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PRACTICAL STEPS FOR NUCLEAR DISARMAMENT

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ABSTRACT

The 2000 NPT Review Conference was held in April and May in New York and succeeded in adopting a final document. In the final document, some measures for future nuclear disarmament were listed. In this paper, I will examine what measures were agreed at the conference, what progress we can see on these measures, and what should be done to accomplish the goals.

In general, the measures agreed at the conference were very ambiguous and not so direct or concrete. In spite of this weakness, they are very important because they are the benchmarks to which we should proceed and by which future progress will be assessed. However, in the real world, we can not be optimistic about the future progress in nuclear disarmament. The main reason resides in the U.S. program on the NMD to

which Russia, China, France and other countries are opposed. It is necessary to find out a solution to this complicated issue.

UNDERTAKING OF TOTAL ELIMINATION OF NUCLEAR ARSENALS

The final document includes “an unequivocal undertaking by the nuclear-weapon states to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament to which all states parties are committed under Article VI.”

This paragraph was originally submitted by the NAC (New Agenda Coalition). This was the most important one for the NAC and this was listed at the top of the NAC proposal. On this issue, the confrontation between the NAC and the N-5 (five nuclear-weapon states) was sharpest.

The N-5 states were initially strongly opposed to it and declared it unacceptable. Instead, in the N-5 statement, they “reiterate their unequivocal commitment to the ultimate goals of a complete elimination of nuclear weapons and a treaty on general and complete disarmament under strict and effective international control.”

Two kinds of criticism of this statement came from the NAC and the NAM countries. One was against “ultimate goal”, which they thought lost its historical mission because it did not help make progress in nuclear disarmament and instead justified negligence by the nuclear-weapon states of their commitment to nuclear elimination as it was ultimate goal. In place of “ultimate goal”, they asked “unequivocal undertaking”. The other was against including “a general and complete disarmament” in addition to nuclear elimination.

In the last week of the Conference, the NAC yielded to delete “and, in the course of the forthcoming review period 2000-2005, to engage in an accelerated process of negotiations and to take steps.” Even with this compromise by the NAC, Russia and France did not agree this paragraph until just one day before the last day of the Conference.

This paragraph is one of the most important fruits of the Conference. It is too early to evaluate this promise, and we have to wait and see the progress in nuclear disarmament in coming five years

MULTILATERAL STEPS

1) Early Entry into Force of the CTBT

The conference agreed on “the importance and urgency of signatures and ratifications, without delay and without conditions and in accordance with constitutional processes, to achieve the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty.”

The content of this paragraph was included in the working papers submitted by Japan and Australia, the NAC, the NAM, the EU, the NATO-5, Canada, and China. The statement by the N-5 also included the content. As a result, there existed general consensus on this issue. The NAM proposal asked the nuclear-weapon states to refrain from conducting all types of tests, which meant the prohibition of subcritical tests.

The U.S. Senate rejected the approval of the ratification of the CTBT in October 1999. On January 2001, former Chairman of the Joint Chiefs of Staff General John M.

Shalikhvile submitted a report recommending early ratification of the CTBT. However, U.S. new administration does not seem to be positive for its ratification.

The U.S. and China should proceed to ratify the Treaty for its early entry into force.

2) Moratorium on Nuclear Testing

The conference agreed on “a moratorium on nuclear-weapon-test explosions or any other nuclear explosions pending entry into force of that Treaty.”

The moratorium pending its entry into force was included in the proposals by Japan and Australia, the NAC, the NAM, Canada, and Switzerland, but not included in the proposals by the EU, the NATO-5, China, and the N-5.

The moratorium of testing is very important because there exists strong opposition to the Treaty in the United States, and China might consider the resumption of nuclear tests as the U.S. NMD program proceeds. The U.S. and China should ratify the Treaty as soon as possible and continue the moratorium pending its entry into force.

3) Cut-Off Treaty Negotiation

The conference agreed on “the necessity of negotiations in the Conference on Disarmament on a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices in accordance with the statement of the Special Coordinator in 1995 and the mandate contained therein, taking into consideration both nuclear disarmament and nuclear non-proliferation objectives. The Conference on Disarmament is urged to agree on a programme of work which includes the immediate commencement of negotiations on such a treaty with a view to their conclusion within five years.”

On this issue there were many arguments, with the strong opposition by China. Finally the expression of the paragraph was based on the one in the N-5 statement. The demand on a moratorium on the production of fissile materials pending the conclusion of a treaty was not included in the final document due to strong opposition by China. “The immediate commencement and early conclusion of the negotiations on a treaty” was included in the proposals by Japan and Australia, the EU, the NAM, and the NATO-5, and the NAC proposed the importance and urgency of achieving a treaty.

China argued that preventing arms race in outer space (PAROS) was much urgent than a cut-off treaty, and accordingly the Conference on Disarmament in Geneva should establish three ad hoc committees to negotiate a FMCT, PAROS and nuclear disarmament.

On the moratorium, almost all states, including Japan and Australia, the NAC, the EU, Switzerland, the NATO-5, and Canada, supported to include it in the final document, but China’s strong opposition resulted in no mention of it.

China’s strong opposition to the moratorium implies that China is still continuing production of fissile material for weapons purpose or at least China wants to leave the option open. It suggests that China is continuing its modernization of nuclear forces, and China anticipates the necessity to counter the NMD program of the U.S.

In fact, after the Conference, the CD in Geneva has not been able to agree to negotiate

the issue, in particular because of the difference of opinions between the U.S. and China. They should make efforts to find out some compromise.

4) Nuclear Disarmament

The conference agreed on “the necessity of establishing in the Conference on Disarmament an appropriate subsidiary body with a mandate to deal with nuclear disarmament. The Conference on Disarmament is urged to agree on a programme of work which includes the immediate establishment of such a body.”

The first sentence is just the same as the NAC proposal. The NAM called upon the CD to establish an ad hoc committee on nuclear disarmament and commence negotiations on a phased programme of nuclear disarmament and for the complete elimination of nuclear weapons with a specific framework of time, including a nuclear-weapon treaty. The N-5 statement did not mention on this issue and China asked to establish three ad hoc committees simultaneously as mentioned above.

According to this paragraph, the CD is urged to start discussions, not negotiations, on nuclear disarmament. It is asked not only to discuss the issue but also to establish an appropriate subsidiary body. It means that something between just discussions and negotiations was agreed. This measure is not urged directly, but agreement on a programme of work including this measure is urged. Then the problem of linkage emerges.

In fact, there is no progress in this issue so far, because the CD can not find out any solution on what they should negotiate.

BILATERAL STEPS

The conference agreed on “the early entry into force and full implementation of START II and the conclusion of START III as soon as possible while preserving and strengthening the ABM Treaty as a cornerstone of strategic stability and as a basis for further reduction of strategic offensive weapons, in accordance with its provisions.”

This paragraph deals with both START process and the ABM Treaty. On START II, Japan and Australia proposed “the immediate entry into force and the full implementation”, the NAC proposed “full implementation”, the NAM proposed “full and early implementation”, and the EU proposed “the prompt entry into force and timely implementation”.

On START III, Japan and Australia proposed “the early commencement and conclusion of the negotiations on START III, and continuation of the process beyond START III”, the NAC proposed “to commence without further delay negotiations on START III with a view of its early conclusion”, the NAM proposed “the early commencement of negotiations of START III”, and the EU proposed “the early commencement of negotiations on START III”. The N-5 statement proposed “the conclusion of START III as soon as possible” and this phrase was adopted in the final document.

One of the most controversial issues at this conference was the U.S. program on the NMD. In this connection, the ABM Treaty was widely discussed. In the general debates in the first several days, many countries expressed their concern on the NMD, mainly because this would undermine strategic stability, cause new nuclear arms race, and

jeopardize the system of nuclear arms control and disarmament which has been established last thirty years. In particular, Russia and China, that would be directly influenced, were opposed most severely, and France also criticized it from the viewpoint of strategic stability. The EU reaffirmed the importance of the ABM Treaty as a cornerstone of strategic stability, the NAC stressed that the ABM Treaty remained a cornerstone of strategic stability and underlined the responsibility of its states parties to preserve its integration, and the NAM was concerned over the negative implications of the development and deployment of ABM system and called upon the parties to fully comply with its provisions.

On the other hand, the U.S. in the remarks by Secretary of State, Ms. Albright, stated, "The world has changed dramatically in the almost three decades since the ABM Treaty was signed. The Treaty has been amended before, and there is no good reason it cannot be amended again to reflect new threats from third countries outside the strategic deterrence regime. And please remember that we are talking about a system capable of defending against at most a few tens of incoming missiles. It is not intended to degrade Russia's deterrent. Nor will it have that result." ??

This confrontation between the U.S. on the one hand and other nuclear-weapon states and many non-nuclear-weapon states on the other hand, was in a sense settled when the N-5 submitted their common statement at the first day of the second week. In the statement, they look forward to the conclusion of START III as soon as possible while preserving and strengthening the ABM Treaty as a cornerstone of strategic stability and as a basis for further reductions of strategic offensive weapons, in accordance with its provisions. There was an agreement among the five nuclear-weapon states on this sentence. The N-5 common statement as a whole is a result of compromise among the five, but this part reflects the U.S. concern. Russia, China and France, which are opposed to the amendment of the ABM treaty, seem to emphasize the word "preserving", while the U.S. seems to emphasize the word "strengthening" which allows its amendment. The sentence that was included in the N-5 statement was agreed in the final document.

In spite of the strong opposition by Russia, China and France, the U.S. succeeded to defend its NMD program. In order to defend its position on this issue, the U.S. was obliged to yield in other issues. On the whole, the U.S. was rather defensive at the Conference, because the U.S. gave the promotion of the NMD program the top priority.

This iridescent settlement is based on the understanding that the NMD issue cannot be solved at this Conference, and it is clever to avoid the confrontation in order to save the Conference itself. In fact, the issue was shelved for a while. The issue continues to be controversial in negotiations on nuclear disarmament.

Although Russia ratified the START II treaty in May 2000, there is no progress toward beginning negotiations on START III, because its entry into force needs U.S. ratification of related agreements of 1997.

STEPS BY THE FIVE NUCLEAR-WEAPON STATES

1) Unilateral Reduction

The conference agreed on "further efforts by the nuclear-weapon states to reduce their nuclear arsenals unilaterally."

After the end of the Cold War, the United States and Russia, and later the United Kingdom and France have reduced their nuclear arsenals unilaterally. This paragraph asks further efforts for unilateral reduction. Some of the nuclear-weapon states were reluctant to accept this proposal, but it was agreed in the final document.

Since the conference there has been no progress in this field. New U.S. President George Bush has been advocating a unilateral deep cut of nuclear weapons. He should take a lead to reduce nuclear weapons.

2) Increased Transparency

The conference agreed on “increased transparency by the nuclear-weapon states with regard to the nuclear weapon capabilities and the implementation of agreements pursuant to Article VI and as a voluntary confidence-building measure to support further progress on nuclear disarmament.”

The NAC proposed “greater transparency with regard to their nuclear arsenals and fissile material inventories”, and the EU proposed “increased transparency as a voluntary CBM to support further progress in disarmament”, and accordingly the first chairman’s working paper combined these two proposals. The NATO-5 proposed to provide periodically the aggregated numbers of warheads, delivery systems and stocks of fissile materials.

China was strongly opposed to the increased transparency from the beginning, and other nuclear-weapon states did not agree to provide concrete numbers of nuclear weapons and nuclear stockpiles. As a result, “their nuclear arsenals and fissile material inventories” was watered down into the very abstract phrase “nuclear weapons capability”.

Another point of discussion was whether to deal with transparency measures as “voluntary” CBM measures. The first two chairman’s working papers did not include the word “voluntary”, but the nuclear-weapon states and the EU, and in particular France, strongly argued for including “voluntary” and it was so decided in the final document. In spite of the fact that the content of transparency measures was severely watered down, China did not agree this paragraph until the very last day of the Conference.

3) Reduction of Non-Strategic Nuclear Weapons

The conference agreed on “the further reduction of non-strategic nuclear weapons, based on unilateral initiatives and as an integral part of the nuclear arms reduction and disarmament process.”

The NAC proposed “to reduce tactical nuclear weapons and to proceed to their elimination as an integral part of nuclear arms reduction”, the EU proposed “underlining the importance of non-strategic nuclear weapon in the framework of nuclear arms reduction efforts”, and the NATO-5 encouraged the U.S. and Russia to proceed with the reduction of non-strategic nuclear weapons and to include their reduction and ultimate elimination in the overall nuclear arms reduction negotiations.

4) Reduction of the Operational Status of Nuclear Weapons System

The conference agreed on “concrete agreed measures to further reduce the operational status of nuclear weapons systems.”

The NAC proposed “to proceed to the de-alerting, to the removal of nuclear warheads from delivery vehicles and to the withdrawal of all nuclear forces from active deployment pending their complete elimination”. The common statement by the N-5 included the declaration on de-targeting, stating “we declare that none of our nuclear weapons are targeted at any state.”

The first two chairman’s papers were similar with the NAC proposal. China said it could not accept it, and instead, China proposed to include the withdrawal of nuclear weapons deployed in other countries, the opposition to nuclear umbrella or nuclear sharing. Other nuclear-weapon states also asked to delete all concrete measures excluding de-targeting. There were strong conflicting arguments among the N-5 and the NAC. As a result, with strong arguments by the N-5, all concrete measures like de-alerting was deleted and very abstract phrase “reduce the operational status of nuclear weapons system” was adopted in the final document.

5) Diminishing Role for Nuclear Weapons

The conference agreed on “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.”

The NAC underlined the imperative of lessening the role of nuclear weapons in security policy and proposed to adapt their nuclear policies and postures so as to preclude the use of nuclear weapons.

The general response by the nuclear-weapon states was negative to these proposals, stating that NATO was under reexamination of its nuclear policy or that this issue should not be treated in isolation. The focal point of discussions was whether to “minimize” or “exclude” the risk that these weapons ever be used, and as the N-5 and its aligned countries argued for, the word “minimize” was adopted in the final document.

6) Total Elimination of Nuclear Weapons

The conference agreed on “the engagement as soon as appropriate of all the nuclear-weapon states in the process leading to the total elimination of their nuclear weapons.”

Japan and Australia proposed “the commencement of negotiations involving the nuclear-weapon states for the reduction of nuclear weapons at an appropriate stage” in connection with unilateral reduction, and the NAC proposed “the nuclear-weapon states undertake to proceed to the early integration of all five nuclear-weapon states into the process leading to the total elimination of their respective nuclear weapons”.

The N-5 statement said “the contribution of the five nuclear-weapon states to systematic and progressive efforts to reduce nuclear weapons globally has been and will be highlighted by each of us nationally”. France and the United Kingdom resisted to “the engagement at an early stage” because they thought they had enough reduced unilaterally. As a result the phrase “as soon as appropriate” was adopted in the final document.

THE PROSPECT OF NUCLEAR DISARMAMENT

We can not be optimistic about the future prospect of nuclear disarmament. On the bilateral negotiations, the Russia ratified the START II Treaty. This is a breakthrough

and a big progress, but it contains many conditions including the strict compliance of the ABM Treaty. The U.S. ratified the START II Treaty in January 1996, but did not ratify the relevant agreements of September 1997. The U.S. is neither ready to ratify the relevant agreements, nor ready to agree the conditions by Russia. As a result, the START II Treaty will not enter into force soon. Discussions on START III have been conducted between the two states, but negotiations are to start when the START II Treaty enters into force.

In the multilateral forum, the CD has not been working for almost four years since it negotiated the CTBT in 1996. The 2000 NPT Review Conference suggests that a FMCT negotiation will not start soon, because the Conference urges the CD to agree on a programme of work including negotiations on a FMCT. The Conference permits the linkage of a FMCT with nuclear disarmament or prevention of arms race in outer space (PAROS).

In order to mobilize the CD, it is necessary that the U.S. and China or other nuclear-weapon states agree on negotiation agenda. That decision also has to take opinions of the non-nuclear-weapon states into account, because any decision in the CD is based on consensus.

The main reason why all nuclear disarmament negotiations stalled is the U.S. program of the NMD. As it is clear from the discussions at the Conference, Russia, China and France are afraid that strategic stability will be jeopardized and their nuclear deterrence will not function. The relation between offensive weapons and defensive weapons has been discussed since 1960s, and the ABM Treaty has been believed to give the answer to their complex relation by providing a cornerstone for strategic stability.

In this sense, the U.S. program of the NMD is introducing a new paradigm to the complex strategic relation surrounding offensive and defensive weapons, and this can not be responded by the traditional nuclear strategy. We can not expect the progress in nuclear disarmament unless and until a solution, even if temporary, is found on the NMD issue. Accordingly, the early solution of the conflict on the NMD program is indispensable for the progress in nuclear disarmament. It will take some time to find out the solution, and this may give a negative impact on the international nuclear non-proliferation regime.

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