



NPT Working Paper Review



A Survey of Working Papers submitted to the 2010 NPT Review Conference

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This article surveys working papers submitted to the 2010 NPT Review Conference that were available as of Saturday, 9 May 2010. Many proposals reflect recommendations tabled during the current review cycle, though many of the papers elaborate on, refine, or supplement earlier drafts. The order in which proposals are presented does not necessarily reflect their priority or likelihood of achieving consensus.

Disarmament

Elimination of nuclear weapons. The New Agenda Coalition, in WP.8, recommends the RevCon reaffirm the unequivocal undertaking by nuclear weapon states to accomplish the total elimination of their nuclear arsenals and call upon them to accelerate the implementation of the 13 practical steps. The NAC also calls on all states to pursue policies that are compatible with the objective of a nuclear weapon free world. It also recommends the RevCon reaffirm that both nuclear disarmament and non-proliferation require urgent irreversible, verifiable, and transparent progress and underline the need to develop further adequate and efficient nuclear disarmament verification capabilities.

In WP.12, Libya proposes amendments to article VI of the NPT to strengthen the process of disarmament through the addition of two paragraphs: “(a) All nuclear-weapon States Party to the Treaty undertake to pursue general and complete disarmament under strict and effective international control; and (b) Each nuclear-weapon State Party undertakes to accept safeguards, as set forth in an agreement to be negotiated and concluded with the International Atomic Energy Agency, for the primary purpose of the verification of the fulfilment of its obligation to achieve full and comprehensive nuclear disarmament.”

In WP.33, France proposes an action plan for nuclear disarmament, which includes universal ratification of CTBT, negotiations on a FMCT, establishment of TCBMs by nuclear powers, negotiation of a post-START treaty with further reductions between Russia and the US, inclusion of tactical nuclear weapons in disarmament processes, the start of consultations on a treaty banning short- and intermediate-range ground-to-ground missiles, the accession to and implementation by all of the Hague Code of Conduct, and mobilization in all other areas of disarmament.

In WP.46, the Non-Aligned Movement proposes that the Review Conference calls for the full implementation of the 13 steps and adopt an action plan on nuclear disarmament, which include concrete steps with a specified framework

of time, including a nuclear weapons convention. The working paper also suggests the establishment of a standing committee to monitor and verify nuclear disarmament steps. In WP.47, NAM outlines the specific elements of its 3 phase disarmament action plan: 2010–2015, reducing nuclear threats and measures for nuclear disarmament; 2015–2020, reducing arsenals and promoting confidence; 2020–2025, consolidation of a world free of nuclear weapons.

In WP.49, Iran calls for the adoption of a clear time frame for the full implementation of article VI and proposes that the Review Conference establish a standing committee to ensure implementation of commitments made with regard to these obligations. In WP.28, the Arab League calls on the RevCon to establish a timetable and specific plan for nuclear disarmament; start negotiations on a treaty on the prohibition of nuclear weapons; and call on the CD to establish a subcommittee concerned with negotiations on a nuclear disarmament treaty.

In WP.63, China states that all nuclear weapon states should dedicate themselves to the goal of complete prohibition and thorough destruction of nuclear weapons, earnestly fulfill their obligations under article VI of the NPT, and publicly undertake not to seek permanent possession of nuclear weapons; and when conditions are ripe, other nuclear-weapon states should also join the multilateral negotiations on nuclear disarmament.

Modernization. The New Agenda Coalition, in WP.8, recommends the RevCon call upon nuclear weapon states to declare a moratorium on upgrading and developing new types of nuclear weapons. In WP.28, the Arab League calls on the RevCon to emphasize that improvement of existing nuclear weapons and the development of new types undermine the commitment to nuclear disarmament.

Operational status. In WP.10, New Zealand, Chile, Malaysia, Nigeria, and Switzerland suggest that states parties should approve an ambitious outcome on decreasing operational readiness as a tangible demonstration of the implementation of article VI commitments and as a step towards nuclear disarmament. They recommend that further concrete measures should be taken to decrease the operational readiness, with a view to ensure that all nuclear weapons are removed from high alert status, as well as suggests that nuclear weapon states should regularly report on such measures taken. In WP.9, Japan and Australia also call for further reducing the operational status of nuclear weapon systems.

Reductions. The New Agenda Coalition, in WP.8, recommends the RevCon call upon nuclear weapon

states to take further steps to reduce their nuclear arsenals. Japan and Australia, in WP.9, call on all states possessing nuclear weapons to make an early commitment to reducing their arsenals. In WP.31, the EU calls on states possessing non-strategic weapons to include them in their general arms control and disarmament processes and to agree to the importance of further transparency and confidence-building measures in order to advance this nuclear disarmament process. WP.31 also encourages the US and Russia to further develop the unilateral initiatives and to include non-strategic nuclear weapons in the next round of their bilateral nuclear arms reductions.

Reporting. In WP.8, the New Agenda Coalition recommends the RevCon urge the nuclear weapon states take further action to increase their transparency and accountability and recall the obligation to report on their nuclear weapon arsenals and activities. In WP.9, Australia and Japan call for increased transparency by all states possessing nuclear weapons with regard to their nuclear weapons capabilities, including by reporting regularly on the numbers of nuclear weapons and their delivery systems and on their deployment status. In WP.40, Australia and New Zealand propose that NWS systematize their reporting in the areas of nuclear doctrines, fissile material, warhead and delivery vehicle numbers, and strategic and tactical reductions. The working paper also suggests that these reports should be provided to the five-yearly Review Conferences.

Role in security doctrines. The New Agenda Coalition, in WP.8, recommends the RevCon call upon nuclear weapon states to diminish the role of nuclear weapons in their security policies pending their elimination, to refrain from pursuing military doctrines that emphasize the importance of nuclear weapons or lower their threshold for use, and to declare a moratorium on developing new missions for nuclear weapons. They also encourage states who are part of regional alliances with nuclear weapon states to report on steps taken to reduce and eliminate the role of nuclear weapons in collective security doctrines. In WP.9, Japan and Australia call on all states possessing nuclear weapons to commit to reducing the role of nuclear weapons in their national security strategies. In WP.63, China urges nuclear weapon states to abandon nuclear deterrence policies based on first use of nuclear weapons; honour their commitments not to target their nuclear weapons against any countries, or to list any countries as targets of nuclear strikes; undertake not to be the first to use nuclear weapons at any time or under any circumstances; abandon the policy and practice of “nuclear umbrella” and “nuclear sharing;

and take all necessary steps to avoid accidental or unauthorized launches of nuclear weapons.

Missiles. The EU, in WP.31, emphasizes the need for working for the start of consultations on a Treaty banning short- and intermediate-range ground-to-ground missiles and calls for universal accession and effective implementation of the Hague Code of Conduct against Ballistic Missile Proliferation. In WP.35, France proposes opening negotiations on a treaty banning short- and intermediate-range ground-to-ground missiles.

Security assurances and nuclear weapon free zones

Nuclear weapon free zones. The New Agenda Coalition, in WP.8, recommends the RevCon urge states to bring about the entry into force of relevant protocols to NWFZ treaties, welcome the entry into force of the Pelindaba Treaty, and encourage the creation of additional NWFZs. In WP.67, China states that the international community should actively support efforts to establish NWFZs on the basis of consultations among themselves and voluntary agreements in light of actual regional conditions and the international community should encourage NNWS to continue to put forward proposals on establishing new NWFZs.

Security assurances. The New Agenda Coalition, in WP.8, recommends the RevCon call upon nuclear weapon states to respect existing security assurances and to consider providing legally-binding ones. In WP.9, Japan and Australia call upon nuclear weapon states to take measures to provide stronger negative security assurances for non-nuclear weapon states that are in compliance with the NPT. WP.12 (Libya), WP. 28 (Arab League), and WP.68 (China) call for a legally-binding international instrument providing negative security assurances. In WP.46, the Non-Aligned Movement proposes the establishment of a subsidiary body to consider legally-binding security assurances. In WP.50, Iran suggests that the RevCon establish an ad hoc committee to work on a draft legally binding instrument on providing unconditional security assurances.

Non-proliferation

IAEA. In WP.61, Iran calls upon the IAEA to act within its mandate and states that the Agency should also strengthen its confidentiality policies in order to prevent any leakage of the sensitive and confidential information of member states.

IAEA safeguards. WP.5 (Japan), WP.9 (Australia and Japan), WP.31 and WP.56 (EU), WP.32 (France), WP.38 (Vienna Group of 10), WP.48 (Ukraine), WP.64 (China) propose that the RevCon should strongly encourage the universalization of the additional



protocol as the verification standard along with the comprehensive safeguards agreement. In WP. 56, the EU suggests states parties should support the role of the UNSC in situations where non-proliferation commitments are being violated. In WP.46, the NAM suggests that all NWS and all non-states parties place all their nuclear facilities under IAEA full scope safeguards in order to verify their obligations and provide a platform for further disarmament efforts. It also suggests that all parties to the NPT should help facilitate the implementation of the IAEA resolutions on safeguards in the Middle East and on Israeli nuclear capabilities.

Export controls. Members of the Zangger Committee, in WP.1, explain the Committee's contribution to the interpretation of article III, paragraph 2, of the NPT and annex statements referring the Zangger Committee in previous NPT review conferences. In WP.31, the EU urges the Zangger Committee and the Nuclear Suppliers Group to share their experience on export controls. In WP.17, the Vienna Group of 10 suggests that the RevCon urge all states parties to ensure that their nuclear-related exports do not assist the development of nuclear weapons or other nuclear explosive devices and that they are in full conformity with the objectives and purposes of the NPT. In WP.38, the Vienna Group of 10 suggests that all states parties should establish effective domestic controls to prevent the proliferation of nuclear weapons, as required by UNSCR 1540; adhere to or take account of the SNG guidelines in implementing national export control policies; and adopt the Zangger Committee understandings as well as make acceptance by recipients of full scope IAEA safeguards a condition for new supply arrangements for the transfer of nuclear material and equipment. In WP.64, China, calls upon all states to take measures to further strengthen nuclear export control regimes and to support efforts by the Zangger Committee and NSG.

Comprehensive Test Ban Treaty. The New Agenda Coalition, in WP.8, recommends the RevCon "agree on the vital importance" of the CTBT and call for upholding moratoriums on nuclear testing. WP.9 (Japan and Australia), WP.31 (EU), and WP.38 (Vienna Group of 10) call upon all states to sign and ratify the CTBT and emphasize the importance of maintaining the moratorium on nuclear weapons testing pending its entry into force. In WP.12, Libya suggests that a new paragraph be added to the NPT preamble that calls "upon all States to refrain from conducting a nuclear test explosion and to sign and ratify the Comprehensive Nuclear-Test-Ban Treaty, thereby bringing the treaty into force at an early date." The Vienna Group of Ten, in WP.16, proposes

final language for the final document on the CTBT, suggesting that the RevCon should stress the urgency and importance of CTBT entry into force, renew its call upon all states to sign and/or ratify the treaty without delay and without conditions, and to underline that existing moratoriums must be maintained pending the entry into force of the CTBT. In WP.36, France calls for the dismantlement of all nuclear testing facilities, in a transparent and open manner.

Fissile materials. The New Agenda Coalition, in WP.8, recommends the RevCon stress the need for all nuclear weapon states to place their non-military fissile materials under IAEA verification and to support the development of legally-binding verification arrangements to ensure the irreversible removal of fissile materials from nuclear weapons or other nuclear explosive devices. They also suggest the RevCon reiterate the necessity of negotiations on a fissile material treaty in the CD that takes into consideration both disarmament and non-proliferation objectives. In WP.9, Japan and Australia call for the immediate commencement and early conclusion of negotiations on a FM(C)/T. They also urge all states possessing nuclear weapons to declare and maintain a moratorium on the production of fissile material for weapons purpose, and to declare and place under IAEA safeguards voluntary fissile material that is no longer required for military purposes. In WP.37, France calls for the dismantlement of facilities dedicated to the production of fissile materials for nuclear weapons. In WP.28, the Arab League suggests the RevCon should call on the CD to start negotiating FM(C)/T, which should include a commitment to eliminate stockpiles of such materials.

Transfer or sharing of nuclear materials and weapons. WP.29 (Arab League) and WP.49 (Iran) suggests that states parties should reaffirm the total and complete prohibition of transfer of any nuclear-related equipment, to non-parties to the Treaty, without exception and in particular to the Israeli regime. In WP.61, Iran notes that the decision of the Nuclear Suppliers Group to approve nuclear energy trade to non-parties of the NPT is a clear violation of paragraph 2 of Article III and has damaged the Treaty. The working paper asks the Review Conference to make a decision on prohibition of any nuclear assistance to non-parties to the NPT. The working paper also calls upon the Conference to adopt a new approach towards non-proliferation and emphasize its basic and primary paradigms and need to establish a strong mechanism to verify the implementation of article I by NWSs. In WP.63, China urges all nuclear weapon states that deploy nuclear weapons abroad to withdraw and repatriate all such weapons.



Nuclear energy

International technical cooperation. Japan, in WP.13, proposes elements for the final document of the Review Conference in strengthening the technical cooperation activities of IAEA, such as: emphasizing the importance of international technical cooperation in the area of the peaceful uses of nuclear technology and underlining that technical cooperation activities contributes to meeting energy and other needs. The EU, in WP. 56, calls on states parties to support the suspension of access to the IAEA's technical cooperation and assistance programmes in cases of non-compliance. In WP.31, the EU calls for nuclear cooperation to be suspended where the IAEA is not able to provide adequate assurances that a state's nuclear programme is designed exclusively for peaceful purposes, until such time as the IAEA is able to provide such assurances. WP.27 (Algeria) and WP.65 (China) encourage states parties to guarantee adequate resources for the IAEA's technical cooperation programmes.

Multilateral nuclear fuel cycle. In WP.7, Sweden argues that two near-term proposals for voluntary back-up fuel supply mechanisms, the Russian Angarsk project and the proposed IAEA Low Enriched Uranium Bank, should be considered in present discussions on article IV. In WP.60, the EU supports a possible future low enriched uranium fuel bank under IAEA auspices. In WP.18, the Vienna Group of 10 suggests that the RevCon should note that fuel assurance mechanisms can act to support the objectives of the NPT by facilitating peaceful uses of nuclear energy and addressing global nuclear non-proliferation. It further suggests that the RevCon should affirm that any assurance mechanism must be transparent, independent, inclusive, and applied in an equitable manner and come under the auspices and safeguards of the IAEA. In WP.22, Russia and Belarus suggest that such multilateral fuel cycle mechanisms should be apolitical, non-discriminatory, and accessible to all states in compliance with their non-proliferation obligation, but they argue that this should not require a state to renounce its rights regarding the development of any stage of the nuclear fuel cycle. WP.30 (Vienna Group of 10), WP.34 (France), and WP.65 (China) encourage efforts to establish multilateral fuel mechanisms.

Nuclear safety. In WP.3, Romania and the Russian Federation argue that the development of nuclear power programmes needs to be pursued with due consideration for nuclear safety, in particular, with respect to the application of IAEA safety standards. They encourage states to rely on international cooperation and adhere to international nuclear safety conventions. In WP.9, Australia and Japan

urge all states that are developing nuclear power reactors to become parties to the four conventions regarding nuclear safety. They also urge all states to take further measures to strengthen the security of nuclear materials and facilities by concluding the Convention on the Physical Protection of Nuclear Material including its 2005 Amendment and the International Convention for the Suppression of Acts of Nuclear Terrorism. In WP.31, the EU calls on all states to sign, ratify, and implement the International Convention for the Suppression of Acts of Nuclear Terrorism. In WP.34, France encourages the support of IAEA nuclear security with funding and technical expertise. In WP.15, the Vienna Group of 10 suggests the RevCon urge all states parties that are constructing, planning, or considering nuclear power programmes and reactors to become parties to the Convention on Nuclear Safety, the Convention on Early Notification of a Nuclear Accident, the Convention on Assistance in Case of a Nuclear Accident or Radiological Emergency, and the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management.

"Inalienable right". In WP.27, Algeria suggests that the Review Conference should reaffirm the inalienable right of all states parties to the peaceful use of nuclear energy, and should urge developed states parties to encourage developing countries to acquire the scientific knowledge and infrastructures necessary for the use of nuclear energy for peaceful power and non-power purposes, as well as nuclear applications in order to meet their socio-economic needs. Iran, in WP.53, proposes that the Review Conference reaffirm the inalienable right to develop a national fuel cycle and proposes the establishment of a mechanism by the Review Conference to examine cases of non-compliance with article IV and the consequential damages inflicted on states parties through violation of this article. In WP.19, the Vienna Group of 10 suggest the RevCon should reaffirm article VI rights but also stress that compliance with the non-proliferation and verification requirements are essential for peaceful nuclear cooperation.

Implementation of the 1995 resolution on the Middle East

Implementation of the 1995 NPT resolution on the Middle East continues to be a major priority for many states. Following on its concrete measures put forward in 2008 and 2009, Egypt, in WP.14, submits its comprehensive proposal for steps to be adopted in 2010 toward implementation of the 1995 resolution. Elements contained in the Egyptian package, as well as those proposed by others, are detailed below.

Accession of Israel to the NPT. The New Agenda



Coalition (WP.8), Libya (WP.11), Egypt (WP.14), Algeria (WP.26), and China (WP.66) recommend the RevCon call on Israel to join the NPT as a non-nuclear weapon states and place its nuclear facilities under full scope IAEA safeguards. In WP.29, the Arab League calls on the UNSC to exert genuine pressure on Israel to implement UN resolutions concerning the establishment of a NWFZ in the Middle East.

Nuclear supply to Israel. Egypt, in WP.14, and Algeria, in WP.26, propose that the RevCon reaffirm that any nuclear supply arrangement to Israel, related to source or special fissionable material, require it to join the NPT as a non-nuclear weapon state and place its all its nuclear facilities under IAEA safeguards. Libya, in WP.11, proposes that if states engage in nuclear trade with Israel, the embargo on exports of such technology to other states in the region should be lifted. It also suggests nuclear weapon states should give assurances that they will honour article I of the NPT in relation to Israel and for all states to give a commitment to honour preambular paragraph seven and article IV.

International Conference. Egypt, in WP.14, recommend the RevCon decide to convene “an international conference to launch negotiations, with the participation of all States of the Middle East, on an internationally and effectively verifiable treaty for the establishment of a nuclear-weapon-free zone in the Middle East.” It also recommends the RevCon request the IAEA to prepare background documentation for the conference regarding the modalities for verification of such a zone. In WP.11 (Libya) and WP.29 (Arab League) invite the UN to convene a conference on this subject. In WP.45, France calls for such a conference to be attended by all states in the region, the P5 countries and other concerned states, along with the UN and the IAEA.

Intercessional Standing Committee. Repeating proposals submitted to previous PrepComs in the current review cycle, a number of states continued to urge the RevCon to establish some sort of standing NPT body—either a committee or a bureau—to follow up on implementation of the 1995 resolution intercessionally and report to the 2015 RevCon. Such calls were reflected in working papers from Egypt (WP.14), Libya (WP.12), the Arab League (WP.29), Iran (WP.43), the NAM (WP.46), and Palestine (WP.52). In WP.14, Egypt recommends this committee be composed of the Chair of the international conference, the three NPT depository states, the chairs of the main committees of the 2010 NPT RevCon, and the chairs of the negotiating groups (Non-Aligned Movement, Western European and Other States Group, and the Eastern European Group).

Reporting. In WP.52, Palestine calls upon state

parties to report on the steps they have taken to promote the achievement of a NWFZ in the Middle East.

Conditions. In WP.45, France calls for states to contribute actively to creating the right conditions for a NWFZ in the Middle East.

Withdrawal

Ukraine and Russian Federation, in WP.2, argue that article X should not be amended nor should the generally recognized principles of standards of international law be compromised by any decision on the withdrawal issue. However, they propose that Review Conference documents include certain understandings of the commitments of article X, including that a notice of withdrawal should be given in writing three months in advance of an intended withdrawal explaining the events causing the withdrawal and that no declarations aiming to shorten this three month period are valid. They also call for the IAEA Board of Governors to verify the withdrawing state's compliance with its safeguard obligations and to report non-compliance to the UN Security Council and for all nuclear equipment to be returned to the supplier state if requested or kept under IAEA lifetime safeguards.

In WP.9, Japan and Australia suggest that in case of a withdrawal of a state that has been found by the IAEA to be in non-compliance with its safeguards obligations, the UN Security Council should convene immediately in accordance with the body's role under the UN Charter. They also argue that a state withdrawing from the NPT should not be free to use for non-peaceful purposes nuclear materials or equipment acquired while party to the NPT, as well as special nuclear material produced through the use of such material or equipment.

In WP.42, Iran argues that proposals to reinterpret article X of the NPT are equal to the legal amendment of the Treaty and suggests that if anyone has any proposal for the amendment of the NPT it must follow the procedures stipulated in the article VIII of the Treaty and not through the Review Conference.

Institutional Reform

Canada, joined now by Australia, Austria, Chile, Germany, Ireland, Italy, Japan, Mexico, the Netherlands, New Zealand, Nigeria, Poland, Sweden, Switzerland, Thailand, and Ukraine, provided further details on its proposals to achieve further reform of NPT institutions and the review process in WP.4. The overall intent for the proposals is to create a shorter, but more focused review mechanism able to respond in a more timely manner to developments and to facilitate the substantive work of review conferences.





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Annual General Conferences. WP.4 calls for the three PrepComs to be replaced with three five-day annual meetings and one seven-day meeting to be held in each of the four years leading up to the RevCon. The annual meetings would be empowered to make both procedural and substantive decisions. The RevCon could be shortened to three weeks by reducing the time allocated for a general debate.

Provision for extraordinary meetings. One or more of the depositary states could call an extraordinary meeting if all states parties would potentially be affected by, and should therefore have input towards, a situation that threatens the integrity or viability of the Treaty.

Chairs' Circle. Past, incumbent, and incoming Chairs meet RevCon President, should meet as often as possible in person and virtually to ensure optimal coordination and continuity throughout review cycles.

NPT Support Unit. WP.4 proposes establishment of the position of a single Treaty officer, to be hosted by the UN Office of Disarmament Affairs, "who would be responsible for assisting and facilitating Treaty meetings and intersessional work on a full-time basis, in order to provide substantive, administrative, logistical and representative support."

Evaluation of decisions. In 2015 or earlier, states parties

could consider and evaluate whether these decisions had fulfilled the intended goal of enhancing the Treaty's review process, and whether further changes were warranted.

Universality

In WP.12, Libya suggests the RevCon adopt an effective plan of action for achieving universal adherence to the Treaty. In WP.31, the EU calls on all states not parties to the NPT to join without delay as NNWS. In WP.48, Ukraine calls for all states still not party to the NPT, CTBT, BTWC, and the CWC to join.

Civil Society

Disarmament education. In WP.6, Japan and the United Nations University underscore the importance of coordinated and sustained cooperation with civil society in promoting disarmament and non-proliferation education and examine ways to enhance such cooperation, with a view to strengthening the NPT norms and taking concrete steps to a world without nuclear weapons. In WP.6, they announce the initiation of a dialogue among NPT states parties and civil society on how to enhance such cooperation, which should lead to a global forum that brings together civil society and governments and hopefully can produce a declaration and a joint plan for capacity-building for enhanced disarmament and non-proliferation education.



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