



# NPT News in Review

*Civil society perspectives on the third Preparatory Committee  
for the 2010 nuclear Non-Proliferation Treaty Review Conference  
4–15 May 2009*



## A qualified success

Michael Spies and Ray Acheson | Reaching Critical Will of WILPF

By the abysmal standards that have typified the preparatory process—instituted in 1995—leading up to each five year review of the NPT, the third and final Preparatory Committee (PrepCom) meeting before the 2010 Review Conference (RevCon) must certainly be considered a success. The PrepCom was able to agree to an agenda for the RevCon, on its third day, no less, amid a chorus of accolades for what many described as a new, positive atmosphere in multilateral disarmament, stemming entirely from US President Obama's 5 April speech in Prague.

However, it did not surprise many delegates—most of whom are veterans of the so-called decade of deadlock that had accompanied the Bush administration's allergy to multilateralism—that the PrepCom would become snagged once it attempted to work through matters of substance.

The PrepCom's failure to adopt substantive recommendations for the RevCon, a feat no previous PrepCom had ever accomplished, may have temporarily tainted the atmosphere, but was not unforeseen. During his opening remarks to the PrepCom, its Chair, Ambassador Chidyausiku of Zimbabwe, cautioned that despite recent signs of progress, in many areas the positions of states had actually grown further apart rather than closer.

With this note of caution, on Monday, 11 May, the Chair circulated a clever and concise first draft of recommendations, intended to capture specific proposals that identify concrete practical actions on implementing the Treaty, stand a reasonable chance of gaining consensus, and build upon earlier decision. Its strongest provisions dealt with moving the disarmament agenda forward and even included consideration of a nuclear weapons convention (see *NPT News in Review*, No. 6).

It must be noted that the vast majority of states could have accepted the first draft,

including many members of NATO, with little or no modifications. Following consultations, and in particular input from the nuclear weapon states, on Wednesday, 13 May, the Chair put forward a revised set of recommendations that significantly weakened the sections on disarmament, civil society participation, and education, but bolstered those on implementing the 1995 Middle East resolution and on non-proliferation.

For some, the second draft proved to be a bridge too far. As the conference moved into its final hours, it devolved into a tense blame game that pitted western delegations against the Non-Aligned Movement and some of its more outspoken members, most notably Cuba, Egypt, and Iran. On Thursday, 14 May, the Chair advised states let the recommendations go, as to not to ruin the spirit of cooperation. Despite the Chair's judgment that the differences in position were too vast, a large number of delegations urged the Chair to continue the process of seeking consensus (see *NPT News in Review*, No. 10).

### The breakdown of the recommendations process

Despite the positive atmosphere, disarmament rhetoric of the US and UK administrations, and the quick adoption of the agenda, the PrepCom delegates did not find enough common ground—or at least, enough common rhetoric—to agree to a set of non-binding recommendations for next year. Breaking with the recent past, the Chair decided not to forward the recommendations to the RevCon as a working paper.

The Chair had introduced a newly revised draft recommendations on Friday, 15 May. Delegations consulted with their regional groups before resuming an informal meeting of the PrepCom. During this last attempt to reach consensus on the

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## Proposals and Recommendations to the 2010 Review Conference

A Survey of Working Papers submitted to the 2009 Preparatory Committee—Week 2

Michael Spies | Reaching Critical Will of WILPF

This article survey proposals to the 2010 NPT Review Conference (RevCon) made during the second week of the third (2009) Preparatory Committee (PrepCom) session. For proposals made during the first week, see NPT News in Review No. 6.<sup>1</sup> This reviews primarily draws upon working papers submitted to the PrepCom. Many proposals reflect recommendations that have been previously tabled during the current review cycle, though many of the papers elaborate on, refine, or supplement earlier drafts. This review deals with those proposals that concern issues related to nuclear disarmament and non-proliferation. The order in which proposals are presented does not necessarily reflect their priority or likelihood of achieving consensus.

### Disarmament

The Non-Aligned Movement (NAM), in WP.30, outlined a comprehensive set of recommendations covering all aspects of the Treaty, building upon its past working papers submitted during the present review cycle. In addition, Belgium, on behalf of seven countries (Belgium, Lithuania, the Netherlands, Norway, Spain, Poland, and Turkey), tabled a paper complementing proposals the group submitted to the 2005 RevCon, also dealing with all areas of the NPT.

**Negotiation of a verifiable FMCT.** Echoing numerous other calls, the NAM, in WP.30, called for negotiation of a verifiable FMCT, specifying that such a treaty should be concluded within five years.

**Entry into Force of the CTBT.** The NAM, in WP.30, also added its voice to those that continue to promote efforts to bring the CTBT into force.

**Further reductions of the role of nuclear weapons.** Seven countries, in WP.33, called for measures to operationalize the “unequivocal undertaking” to pursue nuclear disarmament, focusing on further diminishing the role of nuclear weapons in security policies. Toward this end, they recommended, inter alia: inclusion of non-strategic nuclear weapons in arms control processes; publishing of aggregate nuclear weapon holdings; further progress in reducing the operational status of nuclear weapons; and placing nuclear material no longer required for military purposes under IAEA safeguards.

**Implementation of the 13 Steps.** Building upon calls for the reaffirmation of past commitments—such as the one made by the New Agenda Coalition in WP.11—the Arab Group in WP.24 and the NAM in WP.30, called for immediate implementation of the 13 steps. The Arab Group specified that states parties should use the steps “as [sic] basis for measuring verifiable and irreversible progress in that regard, including the achievement of tangible reductions in existing nuclear arsenals, halting weapons production and the destruction of stockpiles.”

**Launch disarmament negotiations.** The NAM, in WP.30, called for the immediate commencement of a negotiation process “towards a phased programme for the complete elimination of nuclear weapons within a specified time frame, including a nuclear weapons convention.”

**Placement of all nuclear facilities under IAEA safeguards.** The NAM, in WP.30, called for the nuclear weapon states and non-party states to place all their nuclear facilities under comprehensive safeguards with a view toward facilitating future disarmament steps.

### Security Assurances

Proposals for the conclusion of legally-binding assurances against the threat or use of nuclear

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*Working paper review (cont.)*

weapons, as contained in working papers released during the second week, echoed views expressed during the first week of the PrepCom.

**Consideration of security assurances in the NPT context.** Compatible with calls for negotiation of an NPT Protocol granting legally-binding assurances, the NAM, in WP.30, called for the RevCon to undertake further work toward this end through a subsidiary body.

**Recommendations from the RevCon.** The Arab Group, in WP.24, called for the RevCon to formulate recommendations for the development of legally-binding assurances, falling short of Iran's and NAM's proposals for such an agreement to take the form of a Protocol to the NPT.

**Non-Proliferation and Safeguards**

Seven countries, in WP.33, generally laid out their positions on various non-proliferation and safeguards issues facing the NPT, generally stopping short of making explicit recommendations to the RevCon.

**Nuclear terrorism and illicit trafficking.** Seven countries in WP.33 did, however, call for a comprehensive and mutually reinforcing approach to preventing non-state acquisition of nuclear materials and weapons, including: implementing existing international conventions; the Global Initiative to Combat Nuclear Terrorism; the Proliferation Security Initiative; and voluntary efforts to convert civilian research reactors from using highly enriched uranium to low enriched uranium.

**Implementing the 1995 Resolution on the Middle East**

The Arab and the NAM outlined their respective proposals and positions on implementing the Middle East resolution in working papers submitted during the second week. The Arab Group's paper generally reflects the proposals made by Egypt in WP.20, though it takes a harder line on some points, as noted below.

**International Conference.** Essentially identical to Egypt's proposal (see WP.20), the Arab Group, in WP.23, called for the convening of an international conference "with a view to initiating negotiations on the establishment of a zone free from nuclear weapons in the Middle East by 2011." Unlike the Egyptian proposal, the Arab Group paper specifies that the RevCon should call upon the UN to hold the conference.

**Affirming non-transfer of nuclear weapons to Israel.** The Arab Group, in WP.23, proposed that the nuclear weapon states reaffirm their basic non-

proliferation commitment to not transfer or in any way assist Israel in the acquisition of a nuclear weapon.

**Cessation of nuclear cooperation with Israel.** Similar to Iran's proposal in WP.5, the Arab Group in WP.23 and the NAM in WP.30 further proposed that all NPT states declare (or reiterate) a commitment not to engage in nuclear trade with Israel. This proposal contrasts with Egypt's proposal that any nuclear cooperation with Israel be conditioned on its accession to the NPT and placement of its nuclear facilities under IAEA safeguards.

**NPT Standing Committee.** The Arab Group and the NAM also proposed, following similar requests from Egypt, Iran, and Palestine, for an NPT standing committee to follow up on implementation of the 1995 resolution intercessionally and report to the 2015 RevCon.

**Withdrawal from the Treaty**

**NPT consultative mechanism.** Seven countries, in WP.33, called for further development of a consultative mechanism and an institutional framework, "which would provide States parties with an ability to react adequately and in a timely manner to developments and challenges."

**Notes**

1. For a comprehensive survey of proposals submitted to the first two PrepCom sessions, see Michael Spies, "Toward 2010: Proposals, Positions, and Prospects," *Disarmament Diplomacy*, No. 90, Spring 2009.

International Conference on Nuclear Disarmament:

## Reaching Nuclear Disarmament

the Role of Civil Society in Strengthening the NPT

This international NGO Conference, presented by the Swedish Network for Nuclear Disarmament, aims to gather the International Movement against Nuclear Weapons, and to facilitate and coordinate strategies that will lead to a successful NPT Review Conference in 2010.

**Keynote Speakers:**

Hans Blix - Susi Snyder - Rebecca Johnson - Alyn Ware  
Ray Acheson - Henrik Salander - Hans Corell - Xanthe Hall  
Jan Prawitz - Uta Zapf - Rolf Ekéus - John Loretz

More speakers will be announced

**6-8 November 2009**  
**ABF Stockholm, Sweden**

The Reaching Nuclear Disarmament Conference is presented by the Swedish Network for Nuclear Disarmament, in cooperation with Pugwash Sweden, IPB Sweden, and ABF Stockholm.

For further information, please contact Emma Rosengren,  
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## News in Brief

Michael Spies | Reaching Critical Will of WILPF

### Recommendations to the 2010 RevCon

- The PrepCom was unable to reach consensus on adopting recommendations to the 2010 RevCon.
- The chair had circulated a third draft text, which incorporated some amendments to the second draft, notably modifying language in the preamble and disarmament sections.
- Following informal meetings of the regional groups, the chair determined that there was not enough time to bridge the remaining differences between states over the text.

### Final Report and Closing Remarks

- The PrepCom adopted a strictly procedural final report.
- Only seven delegations (including the EU, NAM, African Group, and Eastern European Group), made, generally brief and muted, closing remarks, focusing on the success in adopting in the agenda for the RevCon.
- In light of the the quick and smooth adoption of the agenda, delegations generally considered the PrepCom to be a success.
- The United Kingdom continued to express the view that agreement had been close on the recommendations, suggesting that it might have been too ambitious a task in light of the fact that no third PrepCom has ever accomplished such an agreement.
- Privately, many expressed some relief that no action had been taken—a sign of lukewarm support for the second draft and concern over the possible politically-binding nature of such disputed and imperfect text.

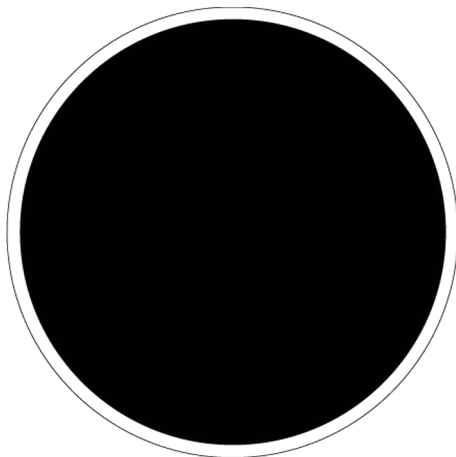
### *A qualified success (cont. from front page)*

draft recommendations, the Chair determined that the Committee did not have a sufficient amount of time to reach agreement. Later, at a press briefing, he said the “differences were very minor; with time, we could have done it.”

The differences, as laid out by delegations during Thursday’s plenary discussion on the draft recommendations, did not seem very minor (see NPT News in Review, No. 10), though the revisions in the third draft were quite minimal. The additional changes brought on board an additional caveat to the already thoroughly conditioned preambular paragraph, further emphasized its non-binding character and marginally indicative character—a change insisted upon by the UK. Other amendments made minor changes to the sections on universality, disarmament, non-proliferation, regional initiatives, and education.

Despite the lack of time to make additional major changes to the text (delegations would have needed to consult with their capitals had the second draft text been heavily amended), western and non-aligned delegations traded blame for the impasse. Since the first draft was not agreeable to a few western states and the second was not agreeable to a few NAM states, it would be cynical and insincere to place “blame” on any particular group or delegation. Instead, the experience only serves to further illuminate the wide gulfs between states’ positions.

Paradoxically on the surface, this result came as a relief to many delegations. While the vast majority of states parties seemed ready to accept either the first or second drafts, no one was entirely content with either. Rather than becoming stuck with an imperfect text, delegations will have the freedom in 2010 to negotiate and reach agreement with a clean slate on the many fraught issues facing the NPT regime.



Our World after the War.

*“Our World after the War”  
poster designed by Sam Smidt*



## Priorities for 2010: Recommendations for Forward Progress

Michael Spies and Ray Acheson | Reaching Critical Will of WILPF

In an effort to focus the energies of states and civil society toward achievable ends, we have taken up the challenge of one delegation to the PrepCom to present a short-list (maximum of three) of our own recommendations for the 2010 Review Conference. While there are many worthy items for consideration, we feel the following require the most urgent and sincere action to revive and sustain the non-proliferation and disarmament regime. We also believe these recommendations could garner consensus at the next Review Conference if sufficient action is taken now to support and work for them at all levels.

### Disarmament Action Plan

With recent high-level reaffirmations of the goal of nuclear disarmament coming from nuclear weapon states, the atmosphere is the best it has been in a decade for resurgent progress in the agenda to achieve a nuclear weapon free world. Civil society and like-minded governments must help to build political momentum for the articulation of a forward-looking action plan for disarmament that includes concrete measures to be taken both during the next review cycle and beyond.

Such measures could include, inter alia:

- a decision to further reduce the operational readiness of nuclear weapons and their role in security doctrines;
- pursuit of an international agreement dealing with ballistic missiles and other WMD delivery systems;
- developing a standardized mechanism for the reporting of nuclear weapon holdings;
- a decision to include non-strategic nuclear weapons in disarmament and arms control processes;
- a decision to cease the modernization and qualitative improvement of nuclear weapon systems; and
- consideration of the ways and means to start negotiations on an international framework to achieve a nuclear weapon free world.

### Concrete Measures to implement the 1995 Middle East resolution

The political atmosphere has also never been more favourable for facilitating real and progressive progress toward fulfillment of the 1995 resolution on the Middle East. Despite increasing tensions—related to escalating war talk coming from the Israeli government, the reluctance of the

Iranian government to fully resolve outstanding issues identified by the IAEA, and the specter of the nuclearization of the region<sup>1</sup>—the positions of key extra-regional powers are continuing to converge.

Toward implementing the 1995 resolution, many governments are beginning to express support for concrete measures the 2010 Review Conference can take, including:

- convening a conference after 2011 to begin negotiations on a framework or treaty to achieve a zone in the Middle East free of nuclear and other weapons of mass destruction; and
- appointing a standing NPT body to follow-up intercessionally and support efforts toward these ends.

### Strengthening the Review Process and NPT Institutional Reform

As has been noted by many observers, the NPT is the weakest of the treaties governing weapons of mass destruction in terms of its institutional support. Moreover, further steps toward disarmament will eventually necessitate an institutional framework comparable to other treaty regimes governing weapons of mass destruction. As it is presently constituted, the strengthened review process involves a considerable waste of time, energy, and money, which could be better spent facilitating agreement on complex issues and responding to current developments.

In 2010, NPT states should give serious consideration to Canada's proposals for institutional reform, which could increase the quality of NPT deliberations and enable treaty's institutions to focus on specific issues and respond to developments. These proposals include:

- a decision to hold annual general meetings in lieu of the PrepCom meetings, empowered with decision-making authority;
- a decision to establish a standing bureau, mandated to coordinate intercessionally and to convene extraordinary sessions of NPT parties; and
- a decision to establish an NPT Support Unit to provide full-time institutional support and memory to the NPT and its meetings.

### Notes

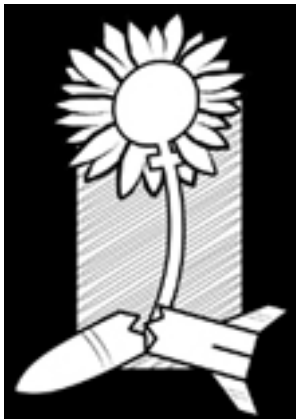
1. Expressions of interest to develop nuclear power programmes, and their associated infrastructures, have come from both Israel and the Arab states.





## About Reaching Critical Will

Reaching Critical Will is your primary source for information, documents, and analysis about the nuclear Non-Proliferation Treaty Preparatory Committees and Review Conferences and all other multilateral disarmament conferences.



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- All statements and documents from the Conference on Disarmament, and regular reports on the plenary meetings;
- All statements, documents, and voting results from the UNGA First Committee, and archived editions of the *First Committee Monitor*;
- Research and analysis of critical issues related to disarmament and arms control.

The Women's International League for Peace and Freedom (WILPF) created the Reaching Critical Will project in 1999 in order to increase the quality and quantity of civil society participation at international disarmament fora, such as those that take place at the United Nations. We believe that nuclear disarmament will require coordinated and sustained effort on behalf of governments, non-governmental organizations, and the United Nations. Reaching Critical Will is WILPF's initiative to encourage people to act and contribute to a variety of international fora. In order to act, they need information, primary documents, and informed analysis.

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