

Preparatory Committee for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Some principal and substantive issues relating to the effectiveness of the Treaty and its review process

Working paper submitted by Egypt

Introduction

1. Egypt remains convinced of the important role of the NPT in achieving total and complete nuclear disarmament, halting vertical and horizontal proliferation of nuclear weapons and securing the inalienable right of non-nuclear-weapon States to peaceful use of nuclear energy.
2. However, this important role is seriously undermined, inter alia, by the lack of universality, less than satisfactory compliance by nuclear-weapon States in the area of nuclear disarmament, the attempts to reinterpret safeguards commitments and restrict the inalienable right to nuclear technology and the absence of reliable and effective security assurances.
3. Furthermore, policies aimed at shifting the balance of priority to nuclear non-proliferation against the equal priority of nuclear disarmament represent a serious concern and certainly do not serve the credibility of Treaty implementation. Egypt confirms its profound conviction that nuclear non-proliferation and nuclear disarmament are equally important priorities and mutually reinforcing processes each complementing the practical value of the other.
4. The serious challenges facing the resilience, effectiveness and the credibility of the NPT become even more pressing on the background of the indefinite extension of the NPT in a package of so far mostly unfulfilled commitments.
5. The NPT 2010 Review Conference (and the meetings of its Preparatory Committee) provides an exceptional opportunity to address the current challenges facing the Treaty. One first step is to realize the framework for progress provided by the Review and Extension Conference of 1995 and the NPT 2000 Review Conference.



Universality

6. The current status of the indefinitely extended yet non-universal NPT seriously compromises the ability of the Treaty to contribute to the security of all its members as well as to regional and international peace and security.

7. Policies of extending cooperation in the nuclear field to non-NPT States cannot run but counter to the provisions of the Treaty and to the detriment of its objectives and credibility. Policies of cooperation with non-NPT States need to be halted promptly and reversed with no delay.

8. Neither during its original 25-year term nor after its indefinite extension in 1995 was the NPT expected to remain non-universal. The 1995 Decision on "principles and objectives for nuclear non-proliferation and disarmament" has stressed that "universal adherence to the Treaty (is) an urgent priority" and that "every effort should be made by all States parties to achieve this objective". The 2000 Final Outcome reaffirmed the urgency of this priority.

Nuclear disarmament

9. The NPT was undoubtedly not designed to allow permanent military capabilities for nuclear-weapon States. Indeed, the Treaty acknowledged, from the outset, military nuclear capabilities of nuclear-weapon States as an ongoing transitional status, long overdue. The Treaty is founded on a concept of individual and collective renouncement of nuclear weapons and could not be effective if such a concept is applied partially or selectively.

10. The 1995 Decision on "principles and objectives for nuclear non-proliferation and disarmament" called for the "immediate commencement and early conclusion of negotiations on a non-discriminatory and universally applicable convention banning the production of fissile material for nuclear weapons or other explosive devices in accordance with the (Shannon mandate)". The decision also called for the "determined pursuit by the nuclear-weapon States of systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goals of eliminating those weapons, and by all States of general and complete disarmament under strict and effective international control".

11. The 13 practical steps adopted collectively in the 2000 Review Conference provide a detailed and effective workplan to move forward towards nuclear disarmament. Egypt thus urges nuclear-weapon States to comply fully with their obligations under article VI of the Treaty.

12. Egypt considers that the full implementation of article I of the Treaty is crucial to its continuing relevance. In that context, cooperation by any of the nuclear-weapon States with any State not party to the NPT can only be deemed as contradictory to the obligations under article I.

Peaceful use of nuclear energy and IAEA safeguards

13. Egypt recognizes that IAEA safeguards are a fundamental pillar of the nuclear non-proliferation regime and that they play an indispensable role in the implementation of the Treaty and help to create an environment conducive to nuclear disarmament and non-proliferation as well as to nuclear cooperation. In that

context, Egypt strongly supports the complete and prompt fulfilment by all Member States of their obligations under article III of the Treaty.

14. From that perspective, Egypt stresses, as states in the 2000 Final Document, that the non-proliferation and safeguards provision of the NPT are also essential for peaceful nuclear commerce and cooperation and the IAEA safeguards make a key contribution to the environment for peaceful nuclear development and international cooperation in the peaceful uses of nuclear energy. It is therefore a direct contravention with the Treaty, as expressed in the 2000 Final Document, to engage in nuclear cooperation with any State whose nuclear facilities are not under IAEA full-scope safeguards.

15. Egypt also urges the IAEA, nuclear-weapon States and non-nuclear-weapon States advanced in nuclear technology to assist willing non-nuclear-weapon States which have completed Comprehensive Safeguards Agreements with IAEA in the development, research, production and use of nuclear energy for peaceful purposes in accordance with article IV of the Treaty.

16. Egypt urges States Parties to exert serious efforts towards promoting the universalization of comprehensive safeguards. Egypt also believes that there is an urgent need to reverse policies which seek imposing additional safeguards commitments and nuclear technology restrictions on non-nuclear-weapon States in contrast to the letter and spirit of the Treaty and the inalienable right it grants to non-nuclear-weapon States in accordance with article IV.

Security assurances

17. Noting Security Council resolution 984 (1995) and the declarations of nuclear-weapon States on negative and positive security assurances, there remains an urgent need for nuclear-weapon States to take concrete measures to assure non-nuclear-weapon States parties to the NPT against the use or threat of use of nuclear weapons.

18. The issue of security assurances should be dealt with by the 2010 Review Conference and its Preparatory Committee in the light of increasing perils emanating from the threat posed by the presence of unsafeguarded nuclear programmes of non-NPT members to the security of non-nuclear-weapon States on the one hand, and the delay on the part of nuclear-weapon-States to fulfil their disarmament obligations on the other. Concrete steps to address security assurances effectively could, as decided by the 1995 Decision on "principles and objectives for nuclear non-proliferation and disarmament", take the form of an internationally legally binding instrument.

The significance of the 2010 review cycle

19. Despite the failure of the 2005 NPT review cycle, such failure in no way affects the significance and validity of agreements reached at earlier such conferences, in particular those of 1995 and 2000.

20. As the 2005 Review Conference represented the second such conference after the indefinite extension of the Treaty, every effort needs to be exerted to secure the success of the 2010 review cycle in order to avoid any indication that the indefinite extension of a non-universal NPT, lacking full and balanced implementation of its

three main pillars, resulted in a collective inability to review Treaty implementation, assess its effectiveness and address existing shortcomings.

21. This gives particular prominence, at the 2010 Review Conference and its Preparatory Committee, for the need for renewed commitments and operational measures aiming at the full implementation of the 1995 indefinite extension package, and further advancing the realization of agreed steps at the 2000 Review Conference. Such measures can include, inter alia, the development of State reporting mechanisms, in accordance with guidelines to be agreed between member States, allowing effective scrutiny of measures taken by each State to secure its full compliance with all Treaty articles and steps taken by each State to advance Treaty universality.
