NGO Statement to First Committee on implementation of the 2010 NPT outcome document

In May 2010, states parties to the nuclear Non-Proliferation Treaty adopted a forward-looking Final Document covering nuclear disarmament, nuclear non-proliferation, and nuclear energy, as well as the 1995 resolution on the Middle East.

While hailed by many governments and some news media outlets as a success, the document preserved the status quo in disarmament and non-proliferation, while promoting the supposed “virtues” of nuclear energy. The adoption of this document conceals resistance by the nuclear weapon states to any meaningful commitments on nuclear disarmament, which has in turn met with reluctance of some non-nuclear weapon states to agree to further substantial measures to deal with non-proliferation challenges. The document itself was carefully crafted to stay within the “red lines” of every delegation and it was, as the Chair described it, the best that could be offered at this point in time.

However, its 64-point action plan does include a yardstick with which to measure implementation of the Treaty over the next five years. With actions related to Treaty universality, reporting obligations, institutional deficit, comprehensive safeguards agreements, article VI implementation, diminishing the role of nuclear weapons in national security doctrines, security assurances, and much more, it provides a comprehensive basis for potential progress.

The disarmament action plan, for example, has many useful points. Action 3 specifically commits the nuclear weapon states to implement the unequivocal undertaking to eliminate their nuclear weapons. While the framework for this implementation was weakened in the action plan through the course of negotiations, it is important to note that the nuclear weapon states are, via this text, committed to some specific actions and encouraged to pursue many more. Action 5 calls upon the nuclear weapon states to “engage with” specific issues and report back to the 2014 NPT PrepCom and the 2015 RevCon. The latter will “take stock and consider the next steps for the full implementation of Article VI”.

This implies that the next Review Conference could potentially work on a roadmap for the complete elimination of nuclear weapons, though the document rather vaguely leaves it up to the nuclear weapon states to “engage with” and “report on” these measures in the interim. Indeed, much of the language of action 5 was watered-down by the nuclear weapon states.


1 Reaching Critical Will, a project of the Women’s International League for Peace and Freedom, along with the Geneva Centre for Security Policy, has produced two reports monitoring the implementation of the NPT action plan—in June 2011, a monitoring report on nuclear energy and in September 2011, a report on non-proliferation. The third report, on nuclear disarmament, will be available in early 2012. These reports are available at www.reachingcriticalwill.org.
The nuclear weapon states did meet in Paris in June 2011. This meeting, together with a pre-
Review Conference meeting in London, constitutes the first joint discussions of the P5 on
nuclear disarmament issues since the NPT entered into force. The discussions at the Paris
meeting centered on confidence-building and transparency, items which do not touch upon the
actual disarmament steps that NWS have been mandated to take. This agenda must be broadened
in future meetings to encompass the other items in action 5. It would also be desirable to include
representatives of non-nuclear weapon states, including those who have already disarmed, and
civil society in the discussions. It will be important for the success and survival of the NPT for
the nuclear weapon states to fulfill their core responsibilities under action 5.

However, such discussions cannot serve as a substitute for a preparatory process for negotiation
of a nuclear weapons convention or framework of instruments. Nuclear disarmament is not the
sole property of states possessing nuclear weapons; it is a matter of urgent and profound concern
and interest for the entire world. Indeed, for many reasons, not least the protection of their own
citizens, non-nuclear weapon states have both the right and responsibility to work toward the
elimination of nuclear weapons.

The international community also does not need to wait until 2015 to “consider” the full
implementation of article VI or the unequivocal undertaking to disarm. Nor does it need to rely
solely on the NPT process to eliminate nuclear weapons. The vast majority of states have called
for the negotiation of a nuclear weapons convention to eliminate nuclear weapons. The meager
results of the NPT process have demonstrated a need for this comprehensive approach in the
current global security framework.

In 2012, a new NPT review cycle will begin. Based on the process of negotiating the action plan
in 2010, it is clear that the cycle will start off on weak footing. The lack of substantial progress
reflected in the 2010 final document has been caused by the failing commitment to the core
bargain of the Treaty. During the last review process, the nuclear weapon states—often
supported by the states that shelter under the nuclear weapon “umbrellas” or that host nuclear
weapons on their soil—argued that they have met their nuclear disarmament obligations. They
also expected to be praised for what they have said they intend to do, while at the same time
demanding “more than words” from others. States that profess commitment to fulfilling their
obligations, while at the same time allocating billions to modernizing and enhancing their
nuclear arsenals, cannot be considered credible. Actions speak louder than words, and actions to
modernize nuclear weapons demonstrate states’ willingness to renege on their obligations.

The two-tiered system of the NPT is dangerous for its survival. Many of the challenges facing
the NPT today arise from double standards applied in implementing the Treaty. While enhancing
safeguards could be a useful contribution to preventing new states from acquiring nuclear
weapons, the lack of concrete and measurable disarmament from nuclear weapon states, along
with instances of the major powers and allies engaging in nuclear technology trade with non-
parties to the NPT, and continued reliance on nuclear weapons for national security as well as
nuclear sharing within NATO and extended nuclear deterrence, all prolong the gap between
obligations and the implementation of those obligations.
In the next review cycle, nuclear weapon states will need to make strong commitments to immediate, verifiable, time-bound, and irreversible nuclear disarmament. They will need to commit to a reporting instrument and timetable and to significantly diminishing the role of nuclear weapons in national and regional security doctrines. Only through such concrete action will the non-nuclear weapon states be assured of the lasting value of the NPT as an instrument of collective security.

Furthermore, the need for credible and consequential steps forward on the 1995 Middle East resolution is also a matter of the NPT’s success and survival. The Middle East issue is the NPT’s two-tiered world in microcosm, even though the sole state in the region with nuclear weapons is not a signatory. Thus, one of the most promising elements of the 2010 outcome document was the commitment to hold a conference in 2012 on the establishment of a weapons-of-mass-destruction-free zone in the Middle East.

Given the historic imperative for collective action, and mindful of current political circumstances, we strongly encourage that the prescribed conference be designed and utilized to meet unmet obligations from 1995—for example, it should contribute to the development of concrete proposals for treaty elements and to confidence-building measures towards a WMD-free zone in the Middle East. The peoples of the region have been kept waiting. They deserve cooperative, urgent, and constructive action by governments according to specific timelines.

We believe it is high time for regional governments themselves to contribute substantively to the creation and maintenance of this zone at a time when proliferation risks are mounting and global security is threatened.

We encourage member states to consider the following recommendations:

- First, mechanisms to develop and implement a WMDFZ in the Middle East must operate in concert with other essential and complementary steps toward regional peace. Collective security arrangements cannot be de-linked from peace agreements or delayed to suit any party. Arms control, disarmament measures, and peace negotiations must be negotiated simultaneously. We encourage all UN member states to support and facilitate the participation of all regional stakeholders in parallel peace and security negotiations. Nonetheless, we caution that although the goal of a dual peace and arms control process is important, the WMDFZ must be negotiated even if a comprehensive peace agreement has not been reached.

- Second, all states in the region are strongly encouraged to fulfill existing disarmament-related commitments including ratification of the CTBT, cooperation with all relevant nuclear, chemical, and biological treaties, good faith efforts to implement the UN Programme of Action on the Illicit Trade in Small Arms and Light Weapons, and full cooperation with IAEA inspections. Such measures are essential in order to increase confidence in regional security arrangements and trust in the preparatory process leading to creation of this zone.

- Third, nuclear weapons states must carry out their obligations under the 1995 Resolution by extending their full cooperation to help establish the zone, including participation in
negotiations with all regional states and providing security assurances to all regional states parties.

- Finally, we encourage member states to fully support assessments of existing zones in order to distill ‘best practices’ and lessons learned in order to provide concrete and relevant feedback to Middle East zone negotiators, especially with regards to a minimal structure that will be required for proper implementation of the treaty as well as verification and monitoring of its provisions.

We do not underestimate the challenges of establishing a Middle East WMDFZ. Nonetheless, such a zone is a crucial step towards the overall goal of the NPT—a world free of nuclear weapons. While the aforementioned recommendations are significant in their own right, they will remain empty words without the effective utilization of inclusive regional dialogues, mutual confidence building measures, sustained international support, and informed engagement of civil society.

The NPT has an action plan now. Inaction on that plan carries a high price. Civil society groups and a majority of governments expect action on all its elements, including action 5 and on the Middle East resolution to strengthen a weak and inadequate non-proliferation and disarmament regime.