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

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Nuclear disarmament

Working paper submitted by the members of the Group of Non-Aligned States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons**

1. The Group of Non-Aligned States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons emphasizes that the Treaty is an essential foundation for the pursuit of nuclear disarmament and a key instrument in the efforts to halt the vertical and horizontal proliferation of nuclear weapons.
2. The Group of Non-Aligned States Parties to the Treaty reaffirms the Movement's principled positions on nuclear disarmament, which remains its highest priority, and on the related issue of nuclear non-proliferation in all its aspects and stresses the importance that efforts aiming at nuclear non-proliferation should be parallel to simultaneous efforts aiming at nuclear disarmament. The Group stresses its concern at the threat to humanity posed by the continued existence of nuclear weapons and of their possible use or threat of use. The Group also reaffirms that the total elimination of nuclear weapons is the only absolute guarantee against the use or threat of use of nuclear weapons.
3. The Group of Non-Aligned States Parties to the Treaty remains deeply concerned by the strategic defence doctrines of the nuclear-weapon States that set out the rationales for the use of nuclear weapons, as demonstrated by the recent posture review by one of the nuclear-weapon States to consider expanding the circumstances in which these weapons could be used.
4. The Group of Non-Aligned States Parties to the Treaty remains also deeply concerned at the "strategic concept for the defence and security of the members of the North Atlantic Treaty Organization", which justifies the use or threat of use of nuclear weapons, and maintains unjustifiable concepts of international security based on promoting and developing military alliances and nuclear deterrence policies.

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** The present working paper is being issued without formal editing.



5. The Group of Non-Aligned States Parties to the Treaty underlines that multilateralism and multilaterally agreed solutions, in accordance with the United Nations Charter provide the only sustainable method of addressing disarmament and international security issues.

6. The Group of Non-Aligned States Parties to the Treaty reiterates its strong call for the full implementation of the unequivocal undertaking given by the nuclear-weapon States at the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, which has also been reaffirmed by the 2010 Review Conference of the Treaty. That undertaking should be demonstrated without further delay through an accelerated process of negotiations and through the full implementation of the 13 practical steps to advance systematically and progressively towards a nuclear-weapon-free world as agreed to at the 2000 Review Conference, as well as in the “Conclusions and recommendations for follow-on actions” of the 2010 Review Conference of the Treaty, which reaffirmed the continued validity of that undertaking.

7. The Group of Non-Aligned States Parties to the Treaty recalls that “In pursuit of the full, effective and urgent implementation of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons and paragraphs 3 and 4 (c) of the 1995 decision entitled “Principles and objectives for nuclear non-proliferation and disarmament”, and building upon the practical steps agreed to in the Final Document of the 2000 Review Conference, the 2010 Review Conference agreed on an action plan on nuclear disarmament which includes concrete steps for the total elimination of nuclear weapons. Accordingly, the Group strongly calls for prompt and full implementation of the 2010 Review Conference “action plan on nuclear disarmament”.

8. The Group of Non-Aligned States Parties to the Treaty recalls that in implementing the unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals, the nuclear-weapon States have committed to undertake further efforts to reduce and ultimately eliminate all types of nuclear weapons, deployed and non-deployed, including through unilateral, bilateral, regional and multilateral measures. In this regard, the Group calls for full compliance of the nuclear-weapon States with such undertakings.

9. In this connection, the Group of Non-Aligned States Parties to the Treaty emphasizes in particular the prime importance of and the urgent need for full and prompt implementation of the commitments by the nuclear-weapon States under action (5) of the 2010 Review Conference “action plan on nuclear disarmament”. In this context, the Group further recalls that the nuclear-weapon States committed to accelerate concrete progress on the steps leading to nuclear disarmament, inter alia, through: (a) rapidly moving towards an overall reduction in the global stockpile of all types of nuclear weapons; (b) addressing the question of all nuclear weapons regardless of their type or their location as an integral part of the general nuclear disarmament process; (c) further diminishing the role and significance of nuclear weapons in all military and security concepts, doctrines and policies; (d) discussing policies that could prevent the use of nuclear weapons and eventually lead to their elimination, lessen the danger of nuclear war and contribute to the non-proliferation and disarmament of nuclear weapons; (e) considering the legitimate interest of non-nuclear-weapon States in further reducing the operational status of nuclear

weapons systems in ways that promote international stability and security; (f) reducing the risk of accidental use of nuclear weapons; and (g) further enhancing transparency and increase mutual confidence.

10. Moreover, the Group of Non-Aligned States Parties to the Treaty calls upon the nuclear-weapon States to submit comprehensive substantive reports about their undertakings under action (5) of the 2010 Review Conference “action plan on nuclear disarmament” to the Preparatory Committee in 2014, in order to enable the 2015 Review Conference to take stock and consider the next steps for the full implementation of article VI of the Treaty in realization of the objective of the total elimination of nuclear weapons.

11. The Group of Non-Aligned States Parties to the Treaty expresses deep concern at the continued lack of progress in the field of nuclear disarmament, which could undermine the object and purpose of the Treaty. The Group also deeply regrets the continued inflexible postures of some nuclear-weapon States that have prevented the Conference on Disarmament from establishing an ad hoc committee on nuclear disarmament. The negotiations of a phased programme for the complete elimination of nuclear weapons with a specified time frame, including a nuclear weapons convention, is necessary and should commence without any further delay. In that regard, the Group reiterates its call to establish, as soon as possible, and as the highest priority, an ad hoc committee on nuclear disarmament and recalls action (6) of the 2010 Review Conference “action plan on nuclear disarmament” through which all States have agreed that the Conference on Disarmament should immediately establish a subsidiary body to deal with nuclear disarmament, within the context of an agreed, comprehensive and balanced programme of work.

12. In this context, the Group again calls upon the Conference to agree on a balanced and comprehensive programme of work. In this regard, the Group expresses its appreciation to the representative of Algeria, under whose presidency the Conference adopted (although did not implement) decision CD/1864, and to those representatives of member and observer States of the Non-Aligned Movement who subsequently served as President of the Conference, including, most recently, the representative of Egypt, for his tireless efforts and for presenting a draft decision on a programme of work for the 2012 session (see CD/1933/Rev.1).

13. The Group of Non-Aligned States Parties to the Treaty remains concerned by the continued inability of the Conference on Disarmament to resume its negotiation of a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile materials for nuclear weapons and other explosive devices, including all practical measures to eliminate in an irreversible manner the past production and existing stockpiles of fissile materials for nuclear weapons or other nuclear explosive devices, taking into account both nuclear disarmament and non-proliferation objectives. In this context, the Conference on Disarmament is urged to agree on a programme of work that includes the immediate commencement of negotiations on such a treaty with a view to their conclusion within five years.

14. The Group of Non-Aligned States Parties to the Treaty reconfirms that negotiations on a fissile materials treaty should be conducted on the basis of the report of the Special Coordinator of 1995 (CD/1299) and the mandate contained therein (Shannon mandate), taking into account nuclear disarmament and non-proliferation objectives, as well as all related issues, including the past

production and existing stockpiles of fissile materials for nuclear weapons or other nuclear explosive devices. The Group expresses concern over the attempts to limit the scope of the negotiations on a fissile material treaty as contained in the Shannon mandate, which was endorsed at the 1995 Review and Extension Conference and the 2000 and 2010 Review Conferences. In this regard, the Group recognizes that non-nuclear-weapon States parties to the Treaty have already agreed to a legally binding commitment not to produce fissile materials for nuclear weapons or other nuclear explosive devices.

15. The Group of Non-Aligned States Parties to the Treaty remains deeply concerned by the lack of progress towards achieving the total elimination of nuclear weapons despite some reports of bilateral and unilateral reductions. Any such reductions are undermined by the modernization of nuclear weapons, and their delivery systems and related infrastructure by the nuclear-weapon States. In order to comply with their obligations under article VI of the Treaty, as well as with their commitments under the 13 practical steps and 2010 action plan on nuclear disarmament, the nuclear-weapon States must immediately cease their plans to further invest in modernizing, upgrading, refurbishing, or extending the lives of their nuclear weapons and related facilities. The Group is also concerned by the existence and continued deployment of tens of thousands of such weapons, whose exact number remains unconfirmed, owing to the lack of transparency in various nuclear weapons programmes.

16. In this connection, the Group of Non-Aligned States Parties to the Treaty, while noting the conclusion and entry into force of the new START Treaty between the Russian Federation and the United States of America, confirms the validity of its position delivered at the time of the adoption of General Assembly resolution 65/61 on “Bilateral reductions of strategic nuclear arms and the new framework for strategic relations”. The Group further expresses concern that the domestic commitments to nuclear weapon modernization in exchange for ratification of this treaty undermines the minimal reductions agreed upon in it.

17. The Group of Non-Aligned States Parties to the Treaty also stresses that reductions in deployments and in operational status cannot substitute for irreversible cuts in, and the total elimination of, nuclear weapons and accordingly calls on the Russian Federation and the United States to apply the principles of transparency, irreversibility and verifiability to such cuts, to further reduce their nuclear arsenals, both warheads and delivery systems, thus contributing to the fulfilment of their nuclear disarmament obligations and facilitating the realization of a world free of nuclear weapons at the earliest date. The Group also recalls the commitment by the Russian Federation and the United States under action (4) of the 2010 Review Conference “action plan on nuclear disarmament” for the full implementation of the Treaty on Measures for the Further Reduction and Limitation of Strategic Offensive Arms and strongly urges them to adopt all required measures in order to achieve deeper reductions in their nuclear arsenals in realization of the objective of the total elimination of nuclear weapons.

18. The Group of Non-Aligned States Parties to the Treaty believes that the abrogation of the Treaty on the Limitation of Anti-Ballistic Missile Systems has brought new challenges to strategic stability and the prevention of an arms race in outer space. The Group remains concerned that the deployment of national and strategic missile defence systems could trigger an arms race or arms races, the

further development of advanced missile systems and an increase in the number of nuclear weapons. In accordance with General Assembly resolution 66/27, the Group emphasizes the urgent need for the commencement of substantive work, at the Conference on Disarmament, on the prevention of an arms race in outer space.

19. The Group of Non-Aligned States Parties to the Treaty also believes that the development and qualitative improvement of nuclear weapons and the development of advanced new types of nuclear weapons and new targeting options to serve aggressive counter-proliferation purposes as well as the lack of progress in diminishing the role of nuclear weapons in security policies further undermine disarmament commitments.

20. The Group of Non-Aligned States Parties to the Treaty underlines the unanimous conclusion of the International Court of Justice that there exists an obligation to pursue in good faith and to bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.

21. The Group of Non-Aligned States Parties to the Treaty, while recalling the statement on the total elimination of nuclear weapons adopted by the sixteenth Ministerial Conference and Commemorative Meeting of the Non-Aligned Movement in Bali, Indonesia, from 23 to 27 May 2011, reiterates its firm commitment to work for convening a high-level international conference to identify ways and means of eliminating nuclear weapons, at the earliest possible date, with the objective of an agreement on a phased programme for the complete elimination of nuclear weapons with a specified framework of time, to prohibit their development, production, acquisition, testing, stockpiling, transfer, use or threat of use, and to provide for their destruction.

22. The Group of Non-Aligned States Parties to the Treaty emphasizes that the indefinite extension of the Treaty does not imply the indefinite possession by the nuclear-weapon States of their nuclear arsenals and considers, in that regard, that any assumption of indefinite possession of nuclear weapons is incompatible with the integrity and sustainability of the nuclear non-proliferation regime, both vertical and horizontal, and with the broader objective of maintaining international peace and security.

23. The Group of Non-Aligned States Parties to the Treaty further reaffirms that, pending the total elimination of nuclear weapons, all non-nuclear-weapon States parties to the Treaty should be effectively assured by the nuclear-weapon States against the use or threat of use of nuclear weapons through the urgent conclusion of a universal, unconditional and legally binding instrument on security assurances.

24. The Group of Non-Aligned States Parties to the Treaty reaffirms that, in accordance with the Charter of the United Nations, States must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State or in any other manner inconsistent with the purposes of the United Nations.

25. In this regard, the Group of Non-Aligned States Parties to the Treaty recalls the advisory opinion of 8 July 1996 of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons* that “There is in neither customary nor conventional international law any specific authorization of the threat or use of nuclear weapons” and that “the threat or use of nuclear weapons would

generally be contrary to the rules of international law applicable in armed conflict, and in particular the principles and rules of humanitarian law”.

26. Accordingly, the Group of Non-Aligned States Parties to the Treaty is of the view that, pending the total elimination of nuclear weapons, as the only absolute guarantee against the use or threat of use of nuclear weapons, the nuclear-weapon States shall seriously refrain, at any circumstances, from the use or threat of use of nuclear weapons against any non-nuclear-weapon States parties to the Treaty. In the view of the Group, any use or threat of use of nuclear weapons would be in violation of the principles of the Charter of the United Nations and the international law, in particular, international humanitarian law. The Group further believes that the mere possession of nuclear weapons is inconsistent with the principles of international humanitarian law. In this regard, the Group strongly calls upon all States, in particular the nuclear-weapon States, to exclude completely the use or threat of use of nuclear weapons from their military doctrines.

27. The Group of Non-Aligned States Parties to the Treaty reaffirms the validity of its working paper on the “Elements for a plan of action for the elimination of nuclear weapons” submitted to the 2010 Review Conference (see NPT/CONF.2010/WP.47, reproduced in the annex to the present working paper). The Group is determined to and strongly calls for the integration of this action plan into the outcome document of the 2015 review process of the Treaty. The Group calls in this regard for a speedy and full implementation by the nuclear-weapon States of all its measures in accordance with the proposed timeline and at a pace that makes up for the time elapsed.

28. The Group of Non-Aligned States Parties to the Treaty reiterates its call for the establishment, as a matter of priority, of a subsidiary body on nuclear disarmament in the Main Committee I mandated to focus on the issue of fulfilment of the obligations under article VI of the Treaty and on further practical measures required to achieve progress in that regard.

29. The Group of Non-Aligned States Parties to the Treaty notes with concern the lack of agreement on a number of its key priorities, including, inter alia, to begin negotiations on a nuclear weapons convention and expresses its determination to continue collective efforts in pursuing the realization of its aforementioned priority in the 2015 review process of the Treaty.

Annex

Elements for a plan of action for the elimination of nuclear weapons

Working paper submitted by the Group of the Non-Aligned States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons*

Introduction

1. Although there have been some positive signals and developments in the area of nuclear disarmament, the world is still faced with unresolved challenges. The recent statements by some nuclear-weapon States about their intention to pursue actions in achieving a world free of nuclear weapons are positive. However, urgent and concrete actions by the nuclear-weapon States in accordance with their multilaterally agreed commitments to achieve general and complete disarmament remain essential. Unless the role of nuclear weapons in the context of security is delegitimized and existing nuclear doctrines are abandoned, there will always be a threat of a nuclear arms race and an escalation of nuclear threats. The total elimination of nuclear weapons is the only absolute guarantee against the use or threat of use of nuclear weapons.

2. To achieve the total elimination of their nuclear weapons, the nuclear-weapon States need to implement the unequivocal undertaking agreed upon in 2000. The 13 practical steps for systematic and progressive efforts to implement Article VI should be fully implemented in accordance with the principles of transparency, verifiability and irreversibility. The nuclear-weapon States should be urged to start negotiations on a phased programme for the complete elimination of their nuclear weapons within a specified time framework, including a nuclear weapons convention. It should also be recalled that there is a unanimous conclusion of the International Court of Justice regarding the obligation to pursue in good faith and to bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.

3. The Non-Aligned Movement proposes a plan of action for the elimination of nuclear weapons within a specified time frame that includes the following concrete steps and measures, as a basis for consideration by the Review Conference. The list of measures in each phase is indicative rather than exhaustive, and the order in which they are mentioned does not necessarily reflect their priority. Nevertheless, it should be understood that, in any nuclear disarmament programme, all steps and measures are inextricably linked.

* Previously issued as document NPT/CONF.2010/WP.47.

Plan of action

First phase — 2010 to 2015

A. Measures aimed at reducing the nuclear threat

4. Immediate commencement of concurrent negotiations on and early conclusion of:

(a) A treaty banning the production of fissile material for nuclear weapons, the negotiations being conducted on the basis of the Shannon mandate, as endorsed at the 1995 Review and Extension Conference and the 2000 Review Conference;

(b) Termination of qualitative improvements of nuclear weapons through agreements on:

(i) the cessation of all nuclear weapon tests (ratification of the Comprehensive Nuclear-Test-Ban Treaty, starting with the nuclear-weapon States), the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty and the closure of all nuclear weapons test sites;

(ii) measures to prevent the use of new technologies for upgrading the existing nuclear weapon systems, including the prohibition of nuclear weapon research and development;

(c) Review by nuclear-weapon States of their nuclear postures in order to eliminate the role of nuclear weapons in their military and security policies;

(d) A multilaterally negotiated legally binding instrument that is universal and unconditional, to ensure non-nuclear-weapon States against the use or threat of use of nuclear weapons;

(e) A convention unconditionally prohibiting the use or threat of use of nuclear weapons;

(f) An international conference at “the earliest possible date” to achieve agreement on a phased programme for the complete elimination of nuclear weapons within a specified time frame, including, in particular, a treaty to eliminate nuclear weapons (nuclear weapons convention);

(g) Full implementation of the Treaties of Tlatelolco, Rarotonga, Bangkok, Pelindaba and Central Asia and of Mongolia’s nuclear-weapon-free status, including signature and ratification by nuclear-weapon States and other States, of relevant protocols to those Treaties, and the establishment of additional nuclear-weapon-free zones;

(h) Establishment of nuclear-weapon-free zones in the Middle East and implementation of the 1995 resolution on the Middle East, in order to fully realize its goals and objectives;

(i) Clear and verifiable declarations by States of their stocks of nuclear weapons and nuclear-weapons-usable material and agreement on a multilateral mechanism to monitor reductions by nuclear-weapon States of their nuclear arsenals individually, bilaterally or collectively;

(j) Reduction of the operational readiness of nuclear-weapon systems.

B. Measures aimed at nuclear disarmament

5. Full implementation by the nuclear-weapon States of their disarmament obligations and commitments under the Non-Proliferation Treaty, including those agreed at the 2000 Review Conference; acceleration of the negotiation process, in accordance with article VI, and implementation of the 13 practical steps.
6. Conclusion of negotiations on further reductions of nuclear arsenals (START).
7. Moratorium on the production of fissile materials, pending conclusion of a fissile material cut-off treaty.
8. Placement of nuclear fissile material transferred from military to peaceful uses by nuclear-weapon States under International Atomic Energy Agency (IAEA) safeguards.
9. Formal declaration of the decade 2010-2020 as the “Decade for nuclear disarmament” and realization of its objectives.

Second phase — 2015 to 2020

Measures aimed at reducing nuclear arsenals and promoting confidence among States

10. Entry into force of the treaty to eliminate nuclear weapons and the establishment of a single integrated multilateral comprehensive verification system to ensure compliance, including such measures as the:
 - (a) Separation of nuclear warheads from their delivery vehicles;
 - (b) Placement of nuclear warheads in secure storage under international supervision, pending the removal of special nuclear materials from those warheads;
 - (c) Transfer of nuclear materials, including fissile materials and delivery vehicles, to “peaceful purposes”.
11. Preparation, under international auspices, of an inventory of nuclear arsenals, including fissile materials, nuclear warheads and their delivery vehicles.
12. Progressive and balanced reduction of missiles intended for carrying nuclear warheads.
13. Recommendation by the 2020 Review Conference to declare 2020 as the “Decade for the total elimination of nuclear weapons”.

Third phase — 2020 to 2025 and beyond

Measures aimed at the consolidation of a nuclear-weapon-free world

14. Full implementation of the treaty to eliminate all nuclear weapons and of its verification regime through the:
 - (a) Elimination of all nuclear weapons;
 - (b) Conversion of all facilities for the production of nuclear weapons to “peaceful purposes”;
 - (c) Placement of nuclear facilities under safeguards, on a universal basis.