

# OPEN LETTER TO PRESIDENT OBAMA FROM U.S. ORGANIZATIONS

**Mr. President: *It's time to move from talk to action on nuclear disarmament.***

April 28, 2014

**Dear President Obama,**

During the closing session of the Nuclear Security Summit in The Hague on March 25, 2014, you cited a number of concrete measures to secure highly-enriched uranium and plutonium and strengthen the nuclear nonproliferation regime that have been implemented as a result of the three Nuclear Security Summits, concluding: “So what’s been valuable about this summit is that it has not just been talk, it’s been action.”

**Would that you would apply the same standard to nuclear disarmament!** On April 5, 2009 in Prague, you gave millions of people around the world new hope when you declared: “So today, I state clearly and with conviction America’s commitment to seek the peace and security of a world without nuclear weapons.” Bolstered by that hope, over the past three years, there has been a new round of nuclear disarmament initiatives by governments not possessing nuclear weapons, both within and outside the United Nations. Yet the United States has been notably “missing in action” at best, and dismissive or obstructive at worst. This conflict may come to a head at the 2015 Review of the Nuclear Nonproliferation Treaty (NPT).

**We write now, on the eve of the third Preparatory Committee (PrepCom) meeting for the 2015 Review Conference of the NPT, which will take place at UN headquarters in New York April 28 – May 9, 2014, to underscore our plea that your administration shed its negative attitude and participate constructively in deliberations and negotiations regarding the creation of a multilateral process to achieve a nuclear weapons free world. This will require reversal of the dismal U.S. record.**

- The 2010 NPT Review Conference unanimously agreed to hold a conference in 2012, to be attended by all states in the region, on a Middle East Zone Free of Nuclear and other Weapons of Mass Destruction. The U.S. was a designated convener, and a date was set for December 2012 in Helsinki. The Finnish ambassador worked feverishly, meeting individually with all of the countries in the region to facilitate the conference. Suddenly, on November 23, 2012, the U.S. State Department announced that the Helsinki conference was postponed indefinitely.
- In March 2013, Norway hosted an intergovernmental conference in Oslo on the Humanitarian Impacts of Nuclear Weapons, with 127 governments in attendance. Mexico hosted a follow-on conference in Nayarit, Mexico in February 2014, with 146 governments present. The U.S. boycotted Oslo and Nayarit. Austria has announced that it will host a third conference, in Vienna, late this year.
- In November 2012, the United Nations General Assembly (UNGA) established an “Open-Ended” working group open to all member states “to develop proposals to take forward multilateral nuclear disarmament negotiations for the achievement and maintenance of a world without nuclear weapons,” and scheduled for September 26, 2013, the first-ever High-Level meeting of the UNGA devoted to nuclear disarmament. The U.S. voted against both resolutions and refused to participate in the Open-Ended working group, declaring in advance that it would disregard any outcomes.

- The U.S. did send a representative to the UN “High-Level” meeting, but it was the Deputy Secretary for Arms Control, Verification and Compliance, rather than the President, Vice-President or Secretary of State. Worse, the U.S. joined with France and the U.K. in a profoundly negative statement, delivered by a junior British diplomat: “While we are encouraged by the increased energy and enthusiasm around the nuclear disarmament debate, we regret that this energy is being directed toward initiatives such as this High-Level Meeting, the humanitarian consequences campaign, the Open-Ended Working Group and the push for a Nuclear Weapons Convention.”
- In contrast, Dr. Hassan Rouhani, the new President of Iran, used the occasion of the High-Level Meeting to roll out a disarmament “roadmap” on behalf of the 120 member Non-Aligned Movement (NAM). The roadmap calls for: “early commencement of negotiations, in the Conference on Disarmament, on a comprehensive convention on nuclear weapons for the prohibition of their possession, development, production, acquisition, testing, stockpiling, transfer, use or threat of use, and for their destruction; designation of 26 September every year as an international day to renew our resolve to completely eliminate nuclear weapons;” and “convening a High-level International Conference on Nuclear Disarmament in five years to review progress in this regard.” The NAM roadmap was subsequently adopted by the UNGA with 129 votes in favor. The U.S. voted no.

Meanwhile, your Administration’s FY 2015 budget request seeks a 7% increase for nuclear weapons research and production programs under the Department of Energy’s semi-autonomous National Nuclear Security Administration (NNSA). NNSA’s “Total Weapons Activities” are slated to rise to \$8.2 billion in FY 2015 and to \$9.7 billion by 2019, 24% above fiscal year 2014. Your Administration is also proposing a \$56 billion Opportunity Growth and Security Initiative (OGSI) to be funded through tax changes and spending reforms. OGSI is to be split evenly between defense and non-defense spending, out of which \$504 million will go to NNSA nuclear weapons programs “to accelerate modernization and maintenance of nuclear facilities.” *With that, your FY 2015 budget request for maintenance and modernization of nuclear bombs and warheads in constant dollars exceeds the amount spent in 1985 for comparable work at the height of President Reagan’s surge in nuclear weapons spending, which was also the highest point of Cold War spending.*

We are particularly alarmed that your FY 2015 budget request includes \$634 million (up 20%) for the B61 Life Extension Program, which, in contravention of your 2010 Nuclear Posture Review, as confirmed by former U.S. Air Force Chief of Staff, General Norton Schwartz, will have improved military capabilities to attack targets with greater accuracy and less radioactive fallout.<sup>1</sup>

This enormous commitment to modernizing nuclear bombs and warheads and the laboratories and factories to support those activities does not include even larger amounts of funding for planned replacements of delivery systems – the bombers, missiles and submarines that form the strategic triad, which are funded through the Department of Defense. In total, according to the General Accounting Office, the U.S. will spend more than \$700 billion over the next 30 years to maintain and modernize nuclear weapons systems. The James Martin Center places the number at an astounding one trillion dollars. This money is desperately needed to address basic human needs – housing, food security, education, healthcare, public safety, education and environmental protection – here and abroad.

## **The Good Faith Challenge**

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<sup>1</sup> <http://blogs.fas.org/security/2014/01/b61capability/>

This our third letter to you calling on the U.S. government to participate constructively and in good faith in all international disarmament forums. On June 6, 2013, we wrote: “The Nuclear Security Summit process you initiated has been a success. However, securing nuclear materials, while significant, falls well short of what civil society expected following your Prague speech.”<sup>2</sup> In that letter, we urged you to you speak at the September 26, 2013 High-Level Meeting on Nuclear Disarmament at the United Nations; to endorse UN Secretary-General Ban Ki-moon’s Five-Point Proposal on Nuclear Disarmament; to announce your convening of a series of Nuclear Disarmament Summits; to support extending the General Assembly’s Open-Ended Working Group to develop proposals to take forward multilateral nuclear disarmament negotiations for the achievement and maintenance of a world without nuclear weapons; and to announce that the U.S. would participate in the follow-on conference on the humanitarian impacts of nuclear weapons in Mexico in early 2014.

In our second letter, dated January 29, 2014, we urged that you direct the State Department to send a delegation to the Mexico conference and to participate constructively; and that your administration shed its negative attitude and participate constructively in deliberations and negotiations regarding the creation of a multilateral process to achieve a nuclear weapons free world. And we called on the United States to engage in good faith in efforts to make the Conference on Disarmament productive in pursuing the objective for which it was established more than three decades ago: complete nuclear disarmament; and to work hard to convene soon the conference on a zone free of WMD in the Middle East promised by the 2010 NPT Review Conference.<sup>3</sup>

Since our last letter, the U.S. - Russian relationship has deteriorated precipitously, with the standoff over the Crimea opening the real possibility of a new era of confrontation between nuclear-armed powers. The current crisis will further complicate prospects for future arms reduction negotiations with Russia, already severely stressed by more than two decades of post-Cold War NATO expansion, deployment of U.S. missile defenses, U.S. nuclear weapons modernization and pursuit of prompt conventional global strike capability.

### **Keeping Our Side of the NPT Bargain**

Article VI of the NPT, which entered into force in 1970, and is the supreme law of the land pursuant to Article VI of the U.S. Constitution, states: “Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control.”

In 1996, the International Court of Justice, the judicial branch of the United Nations and the highest and most authoritative court in the world on questions of international law, unanimously concluded: “There exists an obligation to pursue in good faith and *bring to a conclusion* negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.”

Forty-four years after the NPT entered into force, more than 17,000 nuclear weapons, most held by the U.S. and Russia, pose an intolerable threat to humanity. The International Red Cross has stated that “incalculable human suffering” will result from any use of nuclear weapons, and that there can be no adequate humanitarian response capacity.<sup>4</sup> Declaring that “our nation’s deep economic crisis can only

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<sup>2</sup> [http://www.lcnp.org/files/060613\\_Obama.docx](http://www.lcnp.org/files/060613_Obama.docx)

<sup>3</sup> <http://www.lcnp.org/pubs/Letter-to-Obama-Mexico-Conference-on-IHL.pdf>

<sup>4</sup> <http://www.icrc.org/eng/resources/documents/resolution/council-delegates-resolution-1-2011.htm>

be addressed by adopting new priorities to create a sustainable economy for the 21<sup>st</sup> century,” the bipartisan U.S. Conference of Mayors has called on the President and Congress to slash nuclear weapons spending and to redirect those funds to meet the urgent needs of cities.<sup>5</sup>

**We reiterate the thrust of the demands set forth in our letters of June 13, 2013 and January 29, 2014, and urge you to look to them for guidance in U.S. conduct at the 2014 NPT PrepCom. We stress the urgent need to press the “reset” button with Russia *again*. Important measures in this regard are an end to NATO expansion and a halt to anti-missile system deployments in Europe.**

- We urge you to work hard to fully implement all commitments you made in the Nuclear Disarmament action plan agreed by the 2010 NPT Review Conference and to convene the promised conference on a zone free of WMD in the Middle East at the earliest possible date.
- We urge you again to take this opportunity to endorse UN Secretary-General Ban Ki-moon’s Five-Point Proposal on Nuclear Disarmament, to announce your convening of a series of Nuclear Disarmament Summits, and to engage in good faith in efforts to make the Conference on Disarmament productive in pursuing the objective for which it was established more than three decades ago: complete nuclear disarmament.
- We call on you to declare that the U.S. will participate constructively and in good faith in the third intergovernmental conference on humanitarian impacts of nuclear weapons to be held in Vienna late this year.
- As an immediate signal of good faith, we call on your Administration to halt all programs to modernize nuclear weapons systems, and to reduce nuclear weapons spending to the minimum necessary to assure the safety and security of the existing weapons as they await disablement and dismantlement.

**Mr. President: *It’s time to move from talk to action on nuclear disarmament. There have never been more opportunities, and the need is as urgent as ever.***

We look forward to your positive response.

Sincerely,

***Initiating organizations:***

Jacqueline Cabasso, Executive Director, Western States Legal Foundation



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<sup>5</sup> [http://www.usmayors.org/resolutions/81st\\_Conference/international02.asp](http://www.usmayors.org/resolutions/81st_Conference/international02.asp)

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