

EXECUTIVE SUMMARY

The Middle Powers Initiative organized an Extraordinary Strategy Consultation on the Non-Proliferation Treaty (NPT) 2005 Review Conference in cooperation with former U.S. President Jimmy Carter at The Carter Center in Atlanta, January 26-28, 2005. *Atlanta Consultation II: On the Future of the NPT* involved 75 participants and observers, including high-level representatives of key governments and non-governmental expert practitioners. The Consultation was modeled after the successful *Atlanta Consultation I*, which MPI held at The Carter Center in 2000.

The important dialogue during *Atlanta Consultation II* formed the basis for MPI's recommended policy options (see Recommendations) presented herein to the states party to the NPT for their consideration.

Atlanta Consultation II was based on the initiatives of the New Agenda Coalition (NAC) and MPI's briefing paper, *Building a Nuclear Weapons-Free Future* (See Appendix B). Well-established but unfulfilled pragmatic and effective steps toward nuclear disarmament were emphasized at the Consultation. They include reducing the operational status of nuclear weapons; negotiating a fissile materials treaty; applying the principles of transparency and irreversibility to U.S.-Russian arms reduction agreements; controlling/eliminating non-strategic weapons held by the United States and Russia; establishing a body in the Conference on Disarmament (C.D.) to deal with nuclear disarmament; and bringing the Comprehensive Test Ban Treaty (CTBT) into force.

The entire nuclear non-proliferation regime is under stress from the policies and doctrines of the nuclear weapon states and from attempts by more states to go nuclear. As President Carter said at the opening plenary, "*It is disturbingly obvious that there has been no improvement over the situation as it was described in our previous meeting. In fact, proliferation and the behavior of the nuclear weapon states with regard to disarmament have worsened over the past five years.*"

The Consultation noted how shocking it is that, after three two-week meetings of the Preparatory Committee, an Agenda for the Review Conference has not yet been agreed upon. It is improper for any state to obstruct the setting of an Agenda and attempt to go forward without recognizing the results of the 1995 and 2000 Review Conferences. The Agenda for 2005 must refer to the specific matters of substance as well as the resolution on the Middle East adopted in 1995, and also the outcome of the 2000 Review Conference, including developments affecting the operation and purposes of the Treaty.

The President-designate of the Review Conference has a right to expect support from the parties on this issue. Lack of an agreed agenda may block the work of the Conference and precipitate a long and fruitless discussion, preventing meaningful debate on the substantive issues. Different parties have different views on what would constitute a successful Conference. All parties agree, however, that the Conference should strive to preserve and strengthen the credibility of the Treaty so that it can be effective and lasting.

MPI calls on all governments to assert in public declarations—prior to the 2005 Review Conference—the integrity of the strengthened review process decided upon in 1995 and enhanced

in 2000. Any reopening of the debate on commitments agreed upon at the Review Conferences since 1995 would invariably lead to an undermining of the Treaty. It is of utmost importance for the review process to continue from the point of the 13 Practical Steps arrived at by consensus in 2000 and move forward from there.

A successful outcome is linked to the ability of the Review Conference to address equally every aspect of the Treaty. The strengthening of the commitments contained in the NPT regarding nuclear non-proliferation and nuclear disarmament should be done in a balanced way. Reinforcement of non-proliferation provisions should be carried out along with a stronger adherence to the commitment to nuclear disarmament contained in Article VI.

A key issue is how to preserve the integrity and credibility of the Treaty in face of recent doubts about compliance and of withdrawn support from political commitments accepted in previous Review Conferences. Lack of trust in the fulfillment of non-proliferation obligations and backtracking from previous disarmament commitments only erodes the credibility of the Treaty.

On the disarmament side of the equation, agreement is within reach on a program of work in the Conference on Disarmament encompassing commencement of negotiations on a fissile materials treaty and establishment of a body to deal with nuclear disarmament. It is vital to finally and definitively overcome the deadlock that has stalemated the C.D. for years, prior to or at the Review Conference. Doing so in advance of the Conference would greatly enhance prospects for a cooperative outcome.

The present crisis regarding compliance with non-proliferation obligations by North Korea, and to a lesser extent Iran, points to the obvious need to ensure that the safeguards and verification system provided for in Article III works effectively. In light of recent episodes that gave rise to accusations of lack of compliance, there is a need to strengthen the non-proliferation provisions of the Treaty. Adherence to the Additional Protocol on Safeguards should become a universal standard for compliance with non-proliferation obligations and treatment as a member in good standing of the NPT with access to nuclear fuel.

A more far-reaching non-proliferation-related proposal has come from IAEA Director-General Mohamed ElBaradei, who called for *"working towards multilateral control over the sensitive parts of the nuclear fuel cycle—enrichment, reprocessing, and the management and disposal of spent fuel."* The matter is extremely sensitive. Non-nuclear weapon states regard access to technology as their right under Article IV of the NPT. However, it was understood from the beginning of the nuclear age that the spread of nuclear technology, especially the means of producing fuel for nuclear reactors, would also provide the foundation for nuclear weapons programs. For reasons of effectiveness, legitimacy, and promotion of global norms generally, states should seriously consider proposals for multilateral controls.

RECOMMENDATIONS

The Middle Powers Initiative recommends the following policy options to states party to the Nuclear Non-proliferation Treaty (NPT) for their consideration:

1. A successful outcome of the Review Conference depends on its ability to address equally every aspect of the Treaty. The strengthening of the commitments contained in the NPT regarding nuclear non-proliferation and nuclear disarmament should be done in a balanced way.
2. The Review Conference must refer to the substance of the consensus decisions from the 1995 and 2000 Conferences, including the 13 Practical Steps adopted in 2000 and the Resolution on the Middle East adopted in 1995.
3. The United States and Russia should build upon their progress in the Moscow Treaty by applying the principles of transparency, irreversibility, and verification to reductions under the Treaty, and by negotiating further deep, verified, and irreversible cuts in their total arsenals, encompassing both warheads and delivery systems.
4. Russia and the United States should engage in a wider process of control of their non-strategic weapons, through formalization and verification of the 1991-1992 initiatives, transparency steps, security measures, U.S. withdrawal of its bombs deployed on the territories of NATO countries, and commencement of negotiations regarding further reduction/elimination of non-strategic weapons.
5. Nuclear weapon states should implement their commitment to decreasing the operational readiness of nuclear weapons systems ("de-alerting") by planning and executing a program to stand down their nuclear forces, culminating in a global stand-down by the 2010 Review Conference.
6. Nuclear weapon states should further implement their commitment to diminishing the role of nuclear weapons in their security policies by not researching or developing modified or new nuclear weapons and by beginning negotiations on a legally-binding instrument on the non-use of nuclear weapons against non-nuclear weapon states party to the NPT.

7. States should begin and rapidly conclude negotiations on a treaty banning the production of fissile materials for nuclear weapons in accordance with the 1995 statement of the Special Coordinator and the mandate contained therein, with the understanding that negotiations can and should address a range of issues, including dealing with existing military materials. As soon as possible a technical advisory panel should be created to assist with issues regarding verification of the treaty. In addition, states should work to develop a global inventory of weapons-useable fissile materials and warheads, and the nuclear weapon states should accelerate placing their "excess" military fissile materials under international verification. States should seriously consider proposals to ban production of all weapons-usable fissile materials, and to establish multilateral controls on uranium enrichment and plutonium reprocessing technology and a moratorium on supply and acquisition in the meantime.

8. Adherence to the Additional Protocol on Safeguards should become a universal standard for compliance with non-proliferation obligations and treatment as a member in good standing of the NPT with access to nuclear fuel.

9. Prior to or at the Review Conference, a firm agreement should be reached on a program of work in the Conference on Disarmament that includes a subsidiary body to deal with nuclear disarmament. Achieving such an agreement in advance would greatly enhance the prospects for a cooperative outcome to the conference. Should it not prove possible to overcome the deadlock on a program of work, alternative venues should be pursued.

10. The Comprehensive Test Ban Treaty should be brought into force at an early date. In the meantime, states should continue to observe the moratorium on nuclear testing, fund the Preparatory Commission for the Comprehensive Test Ban Treaty Organization, and support completion of the International Monitoring System.

11. States should use the opportunity provided by the NPT review process to build upon the 13 Practical Steps to undertake deeper consideration of the legal, political and technical requirements for the elimination of nuclear weapons, in order to identify steps that could be taken unilaterally, bilaterally, and multilaterally that would lead to complete nuclear disarmament. The United Kingdom's initiative on verification, the New Agenda Coalition's proposals on security assurances and the strengthening and expanding of Nuclear Weapon Free Zones are positive examples in this regard. Such consideration should include the investigation of means to enhance security without relying on nuclear weapons.