



News In Review

A collection of NGO views on the NPT PrepCom 2002

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A WEEK LATER...ASSESSING NPT PREPCOM I

The Nuclear Non-Proliferation Treaty Preparatory Committee (NPT PrepCom), in session during 8-19 April 2002, wrapped up last week to conclude the first of a series of meetings leading up to the NPT Review Conference in 2005. The "final document" was a Chairman's Factual Summary, which was not negotiated or opened for discussion after it was tabled. This report generally summarized the issues, which were discussed at the PrepCom, commenting on a few points of disagreement. The report rarely referred to specific states, although at times mentioned a group of states, such as "nuclear weapons states". The states referred to by name were the United States and Russia (in the context of their bilateral agreements); India and Pakistan (in the context of increased tension and universality); Israel (in the context of the 1995 resolution on the Middle East and its accession to the NPT); and Iraq and the Democratic Republic of Korea (in the context of non-compliance). In response to the Chairman's summary, some (nuclear weapon states) felt that the Chairman's use of "...states parties..." in a general sense did not accurately describe the feelings of all states parties. However, all delegations spoke of fine balance and fairness found in the summary, a difficult task indeed.

The Chairman's summary is an interesting reflection of the events which took place during the past two weeks. While the usual issues and rhetoric arose from the discussions, similar to the meetings of the First Committee or the Conference on Disarmament, there were a few key developments worth mentioning which will pave the way for further dialogue on the strengthening of the NPT review process. These issues were: enhancing the role of NGOs, regular reporting, the Middle East, and the dangers of nuclear terrorism.

Enhanced Role of NGOs

If one group made progress during this PrepCom, it seems to have been the non-governmental organizations

(NGOs). This success manifested itself in the combination of the NGO presentations, more access to meetings, mention of NGOs in many delegate's statements, and development of schemes to enhance the role of NGOs at the NPT meetings. While there is still a long way to go for NGOs greater participation in the meetings, civil society's contribution was valued and now may increase to more reasonable levels.

For the first time in the NPT meetings, the NGO presentations were officially included as part of the official plenary session in the agenda and timetable. For three hours, 14 NGO representatives from 10 different countries presented their views on relevant issues. These themes and the full presentations can be found at: <http://www.reachingcriticalwill.org/npt/ngostate2002.html>. Many NPT party states were present, received copies of the presentations to send back to their capitals, and attended a constructive NGO-delegate dialogue directly following the presentations, chaired by Rebecca Johnson of the Acronym Institute.

NGOs were very active at this PrepCom. Every day there was at least one NGO panel or roundtable event, for both delegates and NGOs. These events offered a particular NGO expertise on various relevant issues, including missiles, nuclear terrorism, South Asia, counter-proliferation, psychology of nuclear disarmament, among other topics. Experts from all over the world spoke on key issues, and it was a wonderful way for NGOs to come together to strategize and learn about the work being done by one another. The tables of NGO material outside the UN conference room where the NPT was taking place were always in fluctuation- piled high first thing in the morning with NGO material, and then at the end of the day looking sparse due to the interest delegates showed in this material. Several states commented on the usefulness of all of this material and the valuable role that NGOs played at this NPT. Cont...

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The second last day's discussion in the plenary session involved the role of NGOs at future PrepComs. Canada introduced an idea to develop a means by which to further enhance the role of NGOs at the NPT meetings. Canada also noted that its delegation would be developing a Working Paper for the next PrepCom as a step towards new arrangements for 2005. Predictably, reactions to this proposal were diverse. Several delegations in support of the idea included the Netherlands, Mexico, Norway, New Zealand, South Africa, Germany, and Belgium. Other views included those from Sierra Leone and United States expressing that the rules as they now stand concerning participation of NGOs need not be altered. The enhanced participation of NGOs in international fora such as the NPT is an issue that NGOs have long been exploring and advocating. The first 2002 edition of UNIDIR's Disarmament Forum focuses on this subject, which can be found on-line at: <http://www.unog.ch/UNIDIR>.

Regular Reporting

A topic which nearly brought the PrepCom to an early close was that of regular reporting, reflected in point 12 of the 13-point action plan agreed to by 187 governments at the 2000 NPT Review Conference. This point calls for regular reports, within the framework of the NPT strengthened review process, by all States parties on the implementation of Article VI and paragraph 4 (c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament", and recalls the Advisory Opinion of the International Court of Justice of 8 July 1996. A major focus of the first week of the PrepCom was how to qualify the discussion on reporting. This contentious issue manifested itself in a disagreement over the indicative timetable, giving the appearance that the problem was one of a procedural nature, rather than a political issue. Ironically, by the time the wording of how to qualify the notion of reporting in the timetable was agreed to at the very end of the first week, discussions on reporting had theoretically already taken place. As the Chairman reflected in his report, "it was stressed that such reporting would promote increased confidence in the overall NPT regime through transparency". Several states expressed that reporting should be frequent, and reflect a standardized format. Other states, most notably Nuclear Weapon States, felt that it should be up to the individual states how often they should report, or how much information should be "submitted".

Several working papers, including those from the New Agenda Coalition and Canada, put emphasis on the need for standardized and frequent reporting. Several states submitted reports on progress towards implementation of their Article 6 commitments for nuclear disarmament, including Australia, Canada, France, Germany, Indonesia, Ireland, Mongolia, New Zealand, Poland, Sweden, Thailand, United States submitted reports to the PrepCom.

It is noteworthy that United States was the only state to use different terminology for its report, calling it instead a "submission". In addition, many reports were submitted on the issue of steps to promote the achievement of a nuclear-weapon-free zone in the Middle East and the realization of the goals and objectives of the 1995 Resolution on the Middle East (Algeria, Australia, Canada, China, Egypt, Jordan, Morocco, Sweden, and the United Kingdom). All of these reports can be found on BASIC website at: http://www.basicint.org/nuclear/prepcom2002/nuk_02prepcom_official.htm.

NGOs also focused their efforts on developing the issue of reporting. Reaching Critical Will produced an NGO Shadow Report outlining the possible structure of a standardized report which may prove useful in showing how vital information can be centralized. One of the themes of the NGO presentations, given by Carol Naughton of the Campaign for Nuclear Disarmament UK, was exclusively on the topic of reporting, discussing possibilities for scope, content, format and frequency of reporting. In addition, a part of the Global Security Institute strategy session included a discussion on the reporting issue. This is a vital area which NGOs have much expertise to offer to party states to facilitate the development of a comprehensive, frequent and standardized reporting mechanism to the NPT.

Canada took the step of proposing to host informal consultations on the scope, frequency and format of national reports to the NPT. These consultations would take place sometime before the next PrepCom, most likely in Geneva. The informal meeting would be open to all States parties, and the results of the consultations could take form as a working paper for the PrepCom II next year.

The issue of regular reporting will continue to get much attention in the following PrepComs, and hopefully a useful decision can be made at the 2005 Review Conference, which will institutionalize a meaningful, standardized reporting procedure for every NPT meeting, by ALL states parties.

Middle East

In addition to the issues of NGO role and regular reporting, an overriding theme was the Middle East. Given the current political context with the on-going bloodshed in the Middle East and the United States "Axis of Evil" speech, it was inevitable that this play into the politics of the NPT.

The focus of the discussion on the Middle East was the implementation of the 1995 Resolution on the establishment of an effectively verifiable nuclear-weapons-free zone in the Middle East. Many countries, such as Japan and Jordan, expressed their concern about the lack of progress in the implementation of this resolution.

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In reference to Israel (as the only country in the region with nuclear weapons, also not a party to the NPT), several states called for its accession "to the NPT without delay and place all of its nuclear facilities under IAEA safeguards" (Indonesia, 15 April 2002). The language on Israel was tempered by two nuclear weapon states, United States and France, who did not call on Israel by name to accede to the NPT. However, both had much to say about Iraq and non-compliance to its NPT obligations. All in all, the discussion on the Middle East seemed to follow well-established patterns. Perhaps, with Colin Powell's current visit to the Middle East, states were careful not to stir the waters too much, with the hopes that perhaps some political process to resolve this difficult and longstanding conflict can get underway.

Nuclear Terrorism

Following the events of 11 September 2001, the issue of terrorism was brought up in various contexts. First, as noted in the Chairman's summary, recent events have "given an even greater sense of urgency to the common efforts of all States in the field of disarmament and non-proliferation" (p.1). Although not all party states feel this way, New Zealand correctly states, "It stands to reason that the best way to keep nuclear weapons out of the hands of terrorists and of countries of concern is to eliminate them entirely" (New Zealand, 8 April 2002).

Second, the physical protection of nuclear material was discussed at length as a way to keep nuclear weapons and radiological material out of the hands of "terrorists". In this regard, the role of the International Atomic Energy Agency (IAEA) has been central, with its plan approved on 21 September 2001. The elements of this plan include:

1) physical protection of nuclear material and nuclear facilities; 2) detection of malicious activities (such as illicit trafficking) involving nuclear and other radioactive materials; 3) strengthening of State systems for nuclear material accountancy and control; 4) security of radioactive sources; 5) the assessment of safety and security related vulnerabilities at nuclear facilities; 6) response to malicious acts or threats thereof; 7) the adherence to international agreements and guidelines; and 8) enhancement of programme co-ordination and information management for nuclear security related matters" (IAEA, 8 April 2002).

Evidently, for the IAEA to carry out this plan adequately, funding would need to be increased significantly. Other elements of urgency related to the IAEA were the universalization of safeguards and signing of Additional Protocols.

Third, nuclear weapon states referred to export controls as a counter-terror mechanism. Some states view export controls to be "an effective way of working together to inhibit proliferation by both State and non-State actors alike" (UK, 9 April 2002).

Improvements of national legislation in the sphere of multilateral mechanisms of export control in the nuclear sphere- Zangger Committee and the Nuclear Suppliers Group- were called for by state parties. Means of improving export controls were suggested, such as the promotion of transparency and the development of dialogue with non-member countries (Russia, 8 April 2002). This element includes securing borders against illicit trafficking in both nuclear and radiological materials.

Evidently, the events of 11 September 2001 have clearly demonstrated the tremendous risks involved in producing and maintaining nuclear weapons, industry, energy and research. While most states parties have been prefacing their statements with "greater urgency after September 11...", one can recall that since 1945, these issues have been just as pressing and prevalent as in recent months.

Conclusion

Although this PrepCom was fairly low-key, it was nonetheless productive and constructive discussion came out of the proceedings of 8-19 April 2002. It was an opportunity for non-nuclear weapon states to publicly declare dissatisfaction with the progress of nuclear weapon states towards nuclear disarmament, especially after the supposed success of the agreement of the Final Document from the 2000 NPT Review Conference. It was also an opportunity for new discussions to begin towards building on the nuclear non-proliferation regime for the 2005 Review Conference, such as regular reporting and enhancing the role of NGOs.

Essential to the start of the NPT review cycle is the work of NGOs through awareness raising and movement building activities, as well as lobbying and research efforts. Unlike in past years, it is noteworthy that several states acknowledged the hard work of NGOs. The warmest thank you goes to Ambassador Salander for mentioning our work, facilitating NGO access and participating in NGO events in the build up to the conference.

On behalf of WILPF and the Reaching Critical Will project, I would like to thank the numerous NGOs that lobbied their governments, undertook local solidarity actions, organised media events, provided important analysis and continue to work for the implementation of the positive results from this NPT. The Department for Disarmament Affairs and many delegates also deserve thanks and recognition for their tireless efforts. The 2002 NPT PrepCom has paved the way for exciting discussion to come.

Emily Schroeder, Reaching Critical Will, WILPF

"Summary"

by Ambassador Salander, sung on April 19, 2002 in Conference Room 4, To the tune of "Yesterday"

Summary
on only my responsibility
so full of endless possibility
oh, I believe in Summary.

Suddenly
I'm not half the Chair I used to be
No more shadow hanging over me
oh, Summary came suddenly.

Why did it have to be
so correct and factual?
Why not try to say
something bold and actual?

Summary
all my troubles seem so far away
now I need a place to hide away
oh, I believe in Summary
M-m m-m m-mm.



FAVORITE DIPLOMATIC GAME OF THE NPT PREPCOM I- MULTILATERAL MEETINGS BINGO

I hesitate to intervene, however...	Other organization....	My capital can live with...	Very clear and comprehensive.	Autonomy of decision-making...
Without duplication	I have nothing much to add, however...	Clearly a lot of hard work has been done...	Sending the right signals	I am a little confused...
A good basis for further work	Very briefly, Mr. Chairperson...	Transparency	I agree with much of what has been said...	I would like to support the Chairperson...
I congratulate the Chairman	In the spirit of compromise...	Balanced text	I have no instructions, however...	The fullest co-operation
I regret I have no flexibility on this point...	As appropriate	I am sorry to take the floor again, but...	Just to clarify a couple of points...	At the risk of prolonging the debate...

HOW TO PLAY:

Check off each block when you hear the phrase it contains during a multilateral meeting. When you have checked the five blocks horizontally, vertically or diagonally, stand up and shout BINGO!

TESTIMONIALS FROM SATISFIED PLAYERS:

"I had only been in the meeting for five minutes when I won"

"My attention span in meetings has improved dramatically"

"The chairman was stunned when eight of us screamed 'BINGO' for the fifth time in 30 minutes"