EDITORIAL: CREDIBLE, EFFECTIVE, LEGAL, AND MORAL

Ray Acheson | Reaching Critical Will of WILPF

Earlier this week, the NPT nuclear-armed states released their glossary of key nuclear terminologies. They spent the last five years working on this, instead of the actions they actually committed to in 2010. At this pace, noted Iran on Thursday, nuclear disarmament will take hundreds of years. Hence the demand of the majority of NPT states parties for credible, effective measures for nuclear disarmament.

In its subsidiary body 1 statement on nuclear disarmament, the New Agenda Coalition (NAC) highlighted that action 5 of the 2010 NPT Action Plan concludes that “the 2015 Review Conference will take stock and consider the next steps for the full implementation of Article VI.” It is this provision that inspired NAC’s working paper 9, which “outlines the legally effective measures that will enable the full implementation of the disarmament undertakings of Article VI.”

The discussion about what constitutes effective measures is vital. There are plenty of options on the table and states must decide what constitutes the most effective measure in the current context. At a time when the nuclear-armed states are recalcitrant in complying with their legally-binding disarmament obligations and their nuclear-dependent allies provide cover for them, the rest of the world must seek a solution that allows them to take action without having to rely on certain states. As Austria pointed out, there has been no progress on the actions that only the nuclear-armed states can fulfill. Thus the question for nuclear weapon free states must be, what can we do to affect this situation? What can we do to confront this assertion of power and violence and mistrust and fear? What can we do to change the game?

The answer for many is a treaty banning nuclear weapons. Such an instrument can be negotiated now, even without the nuclear-armed states. It would have many practi-
The event is co-organized by the United Nations Institute for Disarmament Research and the International Law and Policy Institute. For more information, visit www.effectivemeasures.org.
Nuclear “deterrence” and security doctrine

- France said that its nuclear weapon posture is strictly defensive.
- Sweden does not believe that nuclear weapons bring security but the opposite and that nuclear-armed states claim of security is based on the insecurity of everyone else.
- NAC expressed concern that there is no evidence that the role and significance of nuclear weapons in all military and security concepts, doctrines, and policies has diminished.

NWFZ/NSA

- Cuba proposed that the Review Conference outcome document should include a commitment to negotiate a legally-binding NSA and that nuclear-armed states withdraw or modify their reservations to NWFZs.
- Iran agreed with Cuba and furthermore stated that an NSA should be discussed with the CD by 2018.
- Germany regretted that the breach of the Budapest Memorandum vis-a-vis Ukraine has cast a shadow on the status of NSAs.

Review Conference outcome

- Sweden proposed an open-ended working group to move ahead nuclear disarmament, but are also open to other options as they are “focused on progress, not process”.
- Mexico and Iran stressed that a consensus outcome agreement is not an end in itself.
- Cuba believed that UNGA needs to be more engaged in the issue of nuclear disarmament and this Review Conference need to make a formal appeal to the GA to take practical steps.
- Japan proposed steps to strengthen the next review cycle, wherein states agree on standard reporting to the 2017 PrepCom, submit reports to 2018 PrepCom, and discuss in 2019.
- Iran highlighted that reporting is a symbolic matter and cannot be considered as a practical step towards disarmament.
- Cuba also highlighted that there is a call from the majority of states to the nuclear-armed states to reduce further.

continued on next page
News in Brief, continued

- Cuba argued that the majority agrees there is a lack of progress on implementation of article VI and that a turnover of the Action Plan is not enough as an outcome for this Review Conference and that clearer definitions including deadlines and a schedule activities is necessary.

Other
- Austria highlighted that there has been no progress on the actions that only the nuclear-armed states can fulfill.
- Iran stated that if we have to wait five years for an incomplete glossary it will take hundreds of years to reach a nuclear weapons free world.

Main Committee II
- Subsidiary body II met in a closed session in the morning.

NWFZ
- China, Sweden, US expressed continued support for the establishment of a MEWMDFZ.

Safeguards
- Norway, Sweden, UK supported evolution of safeguards to state-level concept (SLC).
- Argentina noted the work on the SLC is still in progress.
- South Africa welcomed the IAEA DG’s assurance that the SLC will not entail introduction of additional rights of obligations on either side

Nuclear security
- Switzerland suggested the IAEA will be the most suitable forum to follow-on the Nuclear Security Summits.
- Iran and Switzerland highlighted the emerging challenges arising from cyber attacks against nuclear facilities.

Nuclear material
- Iran, Switzerland highlighted that the majority of nuclear material is under military control and not subject to IAEA safeguards or international control.

Other
- US referred to WP.45 for more detailed recommendations.

Main Committee III
- The Chair presented his draft paper for Main Committee III.
- Countries gave their first few remarks on the draft but said they need more time in order to give their full comments.

Comments on the chairs draft outcome document
- The Chair stressed that since the discussion specific discussion on peaceful use of nuclear weapons (PUNE) have not taken place yet it is not included in the draft paper, but will be later.
- Iran wanted a backwards-looking section that highlights what has been achieved and implemented.
- Russia asked for a separate section in the draft on nuclear safety and not in combination with nuclear security.
- Egypt said that it prefers that the outcome document reference the actual Treaty and not the 2010 outcome document.
- Portugal said that paragraph 28 that welcomes the IAEA guidelines on best practices on transportation of MOX fuel should also add language on an appeal to countries to continue working on this issue.
- Portugal also highlighted that paragraph 30 dealing with different liability regimes language should be added stating the objective behind the listed regimes, which is to establish a global nuclear liability regime.
- Indonesia welcomed the inclusion of language on armed attacks on PUNE facilities and the need for emergence response from the global community.
- US stated that we should look into the IAEA’s definition of its mandate in order to reflect that in the outcome document.
- UAE wanted to include a call to countries to join the convention listed in the draft to have a harmonised global regime.

Peaceful Use of Nuclear Energy (PUNE)
- Australia and the UK stressed that nuclear technology goes beyond power generation and should therefore emphasise other peaceful nuclear applications.
- US said it fully supports fuel assurance mechanisms through the IAEA and will continue to consider additional multilateral measures.

Review Conference outcome
- Cuba stressed that the outcome document should reflect call from Review Conference to support negotiations on a multilateral instrument to prohibit attacks against nuclear installations and hoped this will be reflected in future versions of this draft text.
EVENT: THE ESTABLISHMENT OF A WMD FREE ZONE IN THE MIDDLE EAST
Matthew Bolton | Pace University and Article 36

This all male panel organized by the Egyptian Council of Foreign Affairs (ECFA) on 4 May began with Ambassador Hisham Badr, Egypt’s First Secretary for Multilateral Affairs, rereading the statement he had just delivered in Main Committee II. He stated that the effort to establish a Middle East weapons of mass destruction free zone (MEWMDFZ) “epitomizes failure” and “wasted an additional five years,” despite having become enshrined in the consensus documents of the NPT.

Ambassador Badr stated that the unsuccessful attempt to organize a conference on establishing a MEWMDFZ had been “compromised by lack of political will.” Though saying that he was “not interested in a blame game,” he claimed that “Egypt and the Arab group spared no effort” and “constantly engaged positively with the facilitator’s efforts” but that the process was derailed by unspecified parties. The Ambassador claimed that “there was no progress made” and that, in fact, efforts had “brought us backward and confidence was eroded.”

Badr said there was a need for “new ways of doing business” and called delegates’ attention to the Arab Group and Non-Aligned Movement working papers (33 and 49 respectively), which he described as “pragmatic and realistic” proposals to have the UN Secretary-General convene a conference within 180 days of the end of the NPT Review Conference that would invite all members of the Middle Eastern region as well as the nuclear-armed states, IAEA, and other relevant international organisations as observers. The conference would have two working groups—one for scope and the other for verification and implementation. He called on the NPT Review Conference to adopt this proposal, saying that “convening the conference is not an end in itself but an important step forward.”

The remaining panelists, all men associated with ECFA, added their support to the Arab Group’s proposal. Amb. Dr. Mohamed Mounir Zahran, Board Member of ECFA, called on “all countries that are in the Middle East” to adhere to the NPT, Biological Weapons Convention, and Chemical Weapons Convention “in parallel.” He specifically called on Israel to join the NPT and suggested that the “intrusive inspections” applied to Iran should also be applied to Israel. Dr. Yousry Abushady, Former Senior Inspector at the IAEA and member of the ECFA, suggested that Israel could be invited to voluntarily open some nuclear facilities to inspection, like India has. Amb. Abdel Raouf El-Reedy, Honorary President of ECFA, said the proposal offered a “unique opportunity for a fresh start.” He was encouraged by the humanitarian initiative and the Marshall Islands lawsuit.

Patricia Lewis of Chatham House asked Ambassador Badr why he thought this approach had more chance of success than preceding ones. Badr responded that “there are no guarantees but the old approach has failed” and that he hoped the Secretary-General could launch the process, even knowing that it may take years to get a final treaty. Lewis asked further if Badr could compare his “two stage proposal” to the MEWFZ facilitator’s orientation paper’s suggestion of dividing work between the scope and confidence-building measures and verification. Badr said that the “important thing is not in the technical details but in the political will in launching the process.”

Sandra Butcher asked whether this new approach was needed since some believe that the current process was close to achieving arrangements for a conference. Badr said that either way, the Arab Group proposal would offer a way forward.
EVENT: WMDFZ IN THE MIDDLE EAST - WHAT NOW?
Sofia Tuvestad | WILPF Sweden

The event was organised by The James Martin Center for Nonproliferation Studies (CNS) and co-hosted by the UK delegation to the NPT. Dr. Chen Kane, CNS Director of the Middle East Nonproliferation Program, moderated the panel, which included Karim Kamel of the Social Science Research Council, Tiara Shaya of the Atlantic Council, and Stephanie Mendes-Candido, project manager at the Heinrich Böll Stiftung.

The event focused on the current status of the diplomatic efforts to hold a Middle East WMDFZ Conference, including what can be achieved during and following the 2015 NPT Review Conference. A new CNS report written by Dr. Kane was launched at the event: Planning Ahead: A Blueprint to Negotiate and Implement a Weapon-of-Mass-Destruction-Free Zone in the Middle East.

In his introductory remarks, Ambassador Rowland of the UK highlighted the importance of thinking beyond the conference on the zone. The new CNS report deals with this issue by identifying what legal, technical, and organisational elements are required to support the establishment of a WMDFZ. One of its recommendations is that states in the region establish a group of experts to address the challenges.

As Mrs. Mendes-Candido said in her opening remarks, the international community has failed to deliver on 2010 RevCon promise on the WMDFZ issue, and the future does not look too promising either. She also highlighted positive forces though, such as the Middle East Next Generation of Arms Control Specialists Network (MENACS), a network of young people in the Middle East region who want to promote non-proliferation and disarmament. Mr. Kamel spoke further on this project, which has now gone on for four years with different activities to promote a WMDFZ, such as educational tools and workshops for journalists.

Mr. Kamel further highlighted actions items needed to save the process for a WMDFZ. These include the importance of reinstating the goal of establishing the zone, taking into account the challenges that the region has gone through since 2010 to now, as well as brokering an agreement amongst relevant key-holders to refrain from any finger-pointing and blame games and commit to a constructive process.

Mrs. Shaya argued that Iran should use current momentum around the negotiations on its nuclear programme to engage further in non-proliferation efforts in the region. Given the substantial issues that are to be dealt with in the consultations on WMDFZ, it’s important that Iran participates, she said. She also added that the consultations would probably draw more interest and engagement if they were longer; one or two days at a time means very little time to deal with the substance at hand.

The Q & A session highlighted a number of issues, such as the possibility of including in the discussion how conventional weapon imbalances between states in the region play into the dynamics. The discussion also touched upon the issue of non-state actors in the region who show interest in acquiring WMDs. No one really thought about this yet, said Dr. Kane. She also highlighted what is probably the most critical point: we must address underlying causes, including the feeling amongst states that they need to acquire nuclear weapons for their security. No zone can solve this issue, as Dr. Kane pointed out. It must be dealt with by broader changes in the norms around security and nuclear weapons.

EVENT: UK-NORWAY INITIATIVE - RESEARCHING CONFIDENCE AND TRUST
Emily Watson | Reaching Critical Will of WILPF

Organised by the UK-Norway Initiative, this all-male panel featured Dr. Ole Reistad of Norway as Chair, Mr. Tom Plant of the UK’s Atomic Weapons Establishment, and Dr. Hassan Elbahtimy of King’s College, London.

Tom Plant explained that the UK-Norway Initiative promotes understanding between nuclear-armed and non-nuclear-armed states on the nuclear weapons verification processes, including weapon dismantlement. The Initiative has worked with academic institutions from Egypt, Germany, Russia, South Africa, and the USA. Between 2008 and 2010 the Initiative ran simulations to investigate factors of confidence and trust influencing inspectors’ perceptions. Inspectors often report high levels of confidence in dismantlement facilities, yet these assessments may be swayed by potentially unwarranted levels of trust in the human hosts of nuclear facilities.

Hassan Elbahtimy explained that inspectors in controlled, depoliticised environments are sent out to complete verifications. Inspectors are observed throughout and their thoughts on the verification process are determined through questionnaires and
Speakers at this event included Seth Baum of the Global Catastrophic Risk Institute (GCRI), Rachel Bronson, executive director of the Bulletin of the Atomic Scientists (and curator of the “Doomsday Clock”), and John Hallam of the Human Survival Project and People for Nuclear Disarmament.

Mr. Hallam spoke of the nature of nuclear risk, what is at stake, nuclear winter, and catastrophic technosystem failure, particularly from electromagnetic pulse (EMP), as well as the many “near misses” in which nuclear war has been narrowly averted.

Ms. Bronson spoke of the decision-making process to shift the hands of the Doomsday Clock from five minutes to midnight to three minutes to midnight. She explained that whereas in the past the focus of the Clock had been exclusively on nuclear risks, it now includes nuclear weapons, global warming, and ‘emerging technologies’ risks. However, the role of increasing Russia/NATO tensions and the Ukraine conflict had been a deciding factor in the shift of the clock-hands. The closest the clock hands have ever been to midnight (the end of civilisation) was in 1954, when the US and Russia both tested thermonuclear warheads for the first time.

Mr. Baum spoke of probabilistic approaches to both nuclear war and to nuclear winter, covering both probabilities and consequences of possible US/Russia and India/Pakistan nuclear exchanges. Widespread substitution of the use of food crops for animal feed by their use for direct human use might decrease the effects of 20-40% decreases in crop yields after an India/Pakistan nuclear war. On the other hand, cascading technosystem breakdown would immensely worsen the effects of such an exchange. He pointed out that in the event of a NATO/Russia nuclear war involving up to 2000 (or more) warheads, the coldest conditions since the last major ice-age would make agriculture impossible for decades. This combined with complete breakdown in technological infrastructure would mean the complete end of current civilization.

Come and observe

Students negotiate a Nuclear Weapons Convention

Monday, 11 May 2015
10:00 am–01:00 pm,
03:00 pm–06:00 pm
Conference Room C, UNHQ

Tuesday, 12 May 2015
09:30 am–12:30 pm,
01:30 pm–04:00 pm
Baha’i Center,
866 United Nations Plaza /48th St

30 German university students simulate the negotiation of a Nuclear Weapons Convention. In four sessions, they will negotiate Article I (Obligations) of the Model Nuclear Weapons Convention (UN document A/62/650).

Come to observe for an hour or the whole day!

Chairs:
Alyn Ware (IALANA/PNND)
John Burroughs (LCNP)

Participants:
30 German university students

Contact: Regina Hagen, Technische Universität Darmstadt; kontakt@reginahagen.de
BANNING NUCLEAR WEAPONS, INTERNATIONAL SECURITY, AND COLLECTIVE
HUMAN MORALITY
Thomas Nash | Article 36

The notion that banning nuclear weapons is impossible because of the security situation (or even that it could undermine the security situation) only makes sense if you adopt the security framing of the nuclear-armed states and their allies.

What if you reject that security framing though? What if you think that framing is itself highly destabilising, fuelled by short term political interests, driven by commercial, and based on divisive notions of “the other”? What if you think that concepts like “strategic stability” are outdated, inherently risky and unsustainable Cold War constructs incompatible with contemporary international law and collective human morality? What if you think that regardless of their (highly contested security value) nuclear weapons are simply unacceptable, no matter what positive outcome they are judged to bring about for those that wield them? What if you feel like you have a responsibility to your citizens to do everything you can to change an increasingly militarised security framing and to introduce ideas of global justice, solidarity amongst peoples, and human security—as Sweden said, a framing that puts human beings at the centre of considerations?

In that case you are more likely to be compelled by the arguments in favour of commencing negotiations towards a treaty banning nuclear weapons, even without the nuclear-armed states or some of their allies. This is the natural extension of the humanitarian impact discussions—that the unacceptable effects of nuclear weapons require their comprehensive legal rejection by all states that categorically reject them. This is the basis of the pledge issued in Vienna last December to fill the legal gap in relation to the prohibition and elimination of nuclear weapons.

It is a case of states taking responsibility for their own security as well as taking responsibility for contributing to the collective security of the world’s many nations. The political and military elites of a handful of the most powerful countries in the world continue to promote the most terrible weapons of mass destruction as a positive contribution to our collective security. Most states consider this just as absurd as it sounds. In fact it would be more honest for those states promoting nuclear weapons and investing billions in their modernisation to say that they want these weapons for their own security, not for the security of the world. Such an admission would at least explain coherently these states’ opposition to the rest of the world negotiating a ban treaty that would further deepen the stigma against nuclear weapons. Awkwardly for those states though, assertions like this of the perceived value of nuclear weapons undermine the credibility of any statements they make in favour of non-proliferation.

In sum, states that choose to stick to a security framing based on the threat of massive nuclear violence should recognise that this security framing is increasingly discredited and certainly not a basis for collective decision-making by the world’s nations on the prohibition of nuclear weapons. Those pro-nuclear weapons states should focus on fulfilling their commitments to reduce the role of nuclear weapons in their security doctrines. They should abandon their efforts to prevent states that do not share their Cold War security constructs from developing an international prohibition on nuclear weapons. They should recognise that such a prohibition can only help to reduce the legal and political space for nuclear weapons in the world. Such a development should be welcome. It will address what Nobuo Hayashi has called a “moral ambivalence” about nuclear weapons. It will provide additional external impetus for disarmament and in so doing constitute quite clearly an “effective measure”. Set against the modest progress on that from amongst nuclear-armed states in recent years, surely this should be warmly embraced by all states committed to disarmament.

The choice is not between sticking to the path or taking a short cut. The choice is between walking towards a destination or walking around in circles.
President Kennedy warned in the 1960s that in twenty years there might be 30 nuclear-armed states in the world. That is why the NPT was created. It went into force in 1970.

And since then the NPT has been a great success story in preventing proliferation. Why? Why did not a score of other states think that they needed nuclear weapons for their security?

One idea behind the NPT came from President Eisenhower’s program “Atoms for peace”: The nuclear-armed states would provide nuclear technology and fissile material for civilian use to the nuclear weapon free states. In exchange these should abstain from nuclear weapons.

Is the provision of nuclear civilian technology the reason the majority of states have stayed away from these instruments of genocide? Yes, this carrot had some importance. One reason Sweden and Switzerland scrapped their plans for nuclear weapons was that the USA offered a reliable supply of enriched uranium and nuclear reactors at reasonable prices, provided these two countries abstained from atomic bombs. However, that privilege has been broken. India, for instance, has enjoyed almost unrestricted support from the Nuclear Suppliers Group although India stays outside the NPT and possesses nuclear weapons. Israel obtained technology and fuel from the USA and France, Pakistan from China. Only the DPRK went the road alone, with a little uranium from the Soviet Union.

In exchange for abstaining from nuclear weapons, the world was promised that the nuclear-armed states would abolish all their nuclear weapons. They have completely disregarded this pledge.

So, why do not others build nuclear weapons? If the established nuclear-armed states “need” nuclear weapons for their security, as they claim, do not others, who are much weaker in military strength, need them more? Or are they just so much cleverer than the nuclear-armed states that they realize that nuclear deterrence is an illusion?

Maybe, but I also believe that the strength of the NPT itself is important. Once a treaty has been in force for some years, it gradually builds its own strength. That is the way law, international and national, works. If Brazil, Germany, or Indonesia today should decide to acquire nuclear weapons, they would feel that they are outlaws. Breaking the treaty degrades the offender. Their own population would be upset. Shall we now break a treaty which we have fought so hard to defend? Shall we let our national self-respect depend on military power, as do France or the UK?

We are now trying to build a treaty that bans nuclear weapons. Initially, perhaps only nuclear weapon free states will negotiate and join this instrument. But once such a ban has been in place for some years, the nuclear-armed states will be regarded as the anomaly, even as the outlaw. If we nuclear weapon free states can live without nuclear weapons, why not they? When we fulfill our obligations in the NPT, why do not they?

The proposal for a ban on nuclear weapons has caused a very strong reaction from the NPT nuclear-armed states. Is this not proof that they are afraid of being proven to be outlaws?

Event: UK Norway Initiative article, continued

Interviews. Research students then separate factors influencing inspector’s assessments into those based on confidence (evidence-based) from those based on trust and relationships with the facility hosts (unsubstantiated impressions).

Research findings included that inspectors reserve their judgments until they have completed verification. Assessments are made primarily based on evidence, however, inspectors are indeed influenced by perceptions of the honesty of facility hosts. Tangible factors that most influenced inspectors include level of access allowed, documentary evidence, and quality and quantity of information provided. Intangible factors include reporting more trust in hosts who are open to engaging on the issues and who volunteer information about the facility.

These results have implications for the training of inspectors. Inspectors must appreciate the importance of making an objective assessment of facilities. They must not be manipulated by host displays of openness which may contradict actual evidence. Next steps for the Initiative include advancing research to investigate the influence of facility location on an inspector’s assessment.
## CALENDAR OF EVENTS

<table>
<thead>
<tr>
<th>When</th>
<th>What</th>
<th>Where</th>
<th>Who</th>
</tr>
</thead>
<tbody>
<tr>
<td>8:30-8:50</td>
<td>Abolition Caucus</td>
<td>Conference Room C</td>
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<td>Conference Building</td>
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<td>9:00-9:50</td>
<td>Government briefing for NGOs: South Africa</td>
<td>Conference Room C</td>
<td>Reaching Critical Will</td>
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<td>Conference Building</td>
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<td>10:00</td>
<td>Plenary</td>
<td>Trusteeship</td>
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<td>after Plenary</td>
<td>Subsidiary Body I</td>
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<td>after Plenary</td>
<td>Main Committee III</td>
<td>ECOSOC</td>
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<tr>
<td>10:00-11:30</td>
<td>Global Fissile Material Report 2015: Nuclear Weapon and</td>
<td>Conference Room C</td>
<td>International Panel on Fissile Materials</td>
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<td>Fissile Material Stockpiles and Production</td>
<td>Conference Building</td>
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<tr>
<td>11:30-13:00</td>
<td>German students preparation for Monday’s simulation</td>
<td>Conference Room C</td>
<td>INESAP</td>
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<td></td>
<td>Conference Building</td>
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<tr>
<td>13:15-14:30</td>
<td>Humanitarian Impact – Why Ethics Is Important to the</td>
<td>Conference Room C</td>
<td>International Law and Policy Institute and UNIDIR</td>
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<td>politics of Nuclear Weapons</td>
<td>Conference Building</td>
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<td>13:15-14:30</td>
<td>An open forum on a Northeast Asia Nuclear Weapon-Free</td>
<td>Trusteeship</td>
<td>Japan, Research Center for Nuclear Weapons Abolition,</td>
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<td>Zone</td>
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<td>Nagasaki University (RECNA)</td>
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<td>13:15-14:30</td>
<td>Workshop in support of the Hague Code of Conduct</td>
<td>Conference Room B</td>
<td>European Union</td>
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<td>against Ballistic Missile Proliferation</td>
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<td>The successful completion of the 1993 United States-</td>
<td>Conference Room D</td>
<td>United States of America</td>
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<td>Russian Federation Highly Enriched Uranium (HEU) Purchase Agreement</td>
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<td>13:30-14:30</td>
<td>IAEA Side Event on Nuclear Safeguards</td>
<td>ECOSOC</td>
<td>IAEA</td>
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<td>15:00 -18:00</td>
<td>Subsidiary Body II</td>
<td>Trusteeship</td>
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<td>Subsidiary Body III</td>
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<td>15:00-18:00</td>
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<td>Conference Room C</td>
<td>Basel Peace Office and Reli-</td>
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<td>Non-proliferation and Disarmament</td>
<td>Conference Building</td>
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