



NPT News in Review

*Civil society perspectives on the
2010 nuclear Non-Proliferation Treaty Review Conference
3–28 May 2010*



Preventing a backslide

Ray Acheson and Beatrice Fihn | Reaching Critical Will of WILPF

Friday saw the release of three new texts: the Subsidiary Body I draft action plan on nuclear disarmament; the Subsidiary Body II text on regional issues, including actions for implementing the 1995 resolution on the Middle East; and the second Main Committee III draft chair's report. Delegations discussed the latest MCI, MCII, and MCIII texts throughout the day in the relevant committees. It became clear that while there is generally more agreement over the texts than there was a week ago, delegations have still not reached consensus. Open discussions were not held on the subsidiary body texts introduced on Friday, but both provide insights into the status of the closed deliberations.

While the measures proposed in the SBII draft, introduced on Friday by the SBII chair Ambassador Alison Kelly of Ireland, do not in themselves guarantee the realization of a nuclear or WMD free zone in the Middle East, this draft is still a move in the right direction. While it remains unclear if this draft will be met with consensus at the Review Conference, the efforts to produce this text represent the most concrete development on this issue since the adoption of the 1995 resolution. Getting the concerned states to the table to discuss relevant issues would be a beneficial confidence-building measure and could advance the broader regional peace process. A conference on its own does not necessarily solve the region's problems, but it opens the line for direct communication between key actors. As the Middle East has been predicted to be one of the "make or break" issues of the 2010 Review Conference, those not involved in negotiations over this document sincerely hope that the delicate balance provided for in this document is acceptable to those involved.

The modifications to the SBI action plan for nuclear disarmament have strengthened it from the first revision, though the text is still significantly weaker than the first draft. While Action 6 now emphasizes that the NWS commit to "accelerate concrete progress on the steps leading to nuclear disarmament" that

were agreed to in 2000, toward this end they are still only called upon to "convene timely consultations" to pursue, address, discuss, and consider collective measures. Action 7 no longer uses the language from CD/1864, with its multiple caveats, when calling for the Conference on Disarmament to take up the issue, but instead simply calls for subsidiary "body with a mandate to deal with nuclear disarmament," reverting to agreed language from 2000. It still, unfortunately, leaves the issue for the immediate future to the currently non-functional CD, while the UN high-level meeting is still to be based (though, it does specifically note, among other things), on the outcome of the NWS consultations in Action 6, to be accomplished by the next Review Conference.

Perhaps the most interesting addition to the action plan is a new paragraph expressing its "deep concern at the catastrophic humanitarian consequences of any use of nuclear weapons," and reaffirming "the need for all States to comply with international humanitarian law at all times." This insertion helps to place the consideration of IHL toward the centre of the nuclear weapons discourse, as the Swiss and Norwegian delegations have been pushing for at this Review Conference. This could be a valuable tool by which to further delegitimize nuclear weapons, which will help facilitate nuclear disarmament and non-proliferation.

With this exception, however, the fighting over words and concepts within the committees seems to have been constrained primarily to small adjustments, with a limited view to the bigger picture. While the first draft of the SBI action plan provided for forward-looking actions, the resistance of the NWS to accept any concrete commitments to nuclear disarmament within a specified timeframe has meant that those states that do not possess nuclear weapons or include them in their security doctrines have had to fight to even keep the action plan from regressing from the one adopted in 2000. It is

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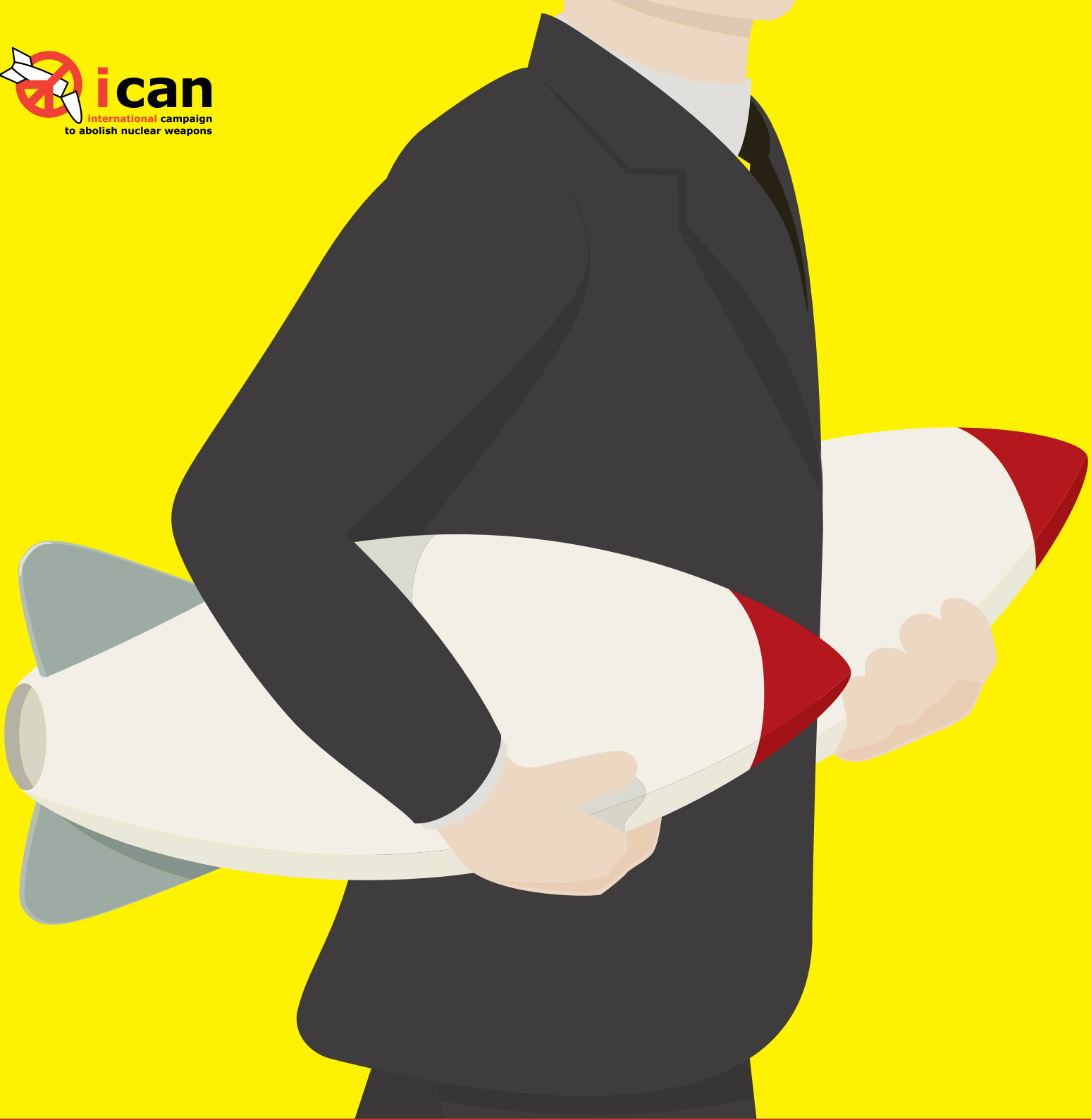
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No. 16**

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**When the NPT RevCon ends,
DON'T FORGET TO
DISPOSE OF YOUR TRASH
(transparently, verifiably and irreversibly).**

What is a nuclear weapons convention— a treaty, package of agreements, or the full implementation of a norm?

Alyn Ware | Parliamentarians for Nuclear Non-Proliferation and Disarmament

Convention • n. Concise Oxford Dictionary 10th Edition

1. *a way in which something is usually done. Socially acceptable behaviour.*
2. *an agreement between States.*

A Nuclear Weapons Convention (NWC) is generally understood as an international treaty, negotiated between states, to ban nuclear weapons—similar to other international treaties banning entire categories of weapons such as the Chemical Weapons Convention, Biological Weapons Convention, Cluster Munitions Convention, and Mine Ban Treaty.

However, the word convention implies more than just a treaty. In English, convention also means a norm or socially accepted practice.

International conventions often codify—or put into written agreement—customary norms which are already generally accepted. The Geneva and Hague Conventions, for example, codified international humanitarian law that was already recognized by most countries to protect civilians and prevent certain inhumane practices during wartime. As such, they apply not only to signatory states, but universally.

The conventions prohibiting chemical weapons, biological weapons, cluster munitions, and landmines emerged to further implement international humanitarian law—specifically, the prohibitions against weapons that are indiscriminate, that use poison, that cause unnecessary suffering, that do not differentiate between combatants and non-combatants, or that are used in a disproportionate manner that violates neutral territory or causes long-term and severe damage to the environment.

The call for a nuclear weapons convention also arises from this customary law, reaffirmed as applying to nuclear weapons in the 1996 International Court of Justice Advisory Opinion. The Court, based on these norms, concluded that the threat or use of nuclear weapons is generally illegal and that there is an unconditional and universal obligation to achieve the elimination of nuclear weapons under strict and effective international control.

As implementation of a customary norm, a NWC would thus be deeper and more far-reaching than an agreement between governments; it would include a range of additional measures at national and international levels—both governmental and societal—supporting nuclear abolition. These wider measures will constitute part of the social and political environment that will eliminate the current value of nuclear weapons and erase current doubts about the feasibility of nuclear abolition.

Could this be accomplished in one sweep—or would it be accomplished by a step-by-step approach focusing on a series of agreements culminating in a connected framework? The current political reality surrounding nuclear weapons policies and practices renders neither approach feasible. Some of the NWS and their allies are not ready to commence negotiations on a NWC. On the other hand, the step-by-step approach is not working due to asymmetry in nuclear capacities and security threats. India, Pakistan, and North Korea, for example, are unlikely to agree to the CTBT as they see that this would put them at a disadvantage compared to the NWS who have conducted many times more nuclear tests and have advanced non-explosive means for testing nuclear weapons. Pakistan and China are unlikely to agree to a fissile materials treaty because they perceive it placing them at a disadvantage to other states that have larger stockpiles of such materials and of nuclear weapons.

Thus, many proponents of a NWC are calling for a comprehensive-incremental approach which combines the non-discriminatory framework of a comprehensive NWC with a focus on initial measures that could be taken—not in a step-by-step linear fashion, but in a simultaneous approach. This is the basis for the call for a Preparatory Process for a Nuclear Weapons Convention.

The NWC preparatory process would involve States exploring, mapping and developing, in a more coordinated way, the legal, technical, political, and institutional elements required to achieve a nuclear weapons free world. It would pave the way for the achievement of initial steps and for the start of negotiations on the complete prohibition and elimination of nuclear weapons. It does not really matter whether the final regime will be governed by one omnibus instrument—a Nuclear Weapons Convention—or a package of agreements that will include the same elements. The key is to start the deliberations and negotiations to get there.

For some ideas on a Preparatory Process for a Nuclear Weapons Convention, see www.gsinstitute.org/pnnd/docs/NWC_prepcom.pdf. Alyn Ware is the Global Coordinator for Parliamentarians for Nuclear Non-Proliferation and Disarmament. •



News in Brief

Ray Acheson and Beatrice Fihn | Reaching Critical Will of WILPF

Plenary

- The President of the Review Conference decided to grant MCI and MCII one extra meeting and MCIII two extra meetings on Monday to wrap up their work.
- The President will release the draft outcome document on Monday at midnight.
- Plenaries will be held on Tuesday, Wednesday, and Thursday to discuss this draft.
- The drafting committee will meet Thursday afternoon to prepare the final text, which it will present Friday morning.
- The final plenary will convene Friday afternoon.

Main Committee I

- Delegations discussions of the revised MCI draft chair's report; most delegations described the draft report as a good draft but continued suggesting revisions and said it needed more work.
- The Chair and delegations engaged in debate over procedure regarding next steps; the final decision was to wait for the evening plenary to seek guidance from the President.
- MCI was granted one extra meeting on Monday to wrap up its work.

Elimination of nuclear weapons

- NAM reiterated the importance of including its 1bis paragraph recalling that in the context of the legally-binding commitment of NWS to disarm, the overwhelming majority of states agreed to legally-binding commitments not to acquire nuclear weapons.
- NAC called for the deletion of "the vision" from

B2 as the RevCon is seeking fulfillment of the vision of the nuclear weapon free world.

- NAC said B3 should affirm the full implementation of article VI within a framework of legal obligations and with specified timelines.
- US said it thought the new language in B3 on the pursuing "the final phase" of nuclear nuclear disarmament "within a legal framework with specified timelines" was interesting and said it was seeking guidance on it.
- UK called for the deletion of "with specified timelines" in B3.
- Indonesia voiced support for the formulation of B3 as it was in the original draft or for NAC's formulation.
- South Africa, Tanzania, Turkey, Morocco, Iraq, Cuba called for the retention of "with specified timelines".
- Ireland called for the language reaffirming the unequivocal undertaking and the language on vigorously pursuing implementation of the 13 steps to be brought back.
- New Zealand supported NAC's formulation for B3.

Reductions

- France called for the deletion of "with concern" in B1 when noting achievements in bilateral and unilateral reductions.
- Indonesia objected to this suggestion.
- France called for the addition of "significant" in B8 when welcoming unilateral reduction measures.
- US welcomed this change and suggested also replacing the word some with significant in B1.
- Indonesia said B1 should say there are still "tens of" thousands of nuclear weapons.

Security assurances

- Cuba reiterated the importance of the paragraphs on security assurances.
- Ireland called for the return of language on absolute guarantees in the NSA section.

Security doctrines

- NAM reiterated the importance of including its 3bis paragraph noting with deep concern the security doctrines of NWS, including the NATO Alliance Strategic Concept that include nuclear deterrence and set out rationales for the use or threat of use of nuclear weapons.
- Cuba voiced support for this suggestion.
- Iran called for the document to reflect grave concern with security doctrines involving nuclear weapons.

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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 project.



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*News in Brief (cont.)***Nuclear sharing**

- US argued that A6 on the implementation of article II and nuclear sharing is not legally accurate and suggested deleting it.
- Iran called for the document to reflect the problems of nuclear sharing.
- UK said A6 should replace “sharing with” with “transferring to”.

Nuclear testing

- UK called for the deletion of “and a lowering of the nuclear threshold” in B4 when noting concern about the possible development of new types of nuclear weapons.
- NAM suggested including reference to Iraq’s accession to the CTBT in B5.
- New Zealand welcomed this suggestion.

Transparency

- France called for paragraph B12 to make some reference to the organization by France of visits to its old fissile material production facilities.

Humanitarian consequences

- NAC said it appreciated the inclusion of language on the humanitarian consequences of the use of nuclear weapons in paragraph B1.

Non-states parties

- US said that paragraphs 2 and 3 in Part II should

somehow reference DPRK, not just India, Israel, and Pakistan, but suggested that instead, the paragraphs could not mention any of these countries by name.

- All of the Arab states objected to this suggestion.

Compliance

- Indonesia said A4 should reaffirm commitments to provisions of the Treaty, not just objectives.
- Indonesia said A7 should specifically note any NWS or NNWS party to the Treaty.
- Ireland argued that the wording in A8 on consequences for “breaches of all Treaty obligation” is odd, pointing out that it is unlikely that state would simultaneously violate all of its obligations under the Treaty. It also said the wording on consequences is too vague.
- New Zealand that the wording in A8 makes it sound like it is the consequences that undermine the Treaty, not the breach of obligations.

ICJ

- New Zealand called for the paragraph on the ICJ to be brought back.

Main Committee II

- Ambassador Allison Kelly, chair of Subsidiary Body II, presented the first draft on regional

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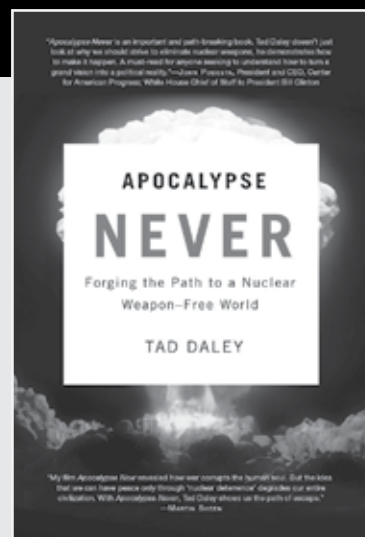
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News in Brief (cont.)

issues, including the Middle East.

- Main Committee II was granted one extra meeting on Monday to continue discussions on the draft.

General comments on the second draft

- NAM noted that while the second draft is an improvement, there are still areas where amendments should be made and proposed a series of amendments.
- Russia argued that the second draft was balanced, hoped it was close to a consensus outcome, and urged states to refrain from putting forward new demands that they already know will not reach consensus.
- Australia argued that some of the proposals made by NAM, especially those around the additional protocol, export controls, and Security Council resolutions would be unacceptable.
- NAM argued that its comments came from a huge group of states, a majority of the parties to the NPT, and that such proposals deserved respect.
- Lebanon, Iran, and Algeria regretted reactions against the proposals made by NAM.
- El Salvador suggested that the serious differences in view could be overcome by direct consultations between regional groups.
- The EU, the UK, New Zealand, the US, Norway, Belgium, and Italy called for more specific language in the action section, making the actions more focused.
- The US argued that since it has refrained from naming names in relation to non-compliance, that no names should be mentioned regarding the issue of universality of the Treaty.
- NAM and Syria stated that it could not imagine a final outcome document without non-member states named, in particular Israel in the context of the Middle East.

- Iran disagreed with the US and said that naming names of states parties and those outside the treaty are not equal issues.

Safeguards

- NAM, Argentina, Iran, Lebanon, Brazil, Syria, and Algeria reiterated their position that the additional protocol (AP) is a voluntary decision. As the comprehensive safeguards agreement (CSA) remains the agreed obligation under NPT, NAM wished the draft to clearly refer to this.
- The EU, the UK, the US, Belgium, and Ireland reiterated their position that the AP should be considered as the new standard for verification by the IAEA and wanted to retain the paragraph that calls upon states parties to conclude and bring into force an AP.
- Australia proposed adding some bridging language on the issue of the AP, such as "it is the sovereign decision of any state to conclude an AP, but once in force, it is a legally binding instrument". Australia also suggested that the text could note that an AP would increase the ability of the IAEA to verify nuclear material and that the AP should be referred to as of "vital importance".
- This was supported by Austria, New Zealand, the US, Norway, Ireland, and Canada.
- Brazil argued that while the AP plays a role in the IAEA safeguards, to say that it is of "vital importance" is not true and dangerous.
- Japan, the US, and Romania reiterated that 100 states have adhered to the AP.
- South Africa did not see any kind of language that could overcome the clear differences of views on this issue, and thought states should agree to disagree in order to move forward on other issues.
- Argentina and Chile asked for a reference to the

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Conversation with Hibakusha - Peace Boat Hibakusha Project -

Monday, May 24, 2010

3pm-5:30pm, Conference Room A (UN North Lawn Building)

Peace Boat cordially invites representatives of member states and civil society to a conversation with a delegation of atomic bomb survivors from Peace Boat. This event will include a screening of the film 'Flashes of Hope: Hibakusha Traveling the World', followed by the messages of two Hibakusha. A youth delegation from BANg will also join the event.

** For more information, please contact Narae Lee at narae@peaceboat-us.org **



News in Brief (cont.)

Brazilian-Argentinian safeguard cooperation agreement.

- NAM and Iran stressed the importance of safeguards for nuclear disarmament and wanted this to be included in the draft.
- France opposed this and stated that principles of nuclear disarmament should be dealt with in MCI.

Vertical proliferation

- South Africa and Brazil argued for the inclusion of a reference to continued modernization of nuclear arsenals in the draft, as this is a clear case of proliferation.
- Syria agreed and also wanted to include a reference to nuclear umbrellas, since this also constitutes proliferation.

Export controls

- NAM argued that the export control regimes are exclusive clubs and do not enjoy support from the majority of states. Since the exceptions made in 2008 are very concerning, NAM argued that the draft needed to contain language that highlight the necessity of such regimes to be consistent with the obligations of the NPT.
- The EU supported the references to the Zangger Committee and the Nuclear Suppliers Group (NSG).
- The UK acknowledged that there was a lot of controversy around this issue, but argued that these regimes play a critical role in non-proliferation, while still protecting the inalienable right to peaceful uses of nuclear energy.
- New Zealand, Hungary, the US, Belgium, and Ireland supported the language on export controls in the second draft.
- The United Arab Emirates argued that the draft should include a consideration of the AP in nuclear export decisions.
- The US argued that their nuclear cooperation with India was a unique situation and does not set any precedent.

Non-compliance

- NAM asked for removal of language that emphasized the UN Security Council (UNSC)'s role in upholding compliance with safeguards obligations. NAM argued that language from 2000 on this issue would be acceptable instead.
- The EU wished to strengthen the language on the UNSC as the final arbitrator in case of non-compliance.
- The UK argued that the text still needed to reflect the current challenges for the NPT and that the states that enjoy the benefits of the regime need to be in compliance.

- Australia, Netherlands, and Ireland argued that it is very important that the text refers properly to UNSC resolutions and retains paragraph 4.
- The US did not agree with the removal on the references to non-compliance in the second draft, and wanted the draft to call for full compliance with the non-proliferation obligations of the NPT.
- France wanted to address more specifically non-compliance challenges like Iran and DPRK.
- Iran protested that France mentioned Iran in the same sentence as DPRK, and argued that since DPRK has withdrawn from the Treaty, the two situations cannot be put in the same context.

Nuclear security and safety

- Russia, Hungary, US, and Chile highlighted the importance of recognizing the Global Threat Initiative as having made a substantive contribution to nuclear security and safety.
- Norway asked the draft to emphasize the HEU minimization reference.
- France argued that the issue of nuclear terrorism is of importance and supported the wording from the first draft.
- Iran argued that any attack of nuclear facilities is against international law and UN charter and this should be reflected in this draft.

Nuclear weapon free zones

- Mexico reiterated its proposal for holding the meeting of states parties in the context of the NPT. This was supported by Thailand, New Zealand, Mongolia, and Philippines.
- The Chair pointed out that this has financial implications for the NPT Review Conferences that needed to be consulted on and that he would discuss it with the Secretariat.
- Mongolia reiterated its call for institutionalizing its status as a NWFZ, which was supported by Chile.
- The Netherlands and Kazakhstan wished to keep the reference in paragraph 10 to reflect the language of the UN Disarmament Commission Guidelines from 1999.

Main Committee III

- Delegations discussions of the revised MCIII draft chair's report; most delegations described the draft report as a good draft but continued suggesting revisions and said it needed more work.
- Russia said is unsure about linking some of the future actions to provisions of the Treaty.
- Iran, Egypt, and Algeria argued that the paper does not sufficiently incorporate NAM proposals.

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News in Brief (cont.)

- Iran called for the inclusion of NAM's 1bis, "The Conference emphasises that full and indiscriminate implementation of Article IV of the Treaty is essential to realise the object and purposes of the Treaty."
- MCI was granted two extra meetings on Monday to wrap up its work.

Technical cooperation

- Colombia reiterated NAM's proposal for a paragraph on IAEA special programmes for developing countries.
- Indonesia said it still sees the necessity of including language on the need for practical steps to strengthen the IAEA Technical Cooperation Programme.

Nuclear power

- Austria noted that there was consensus that nuclear energy had more applications than just nuclear power but that this was not adequately reflected in the document.
- Ireland and Norway supported this intervention.
- Morocco said that the document should use the term "uses" rather than "applications" of nuclear energy.
- Brazil called for the deletion of "and its relevant international obligations" in paragraph 20 regarding defining a state's energy policy, arguing that the right should be confused with the exercise of the right.
- South Africa endorsed this suggestion.
- Switzerland suggested putting a full stop after "energy policy" in paragraph 20, deleting "in accordance with its national requirements and its relevant international obligations".
- Switzerland noted there is a new sentence in paragraph 22 about nuclear suppliers and spent fuel and expressed misgivings about how useful it is.
- Brazil called for the deletion of GNEP from paragraph 25 because it is not relevant to the paragraph.
- South Africa agreed this is problematic because not all states parties are members of GNEP.
- Brazil called for the deletion of the Global Threat Initiative from paragraph 27.
- Syria supported this suggestion.
- South Africa called for more work on the formulation of the "highest possible standards" in paragraph 25.
- Canada suggested including the Global Partnership against the spread of WMD in paragraph 27.
- Iran said it did not see the relevance of "putting conditionality" on article IV and requested

paragraph 7 be deleted as per NAM's proposal.

Transparency

- Brazil asked for clarity about what is meant by transparency about nuclear energy activities in paragraph 11.
- Iran argued that NNWS are by definition transparent under safeguards and that transparency should only refer to NWS.
- Norway called for reflection of discussion on transparency and quantities of fissile material.

Multilateral approaches to the fuel cycle

- Russia asked why there is no mention of the international centre on uranium enrichment in the text.
- Brazil suggested this whole section be revised.
- South Africa argued it is "quite generous" to make the judgments that paragraph 30 does given that discussions on this subject are still ongoing and no one knows how MNA would operate yet.
- Philippines agreed with South Africa.
- Indonesia emphasized that the MNA section should reflect three elements: that the IAEA needs to continue consultations in inclusive and comprehensive manner; that any arrangements must be in conformity with provision of Treaty; and that state parties must be the primary beneficiaries.
- Philippines supported this proposal.
- Iran said this section should just take note of discussions on this topic.
- Canada said the first sentence of paragraph 30 is confusing but that it could go along with the substance.

Nuclear safety and security

- Brazil said paragraph 40 should note the summit but not the outcome, as consistent with past practice for events that not all states parties attended.
- Syria supported this suggestion.
- Ireland suggested using the word "utilizing" instead of "developing" in bullet 12 in terms of levels of safety, security, non-proliferation, and environmental protection.
- Marshall Islands called for paragraph 44 to include language from 1995 regarding attention to "problems of safety and contamination related to the discontinuation of nuclear operations formerly associated with nuclear-weapon programmes, including where appropriate safe resettlement of any displaced human populations and the restoration of economic productivity to affected areas."
- Algeria supported this proposal.
- Indonesia argued the document puts too much emphasis on nuclear security, giving impression



News in Brief (cont.)

- that this committee is restricting rather than advancing the uses of nuclear energy.
- Indonesia suggested replacing “highest levels of safety” with “in a safe and secure manner”.
 - Switzerland noted that the bullet 12 in the action plan failed to reflect any of the options presented for alternative language on the highest standards and said it would be happy with the term “commonly accepted standards and guidelines for safety and security”.
 - Philippines agreed this language still needs work, and supported either neutral language or “appropriate and effective” standards.
 - Algeria called for paragraphs 36 and 38 to call on the relevant instruments be implemented not only by states parties to the NPT but by all states.
 - Syria suggested deleting the phrase “as in a manner” in paragraph 33.
 - Syria said the Conference should encourage rather than call upon states parties to become party to the instruments listed.

Armed attacks

- Indonesia agreed that 1995 language is a good basis but said additional language could be valuable this year.

Nuclear liability

- Ireland said it cannot accept the language in paragraph 50 or the action plan, arguing that the language suggested by Ireland from the IAEA General Conference would be more appropriate.
- New Zealand and Philippines agreed with Ireland. •

*Preventing a backslide (cont.)*

frustrating to see these delegations having work so vigorously to prevent a backslide from commitments made ten years ago, despite the rhetoric of a “vision of a nuclear weapon free world” espoused by most of the NWS.

On Tuesday, delegations will begin looking at the outcome document as a package. Without a doubt, they will engage in cross-committee horsetrading, selling commitments in one area to buy an advantage in another. This unfortunate zero-sum approach to the whole NPT regime gets us no closer to eliminating nuclear weapons or preventing their spread, to bringing in the states outside the Treaty, or to preventing double standards and discrimination.

What global peace and security really requires is a bigger picture win-win decision, wherein, for example, everyone commits to negotiate a legal framework for the elimination of nuclear weapons, a framework which would include the IAEA additional protocol.

Such a decision is not on the table at this Review Conference. Status quo is on the table. Fortunately, several delegations that have rejected nuclear weapons in all their aspects have been working hard to ensure progress is made, even if it is small. They are working against a harsh reality, where the actions of some NWS draw us further and further away from a world in which nuclear weapon states could be effectively eliminated. For example, the US House Armed Service Committee has approved legislation that specifies that if the US wants to pursue further reductions to the size of its nuclear weapons stockpile beyond New START, it will first have to demonstrate to Congress that “measures to modernize the nuclear weapons complex have been implemented to provide a sufficiently responsive infrastructure.”¹

Throughout the review cycle, there have been several calls for a new NPT grand bargain. A new bargain is not necessary. The old one, wherein NWS committed to eliminate their nuclear weapons, and so other states committed not to acquire them, is sufficient. It just needs to be implemented rather than undermined, especially by its most powerful parties. •

Notes

1. H.R. 5136, National Defense Authorization Act for Fiscal Year 2011 (Reported in House), 21 May 2010.



Overview of the first draft from Subsidiary Body II

Beatrice Fihn | Reaching Critical Will of WILPF

On Friday, the first draft from Subsidiary Body II was released, proposing the convening of a conference in 2012 and the appointment of a Special Coordinator to assist the implementation of the 1995 resolution.

The draft proposes that the conference shall be convened by the UN Secretary-General and attended by all states in the Middle East. The draft notes that the conference should lead to the establishment of a nuclear weapon free zone and all other weapons of mass destruction, "on the basis of arrangements freely arrived at by the States of the region, and with the full support and engagement of the nuclear-weapon States". However, it does not indicate that this conference is in itself a negotiating conference.

The idea of a conference was proposed by Egypt in WP.14, where it called for "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" in 2011. Libya, in WP.11, and the Arab League, in WP.29, proposed such conference. While the proposal in the draft from SBII does not explicitly reference to negotiations, it does recognize that the conference should lead to the establishment of a WMD-free zone.

The draft proposes that a Special Coordinator will be appointed by the UN Secretary-General to conduct consultations with countries in the region as well as undertake preparations for the 2012 conference. The draft also proposes that the Special Coordinator will follow up with steps agreed upon at the Conference and report to the Preparatory Committees of the next NPT review cycle.

In WP.14, Egypt had instead proposed the establishment of a standing committee, consisting of the chairs of the 2010 Review Conference and representatives from the P5 and the regional groups, which would follow-up on the implementation of the 1995 resolution throughout the next review cycle. In WP.26, Algeria proposed a similar body responsible for ensuring the implementation of the 1995 resolution, as did the Arab League in WP.29, Iran in WP.43, and Palestine in WP.52. While proposing a coordinator instead of a committee, the role and tasks of the coordinator seems to be in line with the Egyptian proposal: to prepare for the conference, carry out follow-up steps, and report back to the NPT.

The draft also proposes a set of additional steps for the implementation of the resolution, such as taking up the offer by the EU to host a follow-up

event to its seminar organized in June 2008, and that the IAEA, OPCW, and other relevant international organizations would be requested to prepare documents on verification of a WMDFZ for the 2012 conference.

The draft also recognizes that ongoing steps, like parallel progress in achieving total and complete elimination of all WMD in the region, reports by states parties on their implementation of the 1995 resolution, and the important role played by civil society in this issue, should be encouraged and continued.

On other regional issues concerning the NPT, the draft urges India and Pakistan to accede to the NPT as non-nuclear weapon states and for these two states to strengthen their non-proliferation exports measures. However, the draft does not call upon any actions or measures from states parties concerning these two countries and does not propose any strengthened non-proliferation export control measures from parties to the NPT to these two non-parties.

On DPRK, the draft proposes that the RevCon should condemn the nuclear tests of DPRK and urge it to abandon its nuclear programme and rejoin the NPT and IAEA safeguards. The draft also reaffirms the Conference's support for the Six-Party Talks and calls on DPRK and all states parties to fully implement UNSCR 1718 and 1874. •

Where are the women?

Today is **International Women's Day for Peace and Disarmament** and Reaching Critical Will would like to use this opportunity to provide a quick overview of the representation of women at the Review Conference.

Number of men who spoke at the General Debate: 115
 Number of women who spoke at the General Debate: 17
 Representation of women in the general debate: 12%
 Representation of women in the NGO presentations: 47%
 Number of male chairs at this Review Conference: 8
 Number of female chairs at this Review Conference: 1
 Number of female heads of state in the P5 today: 0
 Number of female heads of state in the P5 in history: 1
 Number of female UN Secretary Generals in history: 0

This year is the 10th anniversary of UNSCR 1325 on Women, Peace, and Security, which obliges foreign ministries and departments of defence to pay more attention to gender issues. A greater awareness of the gender dimensions of security as well as notions of strength and power can reform traditional behaviour and values expressed during this final week of negotiations at the NPT.

Reaching Critical Will calls on all governments to implement UNSCR 1325 and increase the participation by women at all decision-making levels for nuclear disarmament and non-proliferation.



Drafts in Contrast

Beatrice Fihn and Ray Acheson | Reaching Critical Will of WILPF

Subsidiary Body I

- On Friday morning, Ambassador Marschik released a third version of the SBI action plan.
- The new draft adds a paragraph under Principles and Objectives that “expresses its deep concern at the catastrophic humanitarian consequences of any use of nuclear weapons, and reaffirms the need for all States to comply with international humanitarian law at all times.”
- In Part II, the new draft specifies its call for reduction and elimination of nuclear arsenals in the second paragraph to NWS, deleting the phrase “and all other States possessing nuclear weapons”.
- Part II, paragraph 2 also now recognizes “that nuclear disarmament is fundamental for international peace and security”.
- Part II, paragraph 3 also now “calls on all States possessing nuclear weapons to join concrete disarmament efforts.” This has been deleted from Action 3, where it was previously located.
- Part II, paragraph 3 has rephrased its earlier mention of the UN Secretary-General’s proposal to include consideration “of negotiations on” a nuclear weapons convention, or “agreement on” a framework of separate mutually reinforcing instruments.
- Action 5 has changed the commitment for NWS from one to “constrain” the development and qualitative improvement of nuclear weapons to “cease” such development.
- Action 6 now specifies that the NWS commit to accelerate concrete progress on “the steps lead to” nuclear disarmament, “contained in the Final Document of the 2000 NPT Review Conference”.
- Action 6e now references “peace” in reducing operational status.
- Action 7 no longer uses the language from CD/1864 with its multiple caveats and now instead calls for subsidiary “body with a mandate to deal with nuclear disarmament”.
- Part III, paragraph 1 now notes that NSAs do strengthen, rather than “can” strengthen, the nuclear non-proliferation regime.
- Actions 8 and 17 now note the UN Secretary-General’s intention to convene a high-level meeting in support of the CD’s work rather than inviting him to do so. It also changes the language on the CD’s timelimit to note if its work does not commence rather than fails to commence.
- Action 10 now invites states to withdraw, rather than “consider the withdrawal of” any reservations

or unilateral interpretative declarations “that are incompatible with the object and purpose of [NWFZ] treaties.”

- Action 11 now calls upon states to sign and ratify the CTBT rather than saying they commit to do so.
- Action 14 now specifies that CTBT signatories are encouraged to promote its entry force and implementation, rather than to “take initiatives to” do so.
- Action 15 now encourages signatories to the CTBT to fully develop its verification regime, instead of saying they undertake to do so.
- Action 16 specifies that the International Monitoring System should serve as a verification system with global reach “upon entry-into-force of the CTBT”.
- Action 18 notes that a global moratorium on fissile material production for weapons does, rather than would, constitute an important contribution to the goals of the NPT.
- In Part VI, the paragraph affirming the need to work for the resolution of problems of regional instability and insecurity and conflict situations which are often at the root of armament programmes, as well as the paragraph recognizing the importance of collective security arrangements and advancing other disarmament objectives, have both been deleted.
- Action 23 now commits NWS to commit to regular reporting, rather than encouraging them to report regularly.
- Action 23 now has NWS reporting on the “size and composition” rather than “types and numbers” of their nuclear “arsenals”, rather than “weapons and their delivery systems”.

Main Committee III

- The second draft still does not include any text from Subsidiary Body III.
- There is a new paragraph in the “Decisions and recommendations of previous Conferences” section, which urges that in activities designed to promote peaceful uses of nuclear energy, preferential treatment should be given to NNWS parties to the treaty.
- Instead of positively noting that states actively cooperate in the peaceful uses of nuclear energy, the new draft “strongly encourages” such cooperation.
- In paragraph 13, the new draft state adds that the IAEA Technical Cooperation (TC) programme



Drafts in Contrast (cont.)

- is formulated in accordance with the guiding principles of INFCIRC/267 as well as in the decisions of the IAEA policy making organs.
- In paragraph 14, a reference to efforts to enhance the effectiveness and efficiency of TC in “partnership and in the light of changing circumstances and needs of concerned states” has been deleted.
 - In paragraph 15, the reference to Central and Eastern Europe has been replaced by just Europe.
 - In paragraph 18, a previous welcoming of the announcement by the US to contribute 50 million USD to the IAEA has been replaced by a welcoming of “contributions already pledged by countries” and now highlights that such contributions can contribute to the MDGs.
 - Paragraph 19 is new and supports efforts to train a skilled workforce for developing peaceful uses of nuclear energy.
 - In paragraph 22, the reference to “need to resolve the issue of managing radioactive waste” has been amended to “the important issue of managing spent fuel and radioactive waste”.
 - Paragraph 22 also has a new sentence reading, “Nuclear fuel suppliers should work with and assist recipient states, upon request, in the safe and secure management of spent fuel.”
 - In paragraph 23, the reference to “highest levels” of safety has been deleted.
 - In paragraph 26, the conference now notes the High Level African Regional Meeting on the Contribution of Nuclear Energy to Peace and Sustainable Development, held in Algiers in January 2007.
 - In paragraph 27, the encouragement to minimize HEU is now only applicable “where technically and economically feasible”.
 - A paragraph that noted the various proposals on multilateral approaches to the nuclear fuel cycle, and encouraged all efforts to develop these, has been deleted.
 - In paragraph 29, a requirement that proposals on multilateral approaches to the nuclear fuel cycle should be economically viable has been deleted.
 - In paragraph 30, it says such approaches will complement the existent and now “well-functioning” market “without creating any distortions”.
 - In paragraph 31, not only continued discussions on such mechanisms are encouraged, but also “possible schemes dealing with the back end of the fuel cycle”.
 - In paragraph 32, the word “international” has been deleted from a sentence dealing with development of safety standards.
 - In paragraph 37, it is now emphasized that the Code of Conducts that the Conference is endorsing are non-legally-binding.
 - Paragraph 38 now calls upon states parties to ratify the amendment of the Convention on the Physical Protection of Nuclear Material.
 - Instead of welcoming the successful outcome of the Nuclear Security Summit in Washington, paragraph 40 now only notes the Summit and its outcome.
 - Paragraph 41 on uranium mining is amended to include the application of best practices and basic principles developed by the IAEA for mining.
 - In the forward-looking action plan, an action to respect each country’s choices and decisions in the field of nuclear energy has been added.
 - The plan also added a second action to facilitate and reaffirm the right to participate in exchange of equipment and information for peaceful uses of nuclear energy.
 - In the action requiring cooperation with other states and organizations, the references to articles I, II, and III of the treaty has been deleted.
 - A new action has been added, which gives preferential treatment to NNWS parties to the treaty.
 - Another additional action has been added, which calls upon states to encourage transfer and cooperation in conformity with articles I, II, and III, which would be facilitated by eliminating undue constraints that might impede such cooperation.
 - The action relating to additional contributions to the IAEA activities no longer mentions the US contribution.
 - A new action relating to the necessity of training a skilled workforce has been added.
 - The action that previously ensured the highest levels of safety and security now only requires “highest possible level”. •



Peacemaking and the Middle East NWFZ

Sameer Kanal | Reaching Critical Will of WILPF

On Friday, Greenpeace organized an event entitled “Peacemaking and the Middle East NWFZ”, which featured a special presentation on the Israeli anti-nuclear movement. Moderated by Rhianna Tyson Kreger of the Global Security Institute, the panel consisted of Dr. Rebecca Johnson of the Acronym Institute, Anne Penketh of the British American Security Information Council (BASIC), and Sharon Dolev, of Greenpeace in Israel.

Ms. Kreger opened the panel by stressing the importance of a NWFZ in the Middle East to progress towards peace in the region. Noting that a NWFZ, or even a WMD-free zone, would not solve everything in the Middle East, she underscored that its impact would still be significant in promoting peace and security. Finally, she noted the importance of the region itself, with a cultural and historical significance unrivaled in the world.

Dr. Johnson characterized the progression of the NWFZ proposal as “fifteen years of frustration”. Calling for a “real signal of intent [...] toward implementation,” Dr. Johnson also cited the difficulty of negotiation, especially at the present RevCon, when the only state with nuclear weapons in the Middle East (Israel) is not a state party to the NPT. Finally, she noted that addressing Israel’s relations with its neighbors and the Israeli occupation of Palestinian land both needed parallel progress with disarmament.

Dr. Johnson stated that if nuclear weapons are devalued regionally and internationally, it will affect the feelings both Iranians and Israelis have towards them. She called for dealing with peace and security issues, continuing arms control agreements, and confidence-building measures such as resource-sharing agreements including Israel. She concluded by reemphasizing that “the context in which Israel and other countries see national security needs to change.”

Anne Penketh endorsed the Egyptian proposal for a NWFZ and highlighted the importance of civil society for achieving this vision. Specifically, Penketh underscored the importance of creating a “disarmament constituency” to exert pressure on governments such as Israel. She also discussed what would motivate Israel to discuss such a question, and asked “what kind of neighborhood [Israel] wants to live in” to highlight why Israeli interests should push them towards discussion of a NWFZ. Penketh pointed out that using nuclear weapons “would be suicidal for the state that used them” given the geography of the Middle East, and called for a

delinking of the peace process and disarmament so that they could be pursued simultaneously.

Ms. Dolev stated that a NWFZ in the Middle East would make everyone safer, and that Israel is the “one state that can do this.” Adding that Iran is also able to play a positive role, Dolev stated that in Israel, “everyone’s sure that Iran is going for the bomb,” as well as that Iran would use it on Israel upon acquiring it. Focusing on Iran, Dolev noted that most incentives used or proposed to change Iranian behavior haven’t worked, and asked, “can’t we just talk to them?”

Dolev noted that in Israel, “ambiguity is really alive” around its nuclear programme and that Israelis generally believe that nuclear weapons are the reason Israel still exists today. She stressed, “we don’t need to care about if Israel has them or not to talk about whether Israel should have” nuclear weapons. Dolev called attention to the Arab Peace Initiative as a framework to give the feeling of security to Israel from another source. Dolev argued that there is room in the Arab Peace Initiative to insert a disarmament timeline, which would resolve the desire to link peace with disarmament.

The panel was followed by a discussion and question-and-answer session with the audience, which included members of four delegations from states in the Middle East to the NPT. An ambassador with the Egyptian delegation reaffirmed the necessity of devaluation of nuclear weapons, as well as the parallel processes of ensuring a nuclear-free Iran and Israel.

Sameer Kanal is an intern with Reaching Critical Will of the Women’s International League for Peace and Freedom. •

peacewomen
women for peace + peace for women

Reaching Critical Will’s sister project, PeaceWomen is celebrating its tenth anniversary this year, along with the tenth anniversary of UN Security Council resolution 1325 on women, peace, and security.

To mark these occasions, PeaceWomen has launched its brand new website, www.peacewomen.org, which is easy to use, intuitive, and rich in primary resources and analysis.

The PeaceWomen Project promotes the role of women in preventing conflict, and the equal and full participation of women in all efforts to create and maintain international peace and security. PeaceWomen facilitates monitoring of the UN system, information sharing and the enabling of meaningful dialogue for positive impact on women’s lives in conflict and post-conflict environments.

www.peacewomen.org





What's On Today's Calendar of Events

Off-the-record government briefing for NGOs:

Delegation of Mexico

Where: Conference Room A, North Lawn Building

When: 9:00–9:50

Contact: Ray Acheson, Reaching Critical Will

Main Committee I

Where: Conference Room 2, North Lawn Building

When: 10:00–13:00

Main Committee III

Where: Conference Room 4, North Lawn Building

When: 10:00–13:00

Main Committee II

Where: Conference Room 2, North Lawn Building

When: 15:00–18:00

Main Committee III

Where: Conference Room 4, North Lawn Building

When: 15:00–18:00

Film: *Flashes of Hope* (62 minutes)

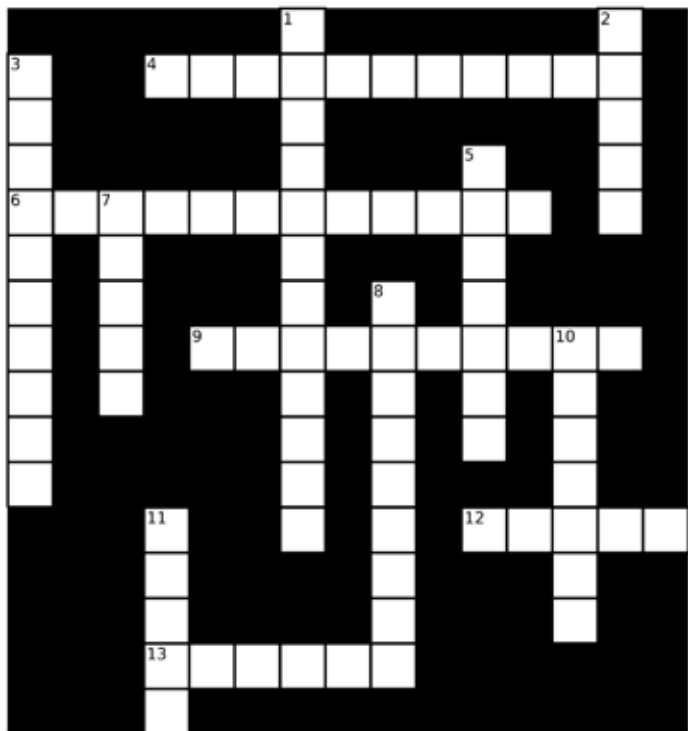
Followed by testimonies of Hibakusha

Where: Conference Room A, North Lawn Building

When: 15:00–18:00

Contact: Narae Lee, Peace Boat-US

Nuclear Crossword



Across

4. This country detonated a nuclear bomb test on 29 August, 1949 (two words).
6. China and _____ have signed the CTBT but neither has ratified the treaty (two words).
9. What was the name of the British ballistic missile designed in 1955 (two words)?
12. On 4 April 2008 the Security Council adopted resolution 1810. With how many years did it expand the mandate of the 1540 Committee?
13. This is the US state where the greatest number of nuclear weapon tests have been conducted.

Down

1. What is the name of the American chemist who received the Nobel Peace Prize in 1961 for his work as a peace activist (two words)?
2. This is the US state conducted its first nuclear weapon test on 18 May 1974.
3. What is the name of the Nobel Prize-winning physicist who first headed the Pakistani nuclear weapon programme (two words)?
5. South Africa, Kazakhstan, Ukraine and _____ have voluntarily relinquished their nuclear weapons.
7. What is the acronym of the organization that was awarded with the Nobel Peace Prize in 1985?
8. What is the name of the largest nuclear explosive detonated (two words)?
10. France conducted its firsts nuclear weapon tests in this country.
11. In 1964 this country adopted a universal no-first-use pledge.