
2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Main Committee I

Summary record of the 4th meeting

Held at Headquarters, New York, on Thursday, 7 May 2015, at 10 a.m.

Chair: Mr. Román-Morey (Peru)

Contents

General exchange of views (*continued*)

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The meeting was called to order at 10.20 a.m.

General exchange of views (continued)

1. **Mr. Biontino** (Germany) said that security assurances had, unfortunately, gained renewed relevance in all disarmament and non-proliferation forums. They should be one of the obvious benefits of adhering to the Treaty on the Non-Proliferation of Nuclear Weapons, as long as the total elimination of nuclear weapons under effective international control was not within reach. Various security assurances had been offered by nuclear-weapon States over the years, including through nuclear-weapon-free-zone agreements, but more were needed to strengthen the credibility of the Treaty and its non-proliferation regime with non-nuclear-weapon States. Regrettably, however, the breach of the Memorandum on Security Assurances in Connection with Ukraine's Accession to the Treaty on the Non-Proliferation of Nuclear Weapons (Budapest Memorandum) vis-à-vis Ukraine had cast a shadow on the value of those assurances.

2. The current Review Conference should discuss the next generation of negative security assurances, which should be appropriate for the current security environment and directly address the actual concerns of non-nuclear-weapon States. The central element of those assurances might, for instance, include a reiteration of past assurances, and an interdiction to resort to force, as that was one of the fundamental principles of the Charter of the United Nations. At the very least, the Review Conference should lend its support to negative security assurances, and call for the start of negotiations on a multilateral instrument on legally binding negative security assurances.

3. **Mr. Simon-Michel** (France) said that there was legitimately high demand on the part of non-nuclear weapon States for both positive and negative security assurances. As a nuclear-weapon State, France fulfilled all its commitments in that regard and had provided security assurances to all non-nuclear-weapon States parties to the Treaty. It had already provided such assurances on a more limited basis in 1982 as a non-State party, and since that point considered those assurances as a unilateral act creating legal obligations under international law that went hand in hand with the other aspects of its deterrence doctrine.

4. France welcomed the recent positive developments on the question of nuclear-weapon-free

zones; it had always supported the establishment of such zones and had signed and ratified the relevant protocols to the treaties establishing them in Latin America, Africa and the South Pacific. It had recognized the nuclear-weapon-free status of Mongolia and was proud to have been among the first to ratify the Protocol to the Treaty on a Nuclear-Weapon-Free Zone in Central Asia. France was prepared to strengthen its commitment to nuclear-weapon-free zones, in line with the principles laid out by the Disarmament Commission in 1999, and its respect for international law and the principle that the zone in question must be a geographical whole. His country would, as soon as possible, sign the Protocol to the Treaty on the Southeast Asia Nuclear Weapon-Free Zone and had supported the establishment of a zone free of weapons of mass destruction and their means of delivery in the Middle East since the beginning of the process to establish such a zone.

5. **Mr. Benítez Verson** (Cuba) said that non-nuclear-weapon States parties to the Treaty were frustrated by the lack of progress by nuclear-weapon States in providing them with unconditional and legally binding security assurances, which were part of the balance between the rights and the responsibilities assumed under the Treaty. Existing positive security assurances were very limited and clearly insufficient. The legally binding security assurances that non-nuclear-weapon States should receive under treaties establishing nuclear-weapon-free zones had not materialized, as most nuclear-weapon States signing the protocols to such treaties also made unilateral declarations that placed conditions on their security assurances.

6. The final document of the current Review Conference should include three elements: a statement that the complete prohibition and elimination of nuclear weapons was the only guarantee against their use or threat of use; a commitment to start negotiations no later than 2016 on a legally binding instrument providing unconditional security guarantees to non-nuclear-weapon States; and a request that nuclear-weapon States immediately withdraw or modify their unilateral declarations placing conditions on their ratification of treaties establishing nuclear-weapon-free zones.

7. **Mr. Culligan** (United Kingdom) said that the United Kingdom recognized the role that negative security assurances could play in strengthening the

Treaty regime and had therefore issued a revised assurance during the current review cycle that it would not use or threaten to use nuclear weapons against non-nuclear-weapon States parties, while emphasizing the need for universal adherence to the Treaty and noting that the assurance would not apply to any State in material breach of its non-proliferation obligations. By ratifying the protocols to existing treaties on nuclear-weapon-free zones, the United Kingdom had given assurances to approximately 100 countries in Africa, Latin America and the Pacific. It had also recently signed and ratified the Protocol to the Treaty on a Nuclear-Weapon-Free Zone in Central Asia.

8. Further progress on nuclear-weapon-free zones would provide credible and internationally binding regional legal instruments on negative security assurances. The United Kingdom would continue to engage with States parties to the Treaty on the Southeast Asia Nuclear Weapon-Free Zone in order to facilitate the signature of the protocol to that treaty in the near future.

9. **Mr. Seifi Pargou** (Islamic Republic of Iran) said the total elimination of nuclear weapons was the only absolute guarantee against their use or threat of use. It was the legitimate right of all non-nuclear-weapon States parties to receive effective, universal, unconditional, non-discriminatory and irrevocable legally binding security assurances against the use or threat of use of nuclear weapons under any circumstances.

10. Despite the appeals for such assurances made since 1946, and even with certain measures undertaken in that regard, no substantial achievement had yet been reached, for several reasons. The unilateral statements that had been made on the issue were very limited, conditional and insufficient, and could even be used to justify the use of nuclear weapons as a measure to defend the vital interests of a nuclear-weapon State or its allies and partners. The United States Nuclear Posture Review and the nuclear strategies, doctrines, concepts and policies of certain nuclear-weapon States and a certain military alliance allowed for the use of nuclear weapons under specific circumstances, including, under the Review, against non-nuclear-weapon States parties to the Treaty.

11. While nuclear-weapon States argued that negative security assurances should be granted only in the context of nuclear-weapon-free zones, the protocols

of some treaties establishing such zones had not been signed or ratified by one or more nuclear-weapon States. The protocols to a certain such treaty had been signed and ratified by nuclear-weapon States, but with reservations and interpretative declarations that were contrary to the object and purpose of such instruments. As a result, to date, none of the existing nuclear-weapon-free zones had received unconditional and irrevocable legally binding assurances, and such zones did not exist in all regions of the world. The prospects for such a zone in the Middle East in particular were quite unclear, due to the persistent refusal of the Israeli regime to accede to the Treaty without any further delay or condition as a non-nuclear-weapon State party.

12. Existing nuclear weapons continued to be improved and new ones were being developed, in particular tactical nuclear weapons; the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Anti-Ballistic Missile Systems had been abrogated; and some nuclear-weapon States had been engaged in nuclear-weapon-sharing and deployed hundreds of nuclear weapons and global missile defence systems in other countries. Most importantly, there was a lack of progress in the fulfilment, by nuclear-weapon States, of their nuclear disarmament obligations under the Treaty and the outcome documents of the 2000 and 2010 Review Conferences.

13. Any nuclear weapon detonation would lead to immediate, indiscriminate and massive death and destruction and would have long-term catastrophic consequences on human health, the environment and other vital economic resources, thus endangering the life of present and future generations. As any use or threat of use of nuclear weapons would be contrary to the advisory opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons, Article 2 (4) of the Charter of the United Nations, the general principles of international law and the rules and regulations of international humanitarian law and would constitute a crime against humanity, there should be assurances made against the use or threat of use of such weapons.

14. The continued validity and credibility of almost all relevant commitments of nuclear-weapon States were in question; those commitments failed to meet any of the requirements for universal, legally binding, effective, unconditional, non-discriminatory and

irrevocable security assurances to all non-nuclear-weapon States parties to the Treaty against the use or threat of use of nuclear weapons under all circumstances. All non-nuclear-weapon States parties to the Treaty had the right to such assurances and a legitimate interest in receiving them, an issue which should be addressed by the Review Conference as a matter of priority. He then drew attention to a number of recommendations contained in the working paper submitted by his delegation for inclusion in the final report of the Committee and the final document of the Review Conference (NPT/CONF.2015/WP.22).

15. **Mr. Azeez** (Sri Lanka) said that despite some progress made in nuclear non-proliferation, there was still a lack of progress in nuclear disarmament, including on security assurances. The total elimination of nuclear weapons was the only absolute guarantee against the use or threat of use of nuclear weapons. Countries that had given up the nuclear weapon option under the Treaty had a legitimate right to receive legally binding security assurances against the use or threat of use of nuclear weapons under any circumstances. Nuclear-weapon States should eliminate nuclear weapons from their national security doctrines. Such action, combined with negative security assurances, would contribute to strengthening the nuclear disarmament and non-proliferation regime and its credibility.

16. Nuclear-weapon-free zones had a role to play in assuring mutual security between States; Sri Lanka encouraged further work in consultation with all parties concerned on convening the conference on establishing a zone free of nuclear weapons in the Middle East. It also endorsed the pledge presented by the Austrian Government at the Vienna Conference on the Humanitarian Impact of Nuclear Weapons, held in 2014.

17. **Ms. Thunborg** (Sweden) said that the risk that nuclear weapons would be used deliberately or unintentionally by State or non-State actors had increased since the previous Review Conference. The incorporation by some countries of nuclear weapons into their security policies meant insecurity for the rest of the world. The current Review Conference should follow the recommendations contained in the working paper on the humanitarian impact of nuclear weapons submitted by a number of delegations, including her own (NPT/CONF.2015/WP.30). In particular, it should recognize that the consequences of nuclear weapon

detonation were graver than previously understood; express dismay at the unacceptable humanitarian consequences of the use of nuclear weapons; affirm that it was in the interest of survival of humanity that they should never be used again; and recognize that the risks posed by nuclear weapons could only be avoided through their total elimination.

18. The role of nuclear weapons in security doctrines needed to be diminished and the operational readiness of those weapons reduced. The Review Conference should also take account of the recommendations contained in the working paper submitted by the De-Alerting Group (NPT/CONF.2015/WP.21), which included taking steps to build trust and reduce operational readiness, as well as the submission of annual reports to enable follow-up action. She encouraged others to follow her country in endorsing the recommendations of the Global Zero Commission on Nuclear Risk Reduction.

19. Nuclear-weapon States must overcome the disconnect between their commitments and their actions. The Russian Federation and the United States should continue to implement the New START Treaty, and the Russian Federation should take up the offer by the United States to negotiate a second round of deep cuts. Her country was particularly concerned about “battlefield weapons” that were stationed close to its borders. She called on the Russian Federation to preserve the viability of the Intermediate-range Nuclear Forces Treaty. The illegal annexation of Ukrainian territory by the Russian Federation, in violation of the Budapest Memorandum, posed a serious challenge to the security situation in Europe and beyond.

20. There was no single solution to nuclear disarmament. Possible building blocks could include risk reduction measures, entry into force of the Comprehensive Nuclear-Test-Ban Treaty, negotiation of a fissile material cut-off treaty, and establishment of nuclear-weapon-free zones. The recently established International Partnership for Nuclear Disarmament Verification would provide technical solutions to disarmament problems. Legal instruments to implement article VI of the Non-Proliferation Treaty, such as those contained in the working papers submitted by the New Agenda Coalition (NPT/CONF.2015/WP.8 and NPT/CONF.2015/WP.9), should be explored. An inclusive, effective and structured body should be established to take such

discussions forward, possibly in the form of an open-ended working group of the General Assembly. Increased international tension made implementation of disarmament and non-proliferation commitments all the more urgent, as noted in the working paper submitted by the Nordic countries (NPT/CONF.2015/WP.15).

21. **Mr. Khelif** (Algeria) said that the only guarantee against the threat or use of nuclear weapons was their complete and irreversible elimination. In the meantime, non-nuclear-weapon States had the right to guarantees against the threat or use of nuclear weapons in accordance with relevant provisions of the Charter of the United Nations, the Treaty and Security Council resolution 984 (1995) on the use of nuclear weapons. Unfortunately, only China had committed to a policy of non-first use of nuclear weapons. The other nuclear-weapon States had attached conditions to their negative security assurances that appeared to be designed to serve their own deterrence policies rather than the security needs of non-nuclear-weapon States. In order to be credible, such assurances should be codified as part of a legally binding treaty in which nuclear-weapon States agreed not to use or threaten to use nuclear weapons against non-nuclear-weapon States under any circumstances. The present Review Conference should call for the establishment of such an instrument, which would serve to promote the enforcement and universalization of the non-proliferation regime.

22. **Ms. Higgie** (New Zealand), speaking on behalf of the New Agenda Coalition, said that the Coalition's uppermost focus was on legal instruments for the implementation of the effective measures for disarmament called for in article VI of the Treaty. The vast majority of States recognized that continued uneven implementation of the Treaty's grand bargain threatened to undermine it. There had been some positive steps towards the objective of achieving a world without nuclear weapons, including the widely attended conferences on the humanitarian impact of nuclear weapons and the endorsement by an overwhelming majority of delegations at the present Review Conference of the statement declaring that it was in the interest of the very survival of humanity that nuclear weapons should never be used again.

23. There had also been positive steps taken by nuclear-weapon States, including the attendance by the United States and the United Kingdom of the recent

Vienna Conference on the Humanitarian Impact of Nuclear Weapons; the ongoing implementation by the United States and the Russian Federation of the New START Treaty; the ratification by four of the nuclear-weapon States of the Protocol to the Treaty on a Nuclear-Weapon-Free Zone in Central Asia; and the launch by the United States of the International Partnership for Nuclear Disarmament Verification.

24. However, with respect to the 2010 action plan as a whole, there was little to celebrate, most conspicuously when it came to action 5 on concrete progress on the steps leading to nuclear disarmament. Nuclear-weapon States were slowing reductions of their stockpiles while spending billions of dollars to modernize their weapons. Nuclear weapons had become further entrenched in the security doctrines and military budgets of all nuclear-weapon States, and there had not been adequate reductions in operational readiness. Nuclear-weapon States had not made use of the standard reporting form, as called for in action 21, when submitting their reports to the Preparatory Committee for the 2015 Review Conference. The present Review Conference offered an opportunity to set in motion the elaboration of legal rules and prohibitions necessary for the achievement of verifiable and irreversible nuclear disarmament and a nuclear-weapon-free world.

25. **Mr. El Mulla** (Egypt) said that the Treaty was not only about preventing non-nuclear-weapon States from acquiring nuclear weapons, but also about disarming nuclear-weapon States, with the ultimate goal of a world free of nuclear weapons. The Committee's report should review the fulfilment of disarmament obligations under the Treaty and implementation of the 1995, 2000 and 2010 Review Conference outcomes. Negotiations should be commenced in the Conference on Disarmament on a convention aimed at the total and irreversible elimination of nuclear weapons within a specified time frame. Any treaty on fissile material must place all existing stocks under safeguards in order to prevent further production of nuclear weapons or nuclear explosive devices.

26. **Mr. Kmentt** (Austria) said that nuclear-weapon States had taken some steps towards nuclear disarmament, but showed a continued reliance on nuclear weapons in their security doctrines. The ongoing modernization of nuclear arsenals at a cost of billions of dollars was incompatible with the spirit and

letter of the Treaty on the Non-Proliferation of Nuclear Weapons. That reliance on nuclear weapons not only increased the risk of proliferation but also incited it and made the accidental or intentional use of nuclear weapons more likely. There was little sign of progress on action 5 of the action plan of the 2010 Review Conference. Nuclear-weapon States should therefore make clear their determination to fulfil all their obligations under the Treaty.

27. States parties had increased their awareness of the unacceptable humanitarian consequences of nuclear weapon detonations and the impossibility of responding adequately to their transboundary effects, and that awareness had in turn increased the sense of urgency among non-nuclear-weapon States. The current Review Conference should set benchmarks for monitoring the future implementation of nuclear disarmament commitments, including through reporting. There was a need for credible progress and a determination to achieve results.

28. The United Nations, international organizations, the Red Cross and Red Crescent Movement, elected representatives and civil society had all played a part in advancing nuclear disarmament, and that role should be reflected in the final document of the Conference. Disarmament and non-proliferation education were also important and should be incorporated into school curricula for the benefit of future generations. Similarly, world leaders and delegates to disarmament conferences should visit locations where nuclear weapons had been used or tested.

29. **Ms. García Guiza** (Mexico) said that the disarmament and non-proliferation agendas were mutually reinforcing. Current events demonstrated that nuclear weapons were no longer a guarantee of security, not even for nuclear-weapon States, and were ineffective in addressing threats to international peace and security in the twenty-first century. Their role in military doctrines should therefore be reduced. Only the complete elimination of nuclear weapons and the assurance that they would never again be produced could guarantee that they would never be used.

30. The catastrophic humanitarian consequences of the use of nuclear weapons and the impact of damage caused by nuclear weapons on contemporary society had been a key feature of the 2010-2015 review cycle. She drew attention to the working paper submitted by a number of delegations, including her own (NPT/CONF.2015/WP.30) and the working papers

submitted by the New Coalition Agenda, of which her country was a member (NPT/CONF.2015/WP.8 and NPT/CONF.2015/WP.9), which contained a series of recommendations that should form the basis for the discussions in the Committee and should be included in the final document of the Conference.

31. **Mr. McConville** (Australia) said that advancing the three principles of nuclear disarmament — transparency, verification and irreversibility — was a key component of a successful Review Conference. Effective reporting on action 20 of the 2010 action plan, an obligation for all States parties, was germane to the transparency principle. Although all States had that obligation, the biggest responsibility lay with the nuclear-weapon States, which had made efforts in that regard but needed to do more to advance the other two principles, namely, verification and irreversibility.

32. As part of its efforts to promote the implementation of the 2010 action plan, the Non-Proliferation and Disarmament Initiative had submitted working papers on transparency to the 2012 and 2014 sessions of the Preparatory Committee for the 2015 Review Conference. The 2012 working paper had included a draft standard nuclear disarmament reporting form. Other issues that could be further elaborated on by nuclear-weapon States had since been identified, including numbers of warheads and details on dismantlement. Nuclear-weapon States should continue to improve their reporting in the context of the proposals put forward by the Non-Proliferation and Disarmament Initiative.

33. **Mr. Benítez Verson** (Cuba) said that in spite of much agreement on many issues, most States parties were concerned at the lack of progress with the implementation of article VI of the Treaty and the failure to carry out all 22 of the actions in the action plan of the 2010 Review Conference, and wanted that concern to be reflected in the final document of the current Review Conference. There was also a broad rejection of the proposal that the Conference should end with a mere extension of the 2010 action plan. Instead, a majority of States parties considered that the Conference should adopt a more specific and better-defined action plan and timelines for carrying out practical actions.

34. Similarly, most States parties believed that negotiations on a legally binding treaty banning nuclear weapons should begin without delay, and

agreed that an institutional mechanism should be established to monitor the implementation of article VI and the actions decided upon at the current Review Conference. Measures to be implemented immediately included a halt to plans to modernize or extend the lifetime of existing nuclear weapons; the elimination nuclear weapons from security doctrines; and a start to negotiations on a legally binding instrument to provide unconditional security assurances to non-nuclear-weapon States. The General Assembly should become more involved in the political aspects of nuclear disarmament and should take advantage of the high-level meeting to be held in 2018, at the latest, to adopt practical decisions on the topic.

35. **Mr. Toshio Sano** (Japan) said that his country and other States parties participating in the Non-Proliferation and Disarmament Initiative had emphasized the importance of reporting, especially by the five nuclear-weapon States, and were in favour of combining reporting mechanisms with timelines in order to strengthen the review process. At the first session of the Preparatory Committee for the 2020 Review Conference, nuclear-weapon States should agree on a reporting format; at the second session of the Preparatory Committee, those States should submit their reports; and at the third session of the Preparatory Committee, time should be allocated to a discussion of those reports. The President should then produce an assessment report for submission to the 2020 Review Conference, which should in turn discuss the report and decide on the way forward. That process would enhance transparency and nurture a culture of reporting.

36. **Mr. Simon-Michel** (France) said that his Government attached great importance to transparency, especially on the part of nuclear-weapon States. It was not the most visible part of his Government's commitments but it was among the most effective. He had participated in a working group of nuclear-weapon States tasked with drawing up a reporting form, but that exercise had encountered difficulties as a result of technical differences between the nuclear-weapon States, their differing doctrines and concepts, and constraints imposed by the Non-Proliferation Treaty. However, it was still necessary to move forward and build on the progress made in the past five years. Furthermore, the rate of reporting needed to be increased, not only for nuclear-weapon States but also for non-nuclear-weapon States, of which only 16 had submitted reports in 2014 and 2015.

37. **Mr. van der Kwast** (Netherlands) said that his Government had made proposals on transparency and disarmament education within the framework of the Non-Proliferation and Disarmament Initiative. Reporting was vitally important for transparency, which also underpinned the principles of verification and irreversibility. Accordingly, the Review Conference rightfully expected nuclear-weapon States to provide further information, in particular on their non-strategic nuclear weapons, using the standard reporting form. They should provide information on the number and type of warheads in their possession; the number and type of delivery vehicles; the number and type of weapons and delivery systems dismantled and reduced as part of nuclear disarmament efforts; the amount of fissile material produced for military purposes; and measures taken to diminish the role of nuclear weapons in military and security doctrines and policies. The Review Conference should also encourage nuclear-weapon States to continue to discuss definitions and terminology in the area of nuclear weapons.

38. **Mr. Seifi Pargou** (Islamic Republic of Iran) said that one of the main challenges facing the Non-Proliferation Treaty was the failure to implement its article VI and other relevant decisions. It was counterproductive to reaffirm the validity of those decisions at the current Review Conference without setting benchmarks and a time frame for their assessment. Nonetheless, some of the actions required of nuclear-weapon States, for example reporting, were more symbolic than practical. They were important for maintaining momentum but they were not practical steps towards nuclear disarmament.

39. It was therefore important to avoid a vicious circle in which action plans were adopted but not implemented. The only steps taken since 2010 had involved reporting by nuclear-weapon States and non-nuclear-weapon States and the compilation of a glossary of nuclear terms. At that pace, it would take hundreds of years to achieve a nuclear-weapon-free world. The frustration of non-nuclear-weapon States over the lack of progress was already great. The final document of the current Review Conference should therefore include a time-bound plan of action, not long-term plans, and a time frame for nuclear disarmament, along with benchmarks that could be examined at future Review Conferences.

The meeting rose at 12.05 p.m.