

## **Statement on behalf of the Group of non-governmental experts from countries belonging to the New Agenda Coalition**

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A Group of non-governmental experts from the New Agenda Coalition countries (NAC) was established in 2007 in order to support the efforts of the NAC and offer input for the promotion of nuclear disarmament and nonproliferation with a particular focus on the 2010 NPT Review cycle. The NAC-NGO group met during the 2008 and 2009 NPT Preparatory Committee meetings and submitted statements to these. The following statement is released for consideration of the 2010 NPT Review Conference.

We strongly believe in the importance of the three pillars of the Nuclear Nonproliferation Treaty (NPT): achieving nuclear disarmament, preventing nuclear proliferation, and acknowledging the right to peaceful uses of nuclear technology. The 2010 Review Conference offers one of the best opportunities in many years for States to make significant progress towards achieving these objectives.

The 2010 Review Conference is taking place at a very propitious moment following numerous statements and initiatives from high-level policy-makers and former policy-makers supporting the call for work to accelerate achieving a nuclear-weapons-free world. Never before has there been such a global consensus on the security benefits and feasibility of realizing such a goal.

While considerable challenges remain in preventing proliferation and attaining a nuclear-weapons-free world, the political climate is more conducive than before, to enhance the 13 practical steps agreed in 2000, and to implement fully the package agreed upon at the 1995 NPT Review and Extension Conference including the Middle East Resolution. We call upon all States to further develop a global security environment that is based on mutual trust and benefit, equality and cooperation and one that ensures common security for all members of the international community in order to remove any justification for States to acquire, develop or maintain nuclear weapons.

### **Stockpile reductions**

We call on all nuclear-armed states to undertake unilateral reductions in their respective arsenals, and to commence mutual, plurilateral disarmament negotiations. The US and Russia have recently signed the START replacement agreement, which creates the conditions for further reductions. We commend and support Russia and the US for their achievements. We encourage steps to diminish the role of nuclear weapons in security policies and military doctrines in order to support the phasing out of short-range nuclear weapons and the withdrawal of all nuclear weapons from foreign soil and forward deployment.

### **Nuclear doctrine**

The threat from nuclear weapons is exacerbated by continuing doctrines that include inter alia: launch-on-warning, threat of use and potential use of nuclear weapons against a wide range of threats including those arising from the development of other weapons of mass destruction or even conventional weapons. We strongly believe that the existence of nuclear weapons represents a threat to the survival of humanity and that the only real guarantee against their use or threat of use is their total elimination. Accordingly, we call on the Nuclear Weapon States (NWS) to recognize the International Court of Justice (ICJ) Advisory Opinion on the Legality of the Threat or Use of Nuclear Weapons on 8 July 1996 and move quickly to eliminate all nuclear weapons. As important confidence building steps, we call on NWS to renounce launch-on-warning and first-use doctrines, and take remaining nuclear arsenals off high-operational-readiness-to-use (high alert). Consequently, we affirm that the use or threat of use of nuclear weapons constitutes a breach of international law and the United Nations Charter, and a crime against humanity, as declared by UN General Assembly Resolution 1653 (XVI), of 24 November 1961, 33/71 B, of 14 December 1978, 34/83 G, of 11 December 1979, 35/152 D, of 12 December 1980 and 36/91 I, of 9 December 1981.

Allies of the NWS also have a special responsibility towards the achievement of nuclear weapons disarmament and should take steps to reduce and eliminate the role of nuclear weapons in their security relationships by phasing out extended nuclear deterrence and strengthening regional cooperative security mechanisms including the establishment of nuclear-weapon-free zones (NWFZs).

### **Transparency and verification**

The confidence of States to move toward a nuclear-weapons-free world will require verification of initial steps and the building of a system for verifying reductions to zero nuclear weapons. The NWS should start this process through establishing a UN-based accounting system covering all existing nuclear weapons, delivery systems, fissile material stockpiles and spending on nuclear forces. NWS and Non-Nuclear Weapon States (NNWS) should also explore and start to develop, in conjunction with NGO experts, the mechanisms and technologies for comprehensive verification for a nuclear-weapons-free world. To initiate a transparency process, the nuclear-armed states should unilaterally declare their nuclear weapon stockpiles.

### **Framework for elimination**

We are encouraged by the expert reports and draft programs for the abolition and elimination of nuclear weapons including the Report of the International Commission on Nuclear Nonproliferation and Disarmament, and the UN Secretary-General's five-point plan for nuclear disarmament. These indicate the importance of working on a comprehensive program for nuclear disarmament alongside work on initial steps. We thus call on States to commence a preparatory process for a Nuclear Weapons Convention, or package of agreements, in order to explore the legal, technical, institutional and political measures required to achieve and maintain a nuclear-weapons-free world, and to start developing and implementing those measures currently feasible.

### **Security Assurances**

The existence of nuclear arsenals increases the threat of using such weapons against NNWS, maximizing the proliferation risks. We urge the NWS to provide effective guarantees to non-nuclear-weapon States not to use or threaten to use nuclear weapons against them. In this regard, in addition to the commitments taken on within the framework of UN Security Council Resolution 984 (1995) and the legally binding security assurances in the relevant Protocols to treaties establishing nuclear-weapon-free zones (NWFZs), we call upon the NWS to accelerate ratifying the remaining protocols to

the regional NWFZ treaties. In addition, we also urge NWS to embark on negotiating and concluding a universal, unconditional and legally-binding convention on security assurances for NNWS. Until the conclusion of such a convention, NWS must respect their existing commitments regarding security assurances. As Negative Security Assurances are key elements in the establishment of a Nuclear-Weapon-Free Zones, priority attention should be given to this particular aspect in future agreements.

### **Nuclear-Weapon-Free Zones**

Nuclear-weapon-free zones (NWFZs) play an important role in reducing the role of nuclear weapons in a region, providing guarantees that nuclear weapons will not be used against States in the region, and building the cooperative mechanisms for security that will help achieve a nuclear-weapons-free world. We applaud the recent entry-into-force of the African and Central Asian NWFZs, and we support the exploration of establishing NWFZs in North East Asia, the Arctic, other regions and single state NWFZs. In this regards, we urge all States to extend their cooperation and to exert their utmost efforts with a view to ensure the early establishment of such NWFZs.

### **The Middle East**

The Middle East is a region of special concern given the situation that one State in the region – Israel – continues to remain outside the NPT, which is known to have developed a nuclear-weapon capability. Iran, which is a party to the NPT, is developing sensitive technologies. We support a non-discriminatory approach to this situation by taking steps to implement the package deal reached in 1995 that contained invaluable steps toward a regional Nuclear-Weapon-Free Zone in the Middle East (MENWFZ). In order to move forward on this issue we fully support the Egyptian proposal supported by Arab and Non-Aligned States (NAM) to convene a regional / international conference to achieve such a goal. We expect the NPT Review Conference to endorse such an initiative and recommend convening such a conference within a year.

### **Universality**

The international community shares responsibility to uphold nuclear disarmament and non-proliferation by reinforcing universality of the NPT for the sake of regional and international peace and security. Accordingly, increased efforts must be made to engage with India, Pakistan, Israel and the Democratic Peoples' Republic of Korea to accept non-proliferation and disarmament obligations, and to join or (rejoin) the NPT as NNWS in order to strengthen the ultimate goal of the Treaty and attain universality. In the mean time, bringing the aforementioned States closer to the regime should in no way compromise the integrity of the NPT.

### **Nuclear energy**

We reaffirm the inalienable right of States to develop their energy resources in order to meet their economic and social needs, consistent with global environmental preoccupations. In accordance with Article IV, we also reaffirm the right of States Party to the NPT to use nuclear energy for peaceful purposes. The introduction of nuclear power in more countries must not lead to nuclear weapon proliferation; we urge all non-NWS to abide by existing IAEA safeguards and to work to strengthen the IAEA system.

The internationalization of the nuclear fuel cycle should create a more democratic global model that allows all parties involved in a project to participate in decision-making concerning the supply of enriched fuel. The IAEA should play a key role in this process. It is worth noting that providing incentives by sharing nuclear technology with nations outside the NPT, while depriving and

withholding benefits of access to nuclear material and technology for peaceful purposes from those who comply with their NPT obligations, would undermine the stability of the treaty with damaging consequences.

We encourage States to fully support the International Renewable Energy Agency and to utilize its expertise in order to develop energy supplies that are environmentally safe and free from the risks of nuclear weapons proliferation.

### **Nuclear terrorism**

The danger of illicit trafficking of nuclear materials and their means of delivery and related materials by non-state actors constitutes a serious threat to international peace and security. Thus, strengthening the implementation of Security Council Resolution 1540 adopted on 28 April 2004 and supplemented by Resolutions 1673 (2006) and 1810 (2008) would enhance and consolidate international cooperation in dealing with this challenge.

In 2005, the U.N. General Assembly adopted the International Convention for Suppression of Acts of Nuclear Terrorism which should be universally adhered to as it provides a legal basis for international cooperation in the investigation, prosecution, and extradition of those who commit terrorist acts involving radioactive materials or a nuclear device. In addition, in 2005, the UN Convention on the Physical Protection of Nuclear Material, which criminalizes acts of sabotage against civilian nuclear facilities, was amended to establish a legal obligation to secure nuclear materials in storage as well as in transport. Accordingly, all states, in line with the outcome of the recent Nuclear Security Summit, should take appropriate steps to ensure that they retain secure custody of sensitive materials, equipment and technology and to prevent diversion from peaceful purposes, whether at home or in other countries. We recognize that some countries may require assistance in implementing these obligations in accordance with Security Council Resolution 1540.

### **Prevention measures**

In order to prevent the development and modernization of nuclear weapons, States should ratify the Comprehensive Test Ban Treaty (CTBT), close all remaining nuclear-testing sites and participate in good faith negotiations on a fissile materials treaty that deals with both production and stockpiles. NWS should no longer design, develop or modernize nuclear weapons.

### **Follow up mechanism**

We believe that a follow up mechanism is urgently needed between Review Conferences in order to oversee the state of implementation of their outcomes and results emanating from the Conferences. The outgoing President of each conference and his or her bureau could constitute the core of such a mechanism.

### **Role of civil society**

We believe that building the political momentum and developing the mechanisms to achieve a nuclear-weapons-free world will require collaboration between governments and key sectors of civil society including legislators, scientists, academics, youth and media. We encourage the NPT Review process and the relevant UN bodies to enable in their deliberations the fullest possible participation of civil society. We reaffirm the importance of implementing the recommendations of the 2002 UN Study on Disarmament and Non-Proliferation Education.

**Conclusion**

We pledge to work to the best of our abilities to support governments in their deliberations during the 2010 NPT Review Conference in order to agree to an effective and comprehensive nuclear nonproliferation and disarmament program that will lead inexorably to the achievement of a nuclear-weapons-free world.