

Summary of U.S. Implementation of the “13 Practical Steps on Nonproliferation and Disarmament” Agreed to at the 2000 NPT Review Conference

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In 1995 and 2000, when the nuclear Nonproliferation Treaty (NPT) was under review, the nuclear-weapon states and non-nuclear-weapon states recognized that to preserve the objective of global nuclear nonproliferation, the nuclear-weapon states needed to reiterate and update their NPT Article VI disarmament commitments. On the basis of their May 1995 agreement to strengthen the treaty review process and pursue specific principles and objectives for nuclear nonproliferation and disarmament, the nuclear and non-nuclear NPT states-parties reached consensus to indefinitely extend the NPT. In May 2000, the nuclear-weapon states reaffirmed this approach by agreeing to a 13-point program of action on disarmament steps re-

lated to Article VI. This month, as delegates from over 100 states gather in New York for the first meeting on the NPT since the 2000 review conference, they will find that very little progress has been achieved toward these and other nuclear security objectives.

For an overview of the NPT, see www.armscontrol.org/factsheets/nptfact.asp. For the full text of the 2000 NPT review conference final document, see www.armscontrol.org/act/2000_06/docjun.asp.

The following are the 13 "practical steps" outlined in the 2000 NPT review conference final document (shown in italics) and a brief analysis of progress made toward their implementation.

1. Comprehensive Nuclear Test Ban Treaty

The importance and urgency of signature and ratification, 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.

- Opened for signature in 1996, the Comprehensive Test Ban Treaty (CTBT) prohibits all nuclear weapon test explosions. For the treaty to enter into force, 44 countries designated as "nuclear-capable states" must ratify the agreement. Of those 44, three—India, Pakistan, and North Korea—have not signed the treaty and another ten, including the United States and China, have signed, but not ratified, the accord. Although 34 countries—including Russia and Ukraine, two of the 44 nuclear-capable states—completed treaty ratification since the 2000 NPT review conference, the treaty is unlikely to enter into force soon, particularly since the Bush administration has said it does not plan to ask the Senate to reconsider its October 1999 rejection of U.S. ratification of the treaty.

2. Nuclear Test Moratorium

A moratorium on nuclear weapon test explosions or any other nuclear explosions pending entry into force of that Treaty.

- No country has tested a nuclear weapon since India and Pakistan conducted their nuclear tests in May 1998. While the Bush administration claims it does not foresee a need to conduct a

nuclear test in the near term, it has also not ruled out future U.S. nuclear testing. A congressionally established panel recommended in March 2002 that the United States reduce to between three months and one year the amount of time needed to prepare for and conduct a nuclear test after a decision to do so. Current U.S. test readiness is a two to three year period. The Bush administration has asked Congress to fund work to study modifying existing U.S. nuclear weapons for new military missions, which the administration claims would not require nuclear testing. And the administration has also expressed interest in developing new types of nuclear weapons, which would likely require nuclear tests.

3. Fissile Material Cutoff Treaty

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.

- A 66-member body that works by consensus, the Conference on Disarmament (CD) has not started negotiations on a fissile material cutoff treaty, which would ban production of highly

enriched uranium and plutonium for weapons purposes. Member countries, including the United States and Russia, are considering a work program proposal that would include establishing a CD ad hoc committee to negotiate such a treaty, but China does not support the proposal because it does not include parallel negotiations on the prevention of an arms race in outer space. The United States opposes negotiations on outer space, although it would be willing to discuss, not negotiate on, the subject. This standoff has stalemated the conference, which has not held any treaty negotiations except for a couple of weeks in August 1998, since the CD completed the Comprehensive Test Ban Treaty in 1996.

4. Nuclear Disarmament Discussions

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 current work program proposal under consideration by the CD to negotiate a treaty banning production of fissile material also includes setting up a CD subsidiary body to "exchange information and views" on practical steps toward nuclear disarmament. While many conference members favor negotiations on the issue, it is clear that they would be willing to accept the current offer to hold talks on the subject. This proposal, if eventually approved, would satisfy the NPT review conference's call "to deal with," not negotiate on, the issue of nuclear disarmament. However, beginning such talks hinges on the conference finding an acceptable approach to addressing the outer space issue.

5. Irreversibility of Nuclear Reductions

The principle of irreversibility to apply to nuclear disarmament, nuclear and other related arms control and reduction measures.

- In its latest proposal on a "legally binding agreement" to reduce U.S. and Russian nuclear arms to 1,700-2,200 deployed strategic warheads each by 2012, the Bush administration has rejected the principle of irreversibility in favor of flexibility. Briefing reporters in Geneva on March 22, U.S. Undersecretary of State for Arms Control and International Security John Bolton said the United States wants the final U.S.-Russian agreement to include a mechanism that would permit either country to exceed agreed limits on the number of deployed strategic warheads if they notified the other. In addition, the Bush administration is now planning to store rather than destroy most of the warheads removed from delivery vehicles. In keeping with this plan, the Bush administration will keep enough warheads in a "responsive force" to enable the United States to deploy an additional 2,400 strategic nuclear weapons within a three-year period after completing the reductions called for by the proposed U.S.-Russian agreement. While past strategic reduction agreements between the two countries did not require the destruction of actual warheads, the agreements did call for destruction of delivery vehicles. Presidents Bill Clinton and Boris Yeltsin agreed in March 1997 to pursue "measures relating to...the destruction of strategic nuclear warheads," as part of a START III framework. The Bush administration does not support such an approach in the current talks with Russia.

6. Elimination of Nuclear Arsenals

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.

- At the 2000 NPT review conference, the nuclear-weapon states pledged themselves unequivocally to the ultimate elimination of nuclear weapons. Under Article VI of the NPT, nuclear-weapon states are legally bound "to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a Treaty on general and complete disarmament under strict and effective international control." Mexican Ambassador Antonio de Icaza heralded the 2000 NPT statement, declaring, "What has always been implicit has now become explicit."
- Bush administration officials contend that the United States supports the NPT and that "it understands its special responsibility under Article VI." At the upcoming meeting, U.S. officials will likely highlight President Bush's effort to secure an agreement to reduce U.S. and Russian strategic deployed nuclear arsenals to no more than 2,200 by 2012. However, the administration plans to store most of the warheads rather than destroy them in future strategic reductions that are currently being discussed with Russia, moving Washington away from the weapons-elimination pledge. In addition, the recently completed U.S. nuclear posture review projects that the United States will retain nuclear weapons for the indefinite future. China also reportedly has a strategic modernization effort underway to expand the size of its current nuclear arsenal.

7. The START II, START III, and ABM Treaties

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 reductions of strategic offensive weapons, in accordance with its provisions.

- The Bush administration has taken actions that are in direction opposition to the above-stated goals. By pursuing an agreement with Russia to reduce deployed strategic nuclear warheads to a level of 1,700-2,200 apiece, the United States has signaled it will not seek entry into force of the START II treaty or to negotiate a START III treaty as outlined by then-Presidents Bill Clinton and Boris Yeltsin in March 1997. In setting the START process aside, the United States and Russia will not be obligated to give up multiple warheads (MIRVs) on missiles, as called for by START II, and the United States is not seeking actual destruction of warheads as proposed under the START III framework.
- After pledging to offer Russia amendments to modify the Anti-Ballistic Missile (ABM) Treaty during the 2000 presidential campaign, President George W. Bush did not do so, and he announced on December 13, 2001 his intention to withdraw from the treaty, which prohibits Washington and Moscow from building nationwide strategic missile defense systems. Unless President Bush decides to reverse his decision, the U.S. withdrawal from the ABM Treaty will occur on June 13 and the treaty will no longer be in force.

8. Securing Excess Nuclear Material

The completion and implementation of the Trilateral Initiative between the United States of America, the Russian Federation and the International Atomic Energy Agency.

- Started in 1996 between the United States, Russia, and the International Atomic Energy Agency (IAEA), the Trilateral Initiative seeks to develop methods for the IAEA to secure and verify the peaceful status of excess weapons-grade nuclear material in the United States and Russia. Progress has been made in developing technical criteria and other arrangements for a model verification system, and both Washington and Moscow have already identified at which storage facilities the IAEA will monitor their respective excess plutonium, ensuring it is not returned to military use. Still unresolved are issues over the scope of the verification system, exact specifications for material subject to verification, and the duration of the verification measures.

9. Other Nuclear-Weapon States' Actions

Steps by all the nuclear-weapon States leading to nuclear disarmament in a way that promotes international stability, and based on the principle of undiminished security for all:

—Further efforts by the nuclear-weapon States to reduce their nuclear arsenals unilaterally

- The Bush administration originally proposed that U.S.-Russian deployed strategic warhead reductions be undertaken unilaterally, but Russia has insisted they be accomplished through a legally binding, bilateral agreement. On February 5, 2002 Secretary of State Colin Powell endorsed this general approach, which President Bush later affirmed. Since the 2000 NPT review conference, no nuclear-weapon state has reduced its arsenal, and China is actually pursuing a strategic modernization program that the U.S. intelligence community recently said could result in an increase in the number of warheads China deploys on long-range ballistic missiles, from approximately 20 today to 75 to 100 by 2015.

—Increased transparency by the nuclear-weapon States with regard to the nuclear weapons 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 United States and Russia have pledged that their planned deployed strategic nuclear reductions will be done in a transparent and verifiable way, although they have not yet reached agreement on the details.

—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

- On September 27, 1991, President George H. W. Bush announced that the United States would eliminate all of its ground-launched nonstrategic nuclear weapons and withdraw all of its tactical nuclear weapons from U.S. naval ships and submarines, as well as all nuclear weapons associated with land-based naval aircraft. He also asked Soviet leaders to reciprocate, which

the Kremlin pledged to do on October 5, 1991. While it is believed that Moscow followed through on withdrawing its deployed tactical nuclear weapons to Russia, these actions have not been verified. Currently, the United States deploys approximately 1,700 nonstrategic nuclear weapons, while Russia deploys an estimated 3,600 and retains several thousand more nondeployed tactical nuclear weapons.

- Russia dismissed allegations in early 2001 that it had deployed tactical nuclear weapons in its Kaliningrad Oblast, which sits on the Baltic Sea between Poland and Lithuania. The United States still deploys some 200-600 tactical nuclear gravity bombs in seven European countries as part of its NATO obligations. In its April 1999 strategic concept, NATO described the nuclear forces based in Europe as "an essential political and military link between the European and North American members of the Alliance."
- While the proposed 1997 START III framework called for Moscow and Washington to explore measures on tactical nuclear weapons, neither the United States nor Russia has made the issue a priority.

—Concrete agreed measures to further reduce the operational status of nuclear weapons systems

- While campaigning for president in May 2000, Bush said the United States "should remove as many weapons as possible from high alert, hair-trigger status." Bush's stated goal of reducing the number of operationally deployed strategic nuclear warheads by 2012 will effectively reduce the alert status of a large portion of the U.S. arsenal, although the administration has indicated that many of the warheads scheduled for retirement could be redeployed within "weeks" or "months." The U.S. military is considered capable of launching thousands of nuclear warheads within minutes of being informed of a decision to do so by the president. Russia is believed to have a similar capability.

—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 Bush administration claims that its January 2002 nuclear posture review seeks to reduce U.S. dependence on nuclear weapons, but the posture review asserts that nuclear weapons are needed to assure U.S. allies of U.S. security commitments; to dissuade hostile countries from pursuing weapons of mass destruction capabilities; to deter enemies from attacking U.S. territory, forces, or friends and allies; and to defeat adversaries decisively. The nuclear posture review also calls for new nuclear weapon capabilities to attack hard and deeply-buried targets, to attack mobile and relocatable targets, to defeat chemical and biological weapons agents, and to improve accuracy and limit collateral damage. With its emphasis on preserving flexibility in sizing its nuclear forces and refurbishing and revitalizing the U.S. nuclear infrastructure, the Bush administration is signaling that nuclear weapons are considered essential and that the United States intends to keep them long into the future.

- State Department spokesman Richard Boucher reiterated past U.S. negative security assurance pledges in a statement made on February 22, 2002, in which he said, "The United States reaffirms that it will not use nuclear weapons against non-nuclear-

weapon state-parties to the Treaty on the Nonproliferation of Nuclear Weapons, except in the case of an invasion or any other attack on the United States, its territories, its armed forces or other troops, its allies, or on a state toward which it has a security commitment carried out, or sustained by such a non-nuclear-weapon state in association or alliance with a nuclear-weapon state."

- The credibility of this pledge was undermined, however, by subsequent statements by administration officials responding to reports about the nuclear posture review. On March 22, Secretary of State Powell said, "For those nations that are developing these kinds of weapons of mass destruction, it does not seem to us to be a bad thing for them to look out from their little countries and their little capitals and see a United States that has a full range of options...to defend the United States of America, the American people, our way of life, and our friends and allies."
- In recent years, Russia has also underscored an increasing reliance on its nuclear forces as compensation for its declining conventional force capabilities, and China has a strategic modernization plan underway.

—*The engagement as soon as appropriate of all the nuclear-weapon States in the process leading to the total elimination of their nuclear weapons*

- The United States and Russia have thus far confined their negotiations on nuclear weapons reductions to themselves. Other nuclear-weapon states have indicated that they will not enter into such talks until the U.S. and Russian arsenals drop to a level comparable with theirs, which each remain in the low hundreds.

10. Excess Fissile Material

Arrangements by all nuclear-weapon States to place, as soon as practicable, fissile material designated by each of them as no longer required for military purposes under IAEA or other relevant international verification and arrangements for the disposition of such material for peaceful purposes, to ensure that such material remains permanently outside of military programmes.

- The United States, Russia, and the IAEA are working on developing a model verification regime for the storage of fissile material declared in excess to security needs. This agreement, called the Trilateral Initiative, would safeguard fissile material to ensure that it is not used for military purposes. Additionally, Washington and Moscow are continuing their "HEU Deal," under which a private company in the United States purchases Russian fissile material for use in U.S. power reactors. Under the Cooperative Threat Reduction program, the United States is also helping Moscow safely secure fissile material located in Russia. Additionally, the Bush administration announced on January 23 that it would continue implementing a U.S.-Russian agreement that would make 34 metric tons of military plutonium in each country unusable for weapons purposes.
- Although France and Britain have committed not to produce additional fissile material, they have not come to agreement on the disposition of their stockpiles and have not engaged the IAEA in securing their respective excess material. China, which

has a strategic modernization program under way that U.S. intelligence estimates say could substantially increase the number of deployed Chinese warheads, may actually be increasing its stockpile of weapons-grade fissile material.

11. General and Complete Disarmament

Reaffirmation that the ultimate objective of the efforts of States in the disarmament process is general and complete disarmament under effective international control.

- While progress in nuclear disarmament has been slow, efforts to eliminate chemical, biological, and conventional weapons have also been dragging. The United States in July 2001 rejected a draft verification protocol to the Biological Weapons Convention and five months later called for the international community to abandon the existing process to strengthen the accord. A number of countries are believed to have or are pursuing chemical and biological weapons programs. And the total value of the global conventional arms trade has increased over the past three years to total \$36 billion in new arms agreements in 2000, according to an August 2001 Congressional Research Service report.

12. Regular Reports on Disarmament Progress

Regular reports, within the framework of the NPT strengthened review process, by all States parties on the implementation of Article VI and paragraph 4 (c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament," and recalling the Advisory Opinion of the International Court of Justice of 8 July 1996.

- This statement at the NPT review conference marked the first time that the nuclear-weapon states committed to regular reporting on their implementation of Article VI. Since 1995, all five nuclear-weapon states have voluntarily provided reports on their progress toward implementing nuclear disarmament obligations. The 2002 meeting is expected to yield an agreement on how official reporting should be carried out.

13. Verification

The further development of the verification capabilities that will be required to provide assurance of compliance with nuclear disarmament agreements for the achievement and maintenance of a nuclear-weapon-free world.

- Verification is one of the most crucial aspects of international arms control and disarmament treaties. In recent years, NPT states-parties have sought to strengthen safeguards through a proposal called the "93+2 Program." Created in response to the IAEA's inability to detect Iraqi and North Korean clandestine nuclear weapons programs, the proposal seeks to increase transparency among member states and employ newly developed verification techniques, such as environmental sampling, while substantially shortening the time period required before an inspection could take place. These provisions were intended to be in place by 1995, but many were delayed, causing them to be divided into two parts. With regard to the first part, the IAEA has adopted no-notice inspections and environmental sampling as part of its verification measures. The second part

requires countries to approve the Additional Safeguards Protocol, which calls for increased IAEA inspection authority, greater transparency, and exchanges of information among member-states. To date, 61 countries, including all of the nuclear-weapon states, have either signed the additional protocol or come to agreement with the IAEA over the protocol.

- The Comprehensive Test Ban Treaty is effectively verifiable through a treaty-sanctioned global monitoring and verification system as well as national intelligence means and civilian seismic detection networks. However, the treaty has not yet entered into force, and the preparatory commission for the CTBT Organization (CTBTO) is working to establish an international monitoring system (IMS) to detect any nuclear tests and explosions. Despite the United States' lack of support for the CTBT, the United States continues to pay 95 percent of its annual dues to the CTBTO to support the establishment of the IMS. However, the United States declared in August 2001 that it would not provide financial or technical support for on-site inspections related to the treaty.
- U.S. and Russian reductions under the START I treaty have been recently completed and fully verified under a system of intrusive inspections and information exchanges. The United States and Russia have said that they would like to use START I verification provisions to verify compliance with the strategic arms agreement currently under negotiation, although a senior U.S. official recently said the United States has offered suggestions to reduce the "burdensomeness of some of the inspections." START I is due to expire in 2009 unless extended by the treaty parties.