Nuclear Non-Proliferation

Working paper submitted by Egypt

Overview:

1. The NPT was foreseen as to prevent proliferation, both horizontally and vertically, bring about the total elimination of nuclear weapons while protecting the inalienable right to peaceful uses of nuclear energy. The Treaty was devised to promote, in a balanced manner, three main pillars; nuclear disarmament, nuclear non-proliferation and the inalienable right to the peaceful uses to nuclear energy. Conditions for the full realization of Treaty objectives thus heavily depend on the full implementation of all its obligations, and on its eventual universality.

2. Forty-five years after the Treaty’s entry into force and following its indefinite extension in 1995, key Treaty objectives remain far from realized today and the lack of implementation
of a number of key Treaty obligations continues to challenge its effectiveness, credibility and the realization of its objectives.

3. While nuclear non-proliferation is an essential pillar of the Treaty, its effectiveness is dependant on achieving parallel progress in the area of nuclear disarmament, noting the mutually reinforcing nature of both pillars. It is also dependant on promoting non-proliferation, in both its horizontal and vertical aspects effectively, in a parallel and balanced manner, consistent with Treaty obligations and those undertaken by consensus in the context of Review Conferences.

4. While the NPT represents the core framework of obligations and commitments which can attain the objective of the total elimination of nuclear weapons, effective non-proliferation efforts, both globally and regionally, cannot and should not be restricted to its States parties, since the few States which are not parties to the Treaty continue to operate unsafeguarded nuclear facilities and conduct nuclear activities which are contrary to the principles and objectives of the Treaty.

5. The 1995 Review/Extension Conference placed emphasis on conditions required to secure the effectiveness of the then to be indefinitely extended Treaty, through stressing the importance of maintaining parallel progress in nuclear non-proliferation, in all its aspects, nuclear disarmament, and peaceful uses of nuclear energy, while pursuing vigorous efforts to attain Treaty universality. This is evident in the prominence attached in the 1995 “Decision on Principles and Objectives for Nuclear Non-Proliferation and Disarmament” to efforts to achieve the universality of the Treaty and practical steps required to achieve it, including conditions of supply of nuclear materials and technology.
6. Under paragraph 12 of the 1995 Decision, “…supply arrangements for the transfer of source or special fissionable material or equipment or material especially designed or prepared for the processing, use or production of special fissionable material to non-nuclear-weapon States should require, as a necessary precondition, acceptance of the Agency's full-scope safeguards and internationally legally binding commitments not to acquire nuclear weapons or other nuclear explosive devices”. Cooperation with States which are not party to the NPT without respect for such conditions of supply identified in the Decision undoubtedly represent a clear violation of the decision and runs contrary to the letter and spirit of the Treaty.

7. Non-proliferation efforts under the Treaty should be promoted without hampering in any way the inalienable right for peaceful uses of nuclear energy and the promotion of international cooperation in this regard. In this context, non-proliferation efforts should strictly abide to comprehensive safeguards agreements as the verification standard, under the Treaty and consistent with the 1995 Decision 2.

8. The priority of the promotion of comprehensive safeguards, for States which are yet to conclude such agreements within the Treaty or those who are not States party to the Treaty, should be preserved and respected. Understanding that it remains the sovereign right of each State to make its own decision on whether or not it should conclude an Additional Protocol with IAEA, it is important that the promotion of the Additional Protocol, as a supplementary means to comprehensive safeguards, does not in any way precede that priority.
**Actions required by the Conference:**

The Conference should Review the implementation of Treaty obligations in the field of nuclear non-proliferation, in all its aspects, taking into account relevant obligations adopted at the 1995, 2000 and 2010 Review Conferences, and decide on necessary measures for the full implementation of the Treaty. In this context, the Conference should:

1. Reaffirm the mutually reinforcing relationship between nuclear disarmament and nuclear non-proliferation in all its aspects, confirming that progress on nuclear non-proliferation remains unsustainable without parallel progress in nuclear disarmament.

2. Express regret that progress in the prevention of horizontal proliferation has continued to be undermined by States that are not party to the Treaty, which operate unsafeguarded nuclear facilities and conduct activities that contradict fully with the letter, spirit and key norms established by the Treaty.

3. Affirm that much more transparency over nuclear weapons programs in Nuclear-Weapon States is required in order to verify progress in the field of vertical proliferation and assess progress, as well as the pace of any such progress, in the field of nuclear disarmament.

4. Reaffirm the crucial importance of achieving the universality of the Treaty to address its non-proliferation challenges effectively, both within the Treaty regime and outside it. Renew with determination the collective commitment of States Parties to vigorously pursue the realization of Treaty universality.
5. Reaffirm the importance of strict observance, by individual States Parties as well as supply regimes, of conditions for supply stipulated in the 1995 “Decision on Principles and Objectives for Nuclear Non-Proliferation and Disarmament”, in particular paragraph 12 on acceptance of the Agency's full-scope safeguards and internationally legally binding commitments not to acquire nuclear weapons or other nuclear explosive devices being essential requirements for any supply arrangements for the transfer of source or special fissionable material or equipment or material especially designed or prepared for the processing, use or production of special fissionable material to non-nuclear-weapon States.