

Trilateral Nuclear Dialogues: Toward a Common P3 Approach on Nuclear Non-Proliferation, Energy Use, Disarmament and Material Security

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Introduction

1. Confronted by the heightened threat of proliferation, nuclear terrorism, and challenges to the integrity of the non-proliferation regime, the international community is faced with a difficult dilemma. There are those who believe that more rapid progress by the nuclear weapon states towards a world free of nuclear weapons is the only way to generate further progress against proliferation. Others view disarmament actions confined to the nuclear weapon states without parallel measures by the international community as a whole to promote wider global security and stability, as reducing security – not strengthening it. The former fear the rapid multiplication of nuclear armed states and groups. The latter fear the undermining of deterrence and the emergence of a world made safe only for conventional conflict and interstate rivalry. Providing leadership in this difficult political context will require the United States, the United Kingdom and France to achieve unprecedented levels of cooperation and collaboration. Establishing a unified P3 approach well in advance of the May 2010 Nuclear Non-Proliferation Treaty (NPT) Review Conference (RevCon) will help ensure P3 leadership in strengthening the non-proliferation regime and creating the conditions for a safer world and a world without nuclear weapons.

2. Based on the belief that a common and coordinated approach is in the best interests of our three countries, the undersigned have built a U.S.-U.K.-French “Track 2” consensus on a set of interrelated nuclear issues at the strategic (shared assumptions and objectives) and broad policy (common agenda) level and on several specific initiatives and tactics for pursuing such a common trilateral approach. This non-paper from the Center for Strategic and International Studies (CSIS) Track 2 Trilateral Nuclear Dialogues is based upon discussions in London (2-3 April 2009), Paris (22-23 June 2009) and Washington (8-9 October 2009). It develops a shared set of assumptions and a number of pragmatic policy goals and initiatives to focus on over the next three years among the P3 and, we hope, more broadly.

Shared Assumptions and Objectives

3. The global effort to prevent further nuclear proliferation is facing new, persistent, and worsening challenges:

- Withdrawal from the treaty (North Korea), others might follow
- Noncompliance with the treaty (i.e. Iran and Syria)

- The risk of further proliferation if the above challenges are not resolved
- Non-state actors seeking nuclear and/or radiological weapons and/or materials (e.g. there are about 50 tons of highly enriched uranium at civilian nuclear facilities in more than 40 countries, some of it poorly protected)
- The increased risk of proliferation associated with the likely expansion of nuclear energy

4. The NPT nuclear weapon states are also permanent members of the United Nations Security Council, and bear special responsibilities on both accounts. In this regard, significant progress is being made toward the objective of nuclear disarmament. On 24 September 2009, the UN Security Council unanimously approved a resolution spelling out 28 measures intended “to create conditions for a world without nuclear weapons.” The Cold War nuclear arms race between the United States and Russia is over, the moratorium on testing nuclear weapons has been in effect for the P5 for more than 13 years, and global nuclear inventories are coming down sharply. The P3 disarmament record has been impressive: by 2012, the United States will have reduced its nuclear stockpiles by 75 percent of the level of 1990; France has reduced the number of its warheads by 50 percent since the height of the Cold War and has eliminated its land-based missiles; the United Kingdom has reduced the explosive power of its nuclear arsenal by 75 percent since the end of the Cold War and reduced the number of its operationally available warheads to no more than 160. Russia, too, has sharply cut back its strategic nuclear forces, reducing from approximately 12,000 to 3,900 since 1987 (although it still deploys a large arsenal of non-strategic nuclear forces). In July 2009, the United States and Russia announced preliminary agreement to a follow-on treaty to the Strategic Arms Reduction Treaty (START) and are working to complete negotiations by December 2009, when START expires. Of the NPT nuclear weapon states, only China continues to build up its nuclear forces.

5. Despite this, a number of non-nuclear weapon states tend to undervalue this progress on disarmament and accordingly question fulfilling existing non-proliferation obligations or taking on new ones until the P5 take greater measures to eliminate their nuclear arsenals. There is also insufficient recognition of the danger posed by further proliferation to the goal of a safer world and a world without nuclear weapons. As a result, representatives of the P3 and their friends should actively communicate their disarmament achievements in the capitals of non-nuclear weapon states. They should also note that the NPT, including Article VI, obliges all states, not just the nuclear weapon states, to create the conditions necessary for its implementation. Preventing further nuclear proliferation, enabling the peaceful use of nuclear energy, pursuing nuclear disarmament and securing all nuclear weapons and material are global efforts that impose responsibilities on all states, each of which must be accountable for its actions.

6. In order to meet growing nuclear challenges and enable the expansion of the peaceful use of nuclear energy consistent with non-proliferation aims, we, the undersigned, believe that the

nuclear non-proliferation regime has to be strengthened and broadened in its implementation. The United States, United Kingdom and France should be united in their determination to be (and be perceived as) international leaders in fortifying the non-proliferation regime and ensuring compliance with non-proliferation commitments by strengthening the rule of law. The May 2010 NPT RevCon offers an important opportunity to make significant progress in this regard. We also believe that it is important to reach out to Russia and China to extend the consensus on nuclear non-proliferation, peaceful uses of nuclear energy, disarmament, and material security and to strive for P5 agreement--but that consensus should not come at the expense of P3 unity and commitment.

7. The P3 recognize that their individual national policies play significant roles in supporting nuclear non-proliferation. The U.S. system of extended deterrence is central to regional stability and is a key factor in the calculation of many non-nuclear weapon states, as the U.S. nuclear umbrella eliminates their individual need for nuclear weapons. Similarly, the British and French nuclear forces play complementary roles in providing deterrence and assurance. In addition to their role in inhibiting proliferation, the P3's nuclear arsenals will continue to preserve international stability as long as nuclear weapons exist. The P3 recognize that the effort to seek a safer world for all and to create the conditions for a world without nuclear weapons should be based on the principle of undiminished security for all.

A Common Policy Agenda

8. The policy agenda for strengthening the non-proliferation regime is quite broad and includes many important initiatives, such as the Proliferation Security Initiative (PSI), gaining universal adherence to non-proliferation norms, P5 security assurances, Nuclear Weapon-Free Zones, United Nations Security Council Resolution 1540 and stronger export controls. However, the undersigned believe that the P3 should focus a unified effort on selected, critically important nuclear challenges and opportunities, because significant success on a limited number of issue areas is more important than marginal success on a broader set of issues. Moreover, P3 success on a select set of policies and initiatives will expand over time to include other issue areas, as the success achieved through collaboration and cooperation in one area creates momentum in others.

9. The undersigned believe that States Parties to the NPT should focus over the next 3 years on the four broad policy goals below:

- Even as the P3 nations work intensively, both in cooperation with Russia and China and with other key nations, to obtain agreement from North Korea that it give up its nuclear arms and prevent Iran from developing nuclear weapons, it is also critical to address the weaknesses in the NPT regime that enabled North Korea to withdraw and test a nuclear weapon and Iran to persist in its nuclear ambitions by violating Security Council

resolutions for a number of years. It is unacceptable for states to use the knowledge and technologies gained as members of the NPT to pursue nuclear weapons. **Therefore, the P3 should work to strengthen the NPT regime by effectively enforcing existing rules aimed at preventing proliferation and establishing more robust enforcement and compliance mechanisms and an empowered International Atomic Energy Agency (IAEA).**

- The successful conclusion to the negotiations of a START follow-on treaty, and its ratification by the United States and Russia, would provide the foundation for yet another round of U.S.-Russian arms control negotiations leading to additional bilateral reductions. The successful conclusion of this second new bilateral treaty could lead to multilateral talks involving all states possessing nuclear weapons, who would address how to create the conditions for a world free of nuclear weapons. In addition, the Comprehensive Nuclear Test-Ban Treaty (CTBT) was opened for signature in 1996 and has been ratified by 150 countries. The ratification of the CTBT by the U.S. and China could create the conditions that would lead the other seven requisite countries to ratify in order for it to enter into force. **Therefore, the U.S. and Russia should pursue reductions in nuclear inventories; and the U.S. and China should help formalize the moratorium on nuclear testing by ratifying the CTBT.**
- The NPT “grand bargain” establishes that non-nuclear weapon states have the right to develop research, production and use of nuclear energy for peaceful purposes. **Therefore, the P3 should enable each nation so desiring and in good standing with the NPT to pursue nuclear energy in a manner which does not increase the risk of nuclear weapons proliferation.**
- The continuing risk of nuclear terrorism makes nuclear material security an urgent imperative. Reducing the risk of nuclear terrorism by preventing non-state actors from acquiring nuclear weapons and special nuclear material (SNM) will require enhanced levels of cooperation and would help strengthen the non-proliferation regime. **Therefore, the P3 should work with the international community to ensure that global inventories of nuclear weapons and SNM are provided the highest levels of security and accounting.**

Specific Initiatives and Tactics

10. We recommend the following specific initiatives to support the four broad policy goals:

- **Strengthening the non-proliferation regime.** The P3 should work to:
 - Establish the Additional Protocol as the universal standard for verifying compliance with the NPT and as a condition for nuclear supply

- Clarify procedures for withdrawal from the NPT by requiring both a justification to the Security Council that a state's supreme national interests are threatened and a special inspection before withdrawing
- Establish significant penalties for states that abuse the NPT right of withdrawal
- Strengthen NPT compliance by urging the IAEA to make full use of its competencies, authorizing the Director General to report directly to the United Nations Security Council and increasing the IAEA's authority to conduct inspections (including areas that are suspected of weapons development even if there is no presence of nuclear materials)
- Increase IAEA resources and strengthen its management by 2011, in particular to focus efforts on developing and implementing regimes to counter proliferation risks from civil use of nuclear technology
- **Pursuing disarmament.** The P3 should encourage:
 - Successful conclusion of the follow-on START negotiations by December 2009
 - States possessing nuclear weapons to declare the size of their nuclear weapons stockpiles and to commit not to increase those stockpiles as of the commencement of the May 2010 RevCon
 - U.S. and Russian ratification of the follow-on START treaty by May 2010
 - Negotiation of a further U.S.–Russian treaty providing for additional reductions in nuclear weapons (to include non-strategic and non-deployed nuclear weapons)
 - U.S. and Chinese ratification of CTBT by December 2010 and the other seven states needed for entry into force by 2012
 - States to conclude the negotiation of a FMCT by 2015 but immediately both halt the production of fissile material for weapons purposes and establish a formal moratorium codifying that halt
 - Development of the ability to verify low levels (and ultimate elimination) of nuclear weapons. This effort should involve cooperative research among the P3 (and the P5, if possible), with appropriate involvement of the non-nuclear weapon states
- **Providing for the peaceful use of nuclear energy.** The P3 should work to:
 - Establish an international system of fuel assurance by 2011
 - Provide for assured return of spent nuclear fuel by 2012
 - Establish an international nuclear energy fund, perhaps under the IAEA, to provide financing to eligible nations for proliferation-resistant nuclear energy projects
 - Develop new proliferation-resistant technologies for producing nuclear energy
 - Limit the spread of enrichment and reprocessing technology, including through adoption of NSG guidelines strictly controlling the supply of such technologies to countries that don't currently have them

- **Rapidly secure global nuclear inventories.** In order to reduce the threat of global terrorism, the P3 should work with the international community to:
 - Establish by December 2010 an IAEA-administered Global Nuclear Database consisting of comprehensive inventory of SNM (to include samples) to serve as the basis for nuclear forensics
 - Develop an international forensics capability and verification and detection technology, first in the P3 and then in cooperative programs with Russia and China, if feasible
 - Establish transparency measures on stockpiles of nuclear weapons among the P5 and then globally
 - Strengthen the Convention on Physical Protection of Nuclear Materials in order to increase the effectiveness of international standards for securing SNM
 - Provide assistance to all states possessing nuclear material to enable them to achieve and maintain the highest levels of nuclear security
 - Foster the exchange of best security practices among all states possessing nuclear material and separately among those states possessing nuclear weapons

11. Significant progress on this selected set of initiatives, which is more likely if the P3 focus their unified efforts on them, will lay the foundation for a broader, sustained non-proliferation and disarmament effort and for a safer world. The undersigned believe the upcoming May 2010 NPT RevCon represents an important opportunity. However, success at the RevCon should not be measured by the adoption of a “final document” but by progress in each of the four initiatives described above. To this end, the P3 should prepare and follow a Common Agenda through a coordinated strategy that advances that agenda as soon as possible in capitals and involves frequent P3 consultations with each other in the run-up to NPT RevCon. However, the campaign to stop further proliferation and secure all nuclear material during the transition to a world free of nuclear weapons is a generational effort that requires us all to think well beyond the May 2010 event.

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