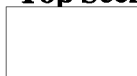


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# Intelligence Memorandum

Office of Scientific and Weapons Research

16 November 1994

## The Politics of NPT Extension: Countdown to the Conference



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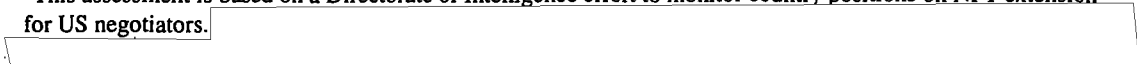
### Summary

*As we approach the April 1995 Conference on the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), it appears unlikely that a consensus will emerge in favor of the US-preferred option of "unconditional, indefinite extension." We cannot discount the possibility of a two-thirds majority—which would represent a strong vote of confidence in the Treaty—if the Nuclear Weapon States (NWS) make significant progress on some key arms control issues before the NPT Conference. A simple majority vote for indefinite extension—as required by the Treaty—seems achievable, particularly if the United States and its allies sustain a substantial, high-level diplomatic effort in support of that outcome. The situation is fluid, however, and momentum appears to be growing in favor of the 25-year fixed-term extension option. This trend is partly fed by perceptions among some nonaligned states that the United States and the West are not firm in their support for indefinite extension.<sup>1</sup>*



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<sup>1</sup>This assessment is based on a Directorate of Intelligence effort to monitor country positions on NPT extension for US negotiators.



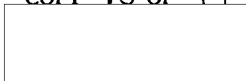
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## Roadblocks to Indefinite Extension

In April 1995 signatories of the NPT will have their only opportunity (under current Treaty provisions) to determine the term for extending the Treaty. Non-nuclear Weapon States (NNWSs) are being asked—particularly by the West—to sign on indefinitely to a regime that prohibits them from developing nuclear weapons while not requiring the NWSs to give up their nuclear arsenals within a set time period. The debate over NPT extension sharply underscores longstanding and widespread grievances that have evolved since the Treaty entered into force in 1970 about the failure of the NWSs to live up to their disarmament obligations under NPT Article VI. Moreover, the NNWSs question whether the NPT can provide for their future security and point to regional disputes, nuclear theft, the continued nuclear threat from both the declared and nonsignatory "threshold" nuclear weapon states, and the NPT's unsatisfactory mechanism for ensuring compliance (see inset on page 3). (U)

*The 1995 NPT Conference provides the Non-Aligned Movement (NAM) with an opportunity to reassert itself.* With 95 votes, out of a total of 166, the NAM could have a substantial impact on the outcome of the NPT Conference. At the Third Preparatory Committee meeting in September 1994, NAM opponents of indefinite extension crafted a document outlining their concerns, which include obtaining a Comprehensive Test Ban Treaty (CTBT) and legally binding negative security assurances.<sup>2</sup> [redacted]

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The NAM's primary NPT grievances are:

- The perceived poor performance by the NWSs in negotiating in "good faith" toward complete nuclear disarmament (Article VI). *Significant progress toward the conclusion of a CTBT is arguably the single most important measure that could be taken to widen the margin of support for indefinite extension of the NPT*, but chances for obtaining a CTBT before the extension conference are virtually nil (see inset on page 7).

<sup>2</sup>A negative security assurance is one in which NWSs agree not to use nuclear weapons against a NNWS, with some provisos. A positive security assurance obligates the signatory NWSs to come to the aid of a NNWS should it be attacked by nuclear weapons. (U)

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This memorandum was prepared by [redacted] Office of Scientific and Weapons Research and was coordinated within the Directorate of Intelligence. Comments and queries are welcome and may be directed to [redacted] Nuclear, Biological, and Chemical Division, OSWR, [redacted] Information available as of 1 November 1994 was used in this report. (U)

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### Possible Conference Outcomes

The treaty allows for the NPT to be extended indefinitely or for a fixed period or periods. Because obtaining a slim majority vote for indefinite extension could undermine international confidence in the nuclear nonproliferation regime and cause some signatories to withdraw—or threaten to withdraw—from the Treaty, many countries believe that they cannot support an extension option that does not garner a near consensus. Several alternative extension options have been proposed:

**Rolling Extension.** Extend the NPT by additional fixed periods that would be renewed automatically unless the signatories acted by majority decision to revoke the Treaty at the end of any of the additional periods. This option would, in practice, be roughly equivalent to the indefinite extension.

**The Venezuelan Proposal.** Extend the Treaty for an additional 25 years, at which point another extension conference would be called. This essentially repeats the terms of Article X. Most Western nations see this option as requiring a treaty amendment.

**Other Limited-Term Options.** One-time-only, fixed terms of extension for as little as five years in order to gauge Nuclear Weapons State progress on disarmament and other issues.

**Recessing or adjourning** the Extension Conference for six months or more if an extension decision cannot be reached. Some nonaligned signatories may pursue this option to assess progress on the Comprehensive Test Ban Treaty.

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- The inability of the international community to ensure universal adherence to the NPT. This criticism is partly a response to Israel's unwillingness to join the NPT.  indefinite extension would be unacceptable to Arab states without some unequivocal movement by Israel to accede to the NPT. Although primarily an Arab security concern, this issue resonates among other developing countries. The ambiguous nuclear status of Ukraine and North Korea and the existence of other nuclear-weapons-capable states such as India and Pakistan are also of concern to some states.
- The failure of the NPT to provide legally binding negative or positive security assurances to the NNWSs in exchange for foregoing a nuclear weapons option. The NNWSs want legally binding—or at a minimum greatly strengthened—negative or positive security assurances as a deterrent against attack by declared and "threshold" nuclear weapons states. At the Third

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Prepcom, Cairo proposed a protocol that would incorporate negative security assurances into the NPT. Obtaining NWS support for a similar protocol in the draft Africa Nuclear-Weapons-Free Zone Treaty is a key concern of some African states.<sup>3</sup>

- Discriminatory nuclear technical assistance and export control practices. A vocal group of developing countries led by Iran has accused the nuclear suppliers of not living up to their Article IV NPT obligations to provide nuclear technology for peaceful purposes. These states regard with suspicion efforts by the Nuclear Suppliers Group to further restrict nuclear or dual-use commodity trade. China, which derives substantial income from nuclear-related exports, also is concerned about efforts to strengthen nuclear-related export controls.
- Shortfalls in the NPT's inspection, verification, and compliance mechanisms. Revelations that Iraq developed a covert nuclear weapons program while under IAEA safeguards and the IAEA's difficulties obtaining access to nuclear-related sites in North Korea have generated complaints that the NPT in its present form is ineffective and should be amended to strengthen its verification mechanisms. Not many developing countries have jumped on this bandwagon, in part because of concerns that a strengthened safeguards regime could represent a further intrusion on their national sovereignty.

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### Regional Alliances and the NPT Vote Count

*The outcome of the 1995 NPT Conference will depend on a variety of factors, including conference dynamics, the degree of US and allied influence, possible economic concessions, regional security considerations, and the weight signatories will give to the positions of their neighbors and mentor states.*

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- Currently, approximately 60 NPT signatories firmly support indefinite extension and can be expected, with few exceptions, to remain resolute on this position. This group consists of Central and West European nations, the former Soviet republics, South Korea, Japan, Australia, New Zealand, and several of the Latin American and Caribbean states.

<sup>3</sup>Some regional groupings view NWS adherence to existing and proposed Nuclear-Weapon-Free Zones as a model of a legally binding security assurance. For example, Protocol II of the South Pacific Nuclear-Free Zone (SPNFZ) Treaty commits the NWS not to use or threaten to use any nuclear explosive device against parties to the SPNFZ Treaty (only Russia and China have signed this Protocol). Similarly, Article 3 of Additional Protocol II of the Treaty of Tlatelolco gives protection to all contracting parties from the use (or threat of use) of nuclear weapons, albeit with some provisos. All NWSs have signed that protocol. (U)

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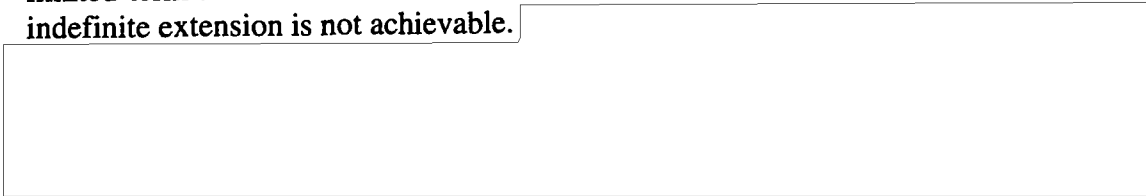
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- Outside of this core group, 20 to 25 additional countries have indicated either publicly or diplomatically that they will support indefinite extension and another 20 are leaning in this direction. *Many of these 40 to 45 countries, however, remain susceptible to regional pressures and NAM overtures, and their positions are thus highly fluid.* This group consists primarily of the remaining Latin American countries, the South Pacific Island Nations, and a handful of the Arab, African, and East Asian countries.
- About 25 countries either oppose or are leaning toward opposing indefinite extension. Many of these place strict conditions on their support—particularly significant progress toward a CTBT or a concrete step by Israel toward NPT adherence. Although regionally diverse, these NAM opponents of indefinite extension are concentrated in the Arab League, the ASEAN states, and Latin America. Iran is the only country that unconditionally opposes indefinite extension.
- African nations constitute the largest concentration of undecided signatories with approximately 35 undecided or unknown votes. South Asian neighbors of India and Pakistan also remain uncommitted at this point.

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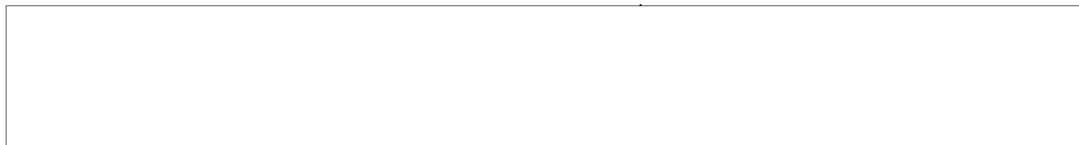
**Outlook**

*A substantial high-level diplomatic effort by the United States and its allies will probably be required to obtain a majority vote for indefinite extension. To obtain a significant majority, perhaps two-thirds or more, progress probably will be required on the range of arms control and regional security issues of interest to the NNWSs. Some European countries may consider alternative positions—such as a 25-year limited-term extension—should it become evident that a substantial majority for indefinite extension is not achievable.*



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*False perceptions that the United States and the West are not firm in their position could also decrease the likelihood of assembling a majority vote before the Conference.*



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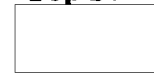
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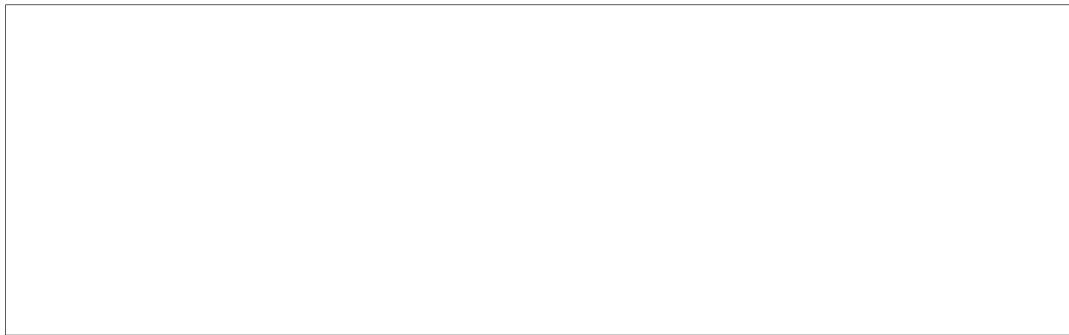
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Sensitive to this perceived backsliding, opponents to indefinite extension are solidifying their positions and campaigning for regional support. For example, several core countries such as Colombia and Indonesia are rallying around a 25-year fixed-term option. *Backers of indefinite extension may well be faced with choosing between supporting a narrow majority for indefinite extension or a large majority or near consensus for a fixed-extension option.* 

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### Progress Toward A Comprehensive Test Ban Treaty

*Negotiations on a Comprehensive Test Ban Treaty (CTBT) have progressed more slowly than anticipated, and a treaty is unlikely to be concluded before the 1995 NPT Conference. Reaching consensus on a final text is possible by the end of 1995 and a treaty could be concluded in 1996.*

- [redacted] China has said it will not sign a CTBT before 1996. China probably wants to conclude its current round of scheduled tests. (b)(1)  
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- France wants to be able to reconsider its stand on the CTBT after its national election next May [redacted] (b)(1)  
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- Most NWSs have indicated that—even if a CTBT text was completed before the 1995 NPT Conference—the NWSs could not sign it without the secure underpinning of a long-term NPT. [redacted] (b)(1)  
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Although most NNWSs request only "significant progress" toward conclusion of the CTBT, some NNWSs have demanded that the CTBT be completed before the 1995 NPT extension vote. These nations fear losing negotiating leverage with the NWSs on the CTBT and such other arms control measures as a Fissile Material Cut-Off Convention if the NPT is extended indefinitely before their completion. This concern has prompted calls to recess the NPT Conference until a CTBT (and possibly other measures) can be concluded. [redacted] (b)(3)

NNWSs are also becoming increasingly aware of possible "loopholes" in the CTBT that are being considered by the NWSs that would allow them to:

- Conduct hydronuclear experiments (all NWS).
- Withdraw from the CTBT without invoking supreme national interest (United States).
- Retain the right to conduct safety/reliability tests (UK and France), peaceful nuclear explosions (China), and tests in sealed, above-ground containers (Russia). [redacted] (b)(3)

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