

# LEARN ABOUT NUCLEAR WEAPONS

For refreshment on NPT background, mandate and members, please see the NPT section earlier in this chapter. This section deals with the work of the Review Conferences and Preparatory Committees, with a focus on the happenings of the last three Review Conferences.

## ***Review Conferences***

Every five years the States Parties to the NPT meet for a Review Conference (RevCon) of the treaty. The RevCon is to assess the implementation of the treaty and make decisions on how to more efficiently implement the undertakings of the member states. The RevCon makes all its decisions by consensus, which means all member states have to agree for a decision to be made. Member states take turn in chairing the RevCons.

During the month-long RevCon government representatives from all States Parties work in a general debate. Each state gives a statement on disarmament undertakings and important issues. The general debate is often lengthy and predictable, as states often reiterate the same issues year after year. Parallel to the general debate, which is open to accredited NGOs, negotiations take place behind closed doors. During these negotiations, member states try to agree on an agenda and a program of work for the conference.

After the general debate member states split into three Main Committees, each with a number of subsidiary bodies. There are three Main Committees to basically debate along the lines of the three pillars of the NPT: nonproliferation, disarmament and peaceful uses of nuclear technology. The subsidiary bodies may deal with current issues such as security assurances, the Middle East, or how to deal with withdrawal from the treaty. The work of the Main Committees also begins with a general debate. In parallel with the Main Committees, there are meetings in so called Regional Groups. Towards the end of the conference, all States Parties must agree on a final document, which will become binding to the member states.

The Regional Groups consist of the Western Group, the Eastern European Group, and the largest group called the Non-Aligned Movement. The regional groups are a legacy from the Cold War divide into West, East and non-aligned states.

Member states, alone or in groups, may submit reports and working papers to the RevCon, that set the basis for the work of the Main Committees. Documents from Preparatory Committees are also used.

## ***Preparatory Committees***

Preparatory Committee (PrepCom) sessions are held once every year (except for the year

immediately following a Review Conference) to gather States Parties to the NPT. PrepComs are about ten days in length and consist – just like the RevCons – of general debates followed by Main Committees, called Clusters. The three Clusters are divided along the lines of the three pillars of the NPT: nonproliferation, disarmament, and peaceful uses of nuclear technology.

During the PrepComs, many working papers are tabled, and the Chairman drafts a Final Summary statement, but none of these documents are binding. Rather, these statements, working papers, summaries, and reports are to be used as assessment tools at the Review Conference. Only the RevCons produce a consensus document.

### ***The role of civil society***

There is a great interest among disarmament NGOs from around the globe for participating during PrepComs and more so during RevCons. The general debate during both RevCons and PrepComs are open to the general public, while substantial debates are held behind closed doors, for member states only. Civil society is usually allotted one half-day session to present their own statements from the podium to the government representatives. Half a day is a small fraction of a month-long conference, but the hall is usually filled to the brim with interested listeners.

Civil society – ranging from grassroots organizations and research institutes, to religious groups and academia – usually arranges a dense program of side events during the conference. Here you can attend seminars, lectures, debates, workshops and briefings with government representatives. During the NPT RevCon in 2005 more than 2,000 members of global civil society attended – the largest number ever.

Civil society's participation in, monitoring of, and reporting from these events is an important part of disarmament work. It increases pressure on member states to adhere to their undertakings under the treaty. Civil society organizations often have knowledge and expertise in specific topics that may be useful for member states.

Many NGOs find the implementation of the NPT too slow, particularly the undertaking of nuclear weapon states to eliminate their arsenals. During the RevCons and PrepComs, States Parties discuss how the treaty can be strengthened. Many NGOs have put forward suggestions on strengthening the treaty. Increased reporting on disarmament efforts; a strong verification regime to ensure that nuclear facilities in non-nuclear weapon states remain for peaceful purposes and to ensure that nuclear weapon states disarm; as well as a focused debate on tactical nuclear weapons that currently are not included in disarmament debates are a few examples of important ways of strengthening the NPT.<sup>1</sup>

### ***NPT Review Conference 1995***

During the 1995 RevCon, States Parties decided to extend the NPT indefinitely. It was a signal from the world's governments that the issue of nuclear disarmament and nonproliferation was of great importance. But States Parties were not all agreed on an indefinite extension of the treaty was the best alternative, or even the most important issue for the Conference to discuss.

The five nuclear weapon states and many Western and East European states held the issue of extending the NPT as the most important. They wanted the treaty extended in order to make it permanent. Since the NPT is the only international legally binding nonproliferation treaty, these states regarded its extension as imperative. Otherwise, they claimed, proliferation of nuclear

weapons would be a much greater risk.

Other states, mainly from Africa, Asia, and Latin America, deemed the realization of the purpose of the NPT – nonproliferation, nuclear disarmament and peaceful use of nuclear technology – more important. Many of these states feel the nuclear weapon states are not living up to their obligations to disarm. Some states were concerned that an extension of the treaty would just give the nuclear weapon states another excuse for keeping their weapons and a slow disarmament process. This would maintain the unjust division between the nuclear weapons haves and have-nots. These states felt that the NPT should not be indefinitely extended until serious disarmament efforts had been undertaken.

The Review Conference resulted in a compromise between the two lines. On 11 May 1995 the Conference decided to adopt a package of decisions based on three documents:

Decision 1. Strengthening the Review Process of the Treaty

Decision 2. Principles and Objectives for Nuclear Non-Proliferation and Disarmament

Decision 3. Extension of the Treaty on the Non-Proliferation of Nuclear Weapons

The documents were adopted without voting but this did not mean all states were pleased with the results. The nuclear weapon states and the states from the West and Eastern Europe were happy about reaching their main goal: making the NPT permanent. Other states were dissatisfied and considered the decision a loss for the disarmament process. They saw the West getting it as they wanted and the world permanently divided into two camps – the nuclear weapons haves and have-nots.

### ***NPT Review Conference 2000***

In May 2000 the NPT Review Conference was held in New York. Since the 1995 indefinite extension of the treaty, many important events had taken place in the world, strongly affecting international security and the nuclear disarmament issue. In particular, the nuclear test explosions by India and Pakistan in May 1998 had sent shivers through the nonproliferation regime. During 1999, relations between the major powers deteriorated, becoming worse than at any time since the end of the Cold War. Russia and China were increasingly anxious about US missile defense plans and the role of NATO following expansion and the air strikes against Yugoslavia. The Comprehensive Test Ban Treaty (CTBT) was in limbo and the Conference on Disarmament (CD) remained deadlocked. Moreover, the three 'preparatory committee' (PrepCom) meetings of the enhanced review process had disappointed expectations and failed to produce recommendations. Frustration among the non-nuclear-weapon states (NNWS) was high, with deep concern that indefinite extension had indeed lost them leverage on the weapon states and that the 1995 agreements on Principles and Objectives on Non-Proliferation and Disarmament and the strengthened review process had failed to deliver.<sup>2</sup>

The 2000 Review was considered a great success for nuclear disarmament. Member States agreed on 13 practical steps for the systematic and progressive disarmament of the world's nuclear weapons. For a more detailed account of the 13 steps, please see <http://www.reachingcriticalwill.org/legal/npt/13point.html>

The ultimate success was the first time ever “unequivocal undertaking” by the nuclear weapon states to disarm. This means, to put it in the words of a representative of the New Agenda Coalition: “what has always been implicit has now become explicit and this act both reinforces and revitalizes

the Treaty. <sup>3</sup> No timeline or deadline was confirmed for when nuclear weapons should be abolished, which still leaves the nuclear weapon states with some space. The undertaking by nuclear weapon states at the RevCon is not legally binding. However, Article VI of the NPT includes, according to the International Court of Justice advisory opinion of 1996, a legal obligation to negotiate disarmament. There is a heavy political pressure on the nuclear weapon states to live up to their disarmament undertakings if they want to appear trustworthy. If the nuclear weapon states do not fulfill their promise to disarm it might be interpreted as no reason for the non-nuclear weapon states to live up to their obligations not to acquire nuclear weapons.

The conference also decided on de-alerting of existing arsenals, to avoid nuclear weapons use by mistake. The nuclear weapon states announced that no nuclear weapons are aimed at targets in other states, but at uninhabited areas such as the North Pole. Another step in the right direction was an agreement on reductions of non-strategic arsenals.

### ***NPT Review Conference 2005***

Following the successful Review Conference in 2000 and considering the prevailing international security situation, expectations were high when States Parties met for the NPT RevCon of 2005. A number of significant events affecting international security had occurred since the previous RevCon: the terrorist attacks on World Trade Center on 9/11, North Korea's announcement of withdrawal from the NPT, the US and UK invasion of Iraq in 2003, and the uranium enrichment activities in Iran.

Rebecca Johnson of the Acronym Institute made a harsh evaluation after the 2005 RevCon that is shared by many participants – both state and non-state: “Delegates from 153 countries at the 2005 NPT Review Conference failed to build on past agreements and adopt any kind of decisions or recommendations for furthering progress in the vital security issues of nuclear nonproliferation and disarmament. From start to finish, this conference did little more than go through the motions, and was one of the most shameful exhibitions of cynical time-wasting seen outside the Geneva Conference on Disarmament.”<sup>4</sup>

Contrary to the Review Conference five years earlier, the month-long meeting in 2005 left a bitter taste. The first three weeks were spent on predictable statements in the General Debate and quarrels on procedural matters – i.e. finding a program of work – before substantial work in the Main Committees could begin. And when the Main Committees finally got together, there was not enough time for substantial work, since too much time had been wasted. Many wondered how the conference could so severely fail in a time with growing threats of nuclear weapons proliferation and actual use of nuclear weapons. And fail it did. While a few pieces of paper labeled “Final Document” were produced and agreed upon, this document did not contain an iota of substantive recommendations or actions to strengthen the global disarmament and nonproliferation regime.

It failed due to the intransigence of a few States, which effectively sabotaged the Conference and allowed it to be bogged down in procedural quibbles. These States, namely Iran, Egypt and the United States, allowed the Conference to fail- or perhaps, more accurately, *willed* it to fail- precisely because they have lost their faith in the Treaty to ensure their own security. States could not agree on how to deal with earlier statements and decisions from the 1995 and 2000 Review Conferences. The USA and some important allies did not want to see any reference to these documents, as if the 2000 unequivocal undertaking to disarm would not be there anymore if ignored in the final document of the 2005 meeting. Egypt took the fight against the US on references to earlier

documents and Iran above all focused on its own agenda – steering focus away from its own nuclear intentions, which have raised concern in the rest of the world.

But even if the NPT RevCon of 2005 was far from the success that would have been needed to make progress towards abolition of nuclear weapons, UNIDIR Director Patricia Lewis captured the need for hope well: “It is imperative that we remain optimistic. In times of despair, it is easier to become cynical... but it is hope that will get us through to the next stage, when the political climate is a bit more conducive to progress on the disarmament and nonproliferation front.”<sup>5</sup>

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1 <http://www.reachingcriticalwill.org/pubs/MajorProposals.pdf>

2 <http://www.acronym.org.uk/46npt.htm>

3 <http://www.acronym.org.uk/46npt.htm>

4 <http://www.reachingcriticalwill.org/legal/npt/NIR2005/Final.pdf>

5 <http://www.reachingcriticalwill.org/legal/npt/NIR2005/final.html>