

2013 NPT Preparatory Committee and Nuclear Disarmament

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Abstract

The purpose of this article is to examine and evaluate the progress in nuclear disarmament based on the action plans agreed upon by consensus at the 2010 NPT Review Conference and elaborate what kind of measures should be taken toward a successful 2015 NPT Review Conference. The circumstances surrounding nuclear disarmament are deteriorating with the loss of trust between the U.S. and Russia as well as between the nuclear-weapon states and non-nuclear-weapon states, many of which are now arguing for a humanitarian approach to nuclear disarmament.

Key words: Nuclear Non-Proliferation Treaty, nuclear disarmament, NPT
review conference, humanitarian approach, nuclear reduction

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抄 録

本稿の目的は、2010年NPT再検討会議において全会一致で合意された行動計画に基づいて核軍縮の進展状況を検討し評価することであり、2015年再検討会議を成功させるためにはどのような措置が取られるべきかを考えることである。核軍縮をとりまく状況は悪化しているが、それは米口間の信頼関係が失われているからであり、核兵器国と非核兵器国の間の信頼関係も損なわれているからである。多くの非核兵器国は核軍縮への人道的アプローチを主張している。

キーワード: 核不拡散条約、核軍縮、NPT再検討会議、人道的アプローチ、核削減
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Introduction

The second session of the Preparatory Committee for the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) was held in Geneva, Switzerland from April 22 to May 3, 2013. The main purpose of this meeting was to discuss and examine the progress in the measures listed in action plans included in the final document of the 2010 NPT Review Conference¹ and argue what kind of measures should be taken for a successful 2015 Review Conference.

U.S. President Obama, as symbolized by the Prague address in April 2009, has given the highest priority to nuclear disarmament, arguing for a world without nuclear weapons. Just before the 2010 Review Conference, he signed a New START Treaty with Russia and submitted a Nuclear Posture Review report in April, which produced a much better atmosphere toward the coming Conference. The 2010 Conference succeeded in adopting a final document by consensus which included 22 action plans for nuclear disarmament.

However, except for the entry into force and implementation of the New START Treaty, no new measures for nuclear disarmament have been agreed upon or adopted and no further negotiations between the U.S. and Russia have started. The only multilateral negotiating body for disarmament, the Conference on Disarmament, has not worked substantially for more than ten years.

As a new trend, many non-nuclear-weapon states have strongly argued for a humanitarian approach to nuclear disarmament and for a nuclear weapons convention, both of which were recognized in the final document of the 2010 Review Conference.

The purpose of this article is to examine and evaluate the progress in nuclear disarmament based on the action plans agreed upon by consensus at the 2010 NPT Review Conference and elaborate what kind of measures should be taken toward a successful 2015 NPT Review Conference.

Nuclear Disarmament in General

Perception of Progress in Nuclear Disarmament

The United States emphasizes that the United States acknowledges its special responsibility toward nuclear disarmament and to help create the conditions for a world without nuclear weapons. The United States is making good on that pledge. We are reducing the role and numbers of nuclear weapons in our national security strategy. We have committed not to develop new nuclear warheads or pursue new military missions for nuclear weapons. We are implementing the New START Treaty with Russia that will reduce deployed nuclear warheads to levels not seen since the 1950. President Obama has committed the

United States to pursue still deeper cuts².

The Russian Federation states that at present, Russia and the U.S. are gradually working on the implementation of the New START Treaty. The implementation of the New START Treaty, full implementation of its principles, norms and understandings made today are the basic priority in the area of reduction and limitation of nuclear armaments. Russia fully acknowledges its special responsibility for the fulfillment of obligations under Article VI of NPT. Our country will continue to exert every possible effort to solve the historic task of building a stable and safe world that would be free from nuclear weapons³.

The United Kingdom states that the U.K will retain a minimum credible nuclear deterrent as the ultimate guarantee of our security. As a nuclear weapons state, the U.K. recognizes its special responsibilities and has made a significant contribution to helping build the conditions that will allow for further nuclear disarmament. The U.K.'s record on disarmament is a strong one. We have made clear that nuclear weapons play a very discrete and limited role within the U.K.'s defence policy. The U.K. has demonstrated a high level of transparency⁴.

Concerning nuclear disarmament, France says, France will continue to fully shoulder its particular responsibilities as a nuclear-weapon state. Last year, we met the target of reducing the air component of our deterrence force by one third. We have also made progress on the matters of nuclear-weapon-free zones⁵.

China reiterates that China always stood for the complete prohibition and thorough destruction of nuclear weapons, and actively promoted the establishment of a world free of nuclear weapons. China is firmly committed to its nuclear strategy of self-defense. China has adhered to the policy of no-first-use of nuclear weapons at any time or under any circumstances, and made the unequivocal commitment that it will unconditionally not use or threaten to use nuclear weapons against non-nuclear-weapon states or nuclear-weapon-free zones⁶.

On the other side, the New Agenda Coalition (NAC) criticizes that the nuclear disarmament commitments embodied in the NPT have yet to be realized. There can be no justification for the continued retention or indefinite possession of nuclear weapons by any actor. Progress in the action plan that emerged from the 2010 NPT Review Conference regrettably remains lacking and this must be fully implemented as a priority⁷.

The Group of Member States of the Non-Aligned Movement (NAM) reiterates its deep concern over the slow pace of progress towards nuclear disarmament and the lack of progress by the nuclear-weapon states to accomplish the total elimination of their nuclear arsenals in accordance with their legal obligations and undertakings. The Group deplores the strategic doctrines of the NWS which are based on the use or threat of use of nuclear weapons. The Group emphasizes the necessity to start negotiations on a phased program for the complete

elimination of nuclear weapons, including a Nuclear Weapons Convention⁸.

The chairman's factual summary which is made by the Conference chairman under his own responsibility without any agreement by states parties and is put at the same level as any working paper from a legal or technical point of view but with a certain level of value from a political or practical point of view, stipulates that "While acknowledging some progress in the implementation of the commitments contained in the conclusions and recommendations for follow-on actions adopted by the 2010 Review Conference, States parties recognized that greater implementation efforts were required⁹" (para.5).

As a critical issue in connection with the retrogress in nuclear disarmament, the issue of the modernization of nuclear weapons was hotly discussed at the meeting. The NAM emphasizes that continued vertical and horizontal proliferation of nuclear weapons jeopardizes the integrity and credibility of the Treaty, hence it should be prevented. The Group also expresses grave concern at the nuclear-weapon test explosions in alternative ways and the use of new technologies for upgrading the existing nuclear weapons systems as well as the development of new types of nuclear weapons, and strongly calls on the NWS to put an immediate end to such activities¹⁰. The NAC also states that the continued modernization of nuclear arsenals and the development of advanced and new types of nuclear weapons run counter to the undertakings made by the nuclear-weapon states¹¹.

The Non-Proliferation and Disarmament Initiative (NPDI)¹² also asks all nuclear-weapon states to make a political commitment to refrain from developing new nuclear warheads¹³. The Chairman's factual summary described that "Many States parties expressed concern over the continued modernization of nuclear weapons, their delivery systems and related infrastructure as well as plans to further invest in upgrading, refurbishing or extending the lives of nuclear weapons and related facilities." (para 22)

A tremendous gap in the perception of the progress in nuclear disarmament exists between the nuclear-weapon states and non-nuclear-weapon states. All nuclear-weapon states realize their special responsibility in the efforts towards nuclear disarmament, understand that they have taken enough measures for nuclear disarmament, and consider that these measures are enough progress in nuclear disarmament. They refer not only to nuclear reduction by the U.S. and Russia through the New START Treaty and their active participation to the protocols to nuclear-weapon-free zone treaties, but also to their unilateral nuclear disarmament measures and other measures taken to reduce the role of nuclear weapons.

On the other hand, many non-nuclear-weapon states take a negative attitude about the nuclear-weapon states towards nuclear disarmament, and perceive that generally speaking, there has not been much progress in nuclear disarmament. In addition, they think that all nuclear-weapon states continue their nuclear modernization and have much concern that

there may be an opposite trend against nuclear disarmament.

Humanitarian Approach to Nuclear Disarmament

The 2010 Review Conference accepted the introduction of a humanitarian approach to nuclear disarmament by expressing its deep concern at the catastrophic humanitarian consequences of any use of nuclear weapons and reaffirming the need for all States at all times to comply with applicable international law, including international humanitarian law. At the first session of the Preparatory Committee in 2012, a joint statement on the humanitarian aspect was submitted by 16 states, and at the UN General Assembly in 2012, 34 states submitted a similar joint statement.

In March 2013, Norway held an international conference on the humanitarian impact of nuclear weapons in order to discuss scientific aspects mainly. The five nuclear-weapon states did not participate in this conference. Norway states as follows¹⁴:

We have seen the humanitarian impact of nuclear weapons increasingly being recognized as a fundamental and global concern that must be at the core of all our deliberations regarding nuclear disarmament and non-proliferation efforts. In March this year the Government of Norway hosted an international conference on the humanitarian impact of nuclear weapons. The aim of the conference was to provide an arena for the international community to have a facts-based discussion of the humanitarian and developmental consequences that would result from a nuclear weapon detonation. The Conference included presentations by international experts and relevant national and international stakeholders concerning three key aspects:

1. The immediate humanitarian impact of nuclear detonations
2. The wider and more long term developmental, health and environmental consequences
3. Preparedness, including plans and existing capacity to respond to this type of disaster

128 states met at the Conference, together with UN organizations, the ICRC, IFRC and civil society. The broad and active participation at the Oslo Conference reflects the recognition that the catastrophic effects of a nuclear detonation is an issue of concern and relevance to all.

The main conclusion from the conference is that no state or international body could address the immediate humanitarian emergency caused by a nuclear weapon detonation in any meaningful way. No existing national or international emergency system would be able to provide adequate assistance to the victims.

On this point, the five nuclear-weapon states emphasize their shared understanding of the serious consequences of nuclear weapon use and that the P5 would continue to give the

highest priority to avoiding such contingencies¹⁵. The U.S. responds that it shares concerns about the profound and serious consequences of nuclear weapons use and have articulated its deep and abiding interest in extending forever the 68-year record of non-use¹⁶.

At the Preparatory Committee, the following joint statement on the humanitarian impact of nuclear weapons¹⁷ was submitted by South Africa on behalf of 80 states:

Our countries are deeply concerned about the catastrophic humanitarian consequences of nuclear weapons. The 2010 Review Conference of the NPT expressed “deep concern at the catastrophic humanitarian consequences of any use of nuclear weapons.” The March 2013 Conference on the Humanitarian Impact of Nuclear Weapons held in Oslo presented a platform to engage in a fact-based discussion on the impact of a nuclear weapon detonation. A key message from experts and international organizations is that no State or international body could address the immediate humanitarian emergency caused by a nuclear weapon detonation or provide adequate assistance to victims. It is in the interest of the very survival of humanity that nuclear weapons are never used again, under any circumstances. The only way to guarantee that nuclear weapons will never be used again is through their total elimination.

Among the members of NATO, only Norway, Denmark, Iceland and Luxemburg have joined the Oslo conference. All other NATO members as well as Japan and Australia did not join it. Japan had once pursued the possibility to join it, but Japan decided not to participate with the decision of the Minister of Foreign Affairs because Japan could not accept the phrase “it is the interest of the very survival of humanity that nuclear weapons are never used again, under any circumstances” in the context of the current security environment in Northeast Asia and the effectiveness of U.S. nuclear deterrence.

The Chairman’s factual summary stipulates that States parties recalled their deep concern at the catastrophic humanitarian consequences of any use of nuclear weapons. Many States parties referred to the unacceptable harm that would result from a detonation and expressed further concern about the wider and longer-term impact on socio-economic development and their expectation that the humanitarian consequences would continue to be addressed during the current review cycle. Many States parties referred to the Conference on the Humanitarian Impact of Nuclear Weapons held in Oslo from 4 to 5 March 2013 (para 12). Many States parties expressed concern that any use or threat of use of nuclear weapons would be inconsistent with fundamental rules of international humanitarian law. Some nuclear-weapon States outlined that under their respective national policies any use of nuclear weapons would only be considered in extreme circumstances in accordance with applicable international humanitarian law (para 13).

The arguments for nuclear disarmament from a humanitarian aspect are getting more and more support since the 2010 NPT Review Conference. This is quite different from a traditional national or international approach to nuclear disarmament, and is called a human security approach to nuclear disarmament. The nuclear-weapon states are generally opposed to this approach. The attitude was clearly expressed by their absence from the Oslo Conference. According to them, it is a comprehensive approach which jeopardizes a step by step approach that is strongly supported by the nuclear-weapon states. As the P5 joint statement notes, although the five nuclear-weapon states understand some level of a catastrophic consequence of nuclear use, they can't accept this approach in order to keep the *raison d'être* of nuclear weapons as a deterrent.

Nuclear Weapons Convention

A nuclear weapons convention was noted in the final document of the 2010 NTP Review Conference as a proposal by the UN Secretary-General. Since then the issue of nuclear weapons convention has been discussed widely and deeply.

The NAM reaffirms the importance of the unanimous conclusion of the ICJ that there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament, and emphasizes the necessity to start negotiations on a phased program for the complete elimination of nuclear weapons, including a Nuclear Weapons Convention¹⁸. The NAC asks all States parties to begin work in earnest on the construction of a comprehensive legally-binding framework of mutually reinforcing instruments for the achievement and maintenance of a world without nuclear weapons. Such a framework should include clearly defined benchmarks, timelines, and be backed by a strong system of verification¹⁹.

The U.S. emphasizes that a step-by-step approach to disarmament is the most effective means to increase stability, reduce nuclear dangers, and fulfill our obligations under the NPT²⁰. Russia argues that nuclear disarmament should be a step-by-step process with the ultimate goal of general and complete disarmament. It would be counter-productive to limit the process of nuclear disarmament by some timeframes.²¹ France states that the conditions of achieving a world without nuclear weapons must be the outcome of gradual and collective work, guided by concrete measures. Undermining existing forums, by creating parallel process, and calling into question the step-by-step approach of the 2010 Action Plan, as certain recent initiatives appear to try to, will not advance nuclear disarmament²².

The chairman's factual summary states that many States parties stressed the need for the negotiation of a phased program for the complete elimination of nuclear weapons within a specified time frame, including a nuclear weapons convention. Some States parties called for the elaboration of a comprehensive framework of mutually reinforcing instruments, backed

by a strong system of verification and including clearly defined benchmarks and timelines, for the achievement and maintenance of a world without nuclear weapons (para 15).

The issue of a nuclear weapons convention has also been discussed enthusiastically since the 2010 Conference. The NAM calls for the start of the negotiation of a nuclear weapons convention and the realization of the total elimination of nuclear weapons by 2025 by a single treaty. On the other hand, the NAC proposes a comprehensive legally-binding framework of mutually reinforcing instruments for the achievement and maintenance of a world without nuclear weapons, backed by a strong system of verification and including clearly defined benchmarks and timelines. The UN Secretary-General proposes a nuclear weapons convention or a separate but mutually enforcing framework of instruments. The latter may not be a legally binding document.

Several kinds of proposals on a nuclear weapons convention have been submitted and discussed, but as the five nuclear-weapon states are fundamentally critical of the very idea of a nuclear weapons convention, the division of the opinion will continue. However, serious and deep discussion is necessary because on the one hand it is necessary to always demonstrate the final goal of nuclear disarmament, and on the other hand it is necessary to find what kinds of conditions or measures are needed to make progress in nuclear disarmament.

Attitudes towards Nuclear Disarmament

There are two ways to measure how sincere and positive a country is toward the goal of nuclear disarmament. One is how strong a country argues for or against a step-by-step approach, and the other is whether a country treats nuclear disarmament as a separate and independent issue or as possible only in the framework of general and complete disarmament.

The P5 reaffirms their commitment to the shared goal of nuclear disarmament and general and complete disarmament as provided for in Article VI of the NPT, and the historic contribution of the pragmatic, step-by-step process to nuclear disarmament and stresses the continued validity of this proven route²³.

The chairman's factual summary stipulates some states parties underlined the ultimate objective of the efforts of states in the disarmament process is general and complete disarmament under effective international control. The view was expressed that the goal of nuclear disarmament should be achieved in the context of general and complete disarmament (para 8).

Recently the nuclear-weapon states on every occasion emphasize the importance of a step-by-step approach. One of the reasons behind this attitude seems to me that they are trying to confront against a recently emerging new trend for a humanitarian approach

to nuclear disarmament. This approach which is based on catastrophic consequences of nuclear use against the very survival of humanity is naturally asking an immediate outlawing or elimination of nuclear weapons. The five nuclear-weapon states seem to me to emphasize a step-to-step approach in order to oppose the argument for the early start of the negotiations for a nuclear weapons convention, too.

The idea to combine nuclear disarmament and general and complete disarmament and argue that nuclear disarmament is possible only within the framework of general and complete disarmament implies opposition to negotiate nuclear disarmament independently. Traditionally only France has taken this position, but currently Russia is also arguing for this position. In addition, Russia and other nuclear-weapon states argue that nuclear disarmament should take place in parallel with progress in the issues of missile defences or conventional weapons. These arguments are the evidence of their negative attitude towards nuclear disarmament.

Reduction of Nuclear Weapons

The U.S. emphasizes as the near-term practical measures further reducing nuclear stockpiles by implementing the New START Treaty, committing to further reductions and to pursuing discussions with Russia on further reductions in all categories of nuclear weapons – strategic, non-strategic, deployed and non-deployed²⁴. Russia states nuclear disarmament can be achieved only with a comprehensive approach while preserving strategic stability, complying with the principle of equal and undiminished security for all and ensuring the following international conditions: adherence of all States possessing nuclear potential to the process of nuclear disarmament; prevention of placement of weapons in outer space; provision of guarantees of absence of recoverable nuclear potential in the states; refusal of unilateral development of strategic missile defense systems; elimination of quantitative and qualitative imbalances in conventional weapons; entry into force of the Nuclear Test-Ban Treaty; and reliable viability of key multilateral disarmament and non-proliferation tools²⁵.

China stresses that states possessing the largest nuclear arsenals bear special and primary responsibility for nuclear disarmament and should take the lead in substantially reducing those arsenals in a verifiable, irreversible and legally binding manner, that global missile defence systems should not be developed or deployed and that the international community should develop, at the appropriate juncture, a viable long-term plan comprising phased actions, including the conclusion of a convention on the complete prohibition of nuclear weapons²⁶. The NPDI strives for systematic and continued reduction of all nuclear weapons by all nuclear weapon states in a pragmatic and step by step approach aiming at their total elimination, and calls upon all nuclear weapon states to reduce and ultimately eliminate all

types of nuclear weapons and in particular, it urges the inclusion of non-strategic nuclear weapons in any future nuclear disarmament processes²⁷.

The NAC asks the nuclear-weapon states to fulfill their obligations flowing from Article VI and take the follow-on measures relating to New START aimed at achieving deeper reductions in the nuclear arsenals of Russia and the U.S. including all deployed and non-deployed nuclear weapons, both strategic and non-strategic. The NAC recommends the 2015 Review Conference should work towards the construction of a comprehensive framework of mutually reinforcing instruments for the achievement and maintenance of a world without nuclear weapons which includes clearly defined benchmarks and timelines, backed by a strong system of verification²⁸. The NAM strongly calls for prompt and full implementation of the 2010 Review Conference action plan on nuclear disarmament, emphasizes in particular the prime importance of and the urgent need for full and prompt implementation of the commitments under action 5, and calls for the submission of a comprehensive substantive report about their undertakings under action 5. The negotiation of a nuclear weapons convention should commence, and according to action plan 6, a subsidiary body to deal with nuclear disarmament of the Conference on Disarmament (CD) should be established. The NAC emphasizes the urgent need for the commencement of substantive work at the CD on the prevention of an arms race in outer space, as the deployment of national and strategic missile defense systems could trigger an arms race²⁹.

On the reduction of non-strategic nuclear arsenals, the U.S. reiterates its commitment to pursuing discussions with Russia on further reductions including non-strategic nuclear weapons. NATO says it is prepared to consider further reducing its requirement for non-strategic nuclear weapons in the context of reciprocal steps by Russia, taking into account the disparity between Russia and U.S. in non-strategic nuclear weapons in Europe and the broader security environment³⁰. However, Russia has repeatedly called on other countries possessing non-strategic nuclear arsenals to follow the example of the Russian Federation and transfer those weapons to their territories, eliminate all infrastructure that allows their prompt deployment abroad and cease preparations for their use with engagement of the military from non-nuclear states³¹.

The NPDI urges the inclusion of non-strategic nuclear weapons in any future nuclear disarmament processes, calls upon all nuclear-weapon states and other states possessing nuclear weapons to review promptly their deployment posture of non-strategic nuclear weapons in the context of their declaratory policies, calls upon nuclear-weapon states to provide information using a standard reporting form, and calls for transparency with respect to the current status of the implementation of the 1991 and 1992 presidential nuclear initiatives³².

The chairman's factual summary states that States parties encouraged those states with

the largest nuclear arsenals to lead efforts in this regard. Many States parties expressed the expectation that significant reductions should be undertaken during the current review cycle for the Treaty. Some States parties noted the discussions and proposals aimed at increasing mutual understanding on non-strategic nuclear forces (para 9). Many States parties welcomed the steps taken to implement the New START Treaty. Russia and the U.S. were encouraged to continue negotiations to achieve greater reductions in their nuclear arsenals, including non-strategic nuclear weapons (para 17). States parties recalled that the Conference on Disarmament should immediately establish a subsidiary body to deal with nuclear weapons (para 26).

Among the issues of nuclear reduction, in particular, action plan 4 has been implemented as the New START Treaty entered into force and is being implemented. The U.S. is rather positive towards following reduction measures but Russia seems extremely negative. Russia explains many conditions for the following negotiation such as the maintenance of the parity between the two, no development and deployment of strategic missile defenses by the U.S., attainment of the parity in conventional weapons and others, showing its strong opposition to an early commencement of the next nuclear negotiation. China also demands the states with the largest nuclear arsenals to reduce first, the non-development and deployment of missile defenses, the prevention of weaponization of outer space, expressing no willingness to join nuclear reduction negotiations. As a result, it seems very difficult to start and bear fruit in the negotiations of nuclear reductions following the New START Treaty.

The U.S. and members of NATO strongly demand that any next negotiation should include non-strategic nuclear weapons and the NPDI calls for the same. It seems reasonable to ask for the negotiation on non-strategic nuclear weapons in parallel with strategic nuclear weapons, but in the short term it will be rather difficult because fundamentally the relationship between the U.S. and Russia has been deteriorating since the signature of the New START Treaty. From the Russian point of view, Russian security concerns are not taken into enough consideration by the U.S. The most serious reason is that the U.S. has promoted the missile defense system in Europe by arguing that they are not aimed at Russia but at Iran regardless of the Russian concern. Russia asked for a legally binding guarantee on this point but the U.S. refused. As a result of the recent U.S. announcement of the cancellation of the last stage of this missile defense system in Europe, restoration of trust and cooperation between the two is expected.

The other thorny issue is the imbalance of conventional weapons between NATO and Russia, and Russian willingness to compensate the imbalance in conventional weapons with non-strategic nuclear weapons. The issue of non-strategic nuclear weapons is not independent but dependent on some other issues surrounding Russian security matters. As a first step it is urgent for the U.S., NATO and Russia to rebuild confidence and trust among

them.

Reduction of the Role of Nuclear Weapons

The U.S. stresses that it acknowledges its special responsibility toward nuclear disarmament and to help create the conditions for a world without nuclear weapons. President Obama has made clear our unequivocal support for this goal. We are reducing the role and numbers of nuclear weapons in our national security strategy and have committed not to develop new nuclear weapons or pursue new military missions for nuclear weapons³³.

China argues that before the conclusion of the international legal instruments on nuclear disarmament, all nuclear-weapon states should take the following measures to reduce the danger of nuclear war, diminish the role of nuclear weapons in national security policy and increase mutual trust among states: (a) to abandon the nuclear deterrence policy based on first use of nuclear weapons; (b) to honor their commitments not to target their nuclear weapons against any countries, or to list any countries as targets of nuclear strikes; (c) to undertake not to be the first to use nuclear weapons at any time or under any circumstances; unconditionally not to use or threaten to use nuclear weapons against non-nuclear-weapon states or nuclear-weapon-free zones; and to conclude relevant international legal instruments; (d) to support efforts of relevant countries and regions in establishing nuclear-weapon-free zones; (e) to abandon the policy of the “nuclear umbrella” and the practice of “nuclear sharing”; (f) to take all steps necessary to avoid accidental or unauthorized launches of nuclear weapons³⁴.

The NPDI demands the 2015 Review Conference to reiterate the following: (a) in view of the catastrophic humanitarian consequences of any use of nuclear weapons, it is imperative that the more than 65 year record of nuclear non-use be extended forever; (b) to ensure progress on this road and to prevent nuclear weapons from ever being used again, concrete efforts must be made so that the possible use of nuclear weapons becomes even more remote that it is now; (c) quantitative reductions should be accompanied by steps towards reducing the role and significance of nuclear weapons in security strategies and military doctrines; (d) all nuclear-weapon states should reiterate that they will not use or threaten to use nuclear weapons against non-nuclear-weapon states that are parties to the Non-Proliferation Treaty and in compliance with their nuclear non-proliferation obligations; (e) all nuclear-weapon states should make a political commitment to refrain from developing new nuclear warheads; (f) the nuclear-weapon states are encouraged to refer to the draft reporting form which the NPDI proposed at the first session of the Preparatory Committee for the 2015 Review Conference held in 2012; (g) in order to reduce the role of nuclear weapons, states parties are called upon to promote actively disarmament and non-proliferation education³⁵.

The NAC states that although some progress has been made since 2010 such as the entry into force of the New START Treaty, modernization of nuclear weapons continues, the commitment to further diminish the role and significance of nuclear weapons has yet to be realized, nuclear deterrence policies remain a defining characteristic of the military doctrines and no information is available on actions taken to reduce the operational readiness of nuclear weapons systems. It asks all states that are part of military alliances that include nuclear-weapon states to report on steps taken or future steps planned to reduce and eliminate the role of nuclear weapons in collective security doctrines³⁶.

The NAM strongly calls upon the nuclear-weapon states to exclude completely the use or threat of use of nuclear weapons from their military and security doctrines, and to conclude a universal legally binding instrument on effective, unconditional, non-discriminatory and irrevocable security assurances with all non-nuclear-weapon states parties to the treaty against the use or threat of use of nuclear weapons³⁷.

The chairman's factual summary stipulates as follows. Many States parties expressed concerns regarding the continued role of nuclear weapons in national and regional military doctrines, noting that quantitative reductions in nuclear weapons should be accompanied by steps to reduce the role of nuclear weapons in all such concepts, doctrines and policies. Some States parties called for the reduction and elimination of nuclear weapons which continued to be stationed outside the territories of the nuclear-weapon states. Some States affirmed that they had reduced the role of nuclear weapons in their strategic doctrines (para 23).

The argument for the reduction of the role of nuclear weapons which President Obama particularly emphasized in the Prague address has been widely accepted as a fundamental requirement in the progress toward the reduction and elimination of nuclear weapons in the discussions on nuclear disarmament. The issue mainly concerns nuclear doctrines of the nuclear-weapon states, including no-first use of nuclear weapons, the sole purpose of nuclear weapons for deterrence against nuclear attacks, and negative security assurances. It is also related to the alert level of nuclear weapons and the possibility of use of nuclear weapons.

The nuclear-weapon states in general and the U.S. in particular emphasize that they have been undertaking some measures to reduce the role of nuclear weapons. However, non-nuclear-weapon states respond that the measures taken so far are not enough, point out that in some areas in national security strategy they are increasing the role of nuclear weapons, and strongly ask them to take further measures to reduce the role of nuclear weapons.

The issue concerns not only the nuclear-weapon states but also non-nuclear-weapon states allied with nuclear-weapon states, that is, those states under a nuclear umbrella such as non-nuclear members of NATO and Japan. Those states are also asked what to do in order to reduce the role of nuclear weapons and how it is possible to reduce their role.

Reduction in the Operational Status of Nuclear Weapons

China argues that before the conclusion of the international legal instruments on nuclear disarmament, all nuclear-weapon states should take all steps necessary to avoid accidental or unauthorized launches of nuclear weapons in order to reduce the danger of nuclear war, diminish the role of nuclear weapons in national security policy and increase mutual trust among states³⁸.

The NAC demands that further concrete measures must be taken to decrease the operational readiness of nuclear weapon systems, with a view to ensuring that all nuclear weapons are removed from high-alert status³⁹. Elements for a plan of action for the elimination of nuclear weapons submitted by the NAM include the measure of “reduction of the operational readiness of nuclear-weapon systems” as one of the measures aimed at reducing the nuclear threat in the first phase (2010 to 2015)⁴⁰.

Nigeria on behalf of the De-alerting Group (Chile, Malaysia, New-Zealand, Nigeria, and Switzerland) states as follows:

Our countries remain deeply concerned at the maintenance on high alert of weapons which pose a threat to the very survival of humanity. We find it anachronistic and disheartening that while tensions that marked the international security climate during the Cold War have lowered significantly, corresponding decreases in the alert levels of the states with the largest nuclear arsenals have not followed suit. It remains our strong view that progress in lowering operational readiness would have positive effects on both international and human security. Lowering the operational readiness of nuclear weapons systems would demonstrate a clear commitment to meeting obligations under article VI of the NPT. It would also represent a confidence-building measure and tangible movement towards diminishing the role of nuclear weapons and an interim step towards a nuclear-weapon-free world.

The level of operational readiness of non-strategic nuclear weapons has been considerably lowered and decisions to stand down strategic bombers have also been taken. These examples highlight that de-alerting is possible and that technical and political obstacles can be overcome. However, more can and needs to be done to address the risks arising from the current alert level. 2014 will therefore represent a key milestone in the implementation of the commitments made in the NPT framework by the nuclear-weapon states regarding de-alerting⁴¹.

The chairman’s factual summary states “Many States parties stressed that they remain deeply concerned at the maintenance of many nuclear weapons on a high alert level. Many States parties continued to call for reduction in the operational status of nuclear weapons and

emphasized that concrete agreed measures to reduce further the operational status of nuclear weapons systems would increase human and international security and would represent an interim nuclear disarmament step (para 22).”

The reduction in the operational alert level or de-alerting of nuclear weapons is a significantly effective measure for preventing the use of nuclear weapons by an accident or miscommunication and to reduce the role of nuclear weapons. President Obama in the early days of his administration had proclaimed that he would make efforts to reduce the operational status of nuclear weapons by negotiating with Russia, but the Nuclear Posture Review in April 2010 did not accept this position and decided to keep the high alert status as it was. It is presumed that there existed a strong opposition from the military. The reason is that reducing alert rates for ICBMs and at-sea rates of SSBMs could reduce crisis stability by giving an adversary the incentive to attack before “re-alerting” is complete.

In order to reduce the operational status it is difficult to undertake it unilaterally and the U.S. needs Russian cooperation by undertaking it bilaterally while building more confidence between them, and in addition the verification measures are also needed.

Negative Security Assurances

The U.S. announced in the 2010 Nuclear Posture Review that it would not use or threaten to use nuclear weapons against non-nuclear-weapon states that are party to the NPT and in compliance with their nuclear non-proliferation obligations. In NATO’s May 2012 Deterrence and Defense Posture Review, NATO Allies acknowledged the importance of the negative security assurances offered by the United States, the United Kingdom and France. The Allies further recognized the value that these statement can have in seeking to discourage nuclear proliferation⁴².

China has made the unequivocal commitment that it will unconditionally not use or threaten to use nuclear weapons against non-nuclear-weapon states or nuclear-weapon-free-zones⁴³. China asks the nuclear-weapon states to undertake not to be the first to use nuclear weapons at any time or under any circumstances; unconditionally not to use or threaten to use nuclear weapons against non-nuclear-weapon states or nuclear-weapons-free-zones; and to conclude relevant international legal instruments⁴⁴.

The NPDI calls upon all nuclear-weapon states to reiterate that they will not use or threaten to use nuclear weapons against non-nuclear-weapon states that are parties to the Non-Proliferation Treaty and in compliance with their nuclear non-proliferation obligations⁴⁵, and recommends that the 2015 Review Conference should (a) reiterate that, while the total elimination of nuclear weapons is the only absolute guarantee against the use or threat of use of nuclear weapons, interim measures should be considered; (b) urge all nuclear-weapon

states to respect fully their existing commitments with regard to security assurances; (c) encourage those nuclear-weapon state that have not yet done so to extend security assurances to non-nuclear-weapon states parties to the Treaty; and (d) continue the discussion of effective international arrangements to assure non-nuclear-weapon states against the use or threat of use of nuclear weapons⁴⁶.

The NAM is of the firm belief that it is the legitimate right of all non-nuclear-weapon states that, by becoming parties to the Treaty, have given up the nuclear-weapon option, inter alia, to receive effective, universal, unconditional, non-discriminatory and irrevocable legally binding security assurances against the use or threat of use of nuclear weapons. The NAM strongly calls upon the nuclear-weapon states to exclude completely the use or threat of use of nuclear weapons from their military and security doctrines. The efforts to conclude a universal legally binding instrument on effective, unconditional, non-discriminatory and irrevocable security assurances should be pursued as a matter of priority and should be materialized without further delay. While the 2010 Review Conference reaffirms the legitimate interest to receive unequivocal and legally binding security assurances, the NAM calls on the 2015 Review Conference to fully address this legitimate right as a matter of priority⁴⁷.

The Chairman's factual summary stipulates that Many States parties emphasized the need to conclude a universal, unconditional and legally binding instrument to assure non-nuclear-weapon states parties to the Treaty against the use or threat of use of nuclear weapons by the nuclear-weapon states. Many States parties called for the establishment of a subsidiary body at the 2015 Review Conference on this issue (para 29).

Recently some progress in the issue of negative security assurances is witnessed by the policy change by the U.S. and the U.K. However, the NAM states call for legally binding negative security assurances. As a first step, it is necessary for Russia and France which have not changed their policy to shift to strengthened negative security assurances. Then the negotiation on a legally binding instrument of negative security assurances would become possible.

Nuclear-Weapon-Free Zones

The U.S. believes that nuclear-weapon-free zones provide valuable regional reinforcement to the global non-proliferation regime⁴⁸, and Russia also states that generally, the establishment of nuclear-weapon-free-zones (NWFZ) is an important instrument in enhancing regional and international security as well as strengthening the nuclear non-proliferation regime⁴⁹. China expresses that it has always stood for the complete prohibition and thorough destruction of nuclear weapons and actively promoted the establishment of a world free of nuclear weapons, and China respects and supports the efforts by countries or regions concerned to establish nuclear-weapon-free zones and so far, China has signed

and ratified all existing protocols to the Nuclear-Weapon-Free-Zone Treaties opened for signature⁵⁰.

The five nuclear-weapon states, as the P5, reviewed their efforts to bring about the entry into force of the relevant legally binding protocols of nuclear-weapon-free zone treaties. They reaffirmed their view that the establishment of such zones helps to build confidence between nuclear and non-nuclear weapon states, enhances regional and international security, and reinforces the NPT and the international nuclear non-proliferation regime. They reaffirmed their readiness to sign the Protocol to the Treaty on the Southeast Asia Nuclear-Weapon-Free Zone as soon as possible. They underlined the importance of holding consultation with the States Party to the Treaty on a Nuclear Weapon-Free-Zone in Central Asia. They noted also the parallel declarations adopted by the P5 and Mongolia⁵¹.

The NPDI considers that the 2015 Review Conference should (a) urge all nuclear-weapon states to recognize the value of nuclear-weapon-free zones by taking all necessary measures to bring into force the pending protocols to the nuclear-weapon-free zone treaties, and (b) call upon all nuclear-weapon states to withdraw any reservations or interpretative declarations made to the nuclear-weapon-free zone treaties and their protocols contrary to the object and purpose of such treaties⁵².

The NAM has the firm belief that the establishment of nuclear-weapon-free zones, which is an important contribution towards the total elimination of nuclear weapons, does not substitute the legal obligation of the total elimination of nuclear weapons by the nuclear-weapon states. The NAM calls upon the nuclear-weapon states to fulfill their obligations in achieving the objectives of the treaties to establish NWFZ and their protocols. In this regard, the NAM strongly calls for the withdrawal of any related reservations or unilateral interpretative declarations that are incompatible with the object and purpose of those treaties⁵³.

The Chairman's factual summary stipulates that States parties reaffirmed their support for internationally recognized nuclear-weapon-free zones (para 66). States parties welcomed progress towards consolidating existing nuclear-weapon-free zones, including the progress towards operationalizing the African Commission on Nuclear Energy and the continuing efforts of the parties to the Treaty on the Southeast Asia Nuclear Weapon-Free Zone and the nuclear-weapon states pertaining to the Protocol to that treaty. States parties looked forward to the nuclear-weapon states signing and ratifying the Protocol to that Treaty as soon as possible. States parties looked forward to continued consultations between the nuclear-weapon states and the parties to the Treaty on a Nuclear-Weapon-Free Zone in Central Asia pertaining to the Protocol to that Treaty. Many States parties expressed concern that the reservations and interpretative declarations with respect to the protocols to the nuclear-weapon-free zone treaties had yet to be withdrawn.

The establishment of nuclear-weapon-free zones is highly evaluated by both the nuclear-weapon states and non-nuclear-weapon states as strengthening the nuclear non-proliferation regime and international and regional security. Its establishment is also recognized as a useful measure for regional non-nuclear-weapon states which establish a zone because legally binding negative security assurances are given to them.

One of the challenges to this issue is that in spite of the very positive attitude to the ratification of the protocols to the zones by the current U.S. Administration, the Senate is rather negative to it and the early ratification of the protocols can't be expected. The second challenge is that no nuclear-weapon states have signed the protocols to the two nuclear-weapon-free zone treaties. In the case of Southeast Asia, there is a high possibility that the protocol will be signed soon but in the case of Central Asia there has been almost no consultation so far. The third challenge is the reservations or interpretative declarations attached by the nuclear-weapon states which substantively negate the effect of negative security assurances and zonal states are now asking for their withdrawal.

Conclusion

General assessment of the progress in nuclear disarmament at the 2013 Preparatory Committee is that although some progress is affirmed the progress in nuclear disarmament is not good enough as many states have expected and more serious efforts by the nuclear-weapon states are needed. The U.S. is also losing its strong resolve for nuclear disarmament compared with the situation in 2009 and 2010, and other nuclear-weapon states are rather negative to nuclear disarmament. On the other hand, non-nuclear-weapon states strongly argue for nuclear disarmament through a humanitarian approach or a nuclear weapons convention. Towards the 2015 Review Conference, all states parties, in particular the nuclear-weapon states, are required to work harder for nuclear disarmament.

(Endnotes)

- 1 On the analysis of the 2010 NPT Review Conference, see Mitsuru Kurosawa, "2010 NPT Review Conference and Nuclear Disarmament," *Journal of Osaka Jogakuin University*, No. 7, March 1, 2011, pp. 67-85.
- 2 Statement by the United States (U.S.), General Debate, April 22, 2013. All statements and working papers of the preparatory committee are available at following UN web site. <http://www.un.org/disarmament/WMD/Nuclear/NPT2015/PrepCom2013/>
- 3 Statement by the Russian Federation (Russia), Cluster 1, 24 April 2013.
- 4 Statement by the United Kingdom (U.K.), Cluster 1, 24 April 2013.
- 5 Statement by France, General Debate, 22 April 2013.
- 6 Statement by China, General Debate, April 22, 2013.
- 7 Statement by the New Agenda Coalition (NAC), General Debate, 22 April 2013.

- 8 Statement by the Group of Member States of the Non-Aligned Movement (NAM), General Debate, 22 April, 2013.
- 9 Chairman's factual summary, NPT.CONF.2015/PC.II/WP.49, 3 May 2013.
- 10 Statement by NAM. (note 8)
- 11 Statement by NAC, Cluster 1, 24 April 2013.
- 12 The NPDI is a group of ten nations established at the initiative of Japan and Australia in September 2009, including Australia, Canada, Chile, Germany, Japan, Mexico, the Netherlands, Poland, Turkey and the United Arab Emirates.
- 13 Working Paper by the Non-Proliferation and Disarmament Initiative (PNDI), NPT/CONF.2015/PC.II.WP.4, 6 March 2013.
- 14 Statement by Norway, General Debate, April 23, 2013.
- 15 Joint Statement of Fourth P5 Conference, NPT/CONF.2015/PC.II/7, 23 April 2013.
- 16 Statement by the U.S. (note 2)
- 17 Joint Statement on the humanitarian impact of nuclear weapons by South Africa, General Debate, 24 April 2013.
- 18 Statement by NAM. (note 8)
- 19 Statement by NAC. (note 7)
- 20 Statement by the U.S., Cluster 1, April 25.
- 21 Statement by Russia. (note 3)
- 22 Statement by France. (note 5)
- 23 Joint Statement by P5. (note 15)
- 24 Working Paper by the U.S., NPT/CONF.2015/PC.II/WP.44, 24 April 2013.
- 25 Statement by Russia. (note 3)
- 26 Working Paper by China, NPT/CONF.2015/PC.II/WP.29, 17 April 2013.
- 27 Statement by NPDI, General Debate, 22 April 2013.
- 28 Working Paper by NAC, NPT/CONF.2015/PC.II/WP.27, 15 April 2013.
- 29 Working Paper by NAM, NPT/CONF.2015/PC.II/WP.14, 21 March 2013.
- 30 Working Paper by the U.S. (note 24)
- 31 Statement by Russia. (note 3)
- 32 Working Paper by NPDI, NPT/CONF.2015/PC.II/WP.3, 6 March 2013.
- 33 Statement by the U.S. (note 2)
- 34 Working Paper by China. (note 26)
- 35 Working Paper by NPDI. (note 13)
- 36 Working Paper by NAC. (note 28)
- 37 Working Paper by NAM, NPT/CONF.2015/PC.II/WP.15, 21 March 2013.
- 38 Working Paper by China. (note 26)
- 39 Working Paper by NAC. (note 28)
- 40 Working Paper by NAM. (note 29)
- 41 Statement by Nigeria, Cluster 1, 24 April 2013.
- 42 Working Paper by the U.S. (note 24)
- 43 Statement by China. (note 6)

- 44 Working Paper by China. (note 26)
- 45 Working Paper by NPDI. (note 13)
- 46 Working Paper by NPDI, NPT/CONF.2015/PC.II./WP.24, 11 April 2013.
- 47 Working Paper by NAM. (note 37)
- 48 Working Paper by the U.S., NPT/CONF.2015/PC.II/WP.45, 24 April 2013.
- 49 Statement by Russia, General Debates, 22 April 2013.
- 50 Statement by China. (note 6)
- 51 Joint Statement by P5. (note 15)
- 52 Working Paper by NPDI. (note 46)
- 53 Statement by NAM. (note 8)