

## **Preparing for 2010: Where are we and where do we want to go?**

### Roundtable on the Nuclear Non-Proliferation Treaty

On 27 October 2007, the Monterey Institute's James Martin Center for Nonproliferation Studies with the support of the Scherman Foundation and the Ploughshares Fund, as well as the Government of Indonesia, organized a roundtable conference entitled "Preparing for 2010: Where are we and where do we want to go?" As the title aptly suggests the roundtable focused on evaluating the preparatory process of the review cycle of the Nuclear Non-Proliferation Treaty (NPT) and delineating a possible future course for a successful outcome of the 2010 Review Conference.

The deliberations were initiated by identifying new and renewed threats posed by the State and non-State actors and the challenges arising within the NPT regime. The major issues facing the nuclear disarmament and non-proliferation efforts include:

- The stalemate in resolving the nature of the Iranian nuclear programme
- Lack of consensus in dealing with the issue of non-compliance
- Weakness of the NPT review process
- Increasingly uncompromising stance between the nuclear weapon States and non-weapon States
- Disregard for the political and legal decisions arrived at the NPT RevCon
- Lack of universal support for negative security assurances with regard to nuclear weapon free-zones
- Uncertainty over the impact of the Indo-U.S. nuclear deal on non-proliferation regime
- Increasing danger posed by the non-State actors
- Absence of groups with like-minded States that could be useful in strengthening and expediting the nuclear disarmament and non-proliferation efforts.

The discussions were primarily based on three modules: the current state of affairs vis-à-vis preparatory process, priorities for the PrepCom in 2008, and future prospects for nuclear disarmament. These discussions included appraisal of the 2007 PrepCom, substantive and procedural priorities, implications of new political climate, and expectations for the 2008 PrepCom.

### **Taking stock: Where are we?**

The success and shortcomings of the 2007 PrepCom were identified through the evaluation of -- organization of the meeting, preparation of the agenda, and the level of participation from the States parties.

The Chairman of the PrepCom was commended for his elaborate preparatory efforts in organizing the meeting. The major success of the meeting was in achieving an inclusive agenda, which could lay a constructive foundation for the work of the entire

preparatory process leading to the 2010 RevCon. Although the conference had a delayed start, it was able to achieve a limited degree of success. This was assisted by the constructive role played by the NAM member States, especially South Africa, Indonesia, Egypt, and Cuba. Another important factor that aided the preparatory process is the more flexible approach of the United States during the PrepCom. Other commendable aspects include -- large attendance, the increased involvement of the NGOs, the resurgence of the New Agenda Coalition, active participation by the Arab States, and a resolute Chairman submitting a thorough summary.

In spite of the positive aspects, certain shortcomings resulted in a PrepCom with limited achievements. One of the major deficiencies is the inability to maintain a constant flow of information that is transparent and updated. Even though the NPT has procedural tools to overcome stalemates, the PrepCom was not prepared to utilize them when consensus was not in reach. Although the submission of papers on various issues is a useful informative tool, it also resulted in administrative and logistical bottlenecks.

For improving the preparatory process certain procedural lessons could be identified, learned, and adopted. Important among these, is the necessity to take decisions and record them as such, so that they are retained despite the outcome of the report or factual summary. Another issue was efficacy of the factual summary. It was questioned whether it would be a better option to have a working paper or drop it completely from the process.

The functioning of the preparatory process and the outcome of the RevCon is dependent not only on the internal procedural and substantial issues but also on the external factors. Some of the issues that could be critical to the run up to the 2010 RevCon are:

- Early entry into force of the Comprehensive Test Ban Treaty (CTBT) and revitalizing the process leading to negotiations for a fissile material cut-off treaty (FMCT).
- Expediting the process for establishing nuclear weapon free-zones, especially in the Middle East. This should be seen both as a non-proliferation and as disarmament efforts. Integral to this issue is the need to generate wide-support for negative security assurances.
- The necessity for the Conference on Disarmament (CD) to recapture its place as the sole multilateral discussion forum.
- Pursuing the negotiating model utilized in the DPRK for solving nuclear stalemates, most importantly for the current standoff involving Iran's nuclear program.
- Growing interest in nuclear energy has necessitated the development of nuclear fuel cycles that could provide reliable supply of nuclear fuel. In this regard, efforts should also be focused on universalizing the implementation of comprehensive safeguards and the additional protocol along with the strengthening of the counter-proliferation tools.

- Progress made in the nuclear disarmament arena and the ability of the U.S. and Russia in strengthening their bilateral arms reduction treaties.
- Curtailing existing or new nuclear black markets.

In analyzing the impact of other non-proliferation and disarmament machinery, a review of the recent CD session is necessary. During the 2006 CD, the six presidents made a commendable effort in preparing a joint agenda and putting forth a compromise package. However, three countries could not go along with the consensus in supporting the package and there was a feeling that Pakistan should be convinced of the efficacy of joining the consensus. .

**Priorities for 2008: How do we build consensus around them.**

The deliberations focused on identifying substantive and procedural priorities for the PrepCom, the modalities for building initiatives that could form basis of consensus, and whether critical issues could be avoided or circumvented to create forward momentum.

The need for maintaining balance between the three pillars of the Treaty-- disarmament, nonproliferation, and peaceful uses-- was stressed. It was perceived that over emphasis was being put only on non-proliferation without due consideration to disarmament and peaceful uses.

The priorities for 2008 PrepCom could be categorized into general, substantive, and procedural:

- Avoid creating another category of nuclear weapon States (NWS) and refrain from cooperating in nuclear technology with these de facto NWS.
- The NWS should further pursue the path of nuclear transparency. The next step following the P-5 statement could be an annual briefing on doctrinal and operational status of the strategic forces. However, concerns were expressed that the information thus garnered could be used to mount criticism against the NWS.
- The PrepCom should state that all States should sign and ratify the IAEA comprehensive safeguards and additional protocol.
- Universal adherence to the CWC and the BTWC along with progress in nuclear nonproliferation could create an environment of comprehensive security.
- Necessity to address and make progress on the core issues of the 1995 and 2000 NPT RevCon, including the 13 practical steps delineated in the 2000 conference.
- In order to raise the profile and gain support for nuclear nonproliferation and disarmament, an NPT State Summit is recommended in 2009 on the sidelines of the UN General Assembly meeting. The summit can be utilized to refine and bring coherence to the positions of the States, without preempting the PrepCom or the RevCon. Thus, the summit is more of a symbolic value.
- The preparatory process should include provisions for intersessional work, which could be aided and energized by the increased participation of the NGOs.

- The 2008 PrepCom should be utilized for consensus shaping and addressing the concerns on various issues. An integral aspect of the consensus building is that groups representing different countries should have pre-meeting sessions to clarify their stance and the Chair of the Committee could also engage these groups for the same purpose.

### **Nuclear disarmament: Prospects for progress**

The discussions in this module assessed the prospects for progress by analyzing whether a new political climate is emerging in support of nuclear disarmament and would this new climate give rise to new expectations for the 2008 PrepCom.

The global nuclear disarmament and nonproliferation efforts are entering a new political environment that is showing signs of renewed support and vigor. This is indicated through broad based consensus within the civil society on the dangers of nuclear weapons and reorientation in the outlook among policy makers and analysts in the NWS, especially in the United States and the United Kingdom. In this regard, the article written by George P. Shultz, William J. Perry, Henry A. Kissinger, and Sam Nunn in the Wall Street Journal and the statement delivered by the UK's Secretary of State Margaret Beckett at the Carnegie International Nonproliferation Conference are of considerable advocacy value. Even though these publications suggest a possible change in the political perceptions within the United States and the United Kingdom with regard to nuclear disarmament and non-proliferation, prudence is warranted in analyzing the implications.

The main issues delineated in the Margaret Beckett's statement include bold vision and fresh approach to nuclear disarmament, early ratification of the CTBT, commencement of negotiations on FMCT, and reductions in nuclear arsenals. These issues are in line with the current policy and the statement could enable to assess the future course in the U.K.

The U.S. policy indicated that a gradual progress towards nuclear disarmament is desirable, along with efforts that are directed for creating a security environment suited for nuclear free world. It was noted that path towards such an environment should include international commitment to the NPT preamble and the non-proliferation norms, necessity to assure the NWS that there would be no new States with nuclear weapon, eradication of the nuclear black markets, making substantial progress on other WMD disarmament, and finding replacement for nuclear weapons as tools of strategic deterrence.

It was indicated that for progress in the PrepCom, certain priority issues should be addressed. These include compliance and safeguards, export controls, norms on treaty violations, alleviation of the situation in the Middle East, extent of cooperation in peaceful nuclear technology, and transparency measures in the field of disarmament.