It is inherent... in any treaty based on mutually agreed obligations that no one group of states can determine independently the pace with which the obligations of that treaty are implemented,” and called for measures which would form “the elements of a process of irreversibly ridding the world of nuclear weapons for all time,” measures which would be realistic and achievable.” The New Agenda group did not endorse any single set of negotiations or framework, calling for progress in both bilateral and multilateral efforts, but did endorse such concrete short-term steps as de-alerting of nuclear weapons, reduction of reliance on non-strategic nuclear weapons, and a “legally binding instrument” concerning “use or the threat of use of nuclear weapons against non-nuclear weapon States parties to the NPT, so-called Negative Security Assurances.”

The Non-Aligned Movement (NAM) issued a statement proposing a more specific negotiating framework, calling for elimination of nuclear weapons within a time-bound framework and for a Nuclear Weapons Convention (i.e. treaty) as the appropriate instrument. In addition, the NAM continued to press for special attention to both disarmament and Middle East Issues at the Review Conference.

**Looking Towards the 2000 NPT Review: the Hard Questions Remain**

Despite the evident gravity of the situation and broad discontent with their lack of progress on disarmament, at the 1999 PrepCom the western NWS continued to resist all efforts to focus additional attention on these issues at the 2000 Review. At the last minute, rather than risk a total breakdown, the NPT parties agreed to forward a Chairman’s Paper to the review conference which essentially papered over the unresolved conflicts. The Chairman’s paper is a list of 61 paragraphs, covering a range of issues, proposed by a variety of states, and not agreed on -- essentially a laundry list. The hard procedural questions were pushed forward for resolution at the Review Conference itself.

What will happen this year, at the first 5 year review of the NPT’s operation since its indefinite extension? There is a real concern that some countries, frustrated by the failure of the NWS to uphold their end of the bargain, could decide withdraw from the Treaty. Indeed Mexico, for one, has warned: “Should [NPT nuclear disarmament obligations] not be fulfilled, we would need to review our continuation as party to the Treaty....”

Again, Douglas Roche:

“The NPT stalemate, crucial as it is to the hopes for a viable non-proliferation regime in the 21st century, is itself part of a larger world struggle today. Nuclear weapons, like the Kosovo war, are about the rule of law. How will international law be imposed in the years ahead: by the militarily powerful determining what the law will be, or by a collective world effort reposing the seat of law in the United Nations system?

Already, only a decade after the end of the Cold War, the hopes for a cooperative global security system have been dashed on the rocks of power. The trust, engendered during the early post-Cold War years, is now shattered. New arms races are underway.

It would be the height of folly to sweep under the rug this unpleasant turn of events. It would be equally folly to think that the rest of the world is powerless against the NWS....

The world is staring into an abyss of nuclear weapons proliferation. The danger of the use of
nuclear weapons is growing. The recognition of this should galvanize intelligent and committed people - in both governments and civil society - to action.**10


2. The Non Aligned Movement (NAM) is a grouping of nations, established in 1961, which sought to remain neutral during the Cold War. The NAM today describes itself as “the voice of the developing world.” Its membership has grown to 113 states from Africa, Asia, Europe, Latin America, and the Caribbean.


Globalization, Militarism, and Nuclear Weapons: Nuclear Weapons Abolition and the Movement for Peace, Global Equity, and Ecological Balance

For half a century, the Cold War was invoked to justify both enormous, constantly modernized superpower militaries and international arms sales to their allies and clients. In the post-Cold War world, we cannot ignore the fact that these enormous armed bureaucracies and their industrial suppliers continue to pursue their own interests: to constantly produce huge quantities of ever more technologically sophisticated weapons.

The continuing race for high-tech military dominance is driven by decisions and actions which are not conspiratorial, but structural. They are expressed in the everyday bureaucratic inertia of government officials keeping budget lines alive, of corporate sales forces and lobbyists angling for the next lucrative round of guaranteed-profit contracts. But it is also apparent that the institutions which design, produce, and deploy round after round of high-tech weapons are able to command an enormous share of the talent and treasure of the world’s most powerful nations because they serve other interests. It requires little insight to recognize that military force is most likely to be deployed by the United States where it maintains the access of trans-national corporations to raw materials and to markets under conditions which assure a concentration of riches and power unparalleled in human history for a fraction of the planet’s population.

In the post Cold War period, superpower arsenals have remained on hair-trigger alert. In addition, the role of nuclear weapons in U.S. policy has, if anything, been broadened. Nuclear weapons are seen as having a central role in countering regional adversaries and potential possessors of weapons of mass destruction (WMD), including not only nuclear but chemical and biological weapons. According to nuclear weapons doctrine statements by the Joint Chiefs of Staff,

As nations continue to develop and obtain WMD and viable delivery systems, the potential for US operations in such a lethal environment increases. In addition to proliferation of WMD among rogue states, proliferation may also expand to include nonstate actors as well....

Enemy combat forces and facilities that may be likely targets for nuclear strikes include WMD and their delivery systems, ground combat units, air defense facilities, naval installations, combat vessels, nonstate actors, and underground facilities. United States Joint Chiefs of Staff, “Doctrine for Joint Theater Nuclear Operations,” Joint Pub 3-12.1 (February 1996), p.I-3 and p. viii.

The U.S. nuclear weapons labs continue to refine the nuclear arsenal to provide weapons which would be more “useful” in a counterproliferation role. As Sandia National Laboratory director C. Paul Robinson noted in his testimony to the Senate Armed Services Committee on the CTBT, while the national laboratories “cannot create completely new concepts without testing, many previously tested designs could be weaponized to provide new military capabilities.” Robinson observed that

For example, if nuclear weapons emerge as the right answer to deter the use of other weapons of mass destruction in a regional conflict, the nuclear weapons we currently deploy may carry too high a yield and be far too disproportionate a response to be a credible deterrent. Proven designs of lower yield exist that might be adaptable for new military requirements in the future. I believe that such weapons could be deployed this way without the need for nuclear tests. Statement of C. Paul Robinson to the U.S. Senate Armed Services Committee, October 7, 1999.

One such modification, the B61-11 gravity bomb, already has been developed and deployed without underground testing. The B61-11 is an earth-penetrating bomb with a variable yield, which can be delivered by the B-2 Stealth bomber.

Abolition of nuclear weapons most likely will not be possible unless accompanied by major changes in the way that the United States government uses military force, and in its relationship with the large, concentrated economic entities whose interests are served by U.S. foreign and military policy. The dramatic mass mobilization in Seattle against the World Trade Organization is a manifestation of widespread discontent with an international order enforced in no small part by U.S. arms, suggesting that the time is right to begin making these connections.

The Nuclear Nonproliferation Treaty Review Conference, April 24-May 19, 2000, provides an opportunity for the nuclear weapons abolition movement to join with movements for economic equity and ecological balance worldwide, demanding an end to an unjust, undemocratic world system which continues to require an endless spiral of high tech militarism to sustain itself. If you want to get involved, contact the organizations below.

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