



NPT NEWS IN REVIEW

Civil society perspectives on the 2013 nuclear Non-Proliferation
Treaty Preparatory Committee 22 April–3 May 2013



Reaching Critical Will

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The NPT News in Review is a daily publication produced by the Reaching Critical Will project of the Women's International League for Peace and Freedom during meetings of NPT states parties.

See reachingcriticalwill.org for information, statements, papers, reports, archived NPT News in Reviews, and more from the NPT.

The importance of engaging momentum

Beatrice Fihn | Reaching Critical Will of WILPF

At 6pm on Thursday, the Chair of the second PrepCom, Ambassador Feruta of Romania, released his factual summary. Despite the fact that it is tabled as the Chair's own reflections and will not be adopted by the committee, the document seems to aim to avoid any significant controversy.

The summary touches briefly upon the usual concerns about continued reliance on nuclear weapons in security doctrines, high alert levels, lack of transparency and reporting standards, lack of time frames for nuclear disarmament, and continued modernization of nuclear weapon systems. At the same time, it also highlights the common responses from the nuclear weapon states, such as "progress" on the P5 process and their views on issues such as the compatibility of their nuclear weapon policies with international humanitarian law.

While the summary does include some welcome new elements reflecting some key implementation failures and positive developments, it does not fully capture the mounting frustration over the treaty regime's failure to achieve its key objective: the elimination of nuclear weapons.

One positive element of the factual summary is that it recalls the deep concern at the catastrophic humanitarian consequences and notes that many states referred to the "unacceptable harm" that would result from a detonation, including the wider and long-term impact on socio-economic development. It also includes a reference to the Oslo conference, and notes that many states looked forward to the follow-on conference in Mexico.

This reference is stronger than last year, thereby reflecting the growing debate around this issue. However, the joint statement of 78 countries delivered by South Africa also clearly stated that nuclear weapons must never be used under any circumstances. It is almost impossible to discuss the humanitarian impact of nuclear weapons without drawing the conclusion that nuclear weapons must never be used

again and that the international community must take all efforts to prevent it from happening. The summary fails to recognize this important continuation of the humanitarian aspect that was raised by the majority of states participating in the PrepCom.

Regardless, the joint statement together with countless similar national statements—even from governments that didn't sign on to the joint statement—did send a clear signal to the international community that this topic is here to stay.

The factual summary also notes the strong disappointment expressed by most states that the conference on a WMD free zone in the Middle East was postponed, and highlights that many states "rejected arguments for postponing the Conference, which a number of States consider a violation of commitments agreed to in the 2010 NPT final document." However, it does not mention that Egypt decided to boycott the remainder of the PrepCom after the Facilitator had delivered his report.

Perhaps one of the most positive additions to the summary was the significant language on civil society participation. It is clear that nuclear weapons fora are starting to (slowly) catch up with other disarmament conferences and governments are becoming interested in more interaction from experts, academics, and civil society.

It is very encouraging that the summary recognizes "the valuable role played by civil society in the implementation of the objectives of the Treaty," and welcomes "the increased interaction with the civil society during the specific session at the Committee." The summary also notes that states appreciated information and monitoring reports by civil society. Reaching Critical Will, for example, produces an annual NPT Action Plan Monitoring report and modernization report, as well as of course daily analysis in the *NPT News in Review*.

The summary also notes that many states called for "intensifying engagement with non-governmental organizations". This

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Side event report: Safeguards, safety, and security for new nuclear reactors

Benedetta Cavagna di Gualdana and Anina Dalbert | RCW

This event on the integrated approach to safety, security and safeguards (3S) in atomic energy was organized by the governments of Canada and Finland.

Ms. Elina Martikka from the Finnish Radiation and Nuclear Safety Authority (STUK) introduced its activities and upcoming projects. At the moment, Finland's nuclear power programme consists of two power plants with four nuclear reactors. The construction of a new power plant is expected to be finished in 2015, which will be one of the biggest reactors in the world. STUK is working on developing this new project together with four Finnish ministries, international partners, and the IAEA.

Ms. Martikka noted that in Finland, the planning of projects like this can be stopped in two ways. First, through municipalities that have the power to block an atomic energy project in their districts. Second, STUK itself has a veto regarding technical issues of the nuclear power plant project. Ms. Martikka noted that this new power plant is a very challenging project in terms of 3S, and still numerous questions are remaining.

Mr. Philip Webster from the Canadian Nuclear Safety Commission (CNSC) gave an historical background about the CNSC. He explained that as Canada has a complete fuel cycle, the CNSC approves general and specific regulations that cover safeguards, safety, and security. These regulations are obligations only for the state level. He also explained how in the organizational structure there are two branches, the technical support branch and the regulatory operation branch. These branches include in all areas safety, safety/security, and security/safeguards.

CNSC is responsible for implementing the Canada/IAEA safeguards agreement and the Additional Protocol, which gives the IAEA enhanced rights of access to nuclear sites and other locations and provides it with access to information about nuclear-related activities in Canada. He concluded saying that in security ratings for 2011 all the facilities were satisfactory.

The IAEA is in support of the integrative approach of the 3S. In Ms. Martikka's opinion this approach has many advantages. One of these advantages is the fact that a lot of the aspects concerning the 3S are interconnected and overlapping. At the same time they all have the common objective to protect people, the environment and our planet. However, it can still be questioned if such a guarantee is ever possible, especially in the light of secure and much more sustainable energies that have been and are still developed. Unfortunately no such question was raised during the event. •

Editorial, continued

PrepCom has indeed seen increased dialogue between states parties and civil society organizations. While this is very positive, it is important to note that effective engagement from civil society and academia does not materialize just because states parties allow for it.

One of the conditions for active and engaged civil society organizations is the notion that progress is achievable and that the forum in question is worth an investment of scarce resources. It is extremely difficult to mobilize any interest and constructive engagement in issues that are seen as non-starters, hopeless, or not possible to influence.

This new and positive interaction between civil society and governments in the NPT has not happened by accident. The recent focus on the humanitarian impact of nuclear weapons, through the 2010 NPT outcome document and events outside the NPT, has energized both civil society actors and governments. This energy comes from believing that progress on nuclear weapons now is possible, that we are seeing a momentum growing.

Governments at the NPT might be positive about increased participation by civil society and academics, but they must also remember that such increased participation comes with a responsibility to listen and work hard for progress. Civil society is not participating in the NPT to legitimize and support the current lack of progress but to encourage states parties to step up and embrace the momentum to make real changes to the status quo. •

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Reaching Critical Will
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The views expressed in this publication are not necessarily those of the Women's International League for Peace and Freedom or the Reaching Critical Will programme.



News in Brief

Gabriella Irsten | *Reaching Critical Will of WILPF*

Withdrawal

- The EU suggested that the United Nations Security Council (UNSC) put in place specific requirements to address a potential notification of a withdrawal from the NPT.
- Canada emphasized that states withdrawing from the NPT should not benefit from nuclear technology acquired while a member without maintaining safeguards obligations.

NPT reform

- The UK posed a list of concrete questions on reform to all other states parties in order to fuel a more interactive discussion, including: shortening the first two PrepComs; webcasting NPT meetings; holding NPT meetings in different locations; enforcing focused and limited discussions; fostering interactive debates; and continuing with the “PaperSmart” system for documentation.

Website

- Ireland, Germany, and Australia supported better utilisation of technology during NPT meetings, such as webcams and electronic recording.
- The majority of delegations supported the new paperless system for dealing with documents.
- Brazil cautioned that posting statements online contradicts the drive to increase interactivity, as it requires having a prepared statement to upload to the website.

Civil society participation

- Ireland, Germany, Netherlands, US and the Chair valued civil society contributions and resources provided in the Review Cycle.
- Ireland and Netherlands wanted better interaction with civil society in the NPT.

Location of meetings

- Japan, South Africa, New Zealand, and Kenya agreed that NPT meetings could be held in other locations than New York, Geneva, and Vienna in order to get a more diversified process.
- New Zealand stated that a change of venues would be favorable in order to get a more global participation, noting that only two members of its region were present at this meeting.
- Belarus, Spain, France, and Germany raised concerns that new venues for these meetings would increase expenses for countries.

Statements

- Germany, Ireland, France, the Netherlands, and the US supported a stricter time limit on statements, with France even contemplating “cutting the microphone off” if speakers went over the allowed time.
- Brazil, Mexico, Spain, and Greece asked for more interactive dialogue, and fewer prepared statements.
- France noted that off-the-cuff comments might be difficult since diplomats speak on behalf of governments and positions might need to be prepared in advance.
- Germany suggested that delegations could deliver one comprehensive statement instead of delivering both general and cluster statements with many repetitive elements.
- Netherlands and Australia suggested linking statements to implementation of specific action items or steps from previous outcome documents.
- Iran believed that more dialogue would be possible if the setup of the room was organized so delegations can see each other.

Institution

- Ukraine emphasised the importance of having a standing secretariat for the NPT.
- Germany stated that as long as there is no substantive task there is no need for an implementation unit.
- France could not see the added value of an institutionalized NPT secretariat, arguing it would only imply extra costs.

Review cycle

- Mexico raised concerns that the meetings in the review cycle do not appear to be very connected to each other and wanted to see more follow-up between meetings.
- Brazil questioned what added value the PrepComs give to the RevCon.
- The Philippines ambassador, chair of the 2010 Review Conference, believed that the PrepComs leading up to the 2010 RevCon did not contribute much added value.
- Iran believed that PrepComs are supposed to determine if agreements from RevCons have been implemented and make recommendations for the next RevCon. •



Overview of changes in the Chair's factual summary

Ray Acheson | *Reaching Critical Will of WILPF*

The following reflects changes from the 2012 Chair's factual summary (NPT/CONF.2015/PC.I/WP.53).

- Para 4 now notes that states called on South Sudan to accede to the Treaty.
- Para 6 now said many states parties made recommendations for further implementation efforts and to produce recommendations for the 2015 Review Conference, instead of just noting that states "looked forward" to such recommendations.
- Para 7 adds a new sentence recalling the need for full implementation of concrete actions leading to nuclear disarmament as contained in the conclusions and recommendations from the 2010 RevCon.
- Para 8 reflects the former para 12 on pursuing policies consistent with a nuclear weapon free world and commitment to irreversibility, etc. It adds two sentences noting that some states underlined the "ultimate objective" is general and complete disarmament and that "the goal of nuclear disarmament should be achieved in the context of general and complete disarmament."
- Para 9 reflects former paras 14 and 19 on the commitment of NWS to reduce and eliminate nuclear weapons and for those with the largest arsenals to lead these efforts. It also includes a new sentence expressing the expectation of many states parties "that significant reductions should be undertaken during the current review cycle". It also adds a sentence noting "the discussions and proposals aimed at increasing mutual understanding on non-strategic nuclear forces."
- Para 11 reflects the April 2013 meeting of the P5, in which they reviewed progress in implementing their 2010 commitments; discussed reporting on their activities in 2014 and "progress towards the development of a glossary of key nuclear terms;" and indicates they are "working toward the establishment of a firm foundation for mutual confidence and further disarmament efforts."
- Para 12 expands former para 9 on the catastrophic humanitarian consequences of any use of nuclear weapons. The para contains a new reference to the "unacceptable harm that would result from a detonation" and to "further concern about the wider and longer-term impact on socio-economic development". It notes that many states parties referred to the meeting in Oslo in March 2013 and that they looked forward to the follow-on conference to be hosted by Mexico "in order to deepen understanding on this matter through a fact-based dialogue."
- Para 16 is a compilation of the former paras 15 and 20 on NWS implementation of disarmament commitments and transparency. New sentences reflect that certain NWS said they are not pursuing new missions or capabilities for their nuclear forces and that the NWS reaffirmed the contribution of the "pragmatic, step-by-step process to nuclear disarmament and stressed the validity of this route."
- Paras 17 and 18 are the same as the former para 16 on New START and the continued existence of thousands of nuclear weapons.
- Para 21 on reporting adds a call from states parties for reporting from NWS "to be comprehensive and substantive" and notes they made specific proposals in this regard. It also adds that states parties "noted positively" the progress made by NWS on a nuclear glossary.
- Para 22 on alert levels stresses that states "remain deeply concerned at the maintenance of many nuclear weapons on a high alert level" and that many states emphasized "that concrete agreed measures to reduce further the operational status of nuclear weapons systems would increase human and international security and would represent an interim nuclear disarmament step."
- Para 22's reference to concern about nuclear weapon modernization also adds a reference to the concern about NWS' "plans to further invest in upgrading, refurbish or extending the lives of nuclear weapons and related facilities." It removes the earlier reference to the connection between modernization and ratification of nuclear arms reduction agreements.
- Para 23 on doctrines adds a connection between reducing the role of nuclear weapons and quantitative reductions in nuclear arsenals. It also now notes that some states "affirmed that they had reduced the role of nuclear weapons in their strategic doctrines."
- Paras 24–26 on the CD adds new references to: the efforts of the UN General Assembly related to revitalizing the multilateral disarmament machinery; the call for a subsidiary body on nuclear disarmament at the 2015 RevCon and the call for that conference to adopt a plan of action for the elimination of nuclear weapons within a specified time frame; the call upon the open-ended working group to develop proposals to take forward multilateral nuclear disarmament negotiations; that some states reaffirmed the step-by-step process; that many states

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Overview of changes, continued

- welcomed the September 2013 high-level meeting; and that some states parties reported on their efforts to encourage substantive discussion of issues relevant to an FMCT.
- Para 28 adds a note that some states called for the NWS to initiate or accelerate development of verification arrangements for the removal of excess fissile material.
 - Para 31 on the CTBT welcomes ratifications by Brunei Darussalam and Chad.
 - Para 32 adds a reference to calls on annex II states not to wait for others to ratify the CTBT first and reaffirms of the special responsibility of the NWS to encourage annex II countries to ratify the CTBT.
 - Para 33 on nuclear testing moratoria now includes a reference to “other nuclear explosions”.
 - The old para 36 on UK-Norway verification initiative has been deleted.
 - The new para 36 on disarmament education notes that states parties “described various initiatives” they have made in this field and that they “stressed the need to raise awareness of the public, in particular future generations, on all topics related to nuclear disarmament and non-proliferation in support of a view of achieving a world without nuclear weapons.”
 - Para 37 has been expanded to recognize the valuable role played by civil society in the implementation of the objectives of the Treaty as well as in promoting accountability. It notes that states welcomed increased interaction with civil society during the specific session at the Committee and that they expressed appreciation for the information and monitoring reports made available by civil society and academic organizations. It also notes that a number of states expressed interest in intensifying engagement with NGOs in the context of the NPT review process and in the pursuit of nuclear disarmament and non-proliferation objectives.
 - Para 41 adds a reference to the call for South Sudan to accede to the NPT and conclude a comprehensive safeguards agreement with the IAEA.
 - Para 42 is updated to reflect that 55 states have accepted the revised small quantities protocol.
 - Para 43 is updated to reflect that 18 states have brought additional protocols into force since 2010.
 - Para 61 references the International Conference on Nuclear Security to be held in Vienna in July 2013.
 - Para 65 has been updated to reflect that some states looked forward to the 2014 Nuclear Security Summit in the Hague.
 - Para 66 has been updated to reflect the welcoming of the parallel declarations adopted by the NWS and Mongolia on 17 September 2012 about Mongolia’s nuclear weapon free status.
 - Paras 69–73 on the Middle East WMD free zone conference have been updated to reflect new developments.
 - Para 70 notes the report of the facilitator, express appreciation for his tireless efforts’ and express support for his efforts “for multilateral preparatory consultations involving the States of the region.”
 - Para 71 reflects the co-sponsor joint statement supporting the facilitator.
 - Para 72 reflects the disappointment and regret with the postponement of the 2012 conference; notes the Arab League’s working paper and welcomes the constructive engagement of the Arab states with the facilitator; notes that some states rejected arguments for postponing the conference, “which a number of States consider a violation of commitments agreed to in the 2010 NPT final document” and thus are concerned “about negative repercussions to the Treaty resulting from the uncertain situation pertaining to the Conference.”
 - Para 73 notes reaffirmation of support of the conference, with many states supporting its establishment by the end of 2013. It also reflects that some states belief direct engagement of all states of the region is necessary as is consensus on the conference’s agenda and date.
 - Para 77 has been updated to reflect states’ condemnation of the DPRK’s nuclear weapons test in February 2013 and December 2012 launch and their call on the DPRK to refrain from restarting its nuclear operations at Yongbyon. It also reflects the pledge of states parties to continue to try to find peaceful diplomatic solutions to the situation.
 - Para 78 reflects the meeting between Iran and the E3+3 in Almaty, Kazakhstan and calls for intensified dialogue between the IAEA and Iran.
 - Para 79 now references calls on Syria to “remedy its non-compliance with its safeguards agreement.”
 - Para 81’s references to nuclear energy’s contribution to fighting climate change or meeting the MDGs have been deleted.

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Overview of changes, continued

- Para 87’s reference to the trans-boundary nature of nuclear accidents has been deleted and its reference to Fukushima has changed from it demonstrating the need to strengthen nuclear safety to it emphasizing the important role of the IAEA in sharing lessons learned from the accident.
- Para 88 references the meeting of the Convention on Nuclear Safety in August 2012 and the establishment of an effectiveness and transparency working group, as well as the Fukushima Ministerial Conference on Nuclear Safety in December 2012.
- Para 98 notes states’ interest in broadening consensus on withdrawal during this review cycle.
- Para 99 is updated to reflect the discussion on improving the effectiveness of the review process, with references to the PaperSmart documentation system and to proposals such as changing the venue of meetings, transitioning from summary records to audio recordings, making better use of information technology and webcasting, enhancing discussions with civil society, focusing discussions on implementation of commitments, and enhancing the link between PrepCom sessions and RevCons. •



CALENDAR OF EVENTS

When	What	Where	Who
10:00	Plenary	Assembly Hall	