

*Civil society perspectives on the First session of the Preparatory Committee for the 2010 Review Conference of the Nuclear Non-Proliferation Treaty, April 30-May 11, 2007*

## The Substantive Issue

*The Reaching Critical Will Team*

It is past time for governments to get on with it. To set a positive example, we are publishing our preliminary substantive analysis of interesting working papers here\*. Discussion is arranged by theme throughout the issue, and interspersed with articles. For those concerned about the status of procedural wrangling, please see NIR issue 5, "Today's Menu", as those options and positions have largely remained the same. In the two five-minute-long sessions yesterday, there was no agreement on the new South African proposal from Friday afternoon (see NIR issue 6, "Actively Waiting"). We hope governments are arriving this morning ready, willing, and able to do what we are doing now.

\*We have only included analysis of working papers that have either been distributed by the secretariat or handed directly to us.

### Nuclear Disarmament

*Jennifer Nordstrom, Reaching CriticalWill*

To date, three working papers address nuclear disarmament in-depth: the New Agenda Coalition's working paper (NPT/ CONF.2010/ PC.I/WP.15), the Non-Aligned Movement's "Nuclear Disarmament" working paper (WP.8), and Japan's "comprehensive" working paper. The New Agenda Coalition, which brought us the 13 practical steps towards nuclear disarmament in 2000, also lays out the task for this review cycle: "to identify and address particular aspects on which incremental progress is necessary, and should be made, with a view to advancing towards the objective of a nuclear weapon free world."

The NAC insists that transparency, verification, and irreversibility be applied to all disarmament measures. Japan and the NAM call for irreversibility and increased transparency in nuclear weapons reductions and disarmament.

All three working papers recognize the importance of the 2000 Review Conference's disarmament measures, which the NAC says set out "the agreed process for systematic and progressive efforts towards nuclear disarmament." Even though nuclear weapon states might not like the commitments they made in 2000, trying to ignore them undermines all future work to implement the Treaty's disarmament and non-proliferation objectives. For if states cannot trust that the agreements they make today will be upheld tomorrow, then one wonders what we are all doing here. Japan calls for governments "to faithfully make progress in implementing" the 2000 disarmament measures, while the NAC calls their implementation "imperative". The NAM reiterated its call for "a full implementation of the unequivocal undertaking given by the nuclear-

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### Institution-Building

*Susi Snyder, Women's International League for Peace and Freedom*

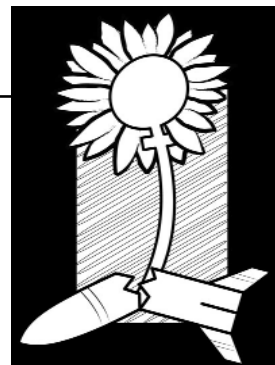
Contrary to the seventh Review Cycle of the NPT, few working papers have been distributed thus far that relate to strengthening the institutional capacity for the NPT. Perhaps in the fifteen or so additional working papers that have been submitted but not yet distributed, these issues will be raised more significantly. In the papers that have been circulated, there have been a number of references to better reporting (as called for in Step 12 of the 13 Practical Steps agreed in the 2000 Final Document), the Conference on Disarmament, and significant institutional suggestions in the Model Nuclear Weapons Convention.

The Non Aligned Movement (NAM) paper on "procedural and other arrangements" (NPT/CONF.2010/ PC.I/WP.6) recommends that the current policies and intentions of the nuclear weapons states should be included in addition to the "specific and complete" reporting on issues and principles called for in the 13 steps. Japan's comprehensive working paper also calls for States parties to submit reports on their disarmament obligations that are "as detailed as possible". Egypt's working paper (WP.14) also suggests that states develop reporting mechanisms "in accordance with guidelines to be agreed between member states" that would allow "effective scrutiny of measures taken by each state to secure its full compliance with all treaty articles and steps taken by each to achieve treaty universality". Japan's Comprehensive Working Paper also calls for more detailed reports by states parties.

The NAM also suggests that new institutions of the Treaty would further strengthen or enhance the review process, though they do not detail what these new institutions could or should be. It is possible that they are referring to the Canada's 2005 review cycle proposal on creating a standing body for the NPT (NPT/CONF.2005/PC.III/WP.1).

In the working paper submitted by Costa Rica on a Model Nuclear Weapons Convention (WP.17), there are numerous references to building relevant and needed

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## Nuclear abolition treaty submitted to the NPT

*Alyn Ware, International Association of Lawyers Against Nuclear Arms*

Ambassador Ana Teresa Dengo Benvides announced at the plenary meeting on Monday April 30 that Costa Rica will submit a Model Nuclear Weapons Convention (Model NWC) to the 2007 NPT Prep Com so that it will become a useful resource for deliberations on implementation of Article VI of the NPT. Other delegations were invited to join this initiative.

The Model NWC is an update of the one submitted by Costa Rica to the United Nations General Assembly in 1997, and which was circulated as UN Doc A/C.1/52/7. It outlines the legal, technical and political elements which might be required in order to achieve and maintain a nuclear weapons free world.

Carlos Vargas, International Law Consultant and a member of the Costa Rica delegation, notes that "The Model Treaty demonstrates that nuclear abolition is possible and that there is thus no reason why negotiations cannot commence at this point in time."

Costa Rica has been circulating the updated Model NWC with a two-page note explaining the rationale for this initiative. The note will be submitted by Costa Rica and supporting delegations to the NPT along with the Model NWC.

"The International Court of Justice confirmed that there is an obligation to commence and bring to a conclusion negotiations on nuclear disarmament in all its aspects," said Sr Carlos. "The Model NWC demonstrates how this obligation could be fulfilled."

Costa Rica notes that the Model NWC includes and expands on disarmament steps agreed at the NPT Review Conferences of 1995 and 2000 such as:

- \*a prohibition of nuclear testing;
- \*an end to production of fissile materials for military purposes and systematic steps towards nuclear disarmament;
- \*an unequivocal undertaking by the nuclear weapon states to accomplish the total elimination of their nuclear arsenals;
- \*concrete agreed measures to further reduce the operational status of nuclear weapons systems steps by all the nuclear weapon States leading to nuclear disarmament in a way that promotes international stability;

\*the principle of irreversibility to apply to nuclear disarmament; and

\*development of the verification capabilities that will be required to provide assurance of compliance with nuclear disarmament agreements for the achievement and maintenance of a nuclear weapon free world.

Costa Rica acknowledges in its paper that comprehensive nuclear disarmament is complicated and might not be achieved in one step or with one treaty. Thus, the Model NWC serves as a guide to what would be necessary in either a single convention or a package of agreements. Costa Rica also acknowledges that political, legal and technical developments during nuclear disarmament negotiations could result in a nuclear abolition regime that might differ in some aspects from that suggested in the Model NWC. "Regardless, the Model NWC demonstrates the feasibility of nuclear disarmament and should serve to assist in the commencement and conclusion of negotiations for this purpose."

\*The Model Nuclear Weapons Convention is available in Working Paper NPT/CONF.2010/PC.I/WP.17

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## Verification and Safeguards

*Ray Acheson, Reaching Critical Will*

The main focus of the Non-Aligned Movement's (NAM) working papers on Verification (NPT/CONF.2010/PC.I/WP.5) and Safeguards (NPT/CONF.2010/CP.I/WP.12) is ensuring the universality of and compliance with the International Atomic Energy Agency's (IAEA) safeguards agreements in a manner consistent with international law and the spirit of diplomacy.

The NAM stresses that states parties should not interfere with the IAEA's verification process, and argues in WP.5 that anyone who has "concerns regarding non-compliance by the States Parties with the safeguards agreements of the Treaty should direct such concerns, along with supporting evidence and information, to the IAEA," which can then decide on the appropriate action "in accordance with its Statute."

The NAM also emphasizes in WP.12 that the IAEA is the "sole verification agency for nuclear safeguards and the global focal point for nuclear technical cooperation." This paper argues the need for any non-compliance to be first reported by the IAEA's inspectors, and to be factual and technically-based.

These requests reflect the international community's dissatisfaction with recent trends in unilateral assessment, judgment, and compliance "enforcement" outside of the IAEA's authorization, and political interference with the IAEA's verification process and analysis. The use of other bodies, such as the UN Security Council, for determining and responding to non-compliance of states parties, can undermine the IAEA and its work. WP.12 also says the IAEA should avoid "any ultra vires acts jeopardizing its integrity and credibility," presumably in reference to the IAEA Board of Governors' referral of Iran to the UN Security Council.

Clearly alluding to the nuclear weapon states' non-compliance with their disarmament obligations, WP.5 proposes that nuclear weapon states parties accept full-scope safeguards "for the exclusive purpose of verification of the fulfillment of nuclear-weapon States' obligations assumed under this Treaty". This is certainly worth noting, as under Article III of the NPT only non-nuclear weapon states are subject to full IAEA safeguards in order to fulfill their non-proliferation obligations, while the nuclear weapon states are not subject to IAEA verification of their disarmament obligations. The NAM does not want universality of comprehensive safeguards "to wither away in favour of pursuing additional measures and restrictions on non-nuclear-weapon States, which are already committed to non-proliferation norms and have renounced the nuclear-weapon option."

Unfortunately, however, in WP.12 the NAM argues the importance of ensuring that voluntary confidence-building measures undertaken by some states parties are not turned into legal safeguards obligations. We need the greatest level of verification possible to ensure compliance with all obligations of the NPT.

## Nuclear Energy

*Beatrice Fihn, Women's International League for Peace and Freedom*

During the general debate, many states addressed the issue of developing nuclear energy for peaceful purposes. The Austrian Minister for EU and International Affairs, Ursula Plassnik, made a statement on the opening day calling for multilateral controls over the nuclear fuel cycle, something the IAEA has been discussing since at least the 1970s. Austria then submitted these ideas in a food-for-thought paper to the conference, called "Multilateralization of the nuclear fuel cycle" (NPT/CONF.2010/PC.1/7). In this paper, Austria recognizes the difficulty of states having full access to nuclear technology while ensuring the prevention of proliferation of nuclear weapons. Austria suggests that if all states would declare their nuclear programmes, development plans, activities, transfer of materials and related technologies to the IAEA and to each other, this would increase transparency beyond what is currently called for. Austria also proposes that all nuclear fuel transactions should be done under the auspices of a nuclear fuel bank, which would ensure, monitor, and verify equal distribution. This could also (although not noted in Austria's paper) increase health and environmental risks through increased transportation of nuclear materials, increased risks of nuclear terrorism and, as Switzerland alluded to in its general debate statement, increased risks of proliferation through because of more nuclear facilities around the world.

In its comprehensive working paper, Japan also discusses various proposals to establish back-up mechanisms for future nuclear fuel supply problems, and to develop proliferation-resistant nuclear fuel cycle technologies.

In its working paper (NPT/CONF.2010/PC.1/WP.1), Syria calls for the IAEA to more actively promote and facilitate the transfer of nuclear science and technology. The Non-Aligned Movement's working paper (WP.16) also calls for "balance" between the Agency's monitoring activities and its dissemination of nuclear technology and applications. In this paper, the NAM implies that making the additional protocol a condition of supply or assistance would contradict the "inalienable right" of States parties to develop peaceful uses of nuclear technology.

Egypt's working paper (WP.14) urges the IAEA, nuclear weapon states, and non-nuclear weapon states with advanced nuclear technology to assist interested states that have completed Comprehensive Safeguards Agreements with the IAEA, in development, research, production, and use of nuclear energy for peaceful purposes. No working papers so far have noted that there are still 31 states that have not yet concluded Comprehensive Safeguards Agreements (as required under Article 3) with the IAEA.

An expansion of the global nuclear energy industry might also increase the risk of catastrophic accidents or terrorist attacks on reactors or their spent fuel storage. Japan's comprehensive working paper urges all states to ratify the Convention on Nuclear Safety, the Joint Convention on Safety of Spent Fuel Management, and the Safety and Radioactive Waste Management.

Not only does nuclear energy have serious environmental effects, but it has non-proliferation risks as well. The spread of these technologies increases the risks of their misuse, including the diversion of nuclear material for use in weapons and the use of knowledge gained from operating such facilities for a clandestine nuclear weapon programme.

Twenty-one years ago, on 26 April 1986, the Chernobyl disaster demonstrated the horrible effects of a nuclear reactor accident. It is worth visiting the opening of a commemorative exhibition about the Chernobyl disaster that opens today in the Vienna International Centre, Building C.



*Nuclear Disarmament, continued from page 1*

weapon States at the 2000 Review Conference." The NAM further specifies that this "should be demonstrated without delay through an accelerated process of negotiations and through the full implementation of the 13 practical steps to advance systematically and progressively towards a nuclear weapon free world as agreed to at the 2000 Review Conference."

Japan and the NAC both call for the nuclear weapon states to reduce the operational status of nuclear weapons. The NAC says nuclear weapon states must "remove the launch-on-warning option from their security doctrines by agreeing on reciprocal steps to take their nuclear weapons off hair-trigger alert." We agree that although this is no substitute for irreversible disarmament, it would certainly help us breathe a bit easier in the short term.

All three working papers also discuss nuclear doctrines and threshold for use. The NAC says states "must not adopt doctrines or systems that blur the distinction between nuclear and conventional weapons, or lower the nuclear threshold." Japan says "[t]he threshold for use of nuclear weapons must be kept as high as possible." Japan also reaffirmed "the necessity of a diminishing role for nuclear weapons in security policies", while the NAM says that "lack of progress in diminishing the role of nuclear weapons in security policies further undermine[s] disarmament commitments." Nuclear doctrines are central to nuclear disarmament. Nuclear weapon states should implement the Weapons of Mass Destruction Commission's recommendation to begin planning for security without nuclear weapons.

The NAM and the NAC also criticize the development of new nuclear weapons. According to the NAC, "[s]tates should not develop new nuclear weapons or nuclear weapons with new military capabilities or for new missions, or the replacement

or modernization of their nuclear-weapon systems." All the nuclear weapon states are currently developing new nuclear weapons and/or systems, or modernizing current systems. Some are doing so faster and more comprehensively than others.

The NAC calls on the US and Russia "to show leadership in the nuclear disarmament process by extending START, upgrading SORT to include verification and negotiating further reductions including destruction of warheads and to include tactical nuclear weapons in future negotiations", with the possibility of eliminating an entire class of weapons. Japan encourages the US and Russia to "fully implement" SORT "and to undertake nuclear weapons reductions beyond those provided for by the Treaty." The NAM notes that reductions in deployments cannot replace irreversible cuts and the total elimination of nuclear weapons. Japan also encourages the other nuclear weapon states to reduce their nuclear arsenals, without waiting for the US and Russia.

Costa Rica submitted a working paper containing a model nuclear weapons convention, discussed in another article. The NAC notes that "a nuclear weapon free world will ultimately require the underpinning of a universal and multilaterally negotiated legally binding instrument or a framework encompassing mutually reinforcing sets of instruments." The NAM reiterates its call for "[t]he negotiation of a phased programme for the complete elimination of nuclear weapons with a specified time frame, including a nuclear weapons convention."

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— Hans Blix was formerly chairman of the WMD Commission and head of the International Atomic Energy Agency (IAEA) and the UN Monitoring, Verification, and Inspection Commission (UNMOVIC), January 2006

*"it is essential that Arms Control Today continue its mission to be a vital resource for ideas, objective analysis and policy options on the broad range of arms control, nonproliferation and disarmament issues."*

— Nobuaki Tanaka, UN Under-Secretary-General for Disarmament Affairs, August 2006

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## The Conference on Disarmament and a Fissile Materials Treaty

*Jennifer Nordstrom, Reaching Critical Will*

Japan, the New Agenda Coalition (NAC, in NPT/CONF.2010/PC.I/WP.15), and the Non-Aligned Movement (NAM, in NPT/CONF.2010/PC.I/WP.8) all called for the negotiation of a treaty banning the production of fissile materials for nuclear weapons, or a Fissile Materials Treaty (FMT). Most of us are currently crossing fingers that stalled discussions here do not negatively affect discussions in the Conference on Disarmament (CD). The CD is scheduled to take a decision on a programme of work including negotiations on an FMT when it reconvenes on May 15, and hopefully will be able to agree to this. The NAM urged the CD "to agree on a programme of work that includes the immediate commencement of negotiations on such a treaty with a view to their conclusion within five years."

The NAM and Syria both called for the CD to agree on an agenda that would "place nuclear disarmament at the top of its concerns". There are concerns that this could deter agreement on the commencement of negotiations on an FMT. Hopefully both the NAM and Syria will recognize that an FMT that includes provisions for verification and deals with existing stocks is a concrete disarmament measure, and will allow negotiations in the CD to begin, as recommended in the New Agenda Coalition working paper (WP.15). Japan's comprehensive working paper also supports the proposal of the six CD presidents for a programme of work. If agreement is reached to begin negotiations on an FMT, states can negotiate to ensure these provisions are included in the final treaty text.

Despite broad support for negotiating an FMT, fault lines, including verification and stockpiles, remain. Nuclear weapon states have long been opposed to including existing stockpiles of fissile materials in an FMT, as it would reduce their ability to make new nuclear weapons. In 2004, the United States announced that it no longer supported the verification of an FMT, which had previously been included in the consensus "Shannon Mandate". The NAM expressed concern about "attempts to limit the scope of the negotiations on an FMT" from what was contained in the Shannon Mandate. Japan said an FMT would "enhanc[e] transparency and accountability in the management of such material through its verification." The NAC said that "[f]or a fissile materials treaty to be meaningful it should include a verification mechanism and cover existing stocks."

In its WP.8, the NAM also raised the need for the CD to deal with the Prevention of an Arms Race in Outer Space. This has become more of a priority "because of abrogation of the Treaty on the Limitation of Anti-Ballistic Missile Systems, and concerns about the implementation of national missile defense systems".

We hope the spirit of collaboration that has permeated the CD throughout 2007 thus far will be able to continue despite the disagreements evident at this NPT. The plethora of information supporting a comprehensive FMCT provided by NGOs during numerous side events will be able to inform delegations and serve as an ongoing information source for these necessary negotiations.

## Security Assurances

*Ray Acheson, Reaching Critical Will*

The working papers on security assurances by Italy (NPT/CONF.2010/PC.I/WP.27) and the Non-Aligned Movement (WP.10) reaffirm the call for the establishment of a multilateral, universal, unconditional, legally-binding instrument on security assurances. The NAM stresses that security assurances from nuclear weapon states against the use or threat of use of nuclear weapons against non-nuclear weapon states are the legitimate right of states that have rejected nuclear weapons. The New Agenda Coalition also supports this call in WP.15, and argues that the NPT "is the most appropriate forum for the negotiation of this instrument as it would confirm the role of the Treaty and strengthen the nuclear non-proliferation regime." As it laid out in its working paper (WP.61) of the 2005 NPT Review Cycle, the NAC suggests that the assurances could be in the form of a separate agreement reached in the context of the NPT or as a protocol to the Treaty. To this end, the NAM calls for the establishment of a subsidiary body to look into the matter.

The NAC and the NAM agree that the US Nuclear Posture Review, which includes improvements to existing nuclear weapons, development of new types of weapons, and a role for nuclear weapons in the US' offensive capabilities, "lends a new urgency to the question of security assurances" and "contravenes the security assurances provided by the nuclear-weapon States." Italy calls for the nuclear weapon states to "reiterate their commitment and affirm or reaffirm" the [questionably] legally-binding nature of security assurances already defined by Article IX of the NPT and UN Security Council Resolution 984 (1995).

The NAM emphasizes that the total elimination of nuclear weapons is the only absolute guarantee against their use, and argues that "the indefinite extension of the Treaty does not imply the indefinite possession by the nuclear-weapon States of their nuclear arsenals."

The NAM does not mention positive security assurances in its working paper, probably because the NAM is more concerned with not being attacked with nuclear weapons than with having someone retaliate with nuclear weapons on their behalf. Positive security assurances also undermine the call for nuclear disarmament, by falsely assuming that nuclear weapons have an effective deterrent aspect, and that their use is legitimate in defending allied states.

*Institution Building, continued from page 1*

institutions during the process of agreeing to either a nuclear weapons or a framework convention, either in a single convention or a package of agreements. The MNWC envisages an agency, comprised of a Conference of States Parties, an Executive Council and a Technical Secretariat. The responsibilities would include verification, ensuring compliance, and decision-making. The working paper also includes suggestions on financing such an agency, as well as processes related to dispute settlement that incorporate the International Court of Justice.

As noted by the Weapons of Mass Destruction Commission, the NPT has the weakest institutional capacity for implementation of all the disarmament treaties, even though it is the most important. Governments need to strengthen this capacity during this review cycle.



## Nuclear Weapon Free Zones

*Susi Snyder, Women's International League for Peace and Freedom*

Three of the currently available working papers talk in a slightly substantive way about nuclear weapons free zones (with the exception of a nuclear weapons free zone in the Middle East, which is discussed in the Middle East report). The Non Aligned Movement's working paper (NPT/CONF.2010/PC.I/WP.13) raises questions about the integrity of the Treaty of Tlateloco because of the failure of some nuclear weapons states to fulfill their promises under protocols 1 and 2 of that Treaty.

Working papers by the NAM (WP.13) and the New Agenda Coalition (WP.15) both suggest that states party to nuclear weapon free zone treaties should find more ways to work together. In 2005, NWFZ parties met in Mexico, and made plans to have another such meeting before the next Review Conference. There is an opportunity for these states, which constitute more than half of NPT states parties, to come to creative solutions and extensions of their zones and to potentially break impasses on other issues related to the realization of a nuclear-free world. As these states have gone beyond the non-proliferation agreement enshrined in the NPT, they have the opportunity, and moral authority, to call for further measures on the disarmament and security assurances promises made by nuclear weapon states under the NPT.

### NPT 'worth reinforcing': UN Secretary-General

*Felicity Hill, ICAN*

In the first ever statement from a UN Secretary-General to an NPT PrepCom, Ban Ki-Moon said the nuclear Non-Proliferation Treaty "has done more than create a norm of non-proliferation." The Secretary-General was motivated to make this statement, "because of a persisting crisis of confidence in the treaty", and also presumably due to the personal commitment he himself has recently made to the issue of disarmament.

"Evidence of such a crisis is widespread," he said, referring to the "disappointing outcome" of the 2005 review conference, "insufficient progress" on nuclear disarmament and a lack of universal adherence to International Atomic Energy Agency safeguards as reasons for the crisis. He also spoke of the "difficulties" faced by the Comprehensive Nuclear-Test-Ban Treaty Organization and the urgent need to establish a zone free of weapons of mass destruction in the Middle East.

He concluded his message by calling on delegates to the meeting to adopt a "non-confrontational approach" in dealing with non-proliferation and disarmament issues. He also urged delegates "to show the world what multilateral cooperation can achieve in building a safer world and advancing the interests and ideals of humanity". An enduring and energetic commitment and courage on the part of Secretary-General will continue to be needed to advance the urgently relevant issue of nuclear disarmament through its current impasse and toward fulfillment of the promise of the United Nations first resolution, as well as the Preamble and Article 26 of the UN Charter.

## The Middle East

*Susi Snyder, Women's International League for Peace and Freedom*

Seven of the distributed working papers include references to the Middle East. These primarily deal with the 1995 consensus agreement to establish a Weapons of Mass Destruction Free Zone in the Middle East, and its reaffirmation in 2000. The Non Aligned Movement (NPT/CONF.2010/PC.I/WP.6 and WP.7), Egypt (WP.14), Syria (WP.1), the New Agenda Coalition (WP.15) and Japan (Comprehensive Working Paper and WP.3) also provide some reporting on efforts to implement the 1995 decision.

Egypt's working paper (WP.14) suggests that there should be a decision taken in 2010 on specific actions to implement the 1995 resolution, and that immediate concrete steps to be taken towards the establishment of a nuclear weapon free zone in the Middle East, the failure of which "would confirm that the legal, political and practical foundations of the Treaty have been significantly undermined." However, this paper does not provide concrete suggestions on what those actions should be. It also recommends that the Secretariat compile all of the reports submitted on steps towards implementing the resolution, as they did for the 2005 Review Conference.

In WP.7, the Non Aligned Movement took note of Israeli Prime Minister Olmert's public statement on 11 December 2006 (later recanted when Israel confirmed its policy of ambiguity), during which he publicly admitted the possession of nuclear weapons by Israel. The NAM recommends that a standing committee be established to follow up between sessions of the PrepCom and RevCon on the recommendations concerning the Middle East. This body would be composed of members of the Bureau of the 2010 Review Conference and would report back to the 2015 Review Conference.

Syria's working paper (WP.1) recalls the 2003 Syrian proposal to the UN Security Council in April and December, and note that this is still pending. Japan's comprehensive working paper said that regional stability was a condition for a WMD Free Zone.

Nearly all of these working papers also reference the relevant Security Council Resolutions and General Assembly resolutions calling for a Nuclear Weapon Free Zone in the Middle East, and called upon Israel to accede to the NPT as a non nuclear weapons state and to put their nuclear facilities under IAEA safeguards.



## Universality

Beatrice Fihn, Women's International League for Peace and Freedom

While the number of states parties to the NPT (187) is significantly more than other treaties on weapons of mass destruction, the universalization of this treaty still eludes the international community. India, Israel, and Pakistan developed nuclear weapons outside the Treaty, and they remain the only countries outside the Treaty\*.

In its comprehensive working paper, Japan calls upon non-parties to the NPT to accede to the treaty as non-nuclear weapon states without conditions, and to bring into force the required comprehensive safeguards agreements and additional protocols. Egypt, in its working paper (NPT/CONF.2010/PC.1/WP.14), explains that the current status of the "indefinitely extended but yet non-universal NPT" compromises the ability of the treaty to contribute to regional and international security. Egypt points out that the 1995 Final Document stresses that universal adherence to the treaty is an urgent priority and that every effort should be made by all state parties to achieve this objective. Syria's working paper (WP.1) calls upon the international community to put pressure on Israel to accede to the NPT without conditions or any

further delay, and to place its nuclear facilities under IAEA supervision. The New Agenda Coalition's working paper (WP.15) calls upon all states parties to spare no efforts to achieve the universality of the NPT, and urges India, Pakistan, and Israel to accede to it as non-nuclear weapons states promptly and without any conditions.

In the same working paper, the New Agenda Coalition recalls that at the Review Conferences of 1995 and 2000, states parties reaffirmed the unanimous agreement not to enter new nuclear supply arrangements with parties that do not accept IAEA full-scope safeguards on their nuclear facilities. The Non-Aligned Movement's working paper (WP.16) also expresses concern over the ability of certain non-states parties to the NPT to obtain, in particular from some nuclear weapon states, nuclear materials, technology, and know-how to develop nuclear weapons. The NAM calls for a complete prohibition of the transfer of all nuclear-related equipment, information, materials, and facilities, resources, or devices to non-states parties to the Treaty, without exception.

The US-India nuclear deal is such an arrangement, and not only violates the Outcome Documents of the Review Conferences of 1995 and 2000, but also Article 1 of the NPT and UN Security Council Resolution 1172. The proposed nuclear cooperation between these two countries also undermines efforts to get India to accede to the NPT as a non-nuclear weapon state.

The NPT has repeatedly been called the cornerstone of the nuclear disarmament and non-proliferation regime. Its universalization is important at the very least to avoid growing regional tensions that could lead to a new nuclear arms race.

*\*The status of North Korea remains ambiguous, following its announced withdrawal in 2003. Dealing with withdrawal needs to be solved during this Review Conference. North Korea highlighted the urgency of this issue with its October 2006 nuclear weapons test. In its comprehensive working paper, Japan discusses the dangers of withdrawal, proposing that it should be more costly, and that it should not be allowed to military use nuclear capabilities acquired under the pretext of peaceful use of nuclear energy while party to the treaty.*

*The Global Security Institute cordially invites you  
to a lunchtime panel:*

### "WEAPONS IN SPACE AND THE DISARMAMENT/NONPROLIFERATION REGIME"

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**Dr. Patricia Lewis**, UNIDIR  
**Ambassador (Ret.) Robert Grey**, fmr. US  
ambassador to the CD

**Chair: Jonathan Granoff**, President, GSI

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## Disarmament and Non-Proliferation Education

*Ray Acheson, Reaching Critical Will*

Japan's working paper on disarmament and non-proliferation education (NPT/CONF.2010/PC.I/WP.3) outlines its recent and future initiatives on this issue. Recognizing "that achieving the goal of nuclear disarmament and non-proliferation requires long-term efforts by a number of generations," Japan finds it "extremely important to hand down our desire for peace and our collective memory and experiences" to future generations. As such, Japan has hosted a variety of conferences, citizens' forums, and fellowship programmes, and has published white papers on disarmament and Governmental Expert reports, to inform the Japanese public, in particular the youth, about the state of international disarmament affairs and the tragedy of nuclear weapons. Some of these efforts include: the United Nations Fellowship Programme; the United Nations Conference on Disarmament Issues; invitations to prominent disarmament educators to come to Japan, such as Dr. Kathleen Sullivan of Educators for Social Responsibility; a Disarmament and Non-Proliferation Seminar; Peace Ceremonies in Hiroshima and Nagasaki; hosting the World Conference of Mayors for Peace; establishing Peace Study Courses in universities around the world; and A-bomb exhibitions in foreign countries. Japan is also looking to cultivate critical thinking by holding debate competitions between Japanese and foreign students on disarmament issues, and by spreading knowledge through Japanese pop culture, such as Manga.

## Nuclear Testing

*Susi Snyder, Women's International League for Peace and Freedom*

Japan, the Non Aligned Movement (NAM), and the New Agenda Coalition (NAC) all called for the early entry into force of the Comprehensive Test Ban Treaty (CTBT) in their working papers (numbers 4, 9 and 15 respectively). Recalling the promise of the

nuclear weapon states during CTBT negotiations that this treaty would halt "both vertical and horizontal proliferation", the NAM specifically requested that the nuclear weapon states refrain from conducting nuclear test explosions for the development or improvement of nuclear weapons.

Japan, in its working paper (NPT/CONF.2010/PC.I/WP.4) also reported on its efforts to bring about the early entry into force of the CTBT and its participation in the International Monitoring System (IMS). Japan also noted the effectiveness of the IMS in detecting the nuclear test conducted by the DPRK in October 2006.

The NAM and the NAC encouraged continuing the current moratoria on nuclear explosions. However, the NAM did note that "moratoriums do not take the place of the signing, ratification and entry into force" of the CTBT.

While states raised the issue and urged for an "early" entry into force of the CTBT, one wonders how "early" this can truly be, given that the Treaty has already lived for seven years in a provisional state.

Perhaps the discussions and presentations at the UNIDIR event, "Carpe Diem", that took place yesterday will influence the debate and encourage the few Annex II states that have not yet ratified the treaty to do so without any further delay.





## NGOs and NPT Universality

*Alyn Ware, International Association of Lawyers Against Nuclear Arms*

On Wednesday May 2, H.E. Don MacKay, New Zealand Head of Delegation to the NPT, commended the non-governmental organizations for their presentations to the plenary and supported their recommendation that the NGO plenary presentations become a permanent feature of NPT meetings.

Ambassador MacKay welcomed the breadth and professionalism of the presentations but asked for further clarification on NGOs' positions on universality of the NPT.

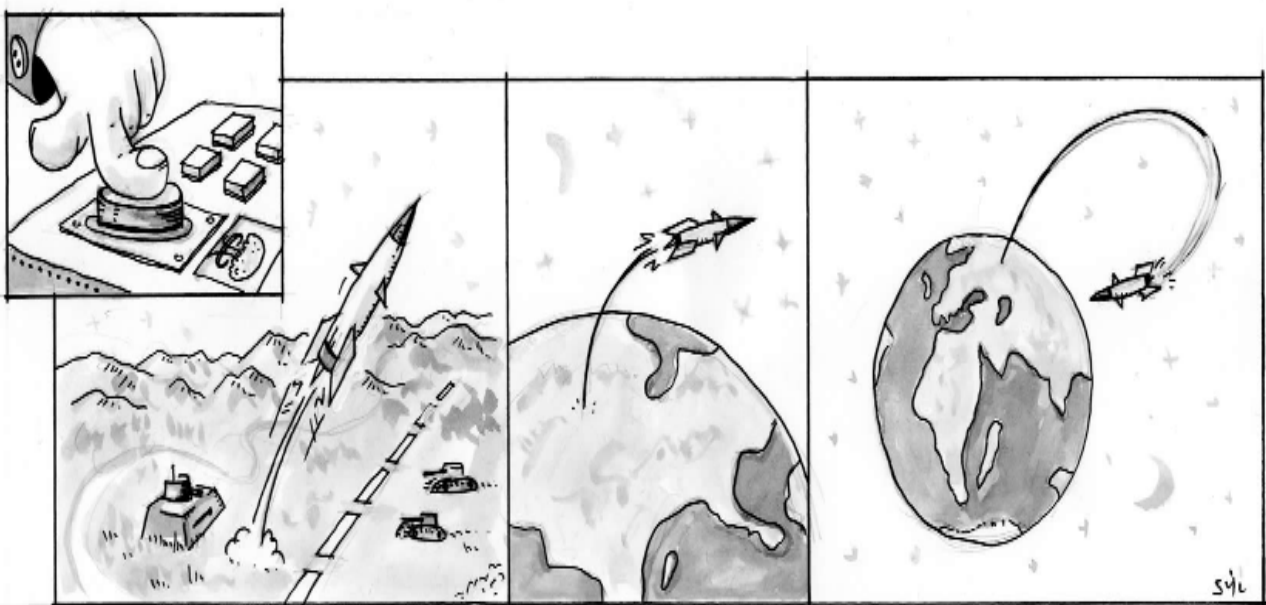
In reply, Alyn Ware, Global Consultant for the International Association of Lawyers Against Nuclear Arms noted that a number of NGOs had specific programs to encourage States not Parties to the NPT to join the Treaty. The Middle Powers Initiative, for example, in its March 2007 report *The Article VI Forum: Forging a New Consensus for the NPT*, recommends that the 2007 NPT Prep Com address universality, including substantive discussions on developments since 2005 with respect to States not Parties to the NPT.

ICAN, the new campaign of the International Physicians for the Prevention of Nuclear War has active groups in Israel, Pakistan and India and will be

campaigning on these countries abolishing their weapons programmes which would allow them to join the NPT and join negotiations for a Nuclear Weapons Convention. Peace Depot and Peace Boat have programs engaging North Korea which include encouragement for North Korea to rescind their announcement of withdrawal from the NPT.

Alyn noted however that "Not all NGOs believe that it is realistic to expect these States to join the NPT. The only way these States could do so would be as non-Nuclear Weapons States whereby they would have to submit to full scope safeguards obligations which are not required of the NWS. India and Pakistan have declared that they could not accept such discrimination. Thus many NGOs are advocating the commencement of negotiations leading to a Nuclear Weapons Convention which would place the same obligations on all States and thus be non-discriminatory."

As a stepping stone towards a nuclear weapons convention, NGOs are promoting the establishment of nuclear weapon free zones in the Middle East, South Asia and North East Asia. NWFZ obligations include, and go beyond, those in the NPT on non-possession of nuclear weapons and acceptance of safeguards.



WE ONLY HAVE ONE PLANET.



## What's On Calendar of Today's Events

### Abolition Caucus Strategy Meeting: Open

Where: NGO Room in the Austria Center (02 C 246)

When: 8-9am

Contact: Anthony Salloum

Website: [www.abolition2000.org](http://www.abolition2000.org)

### Governmental Briefing with Egypt (Assistant Foreign Minister, Mrs. Naela Gabr)

Where: NGO Room in the Austria Center (02 C 246)

When: 9:30 - 10 am

Contact: Jennifer Nordstrom, Reaching Critical Will

Website: [www.reachingcriticalwill.org](http://www.reachingcriticalwill.org)

### US Nuclear Weapons Policy: A Death Plan for Humanity

Where: NGO Room in the Austria Center (02 C 246)

When: 1:15-2:45

Contact: Regina Hagen, for INESAP and Nuclear Age Peace Foundation

Website: [www.inesap.org](http://www.inesap.org), [www.wagingpeace.org](http://www.wagingpeace.org)

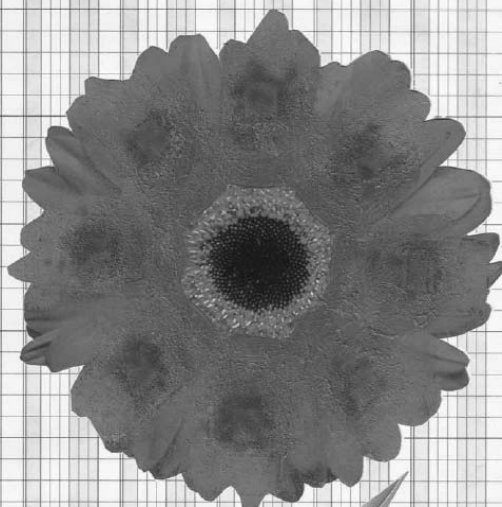
## Get your copy of the *Model Nuclear Inventory* Today!

The Model Nuclear Inventory tracks the nuclear weapons, materials, and policies of the five recognized nuclear weapon states and the nuclear-capable states listed in Annex II of the CTBT. In order to begin transparent, verified, irreversible disarmament, we must inventory the location of all nuclear materials, both civilian and military, worldwide. As a service,

Reaching Critical Will has done a model of such an Inventory.

Your friendly Reaching Critical Will team will be handing out copies of the *Inventory* to every delegation today. Find us at the main entrance to Plenary room A.

reaching a critical mass  
of political will for  
nuclear disarmament



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Model Nuclear Inventory

## Model Nuclear Inventory

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