



P U B L I C S T A T E M E N T

Proposals for the EU policy to the 2010 NPT Review Conference

Brussels, 12 March 2010

There are no victories in human history without their element of tragedy. Victory in human affairs always means that someone has lost. And this usually means that life or welfare, hope or security has been lost. But sometimes the victory has been gained at the price of such violence that we have to say that everyone has lost. Those who have won the conflict have lost some dimension of their own life, their own welfare and integrity.

The Archbishop of Canterbury in a remembrance service in Nagasaki, November 2009.

A world without nuclear weapons: hope without illusions

The General Assembly of the Conference of European Churches (CEC) in Lyon in July 2009 strongly supported the call for a world free of nuclear weapons as advocated by President Obama.¹ Hope was the main theme of this Assembly. While welcoming the new US policy² as a sign of hope, the Assembly deplored the fact that European institutions, in particular NATO and the European Union (EU), had been reluctant to endorse this call and had failed to announce new steps of their own.

As churches we believe that hope must be transformed into reality, without fostering illusions. We have no illusions that the road to 'zero' will be easy. Although nuclear weapons have not been used for 65 years, since Hiroshima and Nagasaki, they have become the ultimate symbol of status and have determined self-perceptions of influence and security. Incredible amounts of money have been poured into developing and deploying nuclear arsenals. And although after the end of the Cold War the numbers of nuclear weapons have gone down from 70,000 in 1986 to 23,000 in 2010, these numbers are still beyond any comprehension and logic – and a source of great concern. Today, the world worries about their further proliferation and potential use in regional conflicts and in terrorist attacks. At the same time, nuclear weapon states and their allies continue regarding nuclear deterrence as the cornerstone of their security.

Abolishing nuclear weapons will be a long and complicated process that will require profound changes in the world and in people's minds. It would be an error to believe that a world free of nuclear weapons can simply be the world as we know it now, minus nuclear weapons. However, as churches we believe that the vision of a better world can help transform today's reality.

¹http://assembly.ceceurope.org/fileadmin/filer/asse/Assembly/Documents/Official_documents/GEN_PUB_5_EN_NuclearWeapons_Final.pdf2.

The Conference of European Churches (CEC) is an ecumenical fellowship of 124 Anglican, Old Catholic, Orthodox and Protestant churches from all over Europe. It also has 40 associated organisations. The Church and Society Commission (CSC) of CEC links these churches and organisations with the European Union's institutions, the Council of Europe, the OSCE, NATO and the UN (on European matters).

² The new dynamic was created in the US by an appeal of four security veterans including Henry Kissinger in January 2007. Two years later, President Obama made this a core goal of the new US policy.

With this document, the Church and Society Commission (CSC) of CEC offers ideas for a new EU policy in terms of nuclear weapons, as the EU prepares for the forthcoming Review Conference (RevCon) of the Non-Proliferation Treaty (NPT) to be held in New York on 3-28 May 2010.³

Churches and nuclear disarmament

There is a broad agreement among the churches, recalling August 1945, that nuclear arms must never be used again. This agreement unites the two main traditions in the churches' thinking on war and peace: pacifism and the 'just war' tradition. In the pacifist tradition this unconditional moral rejection is evident. In the 'just war' tradition it is based on the criteria of 'proportionality' (the military benefits of using nuclear weapons can never outweigh the evil done) and 'discrimination' (the unavoidability of indiscriminate killing in nuclear war). The effects on future generations and our planet are seen as important characteristics that distinguish nuclear weapons from most other weapons.

Not all churches which stand in the 'just war' tradition share the same moral judgment of *possessing* nuclear weapons. Whereas for many churches the moral rejection of their use also implies the moral rejection of the threat to use them, others have argued that - in the context of 'deterrence' concepts - possessing them can be morally tolerated as a means to prevent their use. Yet, there is a broad consensus among the churches that one should strive for a world without nuclear weapons. It is contradictory to our deepest beliefs and convictions that security should rely on a readiness to destroy the world which God has entrusted to us. To work for a world free of nuclear weapons is to work for human dignity and the integrity of creation.

Since the NPT was concluded in 1968 and entered into force in 1970, it has enjoyed wide support among the church community.⁴ The churches' emphasis has mostly been on the responsibility of the nuclear weapon states to comply with their obligations under Art. VI, the disarmament 'pillar', in order to end the discriminatory character of the NPT as dividing the world into nuclear haves and have-nots.⁵

Throughout its long history, the regime of the NPT has been threatened by the lack of progress in relation to Art. VI and the danger (and reality) of new states acquiring nuclear weapons. The churches see these two threats as related. Why should the five 'recognised' nuclear weapon states (US, Russia, UK, France, China) reserve a right for themselves which they deny to others? Why should their obligations to nuclear disarmament be any less urgent than the obligations of countries that have committed themselves to refrain from developing nuclear weapons? Why, 20 years after the end of the Cold War, should five⁶ non-nuclear states in Europe, including four within the EU territory, continue to host nuclear arms on their territory? This latter reality is increasingly being questioned by non-nuclear weapon states as contradicting the spirit if not the letter of the NPT.

³ Art. 17 (3) of the Lisbon Treaty provides for a legal basis for the dialogue between the churches and the EU. This legal basis was preceded by several decades of dialogue that has always covered a broad area of concerns and interests, including defence and security issues.

⁴ Particularly, the World Council of Churches (WCC) and the Roman Catholic Church (also present through the Holy See) have tended to play an active role in the five yearly Review Conferences. The expert meeting which informed this document was a co-operation with WCC.

⁵ The other two 'pillars' are non-proliferation and the access to peaceful use of nuclear energy.

⁶ These countries are Belgium, Germany, Italy, the Netherlands and Turkey.

Elements for a new EU policy on nuclear disarmament

In relation to the EU Common Position (CP) and other policy statements for the NPT RevCon 2010, the churches' concerns and observations translate into the following general remarks and specific proposals (further below). We will mainly focus on the nuclear disarmament pillar.

A. *The EU should seize the momentum and inject new vigour into it*

Whereas the US refusal to acknowledge the results of the 2000 RevCon contributed to the failure of the 2005 RevCon, the new policy of the new US Administration did the opposite. It created an atmosphere of optimism at the Preparatory Committee meeting (PrepCom) in May 2009 resulting in its success: fast agreement about the agenda of the 2010 RevCon and its chairman.

The optimism has been dented due to the troubles of President Obama to find firm support for his nuclear policy back home. EU statements in 2010 should reflect the awareness that President Obama will have much less to offer in May 2010 than was expected at the May 2009 PrepCom.⁷ As churches, we urge the European Union to assume its responsibility in preventing the RevCon of 2010 from failing and the non-proliferation regime from unravelling.⁸ The churches call upon the EU-27 to express their unequivocal support to Obama's new policy in the 2010 EU Common Position and in the statements on behalf of the EU during the RevCon itself.

B. *Of the world's 14 states with nuclear weapons on their soil, 6 are EU Member States*

The EU should recognise it is part of the problem. Among its 27 Member States, the EU counts two nuclear weapons states and four 'semi-nuclear weapons states'. France and the UK are often praised in EU statements for their disarmament steps, but their modernisation programmes weaken the disarmament pillar.⁹ This said, the EU as a microcosm of the nuclear weapons reality is well placed to offer new solutions.¹⁰

C. *The EU needs a new strategy for the NPT*

At previous RevCons, the EU could play a constructive role as mediator between the hard-line policy of the Bush Jr. administration and the NAM (Non-Aligned Movement) countries. At the PrepCom in 2009, however, the EU was widely seen as underperforming. It seemed unable to find a role in the new political climate. Even more unfortunate was its inability to overcome its internal divisions and thereby to seize the momentum.¹¹

To ensure a successful outcome of the 2010 RevCon and strengthening of the NPT regime, the EU should identify a new strategy (of action). The 'plan of action' presented by the French EU Presidency in 2008 can no longer be considered 'ambitious'. Whereas the churches would warmly

⁷ Expected ratification of a START follow-on agreement and the CTBT will not have taken place.

⁸ We are aware that also other issues, especially the Middle East resolution, may lead to failure in 2010.

⁹ The argument that nuclear weapons in Europe are a NATO matter, not to be addressed by the EU, has never been convincing, as EU statements often do address nuclear weapons in France and the UK.

¹⁰ We do recognise the remarkable work the EU has conducted over the last years in line of its *Strategy against the proliferation of Weapons of Mass Destruction (WMD)* adopted in December 2003 and its *New Lines for Action in Combating the Proliferation of WMD and their Delivery Systems* of 2008.

¹¹ Since President Obama assumed office in January 2009, on no occasion has the EU (here the Council of the European Union) expressed explicit support for Obama's new 'zero' policy except for one speech by Solana on 22 June 2009. This is the pattern:

- When EU statements support *a world without nuclear weapons*, they only refer to Art VI of the NPT, thereby not offering anything new.

- When they support *Obama's new policy*, they speak about reductions or the new public debate but never 'zero'.

However, on 10 March, just prior to the publication of this statement, the European Parliament adopted a very progressive resolution which endorsed President Obama's policy and called tactical nuclear weapons in Europe 'a strategic anachronism' and their withdrawal a 'precedent for further nuclear disarmament'.

welcome a strong common EU Position, the churches prefer the Member States using their right to be more forward-looking, if necessary, to them being trapped by a Common Position which represents the lowest common denominator of the Member States' views.¹²

D. The EU should apply a balanced approach with respect to the three pillars

A one-sided focus on the non-proliferation pillar has always been met by resentment especially by the NAM countries, as it denies the 'grand bargain' of the NPT being based on mutual obligations. In recent statements the EU has stressed that all three pillars are of equal importance. The new CP and other texts should manifest this in their content and structure. Currently, the EU actively contributes to positive developments in terms of non-proliferation and the peaceful use of energy. However, when it comes to the nuclear disarmament pillar the tendency is to be less ambitious, leaving the responsibility to others.

E. Extended deterrence and tactical nuclear weapons (TNW) to be addressed

EU policy should address the nuclear component of extended deterrence and tactical nuclear weapons (TNW) in Europe. Why should some 200 US nuclear weapons on European soil that no longer have a *military* use continue to be the *political* symbol of the US security guarantee? Is current extended deterrence in line with the spirit and the letter of the NPT? And how can the large Russian TNW arsenals be addressed, most of which have no military use either? This discussion is long overdue.

In previous EU statements, reference to TNW is made in a general way and full responsibility is put on the US and Russia. The EU texts for 2010 should welcome the commitment of the German Government to the withdrawal of TNW as an important contribution to the success of the NPT RevCon.

F. Nuclear disarmament a way to address EU's key security challenges (ESS 2003 and 2008)

Nuclear weapons and nuclear deterrence do not provide a sustainable response to any of the EU's key challenges as identified in the European Security Strategy of 2003 and its review in 2008. Instead, they make some of these threats greater. Besides providing ground for nuclear terrorism, they exacerbate state failure and organised crime and serve to escalate regional conflicts. And if nuclear weapons were ever used, their consequences for humanity and our planet would be horrendous. On the contrary, the EU's security interests are well served by nuclear disarmament.

G. Nuclear weapons an issue of Common Foreign and Security Policy (CFSP) in the future

After the entry into force of the Lisbon Treaty, the EU will have to redefine its CFSP approach and cannot ignore the current worldwide political dynamic toward 'zero'. The EU's arms control mandate needs to be enhanced and its budget for arms control increased. It is also to be noted that as the security integration among the EU Member States deepens, the EU must play a greater role in discussing the place of nuclear weapons within defence concepts.

¹² Last year, several Member States already moved in that direction by expressing their endorsement of President Obama's 'zero' in their individual statements at the PrepCom. The Polish delegation even attached to their statement a recent call for 'zero' by three well-known former Polish dissidents and political leaders.

11 Specific proposals

1. *Tactical Nuclear Weapons (TNW)*

TNW should have priority in the next steps towards nuclear disarmament. To that end, we welcome the fact that Belgium, Germany, Luxembourg, the Netherlands and Norway have put tactical nuclear weapons on the agenda of the NATO summit in April. The withdrawal of all US nuclear weapons from Europe would help with building confidence in non-proliferation. We believe the EU and Russia share the concern over the safety of nuclear arsenals and that it is also in Russia's interest that TNW be moved to more central locations, be reduced and eventually eliminated.

2. *Comprehensive Test Ban Treaty (CTBT)*

The CTBT being central to the credibility of the NPT regime, the EU should make every effort to seek the ratification of the Treaty by the other remaining Annex 2 States, starting with the United States and China. A strong support for the new US policy would be a welcome gesture in Washington. We strongly endorse financial support of the CTBT Organization in Vienna. In addition, whereas France deserves to be complimented for dismantling its test site, it is also important for France to carry full responsibility in cleaning its former test sites.

3. *START follow-on*

The EU should support the speedy ratification of a START follow-on agreement between Russia and the US, and call for the next round of negotiations to begin without delay.

4. *Fissile Materials (Cut-off) Treaty (FM(C)T)*

The EU should do its utmost to enable negotiations on a verifiable FM(C)T to begin on the basis of the Shannon mandate. Whereas as a matter of global fairness and credibility the eventual treaty should include the existing stocks, we accept the EU's position not to make this question a pre-condition for the launch of the negotiations. We encourage the EU to continue calling on all states to declare moratoria on the production of fissile materials until the conclusion of negotiations.

5. *Verification and transparency*

The United Kingdom and France, in particular, have already undertaken positive efforts to enhance trust through increased transparency and confidence-building measures. We believe the EU as a whole could offer substantial support in the area of verification. Firstly, there could be more initiatives along the lines of the British-Norwegian disarmament verification research project. The EU should direct more of its own research funding to this end. Currently, the funding is targeted at nuclear safety and security (safeguards and non-proliferation). Secondly, the EU should continue fostering the work of IAEA in all aspects. The zero budget growth policy is not compatible with the increased expectations towards IAEA. Thirdly, the EU Member States could lead by example by demonstrating good reporting practices to the NPT with regard to nuclear weapons holdings, i.e. accurate numbers and modernisation, including of delivery systems.

6. *Modernisation or replacement of nuclear weapons systems and Art.VI obligations*

We support the proposal tabled by the chair (later withdrawn) at the 2009 Prep Com which called for: "*refraining from the qualitative improvement of nuclear weapons*".¹³ Life extension of nuclear warheads should not add to their military capabilities. Modernisation of weapons systems (missiles, launch platforms) can also weaken the NPT regime and contradict 'global zero'.

¹³ Document NPT/CONF.2010/PC.III/CRP.4 of 7 May 2009.

7. *Declaratory policy and reducing the role of nuclear weapons in military strategies*

The EU should strongly encourage nuclear weapon states to adopt a policy of 'no first use'. Long absent from the international agenda, this is again an issue for serious consideration thanks to the Evans-Kawaguchi Report.¹⁴ This would be an important step in reducing the role of nuclear deterrence in security strategies. Also, de-alerting nuclear weapons is an urgent measure.

8. *Nuclear Weapon-Free Zones (NWFZ)*

We urge France and the United Kingdom to ratify, without reservations, the Treaties of Bangkok, establishing Southeast-Asian Nuclear Weapon-Free Zone, and Semipalatinsk, establishing the Central Asian Nuclear Weapon-Free Zone (CANWFZ), including their protocols.

9. *Strengthening of the NPT regime*

For the NPT regime to be more effective there should be an increase of its institutional powers, resources and authority. We propose that the EU carry out an evaluation as to whether more efficiency would be best and most realistically achieved by annual, thematic decision-making meetings, an empowered permanent secretariat or an executive committee - as have been suggested - and subsequently table a reasoned proposal to that end in a future NPT meeting.

10. *Nuclear Weapons Convention*

Abolishing nuclear weapons and declaring them illegal are closely linked. Therefore, we support the proposal tabled by the chair (but later withdrawn) at the Preparatory Committee of 2009 to "examine, inter alia, ways and means to commence negotiations, in accordance with article VI, on a convention or framework of agreements to achieve global nuclear disarmament, and to engage non-parties to the Treaty".¹⁵

11. *Involvement of churches and the organised civil society in disarmament matters*

We hope the EU will extend participatory democracy to disarmament matters. In the spirit of Article 17 of the Treaty on the Functioning of the EU and Article 11 of the Treaty on the EU, we would welcome timely hearings with churches and civil society organisations to become an integral part of the preparatory processes towards the NPT RevCons and its PrepComs. In addition, we suggest that the EU argue for the current practice of involving the respective parties in the PrepComs and RevCons to be stipulated as a requirement within the governing regulations of these meetings. Finally, we call for the EU's support for including the statements of non-governmental organisations in the final documentation of NPT meetings.



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¹⁴ "Eliminating Nuclear Threat: Practical Agenda for Global Policymakers" by Evans and Kawaguchi.

¹⁵ The document as in point 15.