



DISARMAMENT, NUCLEAR NON-PROLIFERATION AND FRENCH SECURITY

The Senate Foreign Affairs, Defense and Armed Forces Committee

Information report no. 332 (2009-2010)

Mr. Jean-Pierre CHEVENEMENT

1. Despite its flaws and weaknesses the Nuclear Non-Proliferation Treaty (NPT) remains an irreplaceable instrument for international security. Most States have a major stake in its being preserved in the region where they are located. There can be no alternative but to support and strengthen the NPT by trying to make progress on the three goals the party States expect from it:

- moving forward on the road to general and nuclear disarmament;

- ensuring access to the peaceful use of nuclear energy by all States that desire it;

- guaranteeing States' security by effectively preventing any attempt at proliferation and effectively sanctioning breaches, if necessary.

Bringing together the conditions of a "nuclear low-pressure zone" with a view towards the disarmament called for by article VI of the NPT

2. Nuclear disarmament must be included in the perspective of general and complete disarmament within the framework of a gradual process aiming to unite the conditions for a world without nuclear weapons and to preserve undiminished security for all. At first, it is important to focus on the conditions currently accessible to move towards that goal.

3. The gap between the biggest two nuclear powers (22,400) and all the rest put together (approximately 1,100) is so wide that the United States and Russia must be the nuclear disarmament effort's priority. The 2010 "post-START" accord is a first step. A more significant reduction of Russia's and the United States' nuclear arsenals, including weapons in reserve and "tactical" weapons, will be one of the essential conditions for moving towards a "nuclear low-pressure zone".

4. At this stage there is no reason to link the reductions the United States and Russia should make and the situation of the other nuclear States' much smaller arsenals. The issue can be raised in those terms only after Russia and the United States reduce their nuclear arsenals, all types of arms combined, to several hundred weapons.

5. It is indispensable for all the nuclear powers to practice a policy of transparency, like France, on their forces' situation by declaring all their nuclear weapon stocks whether they are operationally deployed, in reserve or awaiting dismantling, whether they are strategic or "tactical" nuclear weapons.

6. The "negative security assurances" issued by nuclear weapons States are legitimate if they are granted to non-nuclear weapons States that fully comply with the NPT's obligations and do not result in compromising the vital interest of the nations that have signed it, for example in the event of an attack with biological or chemical weapons.

7. The Comprehensive Nuclear Test Ban Treaty (CTBT) is an essential instrument of disarmament and nuclear non-proliferation. Ratification by the United States is crucial because it would lead several other States to do so (in particular China, India and Pakistan) and restore the credibility of the medium-term treaty's entry into force. It is urgent for the United States Senate's objections to the treaty to be lifted.

8. The negotiation of a fissile materials cut-off treaty must begin at the Conference on Disarmament without prior conditions. While waiting for that treaty to enter into force, the States that have not yet done so must declare a moratorium on the production of fissile materials and dismantle their production facilities.

Reviving the promotion of peaceful uses of nuclear energy, which forms the backbone of the NPT's legitimacy

9. A growing number of States alarmed about climate change and their medium-term energy needs is interested in nuclear energy. It is necessary to meet their expectations by reviving the promotion of peaceful uses of the atom, which forms the backbone of the NPT's legitimacy.

10. The NPT Review Conference should provide the opportunity to spell out the principles that must guide the safe, responsible development of the peaceful uses of nuclear energy. It should clearly approve a commitment to assist all the countries that agree to a common core of safety, security and non-proliferation rules, comply with all of their international obligations and pursue activities for peaceful purposes in good faith under IAEA monitoring.

11. International research and cooperation to design safer reactors that use less uranium, are more proliferation-resistant and generate less long-life radioactive waste is essential for encouraging the access of a greater number of States to nuclear energy.

12. In the short term it is indispensable to rapidly bring the "fuel bank" project into existence through an international mechanism guaranteeing the supply of nuclear fuel to all the requesting States that comply with agreed-upon nuclear non-proliferation standards. In the longer term, multilateral enrichment or reprocessing facilities must be set up. It would be worth exploring a regional approach, in particular by creating such a facility under IAEA responsibility in a country of the Middle East, where many civilian reactor projects are under way.

13. The moratorium the G8 established in 2004 on exporting technology relating to activities involving to the nuclear fuel cycle – enrichment and reprocessing – must be rapidly replaced by clear rules specifying the guidelines under which such transfers can be authorized: a technically and economically credible nuclear power program must exist, and the States receiving the transferred technology must offer guarantees that it will be used in conditions that maximize safety, security and non-proliferation (in particular by signing the IAEA additional protocol). A link would also be established between the authorization of technology transfers and joining the comprehensive non-proliferation regime.

Putting the issue of maintaining the global nuclear order in the perspective of reducing tensions and addressing unresolved political problems

14. The maintenance of the global nuclear order embodied by the NPT is an essential factor of security and stability for all States. It assumes the consolidation of legal instruments and strengthening of proliferation controls. It also requires addressing the deeper causes of proliferation, which are rooted in regional security issues in the Near and Middle East, India, Pakistan and Southeast Asia.

15. The international community, through the United Nations Security Council, must continue to work towards a settlement of the Iranian and North Korean crises, which have the potential of being very destabilizing for the NPT. Depending on their outcome, other States could reconsider their security policies and trigger new proliferation chain reactions.

16. To prevent further proliferation crises, the NPT must be accompanied by the means to verify whether countries are actually implementing it. Firm diplomatic action and strong incentive measures, such as attaching conditions to exports, are necessary to ensure universal adoption of the additional protocol to the safeguard agreements (the "93+2 protocol") and in particular the adhesion of approximately 15 States conducting significant nuclear activities that have not signed it. Strengthening the IAEA's human and technical inspection resources is the indispensable corollary of that objective.

17. The NPT Review Conference should agree on the principles governing the right of withdrawal recognized by the treaty, in order to reassert that a State remains responsible for breaches committed before the withdrawal and to prevent the equipment and technologies acquired under the treaty from being used for the development of a military nuclear program.

18. Three States that have never joined the NPT have acquired nuclear weapons, weakening the international non-proliferation regime. Following on from India's first commitments to the Nuclear Suppliers Group, it is necessary to bring those three States closer to the regime by convincing them to ratify the CTBT, stop the production of fissile materials for weapons, negotiate with the IAEA, like India, an additional protocol and control their nuclear technology exports.

19. The full implementation of Security Council resolution 1540 by all the States, as well as the tightening of controls and of nuclear security, are necessary in order to deal with the rising role of non-State players in nuclear proliferation and the channeling of nuclear materials to terrorist groups. Strict directives to the services concerned must be updated.

20. The fight against nuclear proliferation cannot be considered in isolation from other forms of proliferation – chemical, biological and ballistic – and from conventional weapon imbalances that influence the conditions of strategic stability. The universal adoption of international instruments in this area, adoption of an inspection mechanism for the convention on the prohibition of biological weapons and negotiation of a treaty banning short- and intermediate-range ground-to-ground missiles, proposed by France, would be a step in that direction.

21. In addition to strengthening international instruments and preventive or coercive measures, it is essential to act on the regional determinants of nuclear proliferation by easing tensions and addressing political issues that have remained unresolved for too long. Disarmament is not an abstract duty. It can only move forward by taking account of specific historic situations.

22. The international community must focus its efforts on the normalization of relations between India and Pakistan and the establishment of a mutually advantageous coexistence. That is the only context in which it will be possible to convince the two States to first limit and then decrease their nuclear forces.

23. The establishment of a zone free of weapons of mass destruction in the Middle East is not conceivable without the creation of a viable Palestinian State and the recognition of Israel by Iran and all the countries of the Arab League. The United States' degree of commitment towards reaching that goal will be decisive.

24. The normalization of relations between Iran and the rest of the world, first with the United States, must be encouraged by offering to lift sanctions on Iran in return for clear promises to accept all the IAEA's safeguards, including on the ratification of the additional protocol, ratification of the CTBT and support for the negotiation of a treaty banning the production of fissile materials for weapons. Failing the suspension of enrichment activities, which the international community is requesting

insofar as they do not meet any established civilian need, a compromise on the following basis could be sought: the continuation of enrichment under full IAEA control and the guarantee that the stock of low-enriched uranium thus produced would be sold on the international market as long as no known need for Iran's nuclear program exists.

25. China wields most of the influence likely to sway the North Korean regime's policy, which has the potential of destabilizing the whole region. Because no instrument organizing regional security has ever been set up in Asia, the North Korean issue can only be addressed in a wider framework that involves the United States and takes account of all the regional players' security concerns, in particular China and Japan.

Guaranteeing France's security and maintaining a peaceful balance in Europe

26. By dismantling its nuclear test sites and military fissile materials production plants, reducing the number of its nuclear weapons by half and transparently announcing the current level of its nuclear forces, France has made an unmatched effort among the five nuclear-armed States to fulfill its obligations under article VI of the NPT.

27. France therefore has no reason to adopt a chilly attitude on the eve of the NPT Review Conference. It must take a pragmatic, constructive approach in order to seek progress in the NPT's three key areas: non-proliferation, disarmament and access to peaceful uses of the atom. That practical approach must take all the strategic parameters into account and stress the conditions that would make nuclear disarmament possible in order to create a safer world.

28. The reduction of Russia's and the United States' arsenals to several hundred nuclear weapons, including arms in reserve and "tactical" weapons; the ratification of the CTBT by the United States and all the other States that have not signed it; the rapid and unconditional start of negotiations on a treaty banning the production of fissile materials for weapons; and the universal adoption of the IAEA's additional protocol are the main conditions necessary for moving towards nuclear disarmament. During the Review Conference, France could also request the linkage of ballistic proliferation, nuclear disarmament and missile defense issues.

29. France has limited its nuclear arsenal to what is strictly sufficient for its defense, leading to a series of unilateral cuts. Therefore, at this stage its nuclear forces cannot be included in any multilateral nuclear disarmament process.

30. For that reason, France must maintain a posture of independent deterrence and stay outside NATO's Nuclear Planning Group, even though its nuclear force contributes to the Alliance's deterrence overall. French deterrence is an element of stability. It ensures our decision-making autonomy. It is in the service of peace. Only an inconceivable major geostrategic change, such as the United States' withdrawing its guarantee from their European allies, could lead to a modification in the national character of our deterrence.

31. France would not abandon its nuclear posture's calculated ambiguity by giving unrestricted negative security assurances (to non-nuclear weapons States) or making

blanket "no first use" pledges that could clear the way for conventional wars. Of course, France, a peaceful power threatening no one, would not use nuclear weapons unless its very existence were at stake, but its arsenal's deterrent character is based on the idea that its vital interests remain largely unspecified.

32. As NATO debates its strategic concept, France must raise its allies' awareness of the advantages of maintaining the principle of nuclear deterrence in Europe as long as its neighbors have not given up their nuclear weapons. A "nuclear weapons free Europe" would create a strategic void in view of the fact that Russia, a Eurasian power, still has a very big arsenal, as does the United States, and that the Middle East is not yet a denuclearized zone. Moreover, France should try to convince its European NATO partners not to give up what they have for an unknown alternative by abandoning nuclear deterrence for uncertain protection by a ballistic missile defense system.