

Non-proliferation Treaty: The 2010 Review Conference reaches an un hoped for declaration.

By Mehdi Mekdour



Non-Proliferation Treaty: The 2010 Review Conference reaches an un hoped for declaration

This review by guest writer Mehdi Mekdour as part of ISIS Europe's Nuclear News series, gives a succinct outline of the outcomes of the May 2010 Nuclear Non-Proliferation Treaty Review Conference. After the stalemate in 2005, the small advances give hope for the future of disarmament and ongoing advances.

No. 50, July 2010

On 28 May 2010 and after one month of intense negotiations, the eighth Non-Proliferation Treaty (NPT) Review Conference ended, for the first time in ten years, with the signature of a final declaration reaffirming the central role of this treaty. State parties unanimously adopted a 28-page document containing 64 action proposals for Non-Proliferation and nuclear disarmament. The main goal of the conference was to build a new dynamic on nuclear issues by taking advantage of the positive political context. However, the reality of international relations overtook the statements of principles and some interesting proposals have been dismissed under the pressure from the five nuclear States¹.

A favorable context for Non-Proliferation debates

The NPT Review Conference started under good auspices for many reasons. US involvement in Non-Proliferation and aspects of nuclear disarmament has evolved since Barack Obama's arrival to the US Presidency in January 2009. The new Democrat Administration undertook several initiatives: promises to ratify the Comprehensive Test Ban Treaty and to engage discussions on a treaty banning production of fissile material for weapons (Fissile Material Cut-off Treaty). On 24 September 2009, the United Nations Security Council, with the support of the US, adopted Resolution 1887 for a world without nuclear weapons. In April 2010, President Obama and his Russian counterpart concluded a new START² agreement for the next seven years. Other important actions contributed to create this positive context. In 2008 a panel of experts gathering politicians, military and academics presented the "Global Zero" project which foresees a worldwide denuclearization for 2030. The involvement of these different actors strongly indicates a mental shift on this problematic, especially in the military world. Since the 2005 NPT Review Conference, the civil society, among others through NGOs, took a more significant role in the discussions. During the preparatory meetings before the 2010 Conference, activists from all around the world organized hundreds of side events to increase public awareness on the nuclear issue.

The NPT Review Conference around six subjects

Negotiations focused on six main topics: Nuclear Weapons States (NWS) disarmament, the role of the International Atomic Energy Agency, the opportunity for a Middle East nuclear weapons free zone (NWFZ), the peaceful uses of nuclear energy, the universality of the NPT and the right to withdraw from the Treaty.

¹ China, France, the United States, the United Kingdom and Russia.

² Strategic Arms Reduction Treaty

Non-proliferation Treaty: The 2010 Review Conference reaches an un hoped for declaration.

By Mehdi Mekdour

NWS disarmament

The first draft discussed in the Committee in charge of disarmament issues suggested to set a definitive deadline for disarmament of the NWS. However, this proposal has been continuously rejected by the five NWS, which in return accepted to make every effort to decrease the importance of the nuclear deterrence in their military postures in the future. They also agreed to report on their disarmament process during an international Conference in 2014. The objective of the conference should be the implementation of a disarmament calendar for the next decades but the past experiences show that these statements of principles are usually denied when time comes to put them into practice. The refusal to impose deadlines is a concrete example of how the influence of a few States can undermine a positive proposal.

The role of the International Atomic Energy Agency (IAEA)

After many years of groundless criticism, the IAEA was reinstated as the main watchdog fighting against proliferation, mainly through the safeguards agreements (comprehensive safeguards and the additional protocol). In order to contain nuclear proliferation, the IAEA needs a substantial increase of its budget which is 318 million US dollars for 2010 – with half of it going to the verification missions. During this NPT Review Conference, all State parties to the Treaty reaffirmed the necessity to increase their political and financial support for the UN agency. In this logic, an additional contribution of 100 million US dollars will be granted over the next five years. Nevertheless, this amount remains negligible in comparison with the size of the IAEA's task. Countries are still reluctant to comply with their financial obligations.

A Middle East nuclear weapons free zone (NWFZ)

Egypt initiated this project in the 1960's to protect the region from a nuclear war between the United States and the Soviet Union and since this period, the proposal has been continually discussed in all NPT Review Conferences. For the Arab countries and Iran, the aim is to press Israel to give up its nuclear military program which is a precondition for a complete peace agreement in the Middle East. Thanks to US and Egyptian leadership, this project was re-launched during the last days of the 2010 Review Conference. The five NWS and Egypt have agreed on the organisation of an international meeting on the Middle East NWFZ in 2012. This conference would bring together all States of the region and some ombudspeople from Russia, the United States, the European Union and the Muslim world. For the moment, Israel has declared that it would not take part, refusing to sit at the table with the Iranian government. Washington will have to persuade Tel-Aviv if the Obama administration is to be the first to achieve a major progress in this region since the Oslo negotiations twenty years ago.

The peaceful use of nuclear energy

Another important topic, especially for the Non-Aligned Movement, was the renewed statement of the inalienable right to have access to the civil nuclear energy as mentioned in Article 4 of the Non-Proliferation Treaty. Fearing that nuclear States would try to control this right in accordance with their own interests, some emerging States made sure it would not be jeopardized. The acknowledgment of this request was a prerogative before signing any final declaration.

The universality of the NPT and the right to withdraw from the Treaty

One of the NPT weaknesses is its lack of universality. 189 States have joined the Treaty but four are still outside³. Moreover, the North Korean withdrawal in 2003 greatly weakened the NPT as Pyongyang was the first to divert the IAEA technical cooperation in order to use it for military

³ India, Iran, North Korea and Pakistan

Non-proliferation Treaty: The 2010 Review Conference reaches an un hoped for declaration.

By Mehdi Mekdour

purpose. In the 2010 final declaration, all State parties urged the four reluctant countries to dismantle their nuclear weapons and to join the NPT. At the moment none of them has accepted to respond positively to this request.

As the right to withdraw is recognized by the treaty, the only way to avoid another “North Korean failure” is to better regulate this right. One of the actions recommended would be to end any civil nuclear cooperation with the withdrawing State and demand that this State returns all nuclear technology to the initial provider. These measures should only apply in case of illegal withdrawal.

Debates undermined by disruptive events

While rough negotiations were taking place in the Conference room, a few external events have disturbed the debates. On 12 May 2010, North Korea claimed that it mastered the nuclear fusion. If this announcement were true, which many experts doubt, this technology could be used to produce a nuclear bomb thousand times more destructive than the Hiroshima bomb. This would certainly change Pyongyang’s position on the international scene.

Five days later, India successfully tested a nuclear missile Agni-2 with a range of 2,500 km capable to reach the Chinese west border and a big part of the Pakistani territory. This could have led to a negative reaction from Islamabad. The Indian decision can be seen as a provocation not just against Pakistan but also against the Non-Proliferation regime.

During the last week of negotiations -the most critical moment to reach a final consensus - the United States deployed a Patriot missiles battery in Poland near the Russian enclave of Kaliningrad. This decision was totally counterproductive as it could have undermined the Kremlin support for the NPT Final declaration. Furthermore, this deployment tends to legitimize the Russia’s strategy of relying on a strong nuclear deterrence.

All these actions could have seriously compromised the perspective of a final declaration for the NPT Review Conference. Nonetheless, they highlight the challenges that the Non-Proliferation regime still has to take up.

Conclusion

The 2010 NPT Review Conference represented a major step towards a world without nuclear weapons as was advocated by President Obama in his Prague speech. Such an advance was necessary to keep the Treaty as the corner stone of the Non-Proliferation regime. During the Conference, State parties dealt with several important issues and topics with the will to make significant progress and to give a new boost to nuclear disarmament. Nevertheless, the high level of expectations has not been met, as no concrete decisions were taken by Nuclear Weapons States on disarmament issues.

Despite disagreements between the NWS and the emerging States and the limited consequences of some external events, the 64 actions agreed in the final declaration must be considered as the basis for the next meetings and especially for the NPT Review Conference in 2015.

By Mehdi Mekdour, Researcher, GRIP

Groupe de recherche et d'information sur la paix et la sécurité www.grip.org



international security information service, europe

Rue Archimède 50, 1000 Brussels Tel: +32 (0)2 230 7446 Fax: +32 (0)2 230 6113
E-mail: info@isis-europe.org Internet: www.isis-europe.org