

Confidential

RUSSIA

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Published monthly in Russian and in English
by Trialogue Company Ltd.

Issue № 2 (230), vol.15. February 2016

April 7, 2016

PIR Center reports from Moscow:

STRENGTHENING THE NUCLEAR NON-PROLIFERATION REGIME IN 2016-2020:

VIEW FROM RUSSIA

SUMMARY

The 2015 NPT Review Conference, which failed to approve a Final Document, has put into stark relief the key challenges facing the nuclear non-proliferation regime. The international community will have to come up with effective responses to these challenges as part of the 2016-2020 NPT review cycle.

In order to reveal Russian approaches to strengthening nuclear non-proliferation regime, PIR Center organized an expert discussion by holding seminars in New York (May 2015), Geneva (June 2015) and Moscow (September and December 2015). The result of this debate and PIR Center's internal work within the framework of its "Russia and the nuclear non-proliferation" program has become a set of recommendations, which are for the first time introduced to the reader in this issue of Russia Confidential.

The recommendations cover four main categories of challenges to the nuclear non-proliferation regime:

- Ongoing difficulties with the implementation and universalization of the NPT;*
- Disturbance of strategic stability creating difficulties for engaging in further negotiations on nuclear arms reductions and thereby stoking up divisions within the NPT.*
- Increasingly ineffective mechanisms of multilateral diplomacy resulting in important multilateral initiatives still languishing on paper.*
- Lack of progress towards establishing a WMD-free zone in the Middle East impacting the NPT review process due to the linkage of the NPT 1995 indefinite extension to establishing such a zone.*

SAVE THE NPT: FROM RITUAL CALLS TO REAL TASKS

- 1.1 Under Article X of the NPT, **each party has the right to withdraw from the treaty**, and the example of North Korea demonstrates that a country that has obtained peaceful nuclear technologies as NPT member can then use them for military purposes.

➤ *Restricting state parties' right to withdraw from the treaty is hardly a realistic proposal. At the same time, there clearly is a need for an obligation to return back to the supplier any nuclear materials and/or equipment received by a state party before it decided to quit the NPT, or, at the very least, to place it under life-long unconditional IAEA safeguards.*

- 1.2 **Calls for India and Pakistan to join the NPT** as non-nuclear-weapon states have become something of a ritual not expected to have any practical effect.

➤ *As a first step towards bringing these two countries to the fold of the international nuclear nonproliferation regime, the international community should concentrate on persuading them to sign the Comprehensive Test Ban Treaty (CTBT). Pakistan is already an observer at the CTBTO Preparatory Commission; India should be encouraged to follow its suit.*

- 1.3 **The Six-Party Talks on the North Korean nuclear program were halted in 2009.** Suspension of dialogue eliminates one of the factors that could prevent North Korea from taking its nuclear program even further.

➤ *The DPRK's 2016 nuclear test urgently necessitates restoring multilateral dialogue with Pyongyang that could yield an interim agreement in the medium term under which North Korea would desist from further nuclear tests, missile tests, nuclear material production and proliferation of sensitive materials and technologies in exchange for a partial lifting of sanctions, international aid, and security assurances.*

- 1.4 **The Joint Comprehensive Plan of Action (JCPOA)** signed by Iran and the six international mediators has demonstrated the ability of multilateral diplomacy to achieve nonproliferation results. At the same time, there is an obvious risk of differences arising during the implementation of that plan due to its length and complexity.

➤ *All parties must strongly implement the plan, using all its available mechanisms to resolve any differences in the JCPOA framework. The implementation of the plan should not be made conditional on relations between the parties in other areas.*

STRATEGIC STABILITY: UN-KNOTTING THE KNOTS

- 2.1 **The European segment of the U.S. missile defense shield** – which Washington insists is meant to counter the Iranian threat – could at some point in the future gain the ability to intercept Russian ballistic missiles. As one of the possible responses, Russia is considering various technologies to defeat the U.S. missile defenses. This could trigger a new arms race. Even though the issue is clearly very important for European and international security, negotiations on missile defense between Russia and the United States were halted in 2014 amid the Ukrainian crisis. The signing of the JCPOA on the Iranian nuclear program has not resulted in any changes to America's and NATO's missile defense plans. This also raises the question of whether the U.S. missile defense system now being deployed against North Korea could in fact be part of Washington's plan to counter China's nuclear arsenal.

- *The U.S. and NATO should resume negotiations with Russia about their missile defense system in Europe. As a first step, Western countries could introduce transparency measures with regard to the missile defense infrastructure now being deployed.*

2.2 **U.S. nuclear weapons remain deployed outside U.S. national territory** (in Belgium, Germany, Italy, the Netherlands, and Turkey), some of them in close proximity to Russian borders. The Pentagon is also modernizing its B-61 atomic bombs stationed in Europe. This practice runs counter to the terms of the NPT. Besides, the nuclear weapons deployed in European countries do not strengthen those countries' security; in fact, in certain circumstances the effect could be quite the opposite.

- *It would therefore be useful to give more thought to the Belarusian proposal on establishing a nuclear weapons-free zone in Central and Eastern Europe, and the joint initiative by Austria and Switzerland on declaring the whole of Europe a nuclear weapons-free zone. Such a zone could cover only the territory of non-*

2.3 **Development of strategic conventional weapons using hypersonic technologies** (with the most advanced program of this kind, *Prompt Global Strike*, currently pursued by the U.S.) could eventually evolve to pose a threat to strategic nuclear forces.

- *Military hypersonic programs are very expensive; the technology has yet to demonstrate its effectiveness, and the potential areas of its application are not immediately obvious. In view of all that, imposing negotiated restrictions on such programs is not unrealistic. As a first step towards preventing a hypersonic arms race, an international conference could be held by all the key actors in this area.*
- *Eventually, all the states that pursue hypersonic weapons technologies should agree to end such programs and ban all related R&D. An international treaty could be negotiated to ban the use of hypersonic technologies for military purposes.*

2.4 **Several countries continue to ramp up their nuclear arsenals**, and even some of the NPT nuclear-weapon states do not publish their nuclear weapons figures.

- *All the countries possessing nuclear weapons (both officially, and unofficially) should unilaterally and simultaneously release official reports at the Conference on Disarmament, stating the role of nuclear weapons in their national security planning, as well as their nuclear weapons numbers and types. These reports could be modeled on the official reporting released by Russia and the United States under the New START treaty.*

2.5 **The Comprehensive Nuclear Test Ban Treaty** has not entered into force because eight Annex 2 states (China, Egypt, India, Iran, Israel, North Korea, Pakistan, and the United States) have yet to ratify.

- *It will be 20 years later in 2016 since the CTBT was opened for signature. This should serve as an impetus for facilitating the process. It is important to provide all possible support for the CTBTO Preparatory Commission and to strengthen its monitoring network. One of the obvious steps in that direction would be to connect the monitoring stations already built in Iran to that network.*

2.6 Lack of progress on all the aforementioned issues **makes any further nuclear arms reductions unrealistic in the near time frame**. It is essential that Russia and the United States continue to diligently fulfill the New START treaty until it expires in 2021. They could then continue dialogue in order to lay the ground for the signing of a new treaty that would be acceptable to both sides.

- *A new treaty could include limitations on deployed strategic systems (warheads and delivery vehicles), deployed and non-deployed launchers, and non-deployed nuclear warheads; negotiations could also include other arms control issues (such as sea-based and air-based cruise missiles with conventional warheads, and missile defense systems).*

MULTILATERAL FORMATS OF COOPERATION: UNUSED POSSIBILITIES

3.1 There are **growing differences between the NPT nuclear-weapon states and most of the non-nuclear weapon states about the implementation of Article VI of the treaty**. While NNWS insist that the pace of disarmament should be ramped up, and that clear deadlines should be agreed, the P5 states are opposed to the idea.

- *The NWS should continue to reiterate their commitment to Article VI of the NPT and articulate their interest in further steps towards nuclear disarmament.*

3.2 The Conference on Disarmament (CD) remains the key multilateral platform for disarmament negotiations. However, **negotiations at the CD have essentially been paralyzed since 1998**, and that the Conference has not even managed to agree a work program since 2009. The key obstacle to the adoption of a CD work program is differences over the Fissile Material Cut-off Treaty (FMCT).

- *The latest Russian proposal on putting to the CD agenda a new item - negotiation of the Convention for the suppression of acts of chemical terrorism - with the four other items (including FMCT) receiving the discussion mandate is a creative way to jump-start the work of the Conference.*
- *In case such a proposal fails to achieve consensus, the parties should consider the possibility of a temporary moratorium on FMCT talks, opening the way for work on other matters. It would be important to have a clear deadline for the expiration of such a moratorium, to make sure that the FMCT problem is in no way dropped out from the CD agenda.*

3.3 There are no legally binding restrictions on the **placement of conventional weapons in space** at this time. Weapons in space would be a new strategic arms category, with devastating effects on strategic stability.

- *The Russian-Chinese draft of a treaty on preventing the placement of weapons in space and banning the use of force/threat of force against spacecraft was introduced at the CD in 2008. An updated version of that draft was presented in 2014. Russia and China could initiate an international conference for a broad discussion of the proposed treaty, including the contentious clauses on verification and anti-satellite weapons.*

3.4 The Russian-U.S. treaty on intermediate and shorter-range nuclear forces (INF) limits the military capability of Russia and the U.S., but not of any other countries that possess advanced missile programs. **Elimination of intermediate and shorter-range missiles by all states possessing nuclear weapons** (either officially or unofficially) would help to reduce international tensions, especially in conflict-prone regions, and lay the foundations for a multilateral nuclear disarmament process.

- *At the 62nd UN General Assembly in 2007, Russia and the U.S. made a joint statement on the INF treaty, arguing that it should become universal. Though the statement did not win much support from the potential participants, both Russia and the United States still support the idea. Arranging expert discussions on making the INF treaty multilateral, involving representatives of all countries in possession of nuclear weapons would have a stabilizing effect on the existing Russian-U.S. treaty too.*

3.5 **Nonproliferation and disarmament education programs** are one of the least contentious issues on the agenda of the NPT review process. However, the vast majority of NPT members do not submit reports on implementing the recommendations of the UN Secretary-General (A/57/124) regarding the UN study on disarmament and non-proliferation education. Meanwhile, submitting such reports would demonstrate states' compliance with commitments in this area.

- *The Advisory Board on Disarmament Matters under the UN Secretary-General could play an important role in the development of education in the area of nonproliferation and disarmament by conducting a review of the said study and, if necessary, arranging its revision.*
- *New initiatives in the field of nuclear nonproliferation education, primarily, the initiative of Russian and American universities to launch an international, fully accredited, MA Program in WMD Nonproliferation Studies, should be supported. Students from the states being newcomers in peaceful development of nuclear energy and therefore being more vulnerable to proliferation risks should be specifically encouraged to participate.*

A THORNY WAY TO THE WMD-FREE ZONE IN THE MIDDLE EAST

4.1 The key factor in the situation with the Middle Eastern WMD-free zone in the 2016-2020 period is that the mandate issued in 2010 to convene a conference on the subject in 2012 has expired. Now that the Finnish facilitator of the conference, Amb. Jaakko Laajava, has retired from that role, participants in the negotiations are left without a mechanism of organizing the whole process. **The most realistic way forward for these negotiations would be to assign the role of facilitator to the UN Secretary-General's office.**

- *The co-sponsors of the 1995 resolution and the Middle Eastern states could formally request the Secretary General to organize the negotiating process. The specific wording of the mandate for conducting such talks could be based on provisions contained in the Draft Final Document of the 2015 NPT Review Conference. It could be however toned down in some respects in order to secure Israeli participation.*

4.2 Meanwhile, several parallel processes could facilitate progress towards establishing a WMD-free zone in the Middle East. All the states of the Middle East could make a joint statement committing themselves **not to attack, or threaten to attack, each other's declared nuclear facilities** that have been placed under IAEA safeguards. The commitment should include cyberattacks.

4.3 **Ratification of the Comprehensive Nuclear Test Ban Treaty** by all Middle Eastern states should pave the way for opening the preparatory process for the negotiations on a regional WMD-free zone.

4.4 As part of the initial negotiations, the participants should draw up a road map towards gradually **placing all nuclear infrastructure facilities in the region under IAEA safeguards.**

4.5 All the Middle Eastern states should agree on the need to **ratify the Additional Protocol to the IAEA safeguards agreement without delay.** All state parties should enact the Additional Protocol on a voluntary basis pending ratification.

4.6 At a later stage, and as one of the results from the initial talks at the conference, the parties should set up **a standing regional mechanism on nuclear (as well as chemical and biological) confidence-building measures.**

- 4.7 **Institutionalization of nuclear cooperation in the Middle East** should be augmented by an integrated regional structure in which all regional countries would participate. The Arab Atomic Energy Agency remains insufficiently effective and inclusive; it is not ready to facilitate regional nuclear cooperation. In contrast, the Synchrotron-Light for Experimental Science Applications in the Middle East (SESAME) could serve as an example of successful R&D cooperation in the region.
- 4.8 The Middle Eastern states that are now on the cusp of rapid development of their nuclear infrastructure should put in place **effective mechanisms of early notification and rapid response in the event of nuclear incidents**. All the relevant parties should speed up the entry into force of the Convention on Assistance in the Case of Nuclear Incident or Radiological Emergency, the Vienna Convention on Civil Liability for Nuclear Damage, and the Convention on Early Notification of a Nuclear Accident (for countries that have yet to ratify these documents).

These recommendations were prepared in the framework of PIR Center's *Russia and Nuclear Non-Proliferation* program under the supervision of program director Andrey Baklitskiy.

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Moscow - Geneva, February 2016

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As before, experts of the *Triologue* Club International and of its partner organization PIR Center are open to an exchange of views on key international problems.

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**Chairman,
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Dmitry Polikanov