



NMUN • NY

NUCLEAR NON-PROLIFERATION TREATY REVIEW CONFERENCE

BACKGROUND GUIDE 2011

WRITTEN BY: Alex Adriano, Jasper Pandza, Jesús Pérez and David Toscano



NATIONAL MODEL UNITED NATIONS
nmun.org

CONTACT THE NMUN

Please consult the FAQ section of nmun.org for answers to your questions. If you do not find a satisfactory answer you may also contact the individuals below for personal assistance. They may answer your question(s) or refer you to the best source for an answer.

NMUN Director-General (Sheraton)
Holger Baer | dirgen@nmun.org

NMUN Director-General (Marriott)
Brianna Johnston-Hanks | dirgen@nmun.org

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NMUN Secretary-General
Ronny Heintze | secgen@nmun.org

NMUN•NY 2011 Important Dates

IMPORTANT NOTICE: To make hotel reservations, you must use the forms at nmun.org and include a \$1,000 deposit. Discount rates are available until the room block is full or one month before the conference – whichever comes first. **PLEASE BOOK EARLY!**

31 January 2011	<ul style="list-style-type: none"> • Confirm Attendance & Delegate Count. (Count may be changed up to 1 March) • Make Transportation Arrangements - DON'T FORGET! (We recommend confirming hotel accommodations prior to booking flights.)
15 February 2011	<ul style="list-style-type: none"> • Committee Updates Posted to www.nmun.org
1 March 2011	<ul style="list-style-type: none"> • Hotel Registration with FULL PRE-PAYMENT Due to Hotel - Register Early! Group Rates on hotel rooms are available on a first come, first served basis until sold out. Group rates, if still available, may not be honored after that date. See hotel reservation form for date final payment is due. • Any Changes to Delegate Numbers Must be Confirmed to: outreach@nmun.org • Preferred deadline for submission of Chair / Rapp applications to Committee Chairs • All Conference Fees Due to NMUN for confirmed delegates. (\$125 per delegate if paid by 1 March; \$150 per delegate if received after 1 March. Fee is not refundable after this deadline.
15 March 2011	<ul style="list-style-type: none"> • Two Copies of Each Position Paper Due via E-mail (See Delegate Preparation Guide for instructions).
NATIONAL MODEL UNITED NATIONS	<p>The 2011 National Model UN Conference</p> <ul style="list-style-type: none"> • 17 - 21 April – Sheraton New York • 19 - 23 April – New York Marriott Marquis <p>The 2012 National Model UN Conference</p> <ul style="list-style-type: none"> • 1 - 5 April – Sheraton New York • 3 - 7 April – New York Marriott Marquis • 30 March - 3 April – New York Marriott Marquis

POSITION PAPER INSTRUCTIONS

Two copies of each position paper should be sent via e-mail by 15 MARCH 2011

1. TO COMMITTEE STAFF

A file of the position paper (.doc or .pdf) for each assigned committee should be sent to the committee e-mail address listed below. Mail papers by 15 March to the e-mail address listed for your particular venue. These e-mail addresses will be active when background guides are available. Delegates should carbon copy (cc:) themselves as confirmation of receipt. Please put committee and assignment in the subject line (Example: GAPLEN_Greece).

2. TO DIRECTOR-GENERAL

- Each delegation should send one set of all position papers for each assignment to the e-mail designated for their venue: positionpapers.sheraton@nmun.org or positionpapers.marriott@nmun.org.

This set (held by each Director-General) will serve as a back-up copy in case individual committee directors cannot open attachments.

Note: This e-mail should only be used as a repository for position papers.

- The head delegate or faculty member sending this message should cc: him/herself as confirmation of receipt. (Free programs like Adobe Acrobat or WinZip may need to be used to compress files if they are not plain text.)

- Because of the potential volume of e-mail, only one e-mail from the Head Delegate or Faculty Advisor containing all attached position papers will be accepted.

Please put committee, assignment and delegation name in the subject line (Example: Cuba_U_of_ABC). If you have any questions, please contact the Director-General at dirgen@nmun.org.

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for more information

COMMITTEE

EMAIL - SHERATON

General Assembly First Committee	ga1st.sheraton@nmun.org
General Assembly Second Committee	ga2nd.sheraton@nmun.org
General Assembly Third Committee.....	ga3rd.sheraton@nmun.org
Human Rights Council.....	hrc.sheraton@nmun.org
ECOSOC Plenary	ecosoc.sheraton@nmun.org
Commission on Crime Prevention and Criminal Justice	ccpcj.sheraton@nmun.org
Commission on the Status of Women	csw.sheraton@nmun.org
Economic and Social Commission for Asia and the Pacific	escap.sheraton@nmun.org
Economic and Social Commission for Western Asia	escwa.sheraton@nmun.org
United Nations Environment Programme	unep.sheraton@nmun.org
United Nations Population Fund	unfpa.sheraton@nmun.org
United Nations Children's Fund.....	unicef.sheraton@nmun.org
World Intellectual Property Organization	wipo.sheraton@nmun.org
African Development Bank	afdb.sheraton@nmun.org
Group of 20.....	g20.sheraton@nmun.org
Organization of American States	oas.sheraton@nmun.org
Organization for Security and Co-operation in Europe.....	osce.sheraton@nmun.org
Security Council.....	sc.sheraton@nmun.org
Security Council 2.....	sc2.sheraton@nmun.org
International Court of Justice.....	icj.sheraton@nmun.org
Non-Proliferation Treaty Review Conference	npt.sheraton@nmun.org

COMMITTEE

EMAIL - MARRIOTT

General Assembly First Committee	ga1st.marriott@nmun.org
General Assembly Second Committee	ga2nd.marriott@nmun.org
General Assembly Third Committee.....	ga3rd.marriott@nmun.org
Human Rights Council.....	hrc.marriott@nmun.org
ECOSOC Plenary	ecosoc.marriott@nmun.org
Commission on Crime Prevention and Criminal Justice	ccpcj.marriott@nmun.org
Commission on the Status of Women	csw.marriott@nmun.org
Economic and Social Commission for Asia and the Pacific	escap.marriott@nmun.org
Economic and Social Commission for Western Asia	escwa.marriott@nmun.org
United Nations Environment Programme	unep.marriott@nmun.org
United Nations Population Fund	unfpa.marriott@nmun.org
United Nations Children's Fund.....	unicef.marriott@nmun.org
World Intellectual Property Organization	wipo.marriott@nmun.org
African Development Bank	afdb.marriott@nmun.org
Group of 20.....	g20.marriott@nmun.org
Organization of American States	oas.marriott@nmun.org
Organization for Security and Co-operation in Europe.....	osce.marriott@nmun.org
Security Council.....	sc.marriott@nmun.org
Security Council 2.....	sc2.marriott@nmun.org
International Court of Justice.....	icj.marriott@nmun.org
Non-Proliferation Treaty Review Conference	npt.marriott@nmun.org

OTHER USEFUL CONTACTS

Entire Set of Delegation Position Papers	positionpapers.sheraton@nmun.org
(send only to e-mail for your assigned venue).....	positionpapers.marriott@nmun.org
Secretary-General	secgen@nmun.org
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Dear delegates,

Welcome to the Nuclear Non-Proliferation Treaty Review Conference (NPT RevCon), a simulation of a review conference of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT).

Your staff at the NPT RevCon is: Directors Alex Adriano and Jasper Pandza, and Assistant Directors Jesús Pérez and David Toscano. Alex is a graduate from the University of Wisconsin Oshkosh with BAs in Political Science and International Studies, and he now works as a Personnel Specialist for the United States Navy. This is his tenth year NMUN. Jasper is a PhD student at King's College London where is exploring new ways to counter radiological terrorism. Jasper is also Research Assistant at the International Institute for Strategic Studies under the Stanton Nuclear Security Fellowship program. Jasper holds a BSc in Physics and a MA in Science & Security. Jesús Pérez is Assistant Director of the NPT RevCon at the Sheraton Venue. He is a senior at Hunter College in New York City, where he is studying International Relations. Jesús is very interested in Human Rights, specifically the internationalization of the LGBT rights movement and in issues of Peace and Security, such as nuclear disarmament. This is his first year on staff. David is from Ecuador, and he is currently in his senior year at the Universidad San Francisco de Quito, studying Law and International Relations. He has been engaged in model UN for about eight years, including three years at NMUN. This is his second year on staff, having directed the Security Council at NMUN LATAM in 2010.

The topics addressed at the NMUN NPT RevCon are:

1. Practical measures to implement Article VI
2. Nuclear security as the "Fourth Pillar" of the NPT
3. Article X and deterring withdrawal from the NPT

The purpose of the NPT RevCon is to find agreement on a Final Document, which assesses the implementation of the Treaty's provisions and to make recommendations on measures to further strengthen the NPT in the future. Having 190 state parties, the NPT is widely seen as fundamental in preventing the spread of nuclear weapons among states. The NPT RevCon provides delegates with an inestimable and unique opportunity to simulate first-hand the challenges of international nuclear non-proliferation negotiations. Unlike a United Nations committee, the RevCon operates on a consensus basis, and as such delegates are strongly encouraged to reach a consensus-based outcome document. Additionally, the RevCon will adopt one Final Outcome Document, and the entire document will be brought to the floor as a single set of proposals, rather than individual report segments. For this and other particular aspects of the NPT RevCon, please pay close attention to the Rules of Procedure for the committee. Additionally, Committee Directors will brief delegates prior to the start of the simulation to clarify any remaining questions.

This guide will help you in preparing for the NMUN NPT RevCon. However, while you are expected to read it and the sources it cites attentively, it is only a starting point for your research on the topics and the policy positions of the country you will represent. In conducting your research, please consult additional scholarly materials, including journals, international news, and relevant websites, among others. Ultimately, make sure to go above and beyond the sources put forth by this guide, particularly when exploring how your country views the issues at hand and how these issues affect your nation. The better your preparation, the greater your personal learning experience will be – and the more fun you will have at the simulation!

Every participating delegation is required to submit a position paper prior to attending the conference. NMUN will accept position papers via e-mail by March 15, 2011 for both venues. Please refer the message from your Directors-General explaining NMUN's position paper requirements and restrictions. Delegates' adherence to these guidelines is crucial.

Sincerely yours,

Sheraton Venue

Alex Adriano, Director

Jesús Pérez, Assistant Director

npt.sheraton@nmun.org

Marriott Venue

Jasper Pandza, Director

David Toscano, Assistant Director

npt.marriott@nmun.org

Message from the Directors-General Regarding Position Papers for the 2011 NMUN Conference

At the 2011 NMUN New York Conference, each delegation submits one position paper for each committee it is assigned to. Delegates should be aware that their role in each committee impacts the way a position paper should be written. While most delegates will serve as representatives of Member States, some may also serve as observers, NGOs or judicial experts. To understand these fine differences, please refer to the Delegate Preparation Guide.

Position papers should provide a concise review of each delegation's policy regarding the topic areas under discussion and establish precise policies and recommendations in regard to the topics before the committee. International and regional conventions, treaties, declarations, resolutions, and programs of action of relevance to the policy of your State should be identified and addressed. Making recommendations for action by your committee should also be considered. Position papers also serve as a blueprint for individual delegates to remember their country's position throughout the course of the Conference. NGO position papers should be constructed in the same fashion as position papers of countries. Each topic should be addressed briefly in a succinct policy statement representing the relevant views of your assigned NGO. You should also include recommendations for action to be taken by your committee. It will be judged using the same criteria as all country position papers, and is held to the same standard of timeliness.

Please be forewarned, delegates must turn in material that is entirely original. ***The NMUN Conference will not tolerate the occurrence of plagiarism.*** In this regard, the NMUN Secretariat would like to take this opportunity to remind delegates that although United Nations documentation is considered within the public domain, the Conference does not allow the verbatim re-creation of these documents. This plagiarism policy also extends to the written work of the Secretariat contained within the Committee Background Guides. Violation of this policy will be immediately reported to faculty advisors and may result in dismissal from Conference participation. Delegates should report any incident of plagiarism to the Secretariat as soon as possible.

Delegation's position papers can be awarded as recognition of outstanding pre-Conference preparation. In order to be considered for a Position Paper Award, however, delegations must have met the formal requirements listed below. Please refer to the sample paper on the following page for a visual example of what your work should look like at its completion. The following format specifications are **required** for all papers:

- All papers must be typed and formatted according to the example in the Background Guides
- Length must **not** exceed two single spaced pages (one double sided paper, if printed)
- Font **must** be Times New Roman sized between 10 pt. and 12 pt.
- Margins must be set at 1 inch for whole paper
- Country/NGO name, School name and committee name clearly labeled on the first page; the use of national symbols is highly discouraged
- Agenda topics clearly labeled in separate sections

To be considered timely for awards, please read and follow these directions:

1. **A file of the position paper** (.doc or .pdf) **for each assigned committee** should be sent to the committee email address listed in the Background Guide. These e-mail addresses will be active after November 15, 2010. Delegates should carbon copy (cc:) themselves as confirmation of receipt.
2. Each delegation should also send **one set of all position papers** to the e-mail designated for their venue: positionpapers.sheraton@nmun.org or positionpapers.marriott@nmun.org. This set will serve as a back-up copy in case individual committee directors cannot open attachments. These copies will also be made available in Home Government during the week of the NMUN Conference.

Each of the above listed tasks needs to be completed no later than **March 15, 2010 (GMT-5) for delegations attending the NMUN conference at either the Sheraton or the Marriott venue.**

PLEASE TITLE EACH E-MAIL/DOCUMENT WITH THE NAME OF THE COMMITTEE, ASSIGNMENT AND DELEGATION NAME (Example: AU_Namibia_University of Caprivi)

A matrix of received papers will be posted online for delegations to check prior to the Conference. If you need to make other arrangements for submission, please contact Holger Baer, Director-General, Sheraton venue, or Brianna Johnston-Hanks, Director-General, Marriott venue at dirgen@nmun.org. There is an option for delegations to submit physical copies via regular mail if needed.

Once the formal requirements outlined above are met, Conference staff use the following criteria to evaluate Position Papers:

- Overall quality of writing, proper style, grammar, etc.
- Citation of relevant resolutions/documents
- General consistency with bloc/geopolitical constraints
- Consistency with the constraints of the United Nations
- Analysis of issues, rather than reiteration of the Committee Background Guide
- Outline of (official) policy aims within the committee's mandate

Each delegation can submit a copy of their position paper to the permanent mission of the country being represented, along with an explanation of the Conference. Those delegations representing NGOs do not have to send their position paper to their NGO headquarters, although it is encouraged. This will assist them in preparation for the mission briefing in New York.

Finally, please consider that over 2,000 papers will be handled and read by the Secretariat for the Conference. Your patience and cooperation in strictly adhering to the above guidelines will make this process more efficient and is greatly appreciated. Should you have any questions please feel free to contact the Conference staff, though as we do not operate out of a central office or location your consideration for time zone differences is appreciated.

Sincerely yours,

Sheraton Venue
Holger Baer
Director-General
holger@nmun.org

Marriott Venue
Brianna Johnston-Hanks
Director-General
briannaj@nmun.org

Sample Position Paper

The following position paper is designed to be a sample of the standard format that an NMUN position paper should follow. While delegates are encouraged to use the front and back of a single page in order to fully address all topics before the committee, please remember that only a *maximum* of one double-sided page (or two pages total in an electronic file) will be accepted. Only the first double-sided page of any submissions (or two pages of an electronic file) will be considered for awards.

Delegation from
Canada

Represented by
(Name of College)

Position Paper for General Assembly Plenary

The topics before the General Assembly Plenary are: Breaking the link between Diamonds and Armed Conflict; the Promotion of Alternative Sources of Energy; and the Implementation of the 2001-2010 International Decade to Roll Back Malaria in Developing Countries, Particularly in Africa. Canada is dedicated to collaborative multilateral approaches to ensuring protection and promotion of human security and advancement of sustainable development.

I. Breaking the link between Diamonds and Armed Conflict

Canada endorses the Kimberly Process in promoting accountability, transparency, and effective governmental regulation of trade in rough diamonds. We believe the Kimberly Process Certification Scheme (KPCS) is an essential international regulatory mechanism and encourage all Member States to contribute to market accountability by seeking membership, participation, and compliance with its mandate. Canada urges Member States to follow the recommendations of the 2007 Kimberley Process Communiqué to strengthen government oversight of rough diamond trading and manufacturing by developing domestic legal frameworks similar to the Extractive Industries Transparency Initiative. We call upon participating States to act in accordance with the KPCS's comprehensive and credible systems of peer review to monitor the continued implementation of the Kimberley Process and ensure full transparency and self-examination of domestic diamond industries. We draw attention to our domestic programs for diamond regulation including Implementing the Export and Import of Rough Diamonds Act and urge Member States to consider these programs in developing the type of domestic regulatory frameworks called for in A/RES/55/56. Canada recognizes the crucial role of non-governmental organizations (NGOs) in the review of rough diamond control measures developed through the Kimberly Process and encourages States to include NGOs, such as Global Witness and Partnership Africa Canada, in the review processes called for in A/RES/58/290. We urge Member States to act in accordance with A/RES/60/182 to optimize the beneficial development impact of artisanal and alluvial diamond miners by establishing a coordinating mechanism for financial and technical assistance through the Working Group of the Kimberly Process of Artisanal Alluvial Producers. Canada calls upon States and NGOs to provide basic educational material regarding diamond valuation and market prices for artisanal diggers, as recommended by the Diamond Development Initiative. Canada will continue to adhere to the 2007 Brussels Declaration on Internal Controls of Participants and is dedicated to ensuring accountability, transparency, and effective regulation of the rough diamond trade through the utilization of voluntary peer review systems and the promotion of increased measures of internal control within all diamond producing States.

II. The Promotion of Alternative Sources of Energy

Canada is dedicated to integrating alternative energy sources into climate change frameworks by diversifying the energy market while improving competitiveness in a sustainable economy, as exemplified through our Turning Corners Report and Project Green climate strategies. We view the international commitment to the promotion of alternative sources of energy called for in the Kyoto Protocol and the United Nations Framework Convention on Climate Control (UNFCCC) as a catalyst to sustainable development and emission reduction. Canada fulfills its obligations to Article 4 of the UNFCCC by continuing to provide development assistance through the Climate Change Development Fund and calls upon Member States to commit substantial financial and technical investment toward the transfer of sustainable energy technologies and clean energy mechanisms to developing States. We emphasize the need for Member States to follow the recommendations of the 2005 Beijing International Renewable Energy Conference to strengthen domestic policy frameworks to promote clean energy technologies. Canada views

dissemination of technology information called for in the 2007 Group of Eight Growth and Responsibility in the World Economy Declaration as a vital step in energy diversification from conventional energy generation. We call upon Member States to integrate clean electricity from renewable sources into their domestic energy sector by employing investment campaigns similar to our \$1.48 billion initiative ecoENERGY for Renewable Power. Canada encourages States to develop domestic policies of energy efficiency, utilizing regulatory and financing frameworks to accelerate the deployment of clean low-emitting technologies. We call upon Member States to provide knowledge-based advisory services for expanding access to energy in order to fulfill their commitments to Goal 1 of the Millennium Development Goals (MDGs). Canada urges States to address the concerns of the 2007 Human Development Report by promoting tax incentives, similar to the Capital Cost Allowances and Canadian Renewable and Conservation Expenses, to encourage private sector development of energy conservation and renewable energy projects. As a member of the Renewable Energy and Energy Efficiency Partnership, Canada is committed to accelerating the development of renewable energy projects, information sharing mechanisms, and energy efficient systems through the voluntary carbon offset system. We are dedicated to leading international efforts toward the development and sharing of best practices on clean energy technologies and highlight our release of the Renewable Energy Technologies Screen software for public and private stakeholders developing projects in energy efficiency, cogeneration, and renewable energy. Canada believes the integration of clean energy into State specific strategies called for in A/62/419/Add.9 will strengthen energy diversification, promote the use of cogeneration, and achieve a synergy between promoting alternative energy while allowing for competitiveness in a sustainable economy.

III. Implementation of the 2001-2010 International Decade to Roll Back Malaria in Developing Countries, Particularly in Africa

Canada views the full implementation of the treatment and prevention targets of the 2001-2010 International Decade to Roll Back Malaria in Developing Countries, Especially in Africa, as essential to eradicating malaria and assisting African States to achieve Target 8 of Goal 6 of the MDGs by 2015. We recommend Member States cooperate with the World Health Organization to ensure transparency in the collection of statistical information for Indicators 21 and 22 of the MDGs. Canada reaffirms the targets of the Abuja Declaration Plan of Action stressing regional cooperation in the implementation, monitoring, and management of malaria prevention and treatment initiatives in Africa. To fully implement A/RES/61/228, Canada believes developed States must balance trade and intellectual property obligations with the humanitarian objective of the Doha Declaration on the TRIPS Agreement and Public Health. We continue to implement Paragraph 6 of the Doha Declaration on the TRIPS Agreement and Public Health into our compulsory licensing framework through the Jean Chrétien Pledge to Africa Act. We urge Member States to support compulsory licensing for essential generic medicines by including anti-malarial vaccines and initiating domestic provisions to permit export-only compulsory licenses to domestic pharmaceutical manufacturers, similar to Canada's Access to Medicines Regime. Canada calls upon Member States to establish advanced market commitments on the distribution of pneumococcal vaccines to developing States in cooperation with PATH and the Malaria Vaccine Initiative. We emphasize the need for greater membership in the Roll Back Malaria initiative to strengthen malaria control planning, funding, implementation, and evaluation by promoting increased investment in healthcare systems and greater incorporation of malaria control into all relevant multi-sector activities. Canada continues to implement the Canadian International Development Agency's (CIDA) New Agenda for Action on Health to reduce malaria infection rates among marginalized populations in Africa, increase routine immunizations rates, and reduce infection rates of other neglected infections. Canada will achieve the goal of doubling aid to Africa by 2008-2009 by providing assistance to the Global Fund to Fight Aids, Tuberculosis, and Malaria. We urge Member States to increase donations to intergovernmental organizations and NGOs that support malaria programming in Africa, exemplified by CIDA's contribution of \$26 million to the Canadian Red Cross. We continue our efforts to provide accessible and affordable vector control methods to African States through the Red Cross' Malaria Bed Net Campaign and the African Medical Research Foundation Canada by supplying insecticide-treated mosquito nets and Participatory Malaria Prevention and Treatment tool kits.

Special Message Regarding the Rules of Procedure of the Nuclear Non-Proliferation Treaty Review Conference

The Nuclear Non-Proliferation Treaty Review Conference will be using slightly modified Rules of Procedure at NMUN 2011. These modifications have been developed to ensure that our simulation mimics the real-life negotiations of the Review Conference as closely as possible. The changes are summarized here, but a more thorough explanation can be found in the full Rules of Procedure at the end of this Background Guide.

The Review Conference will make two significant deviations from the standard NMUN rules. Firstly, the Review Conference will draft, negotiate, and pass a single report (called the “Final Document”). Secondly, it shall pass its substantive decisions by consensus or, if that fails, by two-thirds majority. These provisions apply only to this committee at NMUN.

The Creation of the Final Document

The real-life Review Conference produces its decisions in the form of a single report called the “Final Document.” The Review Conference divides its significant work between three Main Committees. The Conference’s President and a small Drafting Committee compile the findings and conclusions of each Main Committee into a single draft document. This draft of the Final Document is then considered by the Review Conference Plenary sessions.

To accurately simulate this process, delegates of the NMUN Review Conference shall draft and consider working papers in the style of report segments during most of its sessions. At this time, delegates will be acting as if they are members of the Main Committees of the Review Conference. Once time for the submission of working papers has elapsed, the Secretariat shall work as the Drafting Committee to edit and compile the working papers into a single Draft Final Document. The Secretariat will work to ensure the Final Document demonstrates good flow, consistency, and expression but will not alter the substantive content of working papers. The Secretariat will also take note of any inconsistencies or contradictory proposals in working papers and report these to the Review Conference for discussion.

Once the Final Document has been produced, the Review Conference will reconvene as its own Plenary. At this time, delegates are able to draft, negotiate, and propose amendments to the Draft Final Document. Since at this point working papers will have been merged into a single proposal, so-called “friendly” amendments will not be permitted in the Review Conference. Delegates shall then vote on the Draft Final Document.

Adopting the Final Document by Consensus

The Rules of Procedure of the real Review Conference state that “every effort should be made to reach agreement on substantive matters by consensus,” and that there “should be no voting on such matters until all efforts to achieve consensus have been exhausted.” Where consensus cannot be achieved, the Review Conference’s real Rules require a 48-hour period of reflection before the Conference may consider passing decisions by a two-thirds majority. In reality, no Review Conference session that has failed to achieve consensus has ever resorted to passing a decision by a two-thirds majority, instead allowing the Final Document to fail and the Conference to end without a formal outcome.

At NMUN, the Review Conference shall have the option to first pass its substantive decisions by consensus. Where this is impossible, decisions shall immediately be put to a vote, requiring a two-thirds majority to pass. However, the Secretariat will encourage consensus where this is possible and remind delegates that passing a Final Document using a two-thirds majority in the real world would probably be regarded as a political failure.

Please do not hesitate to contact us at usg.ps@nmun.org if you have questions regarding the simulation. We look forward to seeing you in April!

Best regards,
Amanda D’Amico and Alistair Goddard
Under-Secretaries-General (Peace and Security)

History of the Nuclear Non-Proliferation Treaty Review Conference

“The most spectacular event of the past half century is one that did not occur. We have enjoyed sixty years without nuclear weapons exploded in anger. What a stunning achievement—or, if not achievement, what stunning good fortune.”¹

History of the Nuclear Non-Proliferation Treaty

The Treaty on the Non-Proliferation of Nuclear Weapons, more commonly known as the Nuclear Non-Proliferation Treaty, or NPT, is one of the foundational documents of global security.² It is the bedrock of the global movement toward nuclear nonproliferation and disarmament.³ Out of the grim specter of the bombing of Hiroshima and Nagasaki in 1945, the world began to realize how destructive a force nuclear technology could be. It was in that context that the United Nations General Assembly adopted its very first resolution on January 24, 1946, calling for the eradication of all atomic weapons.⁴ But the world also realized the great potential of nuclear technology. Between 1946 -1949, the global community tried, but failed, to “create an international system enabling all States to have access to nuclear technology under appropriate safeguards”⁵ Progress was made when, in 1957, upon a proposal by US President Dwight D. Eisenhower called “Atoms for Peace,” the United Nations established the International Atomic Energy Agency (IAEA), which is responsible for both the promotion and the oversight of nuclear technology.⁶ By the early 1960s, the notion of nuclear non-proliferation had gained significant momentum in the international community, and by 1968, the NPT had taken shape.⁷ The Treaty entered into force in 1970.⁸ To date, only three countries have not signed the NPT: India, Israel, and Pakistan.⁹ The Democratic People’s Republic of Korea (DPRK) withdrew from the NPT in 2003, citing what it called US aggression and claiming that its security and dignity had been “infringed upon.”¹⁰

Compared to other international treaties, the NPT is a relatively uncomplicated document. The provisions contained therein seek to accomplish three principal things: stop the spread of nuclear weapons, make the peaceful use of nuclear technologies available to all countries, and eliminate existing nuclear weapons stockpiles.¹¹ More specifically, the NPT embodies an interesting mix of rights and obligations for both nuclear-weapon states and non-nuclear-weapon states. Article IX, Section 3 of the NPT defines a nuclear-weapon state as “one which has manufactured and exploded a nuclear weapon or other nuclear explosive device prior to 1 January 1967,” namely China, France, the former Soviet Union (now Russia), the United Kingdom, and the United States.¹² All other States are, therefore, non-nuclear-weapon states. The NPT was viewed by its framers as being in conformity with United Nations General Assembly resolutions calling for an agreement to prevent the “wider dissemination of nuclear weapons.”¹³ To that end, Article I of the NPT obligates all nuclear-weapon states not to transfer nuclear weapons to anyone, by any means, and also not to encourage non-nuclear-weapon states to build or acquire them.¹⁴ Article II of the Treaty requires that non-nuclear-weapon states refuse all nuclear weapons from anyone who would give or sell such devices to them.¹⁵ Non-nuclear-weapon states must not try to obtain any nuclear explosive device, and they are

¹ Schelling, *Arms and Influence*, 2008, p. 287.

² James Martin Center for Nonproliferation Studies, *NPT Tutorial Web site*, 2009, p. 1-1.

³ James Martin Center for Nonproliferation Studies, *NPT Tutorial Web site*, 2009, p. 1-2.

⁴ Annan, Forward, *Multilateral Diplomacy and the NPT: An Insider’s Account*, 2005, p. xiii.

⁵ United Nations, *2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons: Background*, 2010.

⁶ United Nations, *2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons: Background*, 2010.

⁷ United Nations, *2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons: Background*, 2010.

⁸ United Nations, *2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons: Background*, 2010.

⁹ United Nations, *2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons: Background*, 2010.

¹⁰ BBC News, *N. Korea withdraws from nuclear pact*, 2003.

¹¹ United Nations, *Treaty on the Non-Proliferation of Nuclear Weapons (INFCIRC/140)*, n.d.

¹² United Nations, *Treaty on the Non-Proliferation of Nuclear Weapons (INFCIRC/140)*, n.d.

¹³ United Nations, *Treaty on the Non-Proliferation of Nuclear Weapons (INFCIRC/140)*, n.d.

¹⁴ United Nations, *Treaty on the Non-Proliferation of Nuclear Weapons (INFCIRC/140)*, n.d.

¹⁵ United Nations, *Treaty on the Non-Proliferation of Nuclear Weapons (INFCIRC/140)*, n.d.

also required to accept IAEA safeguards to make sure that nuclear material is not being used to manufacture weapons.¹⁶ It was also important to the framers of the NPT that the peaceful use of nuclear technology be accessible to all states, so the Article IV, Section 1 of the Treaty enshrines in law that all states party to the Treaty retain the inalienable right to “develop research, [produce] and use ... nuclear energy for peaceful purposes.”¹⁷ It is further stipulated in Article V that all non-nuclear-weapon states must enjoy the benefits of the peaceful application of nuclear explosions.¹⁸ Article VI of the NPT calls upon states to begin making progress toward complete disarmament by taking appropriate steps to begin dismantling their nuclear arsenals.¹⁹ Article VII of the Treaty preserves the right of all states to establish nuclear-weapon-free zones.²⁰

The NPT Review Process

The NPT has two review provisions built into the text of the document. One of them calls for a Review Conference to be held every five years so that states party to the Treaty can assess its implementation and agree upon the publication of a Final Document consisting of “recommendations on measures to further strengthen [the NPT].”²¹ The other review provision, as outlined in Article X of the Treaty, provides for an Extension Conference to be convened 25 years after the entry into force of the NPT to decide whether the Treaty should remain in effect indefinitely, or whether it should instead be extended for a shorter, finite period of time.²² The treaty went into effect in 1970;²³ therefore in 1995, the states party to the Treaty convened for an NPT Review and Extension Conference.²⁴ At that Conference, the states party to the Treaty adopted measures to extend the NPT indefinitely.²⁵ While they were not able that year to reach a consensus on the Final Document that assessed the Treaty’s implementation, they did adopt a package of decisions that consisted of “elements for a strengthened review process of the Treaty” and “principles and objectives for nuclear non-proliferation and disarmament.”²⁶ The pursuit of an agreement on the Final Document is, unfortunately, not always successful, as was the case in 1980, 1990, and 1995. A Final Document was, however, achieved during the conferences of 1975, 1985, 2000, 2005 (though nothing of substance was agreed upon in that Document), and 2010.²⁷

At the 2010 NPT Review Conference, 190 member states came together to agree upon a Final Document that managed to, albeit incrementally, “advance the agenda further than the previous two conferences and lay the groundwork for future progress.”²⁸ The conclusions and recommendations of the 2010 Final Document include a “recommitment of nations to the basic bargain of the NPT; [s]pecific action plans on nonproliferation, disarmament, and peaceful uses of nuclear energy; and proposed steps for implementing the 1995 Resolution calling for a WMD Free Zone in the Middle East.”²⁹ The “action plans” represent a significant step forward because “[f]or the first time, there are specific and measurable actions that states are asked to take in support of the three pillars of the NPT.”³⁰

¹⁶ United Nations, *Treaty on the Non-Proliferation of Nuclear Weapons (INFCIRC/140)*, n.d.

¹⁷ United Nations, *Treaty on the Non-Proliferation of Nuclear Weapons (INFCIRC/140)*, n.d.

¹⁸ United Nations, *Treaty on the Non-Proliferation of Nuclear Weapons (INFCIRC/140)*, n.d.

¹⁹ United Nations, *Treaty on the Non-Proliferation of Nuclear Weapons (INFCIRC/140)*, n.d.

²⁰ United Nations, *Treaty on the Non-Proliferation of Nuclear Weapons (INFCIRC/140)*, n.d.

²¹ United Nations, *2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons: Background*, 2010.

²² United Nations, *Treaty on the Non-Proliferation of Nuclear Weapons (INFCIRC/140)*.

²³ United Nations, *2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons: Background*, 2010.

²⁴ United Nations, *2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons: Background*, 2010.

²⁵ Hoppe, *Towards a Successful 2005 NPT Review Conference: Issues of Universality, Compliance and the Implementation of the Middle East Resolution*, 2004, p. 13.

²⁶ United Nations, *2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons: Background*, 2010.

²⁷ United Nations, *2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons: Background*, 2010.

²⁸ Choubey, *Understanding the 2010 NPT Review Conference*, 2010.

²⁹ Choubey, *Understanding the 2010 NPT Review Conference*, 2010.

³⁰ Choubey, *Understanding the 2010 NPT Review Conference*, 2010.

Challenges and Opportunities

The 2010 NPT Review Conference produced the first substantive Final Document since 2000, which was a welcome change after the 2005 NPT Review Conference that “was widely considered a failure.”³¹ Despite the measured success of 2010, contentious issues remain. Disarmament, and whether nuclear-weapon states are doing enough to achieve it, is a perennial concern for non-nuclear-weapon states.³² Non-nuclear-weapon states “entered into legally binding commitments not to receive, manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices[,]” but the nuclear-weapon states, for their part, must acknowledge their “corresponding legally binding commitments ... to nuclear disarmament in accordance with the Treaty.”³³ For instance, “[a]t the 1995 NPT Review and Extension Conference, the nuclear-weapon states pledged their determined pursuit of ‘systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goals of eliminating those weapons.’”³⁴ Furthermore, “[a]t the 2000 NPT Review Conference, the nuclear-weapon states made an ‘unequivocal undertaking ... to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament.’”³⁵ More recently, at the 2010 NPT Review Conference, the nuclear-weapon states agreed on a 22-point action plan to implement Article VI of the Treaty.³⁶ Yet, as Sergio Duarte, the UN High Representative for Disarmament Affairs, points out in a speech given on the occasion of the 19th World Congress on Nuclear Abolition, “as of August 2010, not one nuclear weapon has been physically destroyed pursuant to a treaty commitment and multilateral disarmament negotiations are still not underway.”³⁷ Duarte goes on to lament that “[w]e are not seeing the establishment of nuclear disarmament institutions, laws, policies, and budgets in the states that currently possess such weapons.”³⁸

One potential opportunity for progress came in April 2010, when President Barack Obama of the United States and President Dmitry Medvedev of the Russian Federation, signed the bilateral New Strategic Arms Reduction Treaty (New START), which would see the two countries significantly reduce their number of strategic missiles within seven years of the entry into force of the treaty.³⁹ President Obama heralded the signing of this important treaty by saying that “[w]hile the New START treaty is an important first step forward, it is just one step on a longer journey.”⁴⁰ He went on to say that the New START treaty “demonstrates the determination of the United States and Russia—the two nations that hold over 90 percent of the world’s nuclear weapons—to pursue responsible global leadership.”⁴¹ However, as of the drafting of this guide, the treaty has yet to be ratified.⁴² Additionally, even if the measures detailed in the New START treaty are achieved, it would still leave thousands of nuclear weapons between the two countries.⁴³

April 2010 was a very busy month for issues of nuclear non-proliferation, security, and disarmament. In addition to the signing of the New START treaty, President Obama and President Mahmoud Ahmadinejad of Iran both hosted separate nuclear security conferences.⁴⁴ At President Obama’s Nuclear Security Summit, “47 presidents, prime ministers and senior officials” convened in Washington, DC to discuss ways to combat nuclear terrorism.⁴⁵ Among the more notable accomplishments of the summit, Ukraine announced its decision to rid itself of all its stocks of highly enriched uranium (HEU) by the time of the next Nuclear Security Summit in 2012.⁴⁶ Mexico, Canada, and the United States also announced a trilateral agreement to eliminate all of Mexico’s remaining highly enriched uranium by converting its research reactor, that currently runs on HEU, into one that runs on low enriched

³¹ Choubey, *Understanding the 2010 NPT Review Conference*, 2010.

³² Choubey, *NPT Review Conference—Not a Make or Break Moment*, 2010.

³³ United Nations, *2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons Final Document, Volume I (NPT/CONF.2010/50 (Vol. I))*, p. 2.

³⁴ Duarte, *The Aftermath of the NPT Review Conference: The UN and Prospects for Nuclear Disarmament*, 2010, p. 1.

³⁵ Duarte, *The Aftermath of the NPT Review Conference: The UN and Prospects for Nuclear Disarmament*, 2010, p. 2.

³⁶ Duarte, *The Aftermath of the NPT Review Conference: The UN and Prospects for Nuclear Disarmament*, 2010, p. 2.

³⁷ Duarte, *The Aftermath of the NPT Review Conference: The UN and Prospects for Nuclear Disarmament*, 2010, p. 2.

³⁸ Duarte, *The Aftermath of the NPT Review Conference: The UN and Prospects for Nuclear Disarmament*, 2010, p. 2.

³⁹ The White House, *The New START Treaty and Protocol: The New START Treaty at a Glance*, 2010.

⁴⁰ Obama, *Opening Remarks to the Signing of the New Strategic Arms Reduction Treaty*, 2010.

⁴¹ Obama, *Opening Remarks to the Signing of the New Strategic Arms Reduction Treaty*, 2010.

⁴² Baker, *Senate Panel Approves Arms Treaty With Russia*, 2010.

⁴³ Hoffman, *Despite new START, the U.S. and Russia still have too many nuclear weapons*, 2010.

⁴⁴ Diehl and Humphrey, *The April 2010 Nuclear Security Summit: One More Step Toward the Mountaintop Web site*, 2010.

⁴⁵ Sanger, *Obama Vows Fresh Proliferation Push as Summit Ends*, 2010.

⁴⁶ US Department of State, *Nuclear Security Summit: Press and Other Releases*, 2010.

uranium.⁴⁷ “This effort, a specific outcome of Nuclear Security Summit, will be completed under the auspices of the IAEA” and “will further strengthen nuclear security on the North American continent.”⁴⁸ A few days after President Obama’s Nuclear Security Summit, the Iranian leadership hosted its competing conference called “Nuclear Energy for All, Nuclear Weapons for None.”⁴⁹ The Iranian leadership largely used this conference as a platform to express its lack of interest in building a nuclear weapon and to chastise the United States and Israel.⁵⁰

Conclusion

According to some estimates, only 25 years ago, the number of nuclear weapons in the world exceeded 60,000.⁵¹ Today, “[b]ased on official but unverified declarations, the world ... has a little over a third of this number—a significant drop indeed.⁵² Although many obstacles hinder the path of global non-proliferation and disarmament, now is not the time to lose sight of the incremental progress that has been made through the NPT and its Review Conferences. “For those who fear the nonproliferation regime is fraying, the results of the 2010 NPT Review Conference serve as a temporary reprieve.”⁵³ However, it is the responsibility of every state party to ensure that the hard fought consensus of the 2010 Review Conference is not wasted through a lack of implementation.⁵⁴ Taking action to strengthen the NPT need not wait until 2015.⁵⁵

I. Practical Measures to Implement Article VI

“Let us realize our dream of a world free of nuclear weapons so that our children and all succeeding generations can live in freedom, security and peace.”⁵⁶

After the first use of nuclear weapons in 1945, the international community sought to control the spread of nuclear weapons and materials.⁵⁷ However the initial concerns of nuclear proliferation were to maintain the control of nuclear weapons by a handful of states, namely the United States, the Soviet Union (now the Russian Federation), the United Kingdom, France, and China.⁵⁸ While these efforts combined with significant technical barriers for the development of nuclear weapons initially limited the spread of nuclear technology, the eventual erosion of those barriers and the 20th century nuclear arms race between the existing nuclear-weapon states forced the international community to formulate agreements to reduce the spread and threat of use of nuclear weapons.⁵⁹

Early Development of the Nuclear Non-Proliferation Treaty

The international community adopted the Nuclear Non-Proliferation Treaty (NPT) in 1968.⁶⁰ The main goals of nuclear-weapon states were enshrined in Articles I and II, prohibiting the transfer of nuclear weapons technology from a nuclear-weapon state to a non-nuclear state.⁶¹ Article III further required non-nuclear weapons states to undergo mandatory inspections of their nuclear facilities by the International Atomic Energy Agency (IAEA) to ensure transparency in all nuclear related activities.⁶² For non-nuclear-weapon states, Article IV guaranteed any Member State of the NPT the right to develop, research, and use nuclear energy for peaceful purposes as well as

⁴⁷ US Department of State, *Nuclear Security Summit: Press and Other Releases*, 2010.

⁴⁸ US Department of State, *Nuclear Security Summit: Press and Other Releases*, 2010.

⁴⁹ Diehl and Humphrey, *The April 2010 Nuclear Security Summit: One More Step Toward the Mountaintop Web site*, 2010.

⁵⁰ Diehl and Humphrey, *The April 2010 Nuclear Security Summit: One More Step Toward the Mountaintop Web site*, 2010.

⁵¹ Duarte, *The Aftermath of the NPT Review Conference: The UN and Prospects for Nuclear Disarmament*, 2010, p. 2.

⁵² Duarte, *The Aftermath of the NPT Review Conference: The UN and Prospects for Nuclear Disarmament*, 2010, p. 2.

⁵³ Choubey, *Understanding the 2010 NPT Review Conference*, 2010.

⁵⁴ Choubey, *Understanding the 2010 NPT Review Conference*, 2010.

⁵⁵ Choubey, *Understanding the 2010 NPT Review Conference*, 2010.

⁵⁶ Ban, *Secretary-General’s remarks at the Hiroshima Peace Memorial Ceremony*, 2010.

⁵⁷ Dunn, *Controlling the bomb*, 2005, p. 2.

⁵⁸ Dunn, *Controlling the bomb*, 2005, p. 2.

⁵⁹ Dunn, *Controlling the bomb*, 2005, p. 2.

⁶⁰ Beckman, Crumlish, Dobkowski, and Lee, *The Nuclear Predicament*, 2000, p. 222.

⁶¹ Beckman, Crumlish, Dobkowski, and Lee, *The Nuclear Predicament*, 2000, p. 222.

⁶² Beckman, Crumlish, Dobkowski, and Lee, *The Nuclear Predicament*, 2000, p. 222.

exchange equipment, materials, and scientific information for peaceful purposes.⁶³ Article V further complemented Article IV, providing for "potential benefits from any peaceful applications of nuclear explosions be made available to non-nuclear-weapon States Party to the Treaty on a non-discriminatory basis."⁶⁴ Lastly, the concerns of all non-nuclear-weapons states are embodied in Article VI of the NPT, calling for all signatories of the NPT, nuclear-weapons states in particular, to work in good faith towards universal nuclear disarmament.⁶⁵

The NPT came into force in 1970 and in accordance with Article VIII, review conferences were held to determine the direction in which new efforts needed to be focused to support the work of the nonproliferation regime.⁶⁶ The first review conference of the NPT convened in 1975 and focused on addressing the continuing arms race between the Soviet Union and the United States of America.⁶⁷ Subsequent review conferences held from 1980 to 1990 witnessed increases in membership to the NPT, from an initial number of 91 to 140, but discussions were often not productive, allowing for little progress to be made towards achieving disarmament, and often were eclipsed by the continued arms race between the United States and the Soviet Union.⁶⁸

The collapse of the Soviet Union had various effects on nuclear discussions. One such effect was that the newly independent states created by the fall of the Soviet Union had access to nuclear weapons and the international community feared those weapons may be sold for hard currency to assist the development of the states.⁶⁹ In response to these concerns, the United States offered Russia and the other newly independent republics technical and financial assistance through the Nunn-Lugar program.⁷⁰ Among other initiatives, the Nunn-Lugar program aided with the transportation, storage and elimination of nuclear weapons in the newly independent states.⁷¹

Further review conferences of the NPT continued to show a lack of progress towards the realization of the goals in Article VI of the NPT, although new efforts were proposed to achieve such a goal, specifically at the 1995 Review Conference, which culminated in the creation of the Comprehensive Test Ban Treaty (CTBT) in 1996.⁷² Additionally, the mandate of the NPT was extended indefinitely, making it the cornerstone of all discussions related to nuclear weapons in the international community.⁷³

Despite the nominal success of the 1995 Review Conference, little progress had been made to witness the reduction of the nuclear stockpiles of the nuclear-weapon states, and at the 2000 Review conference, several non-nuclear-weapon states including Brazil, Egypt, Ireland, Mexico, New Zealand, South Africa, and Sweden joined together to form the New Agenda Coalition (NAC).⁷⁴ The NAC strongly advocated serious discussion on the implementation of Article VI of the NPT by proposing 13 practical steps that nuclear weapons states could follow to verifiably and irreversibly reduce their nuclear stockpiles.⁷⁵ These 13 steps were adopted by the 2000 NPT Review Conference and have since become the basis and benchmarks for negotiations related to Article VI obligations.⁷⁶ Other specific steps that were called for included the entry into force as soon as possible of the CTBT, the negotiation of a Fissile Material Cut-Off Treaty, the strengthening of the Anti-ballistic Missile (ABM) Treaty, and further bilateral negotiations between the United States and the Russian Federation under the auspices of the IAEA to further reduce nuclear stockpiles and safely reduce excess supplies of fissile material.⁷⁷

⁶³ United Nations, *Nuclear Non-Proliferation Treaty*, 1968, Article VI.

⁶⁴ Beckman, Crumlish, Dobkowski, and Lee, *The Nuclear Predicament*, 2000, p. 222.

⁶⁵ Beckman, Crumlish, Dobkowski, and Lee, *The Nuclear Predicament*, 2000, p. 222.

⁶⁶ United Nations, *Nuclear Non-Proliferation Treaty*, 1968, Article VIII.

⁶⁷ Nuclear Threat Initiative, *Compliance and growth - NPT review conferences*, 2004.

⁶⁸ Nuclear Threat Initiative, *Compliance and growth - NPT review conferences*, 2004.

⁶⁹ Federation of American Scientists, *Nuclear Weapons in the Former Soviet Union: Location, Command, and Control*, 1996.

⁷⁰ Federation of American Scientists, *Nuclear Weapons in the Former Soviet Union: Location, Command, and Control*, 1996.

⁷¹ Federation of American Scientists, *Nuclear Weapons in the Former Soviet Union: Location, Command, and Control*, 1996.

⁷² Nuclear Threat Initiative, *Compliance and growth - NPT review conferences*, 2004.

⁷³ Nuclear Threat Initiative, *Compliance and growth - NPT review conferences*, 2004.

⁷⁴ Nuclear Threat Initiative, *Compliance and growth - NPT review conferences*, 2004.

⁷⁵ Nuclear Threat Initiative, *Compliance and growth - NPT review conferences*, 2004.

⁷⁶ 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, *Final Document Volume I*, 2000, p. 14.

⁷⁷ Nuclear Non-Proliferation Treaty, *2005 review conference of the parties to the treaty on the non-proliferation of nuclear weapons final document (NPT/CONF.2005/57)*, 2005.

The arguable progress came to a halt with the failure of the 2005 Review Conference, which has been deemed by experts as the one of the most challenging in the history of the Treaty.⁷⁸ Progress towards the realization of the NPT was hampered by widespread disagreement between nuclear-weapon states, including the decision by the United States to withdraw from the both ABM and CTBT, as well as shifting negotiations with the Russian Federation to a bilateral basis as opposed to under the umbrella of the IAEA.⁷⁹

The most recent review of the NPT held in 2010 was heralded by many experts as a success, especially when compared to the recognized failure of the 2005 Review Conference.⁸⁰ The Final Document of the 2010 Review Conference contains 64 specific actions and important agreements.⁸¹ The Final Document is composed of four sections including Nuclear Disarmament, Nuclear Non-Proliferation, Peaceful Uses of Nuclear Energy, and the Middle East, particularly the implementation of the 1995 Review Conference Resolution on the Middle East.⁸² Specific proposals dealing with devaluing nuclear weapons, nuclear doctrines, and the elimination of tactical nuclear weapons were very weakly worded or even removed from the document entirely.⁸³ The proposals were weakened to the level from the 2000 Review Conference, so in that respect necessary progress was not attained in certain aspects of implementing Article VI of the NPT.⁸⁴

Nonetheless, the international community took many promising steps towards the achievement of Article VI goals at the 2010 Review Conference. Many Member States expressed support for the UN Secretary-General's Five Point Plan for nuclear disarmament and its call for comprehensive negotiations on stronger disarmament measures, such as a nuclear weapons convention.⁸⁵ The Five Point Plan towards a nuclear weapon free world, which was put forth in 2009 by Ban Ki-moon, begins with a call for Member States to pursue negotiations in good faith on nuclear disarmament, possibly through a new nuclear weapons convention.⁸⁶ The Plan also stresses the importance of universality of multilateral treaties, such as the *CTBT* and regional Nuclear Weapons-Free Zones, accountability and transparency, and finally the elimination of other Weapons of Mass Destruction.⁸⁷ Despite the mention of a nuclear weapons convention within the Conference's action plan being weak, it remains a crucial step for the international community as it brings the concept of a new convention on nuclear weapons to the forefront of current negotiations and would serve to further disarm all States with nuclear weapons concurrent with Article VI of the NPT.⁸⁸

Overview of International Efforts Towards the Reduction and Elimination of Existing Nuclear Weapons Stockpiles

Article VI of the NPT briefly and simply states, "Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control."⁸⁹ Article VI represented one of the great tradeoffs and leaps of faith in the adoption of the NPT, whereby nuclear weapons states agreed to pursue nuclear disarmament, in exchange for all other states not to pursue nuclear weapons programs.⁹⁰

Although many can argue that implementation of Article VI of the NPT has been highly limited, several bilateral legally-binding agreements and multilateral strategies have provided a small glimpse of hope towards the eventual elimination of nuclear weapons. One of the first bilateral endeavors by members of the international community to limit the spread of nuclear weapons was the Strategic Arms Limitation Talks (SALT I) undertaken by the United

⁷⁸ Muller, *The 2005 NPT Review Conference: Reasons and Consequences of Failure and Options for Repair*, 2005, p. 1.

⁷⁹ Nuclear Threat Initiative, *Compliance and growth - NPT review conferences*, 2004.

⁸⁰ Johnson, *NPT: challenging the nuclear powers' fiefdom*, 2010.

⁸¹ Johnson, *NPT one week after consensus adoption of agreed document*, 2010.

⁸² Johnson, *NPT one week after consensus adoption of agreed document*, 2010.

⁸³ Johnson, *NPT one week after consensus adoption of agreed document*, 2010.

⁸⁴ Johnson, *NPT one week after consensus adoption of agreed document*, 2010.

⁸⁵ Johnson, *NPT one week after consensus adoption of agreed document*, 2010.

⁸⁶ Ban, *A five-point plan to rid world of nuclear bombs*, 2009.

⁸⁷ Ban, *A five-point plan to rid world of nuclear bombs*, 2009.

⁸⁸ Johnson, *NPT one week after consensus adoption of agreed document*, 2010.

⁸⁹ United Nations General Assembly, *Treaty on the non-proliferation of nuclear weapons*, 1968.

⁹⁰ Krieger, *Debating Article VI*, n.d.

States and the Soviet Union in November of 1969, shortly after the signing on the NPT.⁹¹ While the discussions moved forward slowly due to the fact that the terms of any final agreement were not decided before the talks began, both parties believed that entering into discussions, with the hope of laying the foundation for further negotiations in the future would prove useful.⁹² After two and a half years of negotiations, the SALT I talks culminated in the signing of the Anti-Ballistic Missile Treaty and the Interim Agreement on strategic offensive arms.⁹³ While effective at beginning an international dialogue to limit nuclear arms, SALT I lacked the mechanisms to verify the agreements reached and also did nothing to reduce the number of nuclear weapons possessed by the United States and the Soviet Union.⁹⁴

Despite those shortcomings, SALT I paved the way for a second round of negotiations, named SALT II, in November of 1972 to discuss those issues that did not achieve agreement in the first round of negotiations.⁹⁵ Progress was once again slow, but achieved its first success in November of 1974 when the United States and Soviet Union agreed upon a basic outline for a comprehensive strategic arms limitation treaty, which set physical limits on the number of nuclear delivery vehicles, including strategic bombers and intercontinental ballistic missiles.⁹⁶ The SALT II Treaty was eventually signed in June of 1979, although it was never ratified by the United States due to external factors, most notably the Soviet invasion of Afghanistan and the discovery of a Soviet combat brigade in Cuba.⁹⁷

The next round of discussions between the United States and the Soviet Union led to the initiation of the Strategic Arms Reduction Talks in 1982 and sought to rectify the perceived flaws and criticisms of the SALT I and SALT II talks.⁹⁸ Through these negotiations, the United States hoped to achieve several key objectives, most notably military reductions, equality of rights and limits to achieve equal levels of military capability between the two states, and lastly, effective verification of any agreement reached through both monitoring and compliance verification.⁹⁹ As with previous efforts, progress on achieving these goals was again slow due to the fact that the Soviet Union at the time had greater nuclear capability and therefore wanted to maintain the status quo established through SALT II.¹⁰⁰

After years of negotiation, the two parties agreed in June 1991 to reduce existing stockpiles over a period of seven years of intercontinental ballistic missiles (ICBMs), ICBM launchers, ICBM warheads, and heavy bombers to specific targets of 6000 nuclear warheads on a total of 1600 delivery systems.¹⁰¹ Additionally, Article VIII of START also provided provisions to allow for the verification and sharing of information relating to the reduction of stockpiles between the United States and the Soviet Union, which represented a drastic change from the previous SALT agreements.¹⁰² The success of START led to a second round of negotiations in 1993 which sought to further reduce stockpiles of nuclear weapons as well as eliminate multiple independently targetable reentry vehicles (MIRVs) which enabled more than one nuclear warhead to be launched within a nuclear delivery vehicle.¹⁰³ Regrettably, the second round of START never entered into force following the Russian announcement that it was void in response to the withdrawal of the United States from the ABM.¹⁰⁴ With the expiration of the first START agreement in 2009, the United States and the Russian Federation recently negotiated the New START which set new limits for the amount of deployed ICBMs to 700, 1,550 for deployed warheads, and 800 for both deployed and non-

⁹¹ Payne, *The Soviet Union and SALT*, p. 71.

⁹² Payne, *The Soviet Union and SALT*, p. 71.

⁹³ United States of America State Department, *Strategic arms limitation talks (SALT I)*, n.d.

⁹⁴ United States of America State Department, *Strategic arms limitation talks (SALT I)*, n.d.

⁹⁵ Payne, *The Soviet Union and SALT*, p. 87.

⁹⁶ Payne, *The Soviet Union and SALT*, p. 88.

⁹⁷ Caldwell, *The dynamics of domestic politics and arms control*, p. 190.

⁹⁸ Kartchner, *Negotiating START*, 1992, p. 32.

⁹⁹ Kartchner, *Negotiating START*, 1992, p. 43.

¹⁰⁰ Kartchner, *Negotiating START*, 1992, p. 268.

¹⁰¹ United States of America State Department, *Treaty between the United States of America and the Union of Soviet Socialist Republics on the reduction and limitation of strategic offensive arms*, 1991.

¹⁰² United States of America State Department, *Treaty between the United States of America and the Union of Soviet Socialist Republics on the reduction and limitation of strategic offensive arms*, 1991.

¹⁰³ United States of America State Department, *Treaty between the United States of America and the Russian Federation on the further reduction and limitation of strategic offensive arms*, 1993.

¹⁰⁴ Reaching Critical Will, *Disarmament and arms control treaties*.

deployed nuclear launchers.¹⁰⁵ While it was hoped by the U.S. executive branch that the New START would be an agreeable means to continue nuclear disarmament and work to achieve Article VI of the NPT, progress has been stalled in the United States Senate with the discussion of the New START to resume during its fall session.¹⁰⁶

While most of the attention towards the realization of Article VI of the NPT has focused on the efforts of the United States and the Russian Federation, both the United Kingdom and France have taken unilateral actions to make strides towards the irreversible reduction of their nuclear weapon stockpiles in recent years as well as create an environment conducive to the continued reduction of nuclear weapons. Recent activity of the United Kingdom came in March of 2009, when Prime Minister Gordon Brown announced a proposed reduction of existing nuclear weapon stockpiles concurrent with the replacement of the Trident nuclear deterrent system.¹⁰⁷ While the United Kingdom was reluctant to propose reductions of its stockpiles to less than 160 operational nuclear warheads, it also signified a commitment towards a successful NPT Review in 2010 with the adoption of *The Road to 2010*, a proposal aimed at ensuring the safety of nuclear materials as well as witnessing continued reductions of existing nuclear stockpiles in all Member States.¹⁰⁸ While this report encompassed a number of issues concerned with nuclear weapons and technology as a whole, on the subject of the reduction of nuclear weapons, the United Kingdom proposed three main areas of activity: transparency and control to promote verifiable and irreversible disarmament, arms reductions, and a concept entitled 'steps to zero', which seeks to aim to reduce technical barriers that impede the safe withdraw and dismantling of nuclear warheads as well as providing adequate security of dismantled nuclear warheads.¹⁰⁹ The report also recognized that the final step to eliminating all nuclear weapons will be the most arduous, since it will include a sincere belief from recognized and declared nuclear-weapon states that nuclear weapons are no longer necessary and that if all nuclear weapons are disarmed, no state will ever seek to develop them again.¹¹⁰ To this end the United Kingdom proposed efforts on four technical areas including increasing access of inspectors to nuclear sites without compromising national security, improving the chain of custody of dismantled nuclear materials to ensure its irreversible destruction, and improving the monitoring of dismantled nuclear materials to ensure that materials cannot be removed without trigger a mechanism to alert the international community.¹¹¹

While the United Kingdom focused more heavily on the creation and implementation of policy efforts, France adopted efforts aimed more at the practical dimensions of disarmament in taking unilateral actions as a means to provide an example for other states to follow.¹¹² France first began its nuclear reduction efforts in 1992 when it halted its production of plutonium for nuclear weapons and continued these efforts in 1996 when it halted all production of highly enriched uranium.¹¹³ Additionally, in 2008, France was the first and only state to announce its nuclear stockpile and maintain a stockpile of less than 300 nuclear weapons.¹¹⁴ Reductions of France's stockpiles were also met with several strategic changes including the full dismantling of the ground to ground component of its nuclear weapon arsenal, the reduction of France's naval component by one third, and the reduction of its airborne nuclear capabilities by one third.¹¹⁵

In addition to bilateral negotiations and unilateral actions, multilateral negotiations also serve an important role in the implementation of Article VI of the NPT, most notably the 13 practical steps towards disarmament that mentioned previously that were achieved at the 2000 Review Conference of the NPT as a means to provide steps to

¹⁰⁵ United States of America State Department, *Treaty between the United States of America and the Russian Federation on measures for the further reduction and limitation of strategic offensive arms*, 2010.

¹⁰⁶ Baker, *Arms-treaty vote delayed in senate*, 2010.

¹⁰⁷ Kirkup, *Britain prepared to cut nuclear arsenal as part of arms deal*, 2009.

¹⁰⁸ Cabinet Office, *The road to 2010: addressing the nuclear question in the twenty first century*, 2009, p. 3.

¹⁰⁹ Cabinet Office, *The road to 2010: addressing the nuclear question in the twenty first century*, 2009, p. 9.

¹¹⁰ Cabinet Office, *The road to 2010: addressing the nuclear question in the twenty first century*, 2009, p. 39.

¹¹¹ Cabinet Office, *The road to 2010: addressing the nuclear question in the twenty first century*, 2009, p. 41.

¹¹² 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, *Nuclear disarmament: France's practical commitment*, 2010.

¹¹³ 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, *Nuclear disarmament: France's practical commitment*, 2010.

¹¹⁴ 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, *Nuclear disarmament: France's practical commitment*, 2010.

¹¹⁵ 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, *Nuclear disarmament: France's practical commitment*, 2010.

implement the nuclear disarmament obligation in the Treaty and the decisions reached at the 1995 conference.¹¹⁶ The decisions reached at the 1995 conference were to strengthen the review process and prove for intercessional Preparatory Committees, to adopt principles and objectives for achieving nuclear non-proliferation and disarmament, to extend the Treaty indefinitely (the Treaty was planned to last 25 years), and to adopt a resolution on the Middle East.¹¹⁷ Out of the 13 systematic steps reached in 2000 there are five readily applicable steps that pertain to Article VI, which include the negotiation of nuclear disarmament through the establishment, in the United Nations Conference on Disarmament (UNCD), of an appropriate body with a mandate to deal with nuclear disarmament.¹¹⁸ The UNCD was urged to agree on a program of work, which includes the immediate establishment of such a body.¹¹⁹ Further, the application of the principle of irreversibility to nuclear disarmament and other arms control and reduction measures is vital.¹²⁰ The latter part of Article VI states that general and complete disarmament needs to be conducted under the guise of strict and effective international control.¹²¹ The eleventh step specifically reaffirms this objective, however, not offering a clear way forward.¹²² Finally, verification of nuclear disarmament agreements is needed to provide assurance of compliance to the international community.¹²³ While none of these steps have been fully carried out, significant progress has been made on some of them.¹²⁴

Obstacles and Challenges to the Full Realization of Article VI of the NPT

Although the NPT has been largely successful in stemming the tide of illicit nuclear proliferation, several contentious issues remain that impede further progress towards the full elimination of nuclear weapons.¹²⁵ One such issue is that despite the language in Article VI, nuclear-weapon states are under no legal obligation to reduce their stockpiles of nuclear weapons or subject themselves to IAEA inspections, while non-nuclear-weapon states must duly restrain themselves from pursuing nuclear weapons, as well as subject themselves to inspections and the safeguards system by the IAEA.¹²⁶

Consequently, the result of the lack of a legally binding agreement to disarm has led to painfully slow progress towards the reduction of strategic and non-strategic nuclear weapons as called for under Article VI of the NPT, particularly between the United States and the Russian Federation.¹²⁷ On the issue of non-strategic (tactical) nuclear weapons, proponents of a legally binding disarmament agreement cite previous commitments made between the two states to reduce their stockpiles of weapons, particularly the 1991/1992 Presidential Nuclear Initiatives (PNI).¹²⁸ All nuclear-weapon states under the NPT maintain that non-strategic weapons remain a vital part of its security force and therefore cannot be reduced; moreover the United States claims to have fulfilled its commitments to the PNI and therefore is not obligated to continue to reduce its non-strategic nuclear stockpiles under any current agreements.¹²⁹

Conclusion

Despite its shortcomings, the multilateral, bilateral and unilateral efforts of the international community have helped to establish an international non-proliferation norm, which entails a universally understood standard that states can generally expect from one another, contributing to predicable and sustainable peace.¹³⁰ The 2010 review of the NPT and particularly the enhancement of ways and means to implement Article VI provides a great opportunity to make strides in creating an international community focused on sustainable peace by realizing the goals of general and complete disarmament by recognized nuclear and non-nuclear-weapon states. These efforts are also paramount to

¹¹⁶ Reaching Critical Will, *Non-Proliferation Treaty (NPT)*, 2000.

¹¹⁷ Reaching Critical Will, *Non-Proliferation Treaty (NPT)*, 2000.

¹¹⁸ Reaching Critical Will, *The Promises of the 2000 NPT Review Conference*, 2000.

¹¹⁹ Reaching Critical Will, *The Promises of the 2000 NPT Review Conference*, 2000.

¹²⁰ Reaching Critical Will, *The Promises of the 2000 NPT Review Conference*, 2000.

¹²¹ Encyclopedia of the United Nations and International Agreements, *Nonproliferation Treaty*, 1968, p. 1630.

¹²² Reaching Critical Will, *The Promises of the 2000 NPT Review Conference*, 2000.

¹²³ Reaching Critical Will, *The Promises of the 2000 NPT Review Conference*, 2000.

¹²⁴ Scowcroft, Perry, Ferguson, *U.S. Nuclear Weapons Policy*, 2009, p. 49.

¹²⁵ Nuclear Threat Initiative, *NPT Tutorial: NPT Perceptions of Key Contentious Issues for the NPT*, 2009, p. 2.

¹²⁶ Nuclear Threat Initiative, *NPT Tutorial: NPT Perceptions of Key Contentious Issues for the NPT*, 2009, p. 1.

¹²⁷ Nuclear Threat Initiative, *NPT Tutorial: NPT Perceptions of Key Contentious Issues for the NPT*, 2009, p. 2.

¹²⁸ Arms Control Association, *The Presidential Nuclear Initiatives (PNIs) on Tactical Nuclear Weapons At a Glance*.

¹²⁹ Nuclear Threat Initiative, *NPT Tutorial: NPT Perceptions of Key Contentious Issues for the NPT*, 2009, p. 2.

¹³⁰ Beckman, Crumlish, Dobkowski and Lee, *The Nuclear Predicament*, 2000, p. 221.

reduce the barriers towards universal adherence of the NPT by bringing more Member States under the standards established by the NPT to achieve irreversible and verifiable disarmament of nuclear weapons. Additionally, the international community must recognize that the enhanced implementation of Article VI will help to stem new threats to nuclear proliferation by limiting proliferation through reducing the physical numbers of nuclear weapons and the desire of states to pursue nuclear weapons for defense purposes while upholding the ability of every Member State to develop peaceful uses of nuclear technology.¹³¹

As delegates prepare to address these issues, several important aspects must be addressed. How can the NPT achieve universal adherence? What more can be done to require nuclear-weapon states to reduce their stockpiles of strategic and non-strategic nuclear weapons? How can political will be strengthened to hasten the implementation of negotiated bilateral agreements? How can activities of the IAEA be improved so that verification measures increase transparency and ensure the peaceful uses of nuclear technology by all Member States? What can and should be the role of non-governmental organizations in compliance and verification or to facilitate in the negotiation process? This broad and far reaching topic has many more avenues to research than can be presented in these few pages and delegates are encouraged to use this foundation to develop a holistic plan that to produce a revitalized NPT for the next decade that works towards the realization of sustainable peace.

II. Nuclear Security as the "Fourth Pillar" of the NPT

*"We must ensure that terrorists never acquire a nuclear weapon. This is the most immediate and extreme threat to global security."*¹³²

As the peaceful use of nuclear technology for energy production increases throughout the world, two distinct yet somewhat related threats increase just as well: the spread of nuclear weapons technologies amongst States and the threat that non-state actors (especially terrorist organizations) may acquire nuclear materials and build a nuclear weapon. While the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) is concerned with the former issue – it limits the proliferation of nuclear weapon related technologies and materials amongst States – the threat of nuclear terrorism and the urgency to prevent it has received heightened attention after 9/11.¹³³

Intelligence agencies and some analysts have been persistent in warning that large, well-organized and global terrorist organizations have been strategically seeking a nuclear capability.¹³⁴ A 2008 report by of the US Commission on the Prevention of WMD (Weapons of Mass Destruction) Proliferation and Terrorism confirmed that "terrorist organizations are intent on acquiring nuclear weapons" and that "trafficking in nuclear materials and technology is a serious, relentless and multidimensional problem."¹³⁵ A 2003 report by the Belfer Center at Harvard University estimated that a ten-kiloton weapon detonated by a terrorist at Grand Central Station in Manhattan would kill more than half a million people, injure thousands more, destroy much of lower Manhattan and incur direct economic costs of US \$1 trillion.¹³⁶ However, other experts warn against exaggerating the nature of the nuclear terrorism threat and point towards the significant technological hurdles a terrorist organization needs to overcome to achieve a successful attack.¹³⁷

The International Atomic Energy Agency (IAEA) defines nuclear security as the "prevention and detection of and response to theft, sabotage, unauthorized access, illegal transfer or other malicious acts involving nuclear material, other radioactive substances or their associated facilities."¹³⁸ Despite the breadth of the IAEA's definition, in the last few years, "nuclear security" has become closely associated with the prevention of nuclear terrorism.¹³⁹ Drawing from the International Convention for the Suppression of Acts of Nuclear Terrorism (the Nuclear

¹³¹ Dean, Driscoll, Forsberg and Webb, *Nonproliferation primer*, 1995, p. 73.

¹³² President Barack Obama, President of the United States, speaking in Prague, 2009

¹³³ James Martin Center for Nonproliferation Studies, *Nuclear Terrorism Tutorial*, 2009

¹³⁴ Mowatt-Larssen, *Al Qaeda Weapons of Mass Destruction Threat*, 2010, p. 2-6; Luongo, *Making the Nuclear Security Summit Matter*, 2010, pp. 1-2

¹³⁵ Commission on the Prevention of WMD Proliferation and Terrorism, *World at Risk*, 2008, p. xix

¹³⁶ Bunn, *Controlling Nuclear Warheads and Materials*, 2003, pp. 15-19

¹³⁷ Masse, *Nuclear Terrorism Redux*, 2010, pp. 312-315

¹³⁸ IAEA, *Nuclear Security Plan 2010-2013*, 2009, p1. note 2

¹³⁹ Boureston and Ogilvie-White, *Seeking Nuclear Security through Great International Coordination*, 2010, p. 2

Terrorism Convention), nuclear terrorism is the attempted or actual possession of radioactive material, nuclear material or a nuclear device by non-state actors with the intention to cause or threaten death or serious injury, or substantial damage to property or the environment.¹⁴⁰ It also includes attempted, actual or threatened damage to a nuclear facility that releases or risks the release of radioactive material with similar intentions.¹⁴¹ When referring to nuclear security in this background guide, the emphasis is placed on measures to prevent non-state actors from obtaining nuclear materials or nuclear weapons.

How can nuclear security and the underlying terrorism threat be addressed in the NPT context? The NPT remains the cornerstone of the non-proliferation regime. With its broad member base and its non-proliferation verification mechanism provided by IAEA safeguards (as per NPT article III), the NPT's success in limiting the spread of nuclear weapons between States lets it enjoy substantial international legitimacy.¹⁴² However, it was not intended to address the threat of nuclear terrorism and does not compel State parties to implement IAEA standards or other recommendations in relation to the physical security of their nuclear facilities and materials.¹⁴³ The NPT is based on three "pillars": (1) non-proliferation; (2) disarmament; and (3) the peaceful use of nuclear energy.¹⁴⁴ Prior to the May 2010 NPT Review Conference (RevCon), the United Kingdom (UK) called for nuclear security to be made the "fourth pillar" of the NPT: that nuclear security should be given equal consideration on the agenda of NPT discussions next to the original three pillars.¹⁴⁵

This background guide first examines the threat of nuclear and radiological terrorism in more detail, before providing an overview of the current treaties, resolutions, conventions and initiatives that make up the "nuclear security regime". The guide then summarizes how nuclear security issues have been treated in the context of past NPT Preparatory Committees (PrepCom) and the 2010 NPT RevCon. In closing, a few questions are raised to help discussions and negotiations at the NMUN 2011 NPT RevCon.

Nuclear Security – Preventing Non-State Actors from Acquiring Nuclear Material or Nuclear Weapons

A nuclear explosion can be caused by the nuclear reactions of highly enriched uranium (HEU) or weapon-grade plutonium.¹⁴⁶ Either HEU or plutonium is the key ingredient in a nuclear weapon and they will be referred to as "nuclear materials" in the remainder of this guide. Nuclear materials are very difficult to produce and only medium-sized and larger States possess the industrial capabilities to make them.¹⁴⁷ There are two ways in which non-state actors may acquire a nuclear weapon: first, via the theft of an intact weapon or its donation by a State, or second, and a little more likely, via the theft or purchase of nuclear material from State actors and the subsequent manufacturing of a device to explode the nuclear material.¹⁴⁸ Manufacturing, or "weaponizing," a nuclear weapon that way would lead to a so-called "improvised nuclear device" (IND).¹⁴⁹

Nuclear weapons or nuclear material may come into terrorist possession by ways such as theft, with or without insider help, or by deliberate transfers.¹⁵⁰ Some identify weapons and nuclear material from States of the former Soviet Union and from Pakistan as being at particular risk of falling into terrorist possession, because nuclear security measures appear to be of lower standard there.¹⁵¹ The threat in Pakistan is also heightened by relatively strong extremist Islamic groups within the country.¹⁵² However, the threat is not limited to those States. Should non-state actors have to manufacture their own weapon device in order to use acquired nuclear material, they would face

¹⁴⁰ United Nations General Assembly, *Report of the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996: International Convention for the Suppression of Acts of Nuclear Terrorism*, 2005, pp. 2-14

¹⁴¹ Ferguson and Potter, *The Four Faces of Nuclear Terrorism*, 2010, p. 3

¹⁴² Luongo, *Making the Nuclear Security Summit Matter*, 2010, p. 3

¹⁴³ James Martin Center for Nonproliferation Studies, *NPT Tutorial*, 2009

¹⁴⁴ James Martin Center for Nonproliferation Studies, *NPT Tutorial*, 2009

¹⁴⁵ UK Cabinet Office, *The Road to 2010*, 2009, p. 25

¹⁴⁶ Bodansky, *Nuclear Energy*, 2004, p.482

¹⁴⁷ Bodansky, *Nuclear Energy*, 2004, pp. 119, 214

¹⁴⁸ Ferguson and Potter, *The Four Faces of Nuclear Terrorism*, 2010, p. 4

¹⁴⁹ Ferguson and Potter, *The Four Faces of Nuclear Terrorism*, 2010, p. 4

¹⁵⁰ Ferguson and Potter, *The Four Faces of Nuclear Terrorism*, 2010, pp. 54-65, 118-131

¹⁵¹ Ferguson and Potter, *The Four Faces of Nuclear Terrorism*, 2010, pp. 71-77, 151-161

¹⁵² Ferguson and Potter, *The Four Faces of Nuclear Terrorism*, 2010, pp. 77-79, 154-55

various technological hurdles.¹⁵³ These technical challenges are multiple, but not impossible for a terrorist organization to overcome.¹⁵⁴

Although the threat of nuclear terrorism has received increased attention in recent years, it is not the aim here to create the impression that nuclear terrorism is a question of “when, not if.” Indeed, there are some voices that warn of exaggerating the threat.¹⁵⁵ Stephen Younger, a former director of the U.S. Los Alamos National Laboratory, points out that even though some rudimentary sources on weapon design exist on the internet, none of them “has enough detail to enable the confident assembly of a real nuclear explosive.”¹⁵⁶

Nuclear terrorism is a high-consequence, low-probability challenge for policy-makers. It is irresponsible not to take any measures to prevent it. But taking such measures diverts attention from terrorist attacks using conventional means that are more likely to occur, while not reflecting the unsuccessful track record of terrorists using nuclear or radiological weapons.¹⁵⁷ As noted further below, while Western States have devoted significant attention to nuclear terrorism, many other States do not share this threat assessment.

Nuclear security measures are often also meant to counter the threats of sabotage attacks and radiological terrorism. The latter does not cause a single devastating nuclear blast like nuclear terrorism. The effects of dispersing radioactive materials (for example through a “dirty bomb”) are predominantly of economic and psychological nature.¹⁵⁸

The Nuclear Security Regime

Multiple treaties, resolutions, conventions and initiatives make up the nuclear security regime. Each element of the regime helps, to a greater or lesser extent, to minimize the threat of nuclear terrorism. A selection of the regime’s elements is introduced here but a more comprehensive overview is available in the literature.¹⁵⁹

The only international legally binding agreement on the protection of non-military nuclear materials is the Convention on the Physical Protection of Nuclear Material (CPPNM).¹⁶⁰ The original CPPNM entered into force in 1987 and essentially it only requires States to protect nuclear materials that are in transit from one country to another; it does not require the protection of material that is stored on site or during transport within a country.¹⁶¹ As of February 2010, 142 States are party to the convention, but these do not include a number of States with civilian and/or military nuclear programs such as the Democratic People’s Republic of Korea (DPRK), Iran, Thailand and Vietnam.¹⁶² In 2005, States addressed the severe shortcomings of the original CPPNM, agreeing on an amendment that makes it binding for States to protect nuclear facilities and nuclear materials in domestic use, storage and transport.¹⁶³ It also facilitates cooperation in recovering lost nuclear material and encourages national legislation to criminalize offenses related to nuclear smuggling.¹⁶⁴ The amendment to the CPPNM has not yet come into force: it will do so once two-thirds of the current parties to the Convention have ratified it, but as of June 2010, only 41 States have done so.¹⁶⁵

¹⁵³ Levi, *On Nuclear Terrorism*, 2007, pp. 27-64; Ferguson and Potter, *The Four Faces of Nuclear Terrorism*, 2010, pp. 131-138

¹⁵⁴ Levi, *On Nuclear Terrorism*, 2007, p. 38; Ferguson and Potter, *The Four Faces of Nuclear Terrorism*, 2010, pp. 131-138

¹⁵⁵ Masse, *Nuclear Terrorism Redux*, 2010, pp. 302, 313

¹⁵⁶ Masse, *Nuclear Terrorism Redux*, 2010, p. 313

¹⁵⁷ Masse, *Nuclear Terrorism Redux*, 2010, pp. 304-305

¹⁵⁸ Ferguson, *Radiological Materials and Jihadist Terrorism*, 2009, pp. 173-190.

¹⁵⁹ Boureston and Ogilvie-White, *Seeking Nuclear Security through Great International Coordination*, 2010; The White House, *Nuclear Security Summit Work Plan Reference Document*, 2010.

¹⁶⁰ IAEA, *Nuclear Security*, 2010; Boureston and Ogilvie-White, *Seeking Nuclear Security through Great International Coordination*, 2010, p. 4.

¹⁶¹ Harvey, *Major Proposals to Strengthen the Nuclear Nonproliferation Treaty*, 2010, p. 41.

¹⁶² Boureston and Ogilvie-White, *Seeking Nuclear Security through Great International Coordination*, 2010, p. 4.

¹⁶³ IAEA, *International Conventions & Agreements: Convention on the Physical Protection of Nuclear Material*, 2010; The White House, *Nuclear Security Summit Work Plan Reference Document*, 2010 p. 1.

¹⁶⁴ Boureston and Ogilvie-White, *Seeking Nuclear Security through Great International Coordination*, 2010, p. 4.

¹⁶⁵ IAEA, *International Conventions & Agreements: Convention on the Physical Protection of Nuclear Material*, 2010.

Although the CPPNM and its amendment might be an “important milestone” and “vitaly important,” critics point out that there remain significant gaps.¹⁶⁶ The ambiguity of the text has meant that the actual standard of physical protection that the amendment demands remains mostly discretionary to the State.¹⁶⁷ Furthermore, implementation of the CPPNM and its amendment are evaluated by the States themselves, rather than by multilateral organizations such as the IAEA.¹⁶⁸ Even though a State might have ratified the amended CPPNM, the implementation of measures to prevent terrorists acquiring nuclear materials therefore remains unverifiable.

The closest the international community has come in defining what effective physical protection of nuclear materials and facilities means in practice is given in the IAEA information circular (INFCIRC) 225.¹⁶⁹ The fourth revision (published in 1999) of INFCIRC/225 sets out recommendations of essential nuclear security measures, covering both peaceful and military nuclear materials and facilities, and their domestic as well as international use.¹⁷⁰ Critically, the recommendations of INFCIRC/225 are nonbinding and there exists no treaty that legally requires the implementation of INFCIRC/225.¹⁷¹ Following pressure from the US and other States, INFCIRC/225/Rev.4 is to be comprehensively updated and INFCIRC/255/Rev.5 is expected to be published in the second half of 2010.¹⁷²

The Nuclear Terrorism Convention was adopted by the UN General Assembly in 2005 and it entered into force in 2007.¹⁷³ The Convention primarily requires parties to criminalize nuclear terrorism-related offenses and to cooperate with each other and the IAEA in preventing and responding to nuclear terrorism.¹⁷⁴ Shortcomings related to the Nuclear Terrorism Convention include its small number of 65 State parties.¹⁷⁵ These do not include the DPR Korea, Indonesia, Iran, Iraq, Myanmar, Pakistan and Vietnam and of the nuclear weapon states (NWS) only Russia and the UK have ratified the Convention.¹⁷⁶

The United Nations Security Council has also passed a small number of relevant resolutions that significantly add to the nuclear security regime. United Nations Security Council resolution (UNSCR) 1373 (2001), adopted soon after 9/11, calls upon States to become parties of the existing international mechanisms to counter terrorism and to criminalize terrorism activities.¹⁷⁷ UNSCR 1540 (2004) takes significant steps further.¹⁷⁸ Adopted under Chapter VII of the UN Charter, Resolution 1540 legally obliges all UN Member States (including NPT non-parties DPR Korea, India, Israel and Pakistan) to “take appropriate effective measures” to prevent the proliferation of nuclear, chemical or biological weapons and related materials to non-state actors.¹⁷⁹ That includes the implementation of material accountancy, physical protection, border controls and similar measures.¹⁸⁰ UNSCR 1540 is a very comprehensive resolution in that it closes a gap in the non-proliferation regime, which until 2004 had only marginally addressed the proliferation of nuclear weapons to non-state actors.¹⁸¹ The resolution also establishes the Committee Pursuant to Security Council Resolution 1540 (the 1540 Committee) which has the task of monitoring the implementation of the decisions of the Security Council.¹⁸²

¹⁶⁶ The White House, *Nuclear Security Summit Work Plan Reference Document*, 2010, p. 2.

¹⁶⁷ Boureston and Ogilvie-White, *Seeking Nuclear Security through Great International Coordination*, 2010, p. 4.

¹⁶⁸ Boureston and Ogilvie-White, *Seeking Nuclear Security through Great International Coordination*, 2010, p. 4.

¹⁶⁹ IAEA, *The Physical Protection of Nuclear Material and Nuclear Facilities (INFCIRC/225/Rev.4)*, 1999.

¹⁷⁰ IAEA, *The Physical Protection of Nuclear Material and Nuclear Facilities (INFCIRC/225/Rev.4)*, 1999; Boureston and Ogilvie-White, *Seeking Nuclear Security through Great International Coordination*, 2010, pp. 4-5.

¹⁷¹ Luongo, *Making the Nuclear Security Summit Matter*, 2010, p. 1.

¹⁷² The White House, *Nuclear Security Summit Work Plan Reference Document*, 2010 p. 3.

¹⁷³ United Nations General Assembly, *Report of the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996: International Convention for the Suppression of Acts of Nuclear Terrorism, 2005*, pp. 2-14; Harvey, *Major Proposals to Strengthen the Nuclear Nonproliferation Treaty*, 2010, p. 41.

¹⁷⁴ Boureston and Ogilvie-White, *Seeking Nuclear Security through Great International Coordination*, 2010, pp. 3-4.

¹⁷⁵ Boureston and Ogilvie-White, *Seeking Nuclear Security through Great International Coordination*, 2010, p. 4.

¹⁷⁶ Boureston and Ogilvie-White, *Seeking Nuclear Security through Great International Coordination*, 2010, p. 4.

¹⁷⁷ Boureston and Ogilvie-White, *Seeking Nuclear Security through Great International Coordination*, 2010, pp. 2-3.

¹⁷⁸ United Nations Security Council (S/RES/1540), *Resolution 1540*, 2004; Boureston and Ogilvie-White, *Seeking Nuclear Security through Great International Coordination*, 2010, p. 3.

¹⁷⁹ United Nations Security Council (S/RES/1540), *Resolution 1540*, 2004.

¹⁸⁰ Boureston and Ogilvie-White, *Seeking Nuclear Security through Great International Coordination*, 2010, p. 3.

¹⁸¹ Crail, *Implementing UN Security Council Resolution 1540*, 2006, p. 355.

¹⁸² United Nations Security Council (S/RES/1540), *Resolution 1540*, 2004.

Due to the sweeping, top-down approach the Security Council took by passing UNSCR 1540 to prevent non-state actors obtaining nuclear materials or weapons, the resolution has received substantial criticism. Some States take issue with the Security Council's approach of imposing mandatory obligations on all States.¹⁸³ It is argued that the 1540 Committee neither has authority nor resources to fully evaluate compliance with the resolution.¹⁸⁴ Most importantly, the resolution is very ambitious in its goals and it is clear that its full implementation is impossible to reach in the near medium-term future.¹⁸⁵

Finally, the activities by the IAEA under its Nuclear Security Plan significantly contribute to global nuclear security. These include running the International Physical Protection Advisory Service and maintaining the Illicit Trafficking Database, the Agency's information system of unauthorized activities related to nuclear materials.¹⁸⁶ Again, in terms of nuclear security, the IAEA's activities are purely of an advisory nature because, in contrast to NPT nuclear safeguards, the NPT does not require the adequate physical protection of nuclear materials.¹⁸⁷

In addition to those four important components of the nuclear security regime and the IAEA's activities, there are a number of further multilateral and bilateral initiatives. These include: the Global Initiative to Combat Nuclear Terrorism (GICNT) started by Russia and the US to share expertise and to improve nuclear security measures on a voluntary basis; the G8 Global Partnership Against the Spread of Weapons and Materials of Mass Destruction (the G8 Global Partnership) launched by G8 leaders to address security concerns through cooperative projects such as weapon dismantlement, particularly in the Former Soviet Union; and others.¹⁸⁸

The April 2010 Nuclear Security Summit and Evaluating the Nuclear Security Regime

As it can be seen, all these instruments and initiatives to combat nuclear terrorism have been developed and exist in a rather isolated manner. To further their common goal and to strengthen consciousness that action is needed in countering this threat, U.S. President Obama invited 47 States (including NPT non-parties India, Israel and Pakistan) to the Nuclear Security Summit, held in April 2010 in Washington DC.¹⁸⁹ The unprecedented Summit was successful in bringing a large number of State leaders together to further nuclear security. It produced two main, legally non-binding documents: a Communiqué in which all participants recognize nuclear terrorism as a significant challenge to international security, and a Work Plan containing practical steps to be taken towards implementing the Communiqué's goals.¹⁹⁰ The most important points of the two documents include calls to implement all relevant nuclear security instruments (those mentioned above), a confirmation of the IAEA's essential role in nuclear security and a call to minimize the use of HEU and plutonium in nuclear fuel cycles as much as possible.¹⁹¹ It was also decided that the next Nuclear Security Summit will be held in the Republic of Korea in 2012. Despite these successes, only future actions will tell whether the Summit's results have been more than cosmetic.¹⁹² Analysts complain of the lack of attention to the radiological terrorism threat, and the missed opportunity to actually strengthen the chronically underfunded IAEA in terms of resources and mandate.¹⁹³

How has the nuclear security regime with its obvious shortcomings been evaluated as a whole? As some have noted, the regime is based on rules written during the Cold War.¹⁹⁴ The dilemma is that stockpiles of fissile material are the sovereign possession of each State, and while these States have national rules and procedures to adequately

¹⁸³ Boureston and Ogilvie-White, *Seeking Nuclear Security through Great International Coordination*, 2010, p. 3.

¹⁸⁴ Boureston and Ogilvie-White, *Seeking Nuclear Security through Great International Coordination*, 2010, p. 3.

¹⁸⁵ Crail, *Implementing UN Security Council Resolution 1540*, 2006, pp. 355-356.

¹⁸⁶ IAEA, *Nuclear Security*, 2010.

¹⁸⁷ Bunn, *Enforcing International Standards*, 2007, p. 3.

¹⁸⁸ Boureston and Ogilvie-White, *Seeking Nuclear Security through Great International Coordination*, 2010, pp. 5-9; The White House, *Nuclear Security Summit Work Plan Reference Document*, 2010, pp. 3-7; Luongo, *Making the Nuclear Security Summit Matter*, 2010, pp. 2-3.

¹⁸⁹ IISS, *Nuclear Security Summit Strengthens Security Measures*, 2010, p. 1.

¹⁹⁰ The White House, *Communiqué of the Washington Nuclear Security Summit*, 2010; The White House, *Work Plan of the Washington Nuclear Security Summit*, 2010.

¹⁹¹ The White House, *Communiqué of the Washington Nuclear Security Summit*, 2010; The White House, *Work Plan of the Washington Nuclear Security Summit*, 2010.

¹⁹² IISS, *Nuclear Security Summit Strengthens Security Measures*, 2010, pp. 2-3.

¹⁹³ IISS, *Nuclear Security Summit Strengthens Security Measures*, 2010, pp. 2-3.

¹⁹⁴ Luongo, *Making the Nuclear Security Summit Matter*, 2010, p. 1.

protect these, there is only very limited international obligation for them to do so.¹⁹⁵ Other States are not indifferent to the inadequate protection of nuclear materials.¹⁹⁶ Nuclear materials can cross borders and terrorist organizations have demonstrated the capability to operate globally and to deliver more sophisticated attacks.¹⁹⁷

As seen above, pressure to increase nuclear security practices is mostly driven by Western and developed States that see themselves at particular threat of nuclear terrorism. However, this concern is not shared by a large number of other States, such as Egypt that prioritizes protecting their right of the peaceful use of nuclear technologies.¹⁹⁸ These States wish to see more progress on nuclear disarmament by the NWSs and may react in opposition to policy prescriptions “made in America”.¹⁹⁹ A report by the Council on Foreign Relations concludes: “Too many states are unwilling to transfer power from the national to the international level because they are wary of new and burdensome obligations (especially when these are imposed by international bodies that they consider to be dominated by Western security agendas). As a result, the nuclear security instruments that have been developed rely on voluntary buy-in from states and lack mechanisms for compliance and verification. The mandates of international oversight bodies remain similarly weak.”²⁰⁰

Nuclear Security in the NPT Context before and at the 2010 NPT RevCon and the Idea of the “Fourth Pillar”

Before the May 2010 NPT RevCon and fuelled by discussions at the Nuclear Security Summit that had taken place a month earlier, a number of proposals and calls had been made to give nuclear security a higher priority among the traditional three pillars of the NPT.

One of the more noteworthy proposals is that of the United Kingdom. In a 2009 nuclear policy document, the UK combines the topics of nuclear proliferation and nuclear security and argues that the nuclear security should become a new “fourth pillar” to the multilateral nuclear framework: “With the global spread of nuclear power and advances in nuclear technology, the security of nuclear material and expertise required to prevent access by proliferators and terrorists must be addressed. Nuclear security must be seen as the fourth pillar of any nuclear regime, alongside non-proliferation, disarmament and the right to peaceful uses of nuclear technology.”²⁰¹ U.S. Secretary of State Clinton has supported the idea, recommending adding this fourth pillar to the NPT in a speech, but without going into details how this is to be done.²⁰² The head negotiator of the U.S. delegation to the NPT 2010 RevCon used more cautious words before the conference: “Regarding the idea of a fourth pillar—what we have to be careful of is that we don’t convey the impression that we are trying to create new obligations under the NPT. [...] But I do think that the threat of loose or vulnerable material is something that NPT parties could take up.”²⁰³

Besides the UK’s initiative, there had been a number of further noteworthy proposals on nuclear security by other States before the 2010 NPT RevCon.²⁰⁴ In a Working Paper prepared for the 2007 PrepCom, the European Union (EU) noted that “nuclear security is a matter of concern for all States and is not limited to those with large nuclear programmes”, and that “all States have the responsibility to act to establish appropriate regimes to prevent, detect and respond to malicious acts involving nuclear material and against the facilities in which they are legitimately produced, processed, used, handled, stored or disposed of.”²⁰⁵ In a 2009 PrepCom Working Paper, Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden noted the “paramount importance” of the physical protection of nuclear materials and facilities and proposed recommendations for the 2010 NPT RevCon Final Document to call States to ratify the CPPNM and its

¹⁹⁵ Luongo, *Making the Nuclear Security Summit Matter*, 2010, p. 2.

¹⁹⁶ Luongo, *Making the Nuclear Security Summit Matter*, 2010, p. 2.

¹⁹⁷ Bunn, *Enforcing International Standards*, 2007, p. 1.

¹⁹⁸ Luongo, *Making the Nuclear Security Summit Matter*, 2010, p. 2.

¹⁹⁹ Luongo, *Making the Nuclear Security Summit Matter*, 2010, p. 2.

²⁰⁰ Boureston and Ogilvie-White, *Seeking Nuclear Security through Great International Coordination*, 2010, p. 1.

²⁰¹ UK Cabinet Office, *The Road to 2010*, 2009, p. 25.

²⁰² Clinton, *Remarks at the United States Institute of Peace by Hillary Rodham Clinton*, 2009.

²⁰³ Burk, *Taking Stock of the NPT: An Interview With U.S. Special Representative Susan Burk*, 2010.

²⁰⁴ Harvey, *Major Proposals to Strengthen the Nuclear Nonproliferation Treaty*, 2010, p. 42.

²⁰⁵ Preparatory Committee for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons(NPT/CONF.2010/PC.I/WP.37), *Nuclear Security: Working Paper Submitted by the European Union*, 2007, p.1.

amendment.²⁰⁶ Belgium, Lithuania, the Netherlands, Norway, Poland, Spain and Turkey did so too in their Working Paper, yet this is done under its own heading of “nuclear terrorism and illicit trafficking in nuclear material.”²⁰⁷ Finally, it is noteworthy that in a statement to the 2009 PrepCom the Head of the Russian delegation rebukes those States that are not cooperating with the 1540 Committee or the Global Initiative to Combat Acts of Nuclear Terrorism.²⁰⁸

What agreements with regards to nuclear security were made at the 2010 NPT RevCon? The topic of nuclear security was moved from Main Committee II (non-proliferation) to Main Committee III (peaceful use of nuclear energy) during the conference.²⁰⁹ Therefore in both sections of the Final Document’s Volume I Part 1 (the RevCon President’s review and the forward-looking action plan), nuclear security issues are addressed under the headings of non-proliferation as well as peaceful use of nuclear energy. The relevant paragraphs in the President’s Report note the “paramount importance of effective physical protection of all nuclear material”, and the need to improve the security regime and multiple existing nuclear security measures.²¹⁰ The relevant points in the action plan, in summary, do not go far beyond “encouraging” States to “maintain the highest possible standards of security and physical protection of nuclear materials and facilities”, and to join or ratify a number of instruments of the nuclear security regime.²¹¹

The extent to which nuclear security issues were addressed in the 2010 Final Document has been evaluated differently by analysts. Some noted that it was the first time in Treaty’s 40-year history that nuclear security has been addressed to some reasonable extent at all and that “parties recognized nuclear security as an important aspect of the nonproliferation regime.”²¹² Others conclude that “surprisingly little attention was given to issues of nuclear security or nuclear terrorism at the Review Conference” and that the relevant language in the Final Document is relatively weak.²¹³

Nuclear Security at the NMUN 2011 NPT RevCon

*The critical challenge facing the international community is how to set effective global nuclear security standards and ensure that they are implemented. [...] At the international level, there are flaws in the instruments that have been developed to address nuclear terrorism threats; at the national and regional levels, implementation of nuclear security measures is inconsistent. Despite all the talk of action, too often it does not translate into concrete measures.*²¹⁴

Delegates have the complex task of conceptually juggling nuclear security with its underlying terrorism threat, the NPT review process, and the national policies and perspectives of the States present at the NPT RevCon.

Delegates may want to consider the following questions. Is it useful and/or adequate to refer to nuclear security or to make it the “fourth pillar” of the NPT? Could it be a solution to amend the NPT, as per article VIII of the Treaty? If so, why has the Treaty never been amended before and are there advantages of dealing with nuclear security issues outside the NPT context? Should the NMUN RevCon decide on a political binding set of measures and/or recommend a legally binding agreement? What existing and/or new nuclear security measures are most effective

²⁰⁶ Preparatory Committee for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.2010/PC.III/WP.19), *Article III and preambular paragraphs 4 and 5, especially in their relationship to article IV and preambular paragraphs 6 and 7 (physical protection and illicit trafficking)*, 2009, p. 1.

²⁰⁷ Preparatory Committee for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.2010/PC.III/WP.33), *Working paper submitted by Belgium, Lithuania, the Netherlands, Norway, Poland, Spain and Turkey for consideration at the third session of the Preparatory Committee for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons*, 2010, p. 5.

²⁰⁸ Antonov, *Statement by H.E. Ambassador Anatoly Antonov*, 2009, p. 5.

²⁰⁹ Potter, *The 2010 NPT Review Conference*, 2010, pp. 15-16.

²¹⁰ 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/Conf.2010/50(Vol.I)), *Final Document: Volume 1*, 2010, pp. 5-6 paragraphs 27-30, pp. 9-10 paragraphs 58, 62-69.

²¹¹ 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/Conf.2010/50(Vol.I)), *Final Document: Volume 1*, 2010, pp. 26-27 action points 40-45, p. 28-29 action points 59-61.

²¹² Choubey, *Future Prospects for the NPT*, 2010, p. 2.

²¹³ Potter, *The 2010 NPT Review Conference*, 2010, p. 15.

²¹⁴ Boureston and Ogilvie-White, *Seeking Nuclear Security through Great International Coordination*, 2010, p. 2.

and realistic to implement? Delegates may want to consider previous suggestions (and criticisms of these suggestions) for improving the nuclear security regime.²¹⁵

In any case, the NMUN 2011 NPT RevCon should neither be a repetition of the 2010 NPT RevCon, nor should it be a very big Nuclear Security Summit. Outcomes must be phrased so they fit in style and content into an NPT RevCon Final Document.

III. Article X and Detering Withdrawal from the NPT

*Each Party shall in exercising its national sovereignty have the right to withdraw from the Treaty if it decides that extraordinary events, related to the subject matter of this Treaty, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other Parties to the Treaty and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.*²¹⁶

Article X of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) grants State Parties the “right to withdraw from the Treaty” if “extraordinary events” have “jeopardized the supreme interests of its country.”²¹⁷ On January 10, 2003, the Democratic People’s Republic of Korea (DPRK) became the first State Party to the NPT to exercise its rights under Article X to withdraw from the agreement.²¹⁸ In a statement, North Korea described “a grave situation where our State’s supreme interests are most seriously threatened” and declared itself “totally free from the binding force” of IAEA safeguards.²¹⁹

North Korea’s announcement in 2003 energized a new debate on how parties to the NPT, the Security Council and the international community should respond to decisions by State Parties to withdraw from the treaty. Some are alarmed by the possibility of States withdrawing from the NPT with the intention of escaping their obligations under the treaty or expunging a history of non-compliance. They fear States exploiting the benefits of membership of the NPT regime, while clandestinely violating their obligations under the treaty. A decision to withdraw from the NPT could have a significant destabilizing effect on regional balances of power and international peace and security. They believe greater deterrents were required to dissuade States from unilaterally withdrawing from the international disarmament and non-proliferation regime.²²⁰

However, other State Parties disagree, arguing that States have a sovereign right under international law to enter into and withdraw from agreements as they wish, and that the procedures currently contained within Article X are sufficient.²²¹

International Law and Withdrawal from International Agreements

The rights of sovereign States to enter into agreements, and their duty to be bound by them have been governed by customary international law for hundreds of years. In 1969, these principles were codified in the Vienna Convention on the Law of Treaties, which entered into force in January, 1980. According to the Vienna Convention “Every treaty in force is binding upon the parties to it and must be performed by them in good faith” (Article 26).²²²

The Vienna Convention also established a number of principles on the withdrawal of State Parties from international agreements. Article 54 states that a party may withdraw from a treaty if withdrawal is “in conformity with the

²¹⁵ Boureston and Ogilvie-White, *Seeking Nuclear Security through Great International Coordination*, 2010, pp. 10-16; Luongo, *Making the Nuclear Security Summit Matter*, 2010, pp. 3-6.

²¹⁶ United Nations Treaty Collection, *Treaty on the Non-Proliferation of Nuclear Weapons*, 1968, art.x.

²¹⁷ United Nations Treaty Collection, *Treaty on the Non Proliferation of Nuclear Weapons*, 1968, art. x.

²¹⁸ *Text of North Korea's Statement on NPT Withdrawal*, 2003.

²¹⁹ *Text of North Korea's Statement on NPT Withdrawal*, 2003.

²²⁰ United States of America, *Article X of the Treaty on the Non-Proliferation of Nuclear Weapons: Detering and Responding to Withdrawal by Treaty Violators (NPT/CONF.2010/PC.I/WP.22)*, 2007, p.1.

²²¹ Center for Nonproliferation Studies, *The Treaty on the Non-Proliferation of Nuclear Weapons*, 2010, p.7.

²²² United Nations Treaty Collection, *Vienna Convention on the Law of Treaties*, 1969, art. 26.

provisions of the treaty” or “at any time by consent of all parties after consultation with the other contracting States”.²²³ In special circumstances detailed in the Convention, a State may also withdraw from a multilateral treaty if the agreement has been superseded by a later agreement (Article 59), in the event of a material breach of the treaty by another State (Article 60), or the agreement is deemed impossible to implement (Article 61).²²⁴ A State may also withdraw from a treaty if there has been a fundamental change of circumstances where “the existence of those circumstances constituted an essential basis of the consent of the parties to be bound by the treaty” (Article 62).²²⁵ Finally, a State remains accountable for any obligations accrued while still party to a treaty, even once it has withdrawn from the agreement (Article 70).²²⁶ Although unilateral withdrawals from treaties are rare, the decision by DPRK is not the only time a State has exercised its right to withdraw from an international disarmament treaty. In 2002, the United States (U.S.) withdrew from the multilateral 1972 Anti-Ballistic Missile (ABM) Treaty, with the result that the Russian Federation stated that it would no longer be bound by START II, a bilateral disarmament treaty between it and the U.S.²²⁷

Procedures whereby State Parties can withdraw from the NPT are outlined in the text of the treaty. Under Article X, States possess the “right to withdraw from the Treaty” if “extraordinary events” have “jeopardized the supreme interests of its country”.²²⁸ It requires State Parties to give three month’s notice to other Parties and to the Security Council, and produce a statement describing the “extraordinary events”.²²⁹

The treaty does not elaborate on how a statement made pursuant to Article X should be treated. Neither the Security Council, nor the NPT State Parties have the authority to reject or approve the decision of a State to withdraw.²³⁰ It is the right of the withdrawing State alone to determine what events are “extraordinary” and whether they are deemed to have affected their “supreme interests”.²³¹ Furthermore, some analysts of international law suggest that the three months requirement is more procedural than a requisite for withdrawal: “The requirement is couched in terms of a promise to give three months notice, rather than a condition that would have to be met in order to make the withdrawal effective.”²³²

DPRK’s Withdrawal from the NPT and Weaknesses in Article X Procedures

A party to the NPT from 1985 until 2003, North Korea is the only State to have exercised Article X and withdrawn from the treaty. The procedures followed by the DPRK and the reaction of the international community provide a case study in the flaws that some observers identify in potential responses to withdrawal from the NPT.

Under Article III of the NPT, non-nuclear weapon states are required to negotiate and implement a NPT Safeguards Agreement with the International Atomic Energy Agency (IAEA).²³³ In 1992, in accordance with its NPT Safeguards Agreement with the IAEA, North Korea admitted IAEA inspectors to its nuclear facilities.²³⁴ The inspection uncovered inconsistencies in the DPRK’s declared nuclear materials, and an IAEA request to visit two sites thought to be related to the production or storage of nuclear materials was refused.²³⁵ The IAEA Director-General invoked a procedure in the Safeguards Agreement whereby the IAEA could undertake a special inspection of North Korea’s nuclear facility.²³⁶ However, the request for a special inspection was refused, and the IAEA Board of Governors concluded DPRK was in non-compliance with the Safeguards Agreement, referring the matter to the UN Security Council.²³⁷

²²³ United Nations Treaty Collection, *Vienna Convention on the Law of Treaties*, 1969, art. 54.

²²⁴ United Nations Treaty Collection, *Vienna Convention on the Law of Treaties*, 1969, art. 60.

²²⁵ United Nations Treaty Collection, *Vienna Convention on the Law of Treaties*, 1969, art. 61.

²²⁶ United Nations Treaty Collection, *Vienna Convention on the Law of Treaties*, 1969, art. 70.

²²⁷ Acronym Institute, *Withdrawal from ABM Treaty/Russia Withdrawal from START II, June 13/14, 2002*.

²²⁸ United Nations Treaty Collection, *Treaty on the Non Proliferation of Nuclear Weapons*, 1968, art. X.

²²⁹ United Nations Treaty Collection, *Treaty on the Non Proliferation of Nuclear Weapons*, 1968, art. X.

²³⁰ Goldblat, *Should The Right to Withdraw From The NPT be Withdrawn?*, 2009, p. 3.

²³¹ Goldblat, *Should The Right to Withdraw From The NPT be Withdrawn?* 2009, p. 3.

²³² Kirgis, *North Korea’s withdrawal from the Non Proliferation Treaty*, 2003, p. 2.

²³³ United Nations Treaty Collection, *Treaty on the Non Proliferation of Nuclear Weapons*, 1968, art. III.

²³⁴ IAEA, *IAEA and DPRK: Fact Sheet on DPRK Nuclear Safeguards*, 2010.

²³⁵ IAEA, *IAEA and DPRK: Fact Sheet on DPRK Nuclear Safeguards*, 2010.

²³⁶ IAEA, *IAEA and DPRK: Fact Sheet on DPRK Nuclear Safeguards*, 2010.

²³⁷ IAEA, *IAEA and DPRK: Fact Sheet on DPRK Nuclear Safeguards*, 2010.

On March 12, 1993, DPRK announced its decision to withdraw from the NPT, sending a letter to the President of the Security Council.²³⁸ In April 1993, in Resolution 825, the Security Council called upon the DPRK to “reconsider the announcement contained in the letter of 12 March 1993 and thus to reaffirm its commitment to the Treaty.”²³⁹ In June 1993 and a day short of the three months’ notice required by Article X, DPRK “suspended the effectuation” of withdraw, deciding to remain as a party to the treaty.²⁴⁰ For ten years, differences between the IAEA and the DRPK continued on the country’s compliance with its NPT Safeguards Agreement.²⁴¹ In December 2002, the DPRK cut IAEA seals and disabled IAEA surveillance cameras in its facilities, and ordered inspectors to leave the country.²⁴²

On January 11, 2003, DPRK announced its withdrawal from the NPT effective immediately.²⁴³ In a statement, the government of North Korea identified a “grave situation where the national sovereignty and the supreme interests of the state are most seriously threatened by the U.S. vicious hostile policy towards the DPRK.”²⁴⁴ The statement claimed: “After the appearance of the Bush administration, the United States listed the DPRK as part of an ‘axis of evil’, adopting it as a national policy to oppose its system, and singled it out as a target of pre-emptive nuclear attack, openly declaring a nuclear war.”²⁴⁵

A number of criticisms have been made of the procedures followed and the international community’s response to North Korea’s announcement in January 2003. Firstly, neither the Security Council nor the State Parties to the NPT made any official statement in response to DPRK’s withdrawal from the treaty.²⁴⁶ Secondly, some queried whether DPRK’s reasons for withdrawal constituted the “extraordinary events” required by Article X. Only the State Party concerned has the authority to identify if “extraordinary events” necessitate a decision to withdraw from the treaty. Finally, observers questioned whether North Korea could be deemed to have fulfilled its three-month period of notice, as required by the treaty. DPRK argued that it had already served 89 days of the three-month waiting period in 1993.²⁴⁷ They contended that the notice period had only been suspended in 1993, to be reassumed ten years later in 2003.²⁴⁸ Although there is some skepticism regarding the validity of the North Korean position on the notice period, it has not been officially challenged by the Security Council or State Parties to the NPT.

Following the withdrawal of the DPRK in 2003, a number of State Parties have expressed concern that States may withdraw from the NPT regime in an attempt to avoid their obligations under the treaty or escape censure for non-compliance. They fear States accruing the benefits of membership of the NPT, while at the same time clandestinely violating their treaty obligations.²⁴⁹ A Working Paper by the United States for the 2007 PrepCom warned:

The great benefits that the NPT brings to the international community, however, would be dangerously eroded if countries violating the Treaty felt free to withdraw from it, develop nuclear weapons and enjoy the fruits of their violation with impunity. If violation entailed no cost, and withdrawal were perceived as ending international efforts to require corrective action, the Treaty’s system of interrelated security and developmental benefits could collapse, undermining the Treaty’s basic non-proliferation rules and making universal adherence pointless... Pursuant to article X, countries have a right to withdraw from the Treaty, but they do not have a right to profit from their violations, and other States parties should ensure that they do not.²⁵⁰

²³⁸ IAEA, *IAEA and DPRK: Fact Sheet on DPRK Nuclear Safeguards*, 2010.

²³⁹ United Nations Security Council, *Resolution 825 (1993)*.

²⁴⁰ IAEA, *IAEA and DPRK: Fact Sheet on DPRK Nuclear Safeguards*, 2010.

²⁴¹ IAEA, *IAEA and DPRK: Fact Sheet on DPRK Nuclear Safeguards*, 2010.

²⁴² IAEA, *IAEA and DPRK: Fact Sheet on DPRK Nuclear Safeguards*, 2010.

²⁴³ *Text of North Korea’s Statement on NPT Withdrawal*, 2003.

²⁴⁴ *Text of North Korea’s Statement on NPT Withdrawal*, 2003.

²⁴⁵ *Text of North Korea’s Statement on NPT Withdrawal*, 2003.

²⁴⁶ IAEA, *IAEA and DPRK: Fact Sheet on DPRK Nuclear Safeguards*, 2010.

²⁴⁷ Meyer, *Preventing further Defections: Early Warning Indicators and Disincentives*, 2008, p.25

²⁴⁸ Meyer, *Preventing further Defections: Early Warning Indicators and Disincentives*, 2008, p.25

²⁴⁹ United States of America, *Article X of the Treaty on the Non-Proliferation of Nuclear Weapons: Deterring and Responding to Withdrawal by Treaty Violators (NPT/CONF.2010/PC.I/WP.22)*, 2007, p.1.

²⁵⁰ United States of America, *Article X of the Treaty on the Non-Proliferation of Nuclear Weapons: Deterring and Responding to Withdrawal by Treaty Violators (NPT/CONF.2010/PC.I/WP.22)*, 2007, p.1.

The Debate Over Article X

A number of proposals on strengthening Article X have been considered by past PrepComs and RevCons. Measures have so far focused on augmenting the existing provisions of Article X, rather than drafting an optional protocol to amend the current text of the treaty. Such a protocol would require the agreement of a majority of State Parties, including all five nuclear-weapon States, and for every State to ratify the protocol to be bound by its provisions. While a number of States believe that the existing Article X can be supported by measures that fall short of a change to the treaty text, other States, such as Iran, have stressed that any measures that affect Article X and the right of withdrawal must take the form of a treaty amendment.²⁵¹

Many States advocate measures to ensure that States that withdraw from the NPT do not benefit from nuclear materials, equipment and technology acquired while party to the treaty. Australia, Japan, Russia, New Zealand, Ukraine and the United States are amongst States that have proposed that withdrawing States should be compelled to destroy or dismantle any nuclear items acquired from abroad, or return them to their country of origin.²⁵² Australia, the EU, New Zealand have proposed that clauses should be integrated into transfer agreements between nuclear suppliers and their customer States forbidding use of nuclear material if a States withdraws from the NPT.²⁵³ The 2010 RevCon gave mild endorsement to such initiatives in its Final Document:

The Conference notes that numerous States acknowledge that nuclear supplying States can consider incorporating dismantling and/or return clauses in the event of withdrawal in arrangements or contracts concluded with other States parties as appropriate in accordance with international law and national legislation.²⁵⁴

Other proposals recommend clarifying the legal and procedural steps required of States wishing to exercise their Article X rights. The European Union (EU), Ukraine and Russia recommend the following guidelines:

1. A “notice of withdrawal” has to be given in writing, the usual format being a *note verbale* to the Governments of all States parties to the Treaty and the President of the Security Council.
2. This *note verbale* has to be given three months in advance of an intended withdrawal and shall include the statement of the required extraordinary events the country regards as having jeopardized its supreme interests; the statement should be as detailed and specific as possible.
3. The three-month period starts with the date of transmission of the *note verbale* to the Governments of all States parties to the Treaty and the President of the Security Council. Any other declarations, public statements or letters of intention are in no way valid in shortening this period.²⁵⁵

²⁵¹ Islamic Republic of Iran, *Other Provisions of the Treaty, Including Article X (NPT/CONF.2010/WP.42)*, 2010, p. 1.

²⁵² Australia and New Zealand, *Working Paper on Article X (NPT Withdrawal) Submitted by Australia and New Zealand (NPT/CONF.2005/WP.16)*, 2005, p. 1.; Japan, *Working Paper Submitted by Japan (NPT/CONF.2010/PC.I/WP.2)*, 2007.; The European Union, *Withdrawal From the Treaty on the Non-Proliferation of Nuclear Weapons: Report Submitted by the European Union (NPT/CONF.2010/PC.I/WP.25)*, 2007.; United States of America, *Article X of the Treaty on the Non-Proliferation of Nuclear Weapons: Deterring and Responding to Withdrawal by Treaty Violators (NPT/CONF.2010/PC.I/WP.22)*, 2007, p.1.; Ukraine and Russia, *Working Paper Prepared by Ukraine and the Russian Federation Regarding Recommendations on the Procedures for, and Consequences of, Possible Exercise by a State of the Right to Withdraw from the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.2010/WP.2)*, 2007.

²⁵³ The European Union, *Withdrawal From the Treaty on the Non-Proliferation of Nuclear Weapons: Report Submitted by the European Union (NPT/CONF.2010/PC.I/WP.25)*, 2007.; Australia and New Zealand, *Working Paper on Article X (NPT Withdrawal) Submitted by Australia and New Zealand (NPT/CONF.2005/WP.16)*, 2005, p. 1.

²⁵⁴ 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, *Final Document (NPT/CONF.2010/50.Vol.I)*, pp. 24-25.

²⁵⁵ The European Union, *Withdrawal From the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.2005/WP.32)*, 2005, p. 1. ; Ukraine and Russia, *Working Paper Prepared by Ukraine and the Russian Federation Regarding Recommendations on the Procedures for, and Consequences of, Possible Exercise by a State of the Right to Withdraw from the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.2010/WP.2)*, 2007, p.1.

More proposals focus on action to be taken by the Security Council and the IAEA in the event of a withdrawal. The EU, Russia and Ukraine propose that States withdrawing from the NPT must submit to verification by the IAEA that they were compliant with the treaty during their time as a party.²⁵⁶ Working Papers by Australia, the EU and the United States have called for each treaty withdrawal to be immediately considered by the Security Council.²⁵⁷ The United States recommends that the Security Council “carefully consider whether the situation resulting from the withdrawal constitutes a threat to international peace and security” and “consider all appropriate measures, including invoking its authority under Chapter VII.”²⁵⁸ The Secretary-General’s High-Level Panel on Threats, Challenge and Change similarly recommended in 2004 that States “should be held responsible for violations committed while still a party to the Treaty” and that notice of withdrawal “should prompt immediate verification of its compliance with the Treaty, if necessary mandated by the Security Council.”²⁵⁹

Other States have proposals concerning the reaction of State Parties to a treaty withdrawal. Canada has proposed the instigation of “extraordinary sessions of the General Conference of States Parties when situations arose that threatened the integrity or viability of the Treaty.”²⁶⁰ Australia and New Zealand have proposed that “an extraordinary meeting” of State Parties to the NPT could be convened in the event of a treaty withdrawal.²⁶¹ Similarly, Norway, Sweden, Switzerland, Ireland, and South Korea have suggested a mechanism for annual meetings of State Parties empowered to convene on an emergency basis.²⁶²

Taking a slightly different approach, Iran has proposed an “incentive-based approach” to encourage the return of States that have withdrawn from the Treaty.²⁶³

However, a number of State Parties oppose attempts to further limit the Article X rights of withdrawal from the treaty. They argue that the sovereign right of States to withdraw from the NPT should remain as stated within Article X and not be subject to additional limits or conditions outside the text of the treaty.²⁶⁴ The Non-Aligned Movement (NAM) has been particularly assertive in its opposition to attempts to address the issue. It considers that proposals to deter withdrawal from the treaty “go beyond the provisions of the NPT”.²⁶⁵ The group told the 2010 RevCon: “NAM Member Countries believe that the right of ‘withdrawal’ of Member States from treaties or conventions should be governed by international treaty law”.²⁶⁶ In a Working Paper for the 2010 RevCon, Iran argued that there was no “urgency or necessity” to address the issue of treaty withdrawals, and discussion on Article X had diverted the Conference’s attention away from “more important priorities and challenges”.²⁶⁷

Security Council Resolution 1887

In September 2009, the Security Council considered withdrawals from the NPT as part of a wider debate on nuclear disarmament and non-proliferation. Adopting Resolution 1887 (2009), the Council emphasized: “that a situation of non-compliance with non-proliferation obligations shall be brought to the attention of the Security Council, which

²⁵⁶ The European Union, *Withdrawal From the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.2005/WP.32)*, 2005, p. 1.; Ukraine and Russia, *Working Paper Prepared by Ukraine and the Russian Federation Regarding Recommendations on the Procedures for, and Consequences of, Possible Exercise by a State of the Right to Withdraw from the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.2010/WP.2)*, 2007, p.1.

²⁵⁷ Australia, *Perspectives on Issues Related to Article X of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.2010/PC.I/WP.34)*, 2007.

²⁵⁸ United States of America, *Article X of the Treaty on the Non-Proliferation of Nuclear Weapons: Deterring and Responding to Withdrawal by Treaty Violators (NPT/CONF.2010/PC.I/WP.22)*, 2007, p.5.

²⁵⁹ United Nations General Assembly, *A More Secure World: Our Shared Responsibility: Report of the High-Level Panel on Threats, Challenges and Change (A/59/565)*, 2004, p.43.

²⁶⁰ Meyer, *Preventing further Defections: Early Warning Indicators and Disincentives*, 2008, p.27.

²⁶¹ Australia and New Zealand, *Working Paper on Article X (NPT Withdrawal) Submitted by Australia and New Zealand (NPT/CONF.2005/WP.16)*, 2005, p.1.

²⁶² Acronym Institute for Disarmament Diplomacy, *Strengthening the NPT: Addressing the Treaty’s Institutional Deficits, Including Withdrawal*, 2010.

²⁶³ Islamic Republic of Iran, *Other Provisions of the Treaty, Including Article X (NPT/CONF.2010/WP.42)*, 2010, p.2.

²⁶⁴ Center for Nonproliferation Studies, *The Treaty on the Non-Proliferation of Nuclear Weapons*, 2010, p.7.

²⁶⁵ Natalegawa, *Statement on Behalf of the NAM States Party to the Non-Proliferation of Nuclear Weapons Treaty*, 2010, p.6.

²⁶⁶ Natalegawa, *Statement on Behalf of the NAM States Party to the Non-Proliferation of Nuclear Weapons Treaty*, 2010, p.6.

²⁶⁷ Islamic Republic of Iran, *Other Provisions of the Treaty, Including Article X (NPT/CONF.2010/WP.42)*, 2010, p. 1.

will determine if that situation constitutes a threat to international peace and security”.²⁶⁸ The Resolution included two further clauses concerning withdrawals from the NPT:

Undertakes to address without delay any State’s notice of withdrawal from the NPT, including the events described in the statement provided by the State pursuant to Article X of the Treaty, while noting ongoing discussions in the course of the NPT review on identifying modalities under which NPT States Parties could collectively respond to notification of withdrawal, and affirms that a State remains responsible under international law for violations of the NPT committed prior to its withdrawal;

Encourages States to require as a condition of nuclear exports that the recipient State agree that, in the event that it should terminate, withdraw from, or be found by the IAEA Board of Governors to be in non-compliance with its IAEA safeguards agreement, the supplier state would have a right to require the return of nuclear material and equipment provided prior to such termination, non-compliance or withdrawal, as well as any special nuclear material produced through the use of such material or equipment;²⁶⁹

Conclusion

State Parties are divided on the need to reform Article X and the procedures to be undertaken in the event of a treaty withdrawal. Some States believe withdrawals from the disarmament and non-proliferation regimes have a significant destabilizing effect on regional balances of power and international peace and security, and that greater deterrents are required to prevent States leaving the international disarmament and non-proliferation regime. However, other States view the decision to enter into and withdraw from agreements as a sovereign right that should not be undermined, and that the current provisions of Article X are sufficient.

As they engage with this debate, delegates should consider a number of important questions. What are the potential dangers of a State Party unilaterally withdrawing from the NPT and do these threats require attention by the RevCon? Is an amendment to Article X necessary or can its provisions be better supported by other measures? Can such measures be implemented without undermining the sovereign rights of States to enter into and withdraw from international agreements? Should initiatives focus on deterring withdrawal or incentivizing the return of those outside the regime? Finally, how should the Security Council, IAEA, State Parties and the international community react in the event of a treaty withdrawal?

²⁶⁸ United Nations Security Council, *Resolution 1887 (2009)*.

²⁶⁹ United Nations Security Council, *Resolution 1887 (2009)*.

Annotated Bibliography

Committee history for the Nuclear Non-Proliferation Treaty Conference

Baker, P. (2010, September 16). *Senate Panel Approves Arms Treaty With Russia*. Retrieved on September 30, 2010, from <http://www.nytimes.com/2010/09/17/world/europe/17start.html?scp=1&sq=&st=nyt>

This article from the New York Times details the New START Treaty's progress along the road to ratification. Although approved by a 14-4 vote in the Senate Foreign Relations Committee, its prospects for ratification on the full Senate floor are less certain. The treaty has been heralded by prominent Democrats as essential to American national security. Some Senate Republicans, however, have voiced concerns that the United States may be compromising too much in this new deal with Russia.

BBC News. (2003, January 10). *N. Korea withdraws from nuclear pact*. Retrieved on October 3, 2010, from <http://news.bbc.co.uk/2/hi/2644593.stm>

This article gives an account of North Korea's withdrawal from the NPT. It mentions some of their grievances and also the fact that they threatened to withdraw from the NPT in 2003 but ultimately decided against it. The article details the overwhelmingly negative response from the international community.

Choubey, D. (2010, April 29). *NPT Review Conference - Not a Make or Break Moment*. Retrieved on September 20, 2010, from <http://carnegieendowment.org/publications/index.cfm?fa=view&id=40715>

In this source, which the author structures in a succinct and very easy to follow question and answer format, Choubey addresses some of the questions surrounding the 2010 NPT Review Conference. What are the contentious issues? Who are the key players? How can one measure success of the Conference? All these important questions are more are discussed in this article.

Choubey, D. (2010, June 3). *Understanding the 2010 NPT Review Conference*. Retrieved on September 20, 2010, from <http://carnegieendowment.org/publications/index.cfm?fa=view&id=40910>

In this source, which the author structures in a succinct and very easy to follow question and answer format, Choubey attempts to explain the outcomes of the 2010 NPT Review Conference. She does a very good job of detailing the many decisions and agreements that emerged from the conference and then explaining why they happen to be significant.

Dhanapala, J. and Rydell, R. (2005). *Multilateral Diplomacy and the NPT: An Insider's Account*. United Nations Institute for Disarmament Research. Geneva.

Written by Sri Lankan diplomat and expert on disarmament issues, Jayantha Dhanapala, along with Randy Rydell, this report published by the United Nations Institute for Disarmament Research (UNIDIR) looks at the Treaty as it approaches the 2005 NPT Review and Extension Conference (NPTREC). It discusses the process that led to the indefinite extension of the NPT. The report also discusses the preparatory conferences that preceded the 2005 NPTREC and the major developments of the Conference itself. The report also includes important documents produced at or relevant to the 2005 NPTREC.

Diehl, S. and Humphrey, P. (2010). *The April 2010 Nuclear Security Summit: One More Step Toward the Mountaintop*. Retrieved on September 30, 2010, from

http://www.nti.org/e_research/e3_nuclear_security_summit.html

This Issue Brief discusses President Obama's Nuclear Security Summit and provides an historical account and analysis of the work done at the Summit. It covers such topics as nuclear terrorism, summit milestones, and even details which world leaders attended and which sent representatives. There is also a small section that deals with the Iranian nuclear conference. This is a very thorough treatment of the topic but yet not so long as to be superfluous.

Duarte, S. (2010). *The Aftermath of the NPT Review Conference: The United Nations and Prospects for Nuclear Disarmament*. Retrieved on September 7, 2010, from

http://www.ipnw2010.org/fileadmin/user_upload/Plenary_presentations/Plen1_Duarte_The_Aftermath_of_the_NPT_Review_Conference_The_United_Nations_and_Prospects_for_Nuclear_Disarmament.pdf

This source is the transcript of a speech by Sergio Duarte, the United Nations High Representative for Disarmament Affairs. Mr. Duarte gave this speech on August 27, 2010 in Basel, Switzerland on the occasion of the 19th World Conference on Nuclear Abolition hosted by the International Physicians for the Prevention of Nuclear War. In the speech, Mr. Duarte, among other things, stresses the need for nuclear-weapon States to actively pursue disarmament and advocates legally binding mechanisms to ensure their compliance.

Hoffman, D. (2010, April 11). *Despite new START, the U.S. and Russia still have too many nuclear weapons.* Retrieved on October 3, 2010, from <http://www.washingtonpost.com/wp-dyn/content/article/2010/04/09/AR2010040903260.html>

This editorial appeared in The Washington Post just a few days after the Treaty was signed. It makes the case that while it is good that the United States and Russia are taking steps to reduce their respective nuclear weapons arsenals, the two countries have so many—about 22,000 between the two—that the reductions outlined in the treaty will still leave them with thousands of nuclear warheads each. Hoffman argues that other nuclear countries, like China, have reduced their arsenals much further and that the United States and Russia, for everyone's sake, should do the same.

Hoppe, H. (2004). *Towards a Successful 2005 NPT Review Conference: Issues of Universality, Compliance and the Implementation of the Middle East Resolution. Building a Weapons of Mass Destruction Free Zone in the Middle East: Global Non-Proliferation Regimes and Regional Experiences.* United Nations Institute for Disarmament Research, Geneva.

Published on the eve of the 2005 NPT Review and Extension Conference, this chapter discusses the developments that led to the Review, giving a detailed account of the process. It also covers the previous Review Conferences and the work that was accomplished. The chapter also discusses the 1995 decision on the Middle East, adopted as a package of decisions, in the absence of a Final Document. The decisions relates to the establishment of a nuclear-weapons-free zone in the Middle East.

James Martin Center for Nonproliferation Studies. (2009). *NPT Tutorial Web site.* Retrieved on August 19, 2010, from http://www.nti.org/h_learnmore/npttutorial/index.html

The Center for Nonproliferation Studies at the Monterey Institute of International Studies created an online tutorial on the NPT for the Nuclear Threat Initiative (NTI), which, according to their Web site, is "a non-profit, non-partisan ... global initiative" that "works to reduce the risk of use, and the spread, of nuclear, biological, and chemical weapons." The tutorial, published on the eve of the 2005 NPT Review Conference covers such topics as what the NPT is, what it stipulates, its history, its review, and addresses some of the contentious issues surrounding the Treaty. The tutorial even includes updates from the 2010 NPT Review Conference.

Obama, B. (2010). *Opening Remarks to the Signing of the New Strategic Arms Reduction Treaty.* Retrieved on September 7, 2010, from <http://www.whitehouse.gov/blog/2010/04/08/new-start-treaty-and-protocol>

These are the opening remarks President Obama gave at the signing of the New START Treaty in Prague. He discusses the significance of the event and emphasizes its importance for the United States, Russia, and the world at large. The page includes video of the signing ceremony.

Sanger, D. (2010, April 13). *Obama Vows Fresh Proliferation Push as Summit Ends.* Retrieved on September 7, 2010, from <http://www.nytimes.com/2010/04/14/world/14summit.html>

This article from the New York Times gives a lot of information about President Obama's Nuclear Security Summit. It highlights the major happenings and accomplishments of the Summit. It also discusses related issues like the newly signed New Start Treaty, Iran, and the then-upcoming 2010 NPT Review Conference.

Schelling, T. (2008). *Arms and Influence.* New Haven: Yale University Press.

Originally written in 1966, Arms and Influence discusses how a country's military might translates into power. Schelling, a Nobel laureate, includes a new preface, written by the author himself, for the 2008 edition of the book. The new afterword is actually the text of the author's 2005 Nobel Prize acceptance speech.

United Nations. (2010). *The 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT): Background*. Retrieved on August 19, 2010, from <http://www.un.org/en/conf/npt/2010/index.shtml>

This source is the official Web site of the NPT Review Conference of 2010. It gives a relatively concise, yet very detailed history of the NPT and the workings of the document. The background information also includes an account of the Treaty review process. The Web site also hosts links to the significant work done at the Conference, including the Final Document.

United Nations. (2010). *2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons Final Document, Volume I*. Retrieved on August 19, 2010, from [http://www.un.org/ga/search/view_doc.asp?symbol=NPT/CONF.2010/50%20\(VOL.I\)](http://www.un.org/ga/search/view_doc.asp?symbol=NPT/CONF.2010/50%20(VOL.I))

This document is the first part of the Final Document that was universally agreed upon at the 2010 NPT Review Conference. It includes a review of all of the Treaty's articles, plus their concomitant preambular clauses. It includes conclusions and recommendations for further action. Among other things, this document includes a list of all the participating countries.

United Nations. (1970). *Treaty on the Non-Proliferation of Nuclear Weapons*. Retrieved on August 19, 2010, from <http://www.iaea.org/Publications/Documents/Infcircs/Others/infcirc140.pdf>

This document is the text of the NPT. Entering into force in 1970, copies of it are housed in the archives of the three depository governments, the United Kingdom, the United States, and Russia (the former Soviet Union). The treaty outlines provisions for the non-proliferation and the eradication of nuclear weapons, as well as the equal use of peaceful nuclear technologies.

United States Department of State. (2010). *Nuclear Security Summit: Press and Other Releases*. Retrieved on September 7, 2010, from <http://www.state.gov/nuclearsummit/releases/index.htm>

From the State Department's website devoted to the Nuclear Security Summit. This is a collection of press releases from the Summit. It contains, among many others, the press releases about Ukraine's commitment to rid itself of its highly enriched uranium, as well as the press release about the trilateral agreement between the United States, Mexico, and Canada.

The White House. (2010). *The New START Treaty and Protocol: The New START Treaty and Protocol at a Glance*. Retrieved on September 7, 2010 from <http://www.whitehouse.gov/blog/2010/04/08/new-start-treaty-and-protocol#section1>

This source is from the official White House blog. It includes links to the full text of the New START Treaty and the Protocol. It also links to helpful information like a summary of the New START Treaty's main provisions and a primer on how the United States Senate undertakes the process of ratifying a treaty.

I. Practical measures to implement Article VI

2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. (2000). *Final Document Volume I*. Retrieved August 16, 2010, from <http://www.un.org/disarmament/WMD/Nuclear/2000-NPT/pdf/FD-Part1and2.pdf>

The final document adopted by the 2000 NPT Review Conference provided the brightest glimpse of hope towards the achievement of the goals of the NPT in decades since the Treaty's entry into force. Starting on page 13 of this document, delegates may review the proposals of the Conference regarding Article VI obligations. The main set of proposals consist of the 13 "practical steps for the systematic and progressive efforts to implement article VI of the Treaty on the Non-Proliferation of Nuclear Weapons," which have since become the starting point for negotiations relating to Article VI of the NPT.

2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. (2010). *Nuclear disarmament: France's practical commitment*. Retrieved September 24, 2010 from <http://www.reachingcriticalwill.org/legal/npt/revcon2010/papers/WP33.pdf>

At the 2010 NPT review conference, France compiled all of the actions that it had taken on the issue of nuclear disarmament and proposed it to the body. As opposed to drafting legislation at the international level, France preferred to lead by example and has taken unprecedented action in reducing its nuclear stockpiles. It also contains several proposals for the international community proposed by France and its European partners.

Acronym Institute. (2001). *Nuclear Non-Proliferation Treaty: Successful Conference: Now Words into Actions*. Retrieved July 31, 2010, from <http://www.acronym.org.uk/npt/npt18.htm>

The Acronym Institute for disarmament diplomacy has followed the progress of the NPT and other international disarmament agreements since 1995. This document provides a synopsis of the agreements reached at the conclusion of the 2000 Review Conference of the NPT as well as the general progress of the meeting, including the major obstacles that were experienced by the governments in attendance. Most importantly, it includes a list of the agreed upon 13 practical steps towards disarmament that serve as a foundation for the realization of article VI of the NPT.

Arms Control Association. (n.d.). *The Presidential Nuclear Initiatives (PNIs) on Tactical Nuclear Weapons At a Glance*. Retrieved August 12, 2010, from <http://www.armscontrol.org/factsheets/pniglance>

The Arms Control Association (ACA) presents itself as a "national nonpartisan membership organization dedicated to promoting public understanding of and support for effective arms control policies." The ACA also publishes the periodical Arms Control Today, which is a great resource for all aspects of international disarmament issues, from small arms to nuclear weapons. Moreover, delegates are encouraged to explore the ACA Web site, as it provides several briefs and research on specific issues related to the NPT. This article in particular provides a brief overview of the main aspects of the PNIs and their current status.

Baker, P. (2010). *Arms-treaty vote delayed in senate*. Retrieved August 29, 2010, from http://www.nytimes.com/2010/08/04/world/europe/04start.html?ref=arms_control_and_limitation_and_disarmament

This news article speaks on the progress made between the United States and Russian Federation in signing the document and deals more extensively with the reception it received in the United States Senate. While the White House remains confident that the vote will be successful, it has been postponed during the current session. Many also believe that the delay on the vote was agreed upon so that consensus could be achieved for the upcoming vote.

Ban, K. (2009). *A five-point plan to rid world of nuclear bombs*. Retrieved August 28, 2010, from <http://www.un.org/sg/articleFull.asp?TID=105&Type=Op-Ed>

This brief article by the UN Secretary-General Ban Ki-moon provides his Five Point Plan for disarmament, with the ultimate goal of a world free of nuclear weapons. His plan was supported by a number of Member States at the 2010 NPT Review Conference and therefore has received considerably more attention than in the past. The article provides a brief overview of the Secretary-General's priorities for disarmament along with recommendations for Member States for taking concrete actions for reducing the number of nuclear weapons throughout the international community and ensuring peace and security for the future.

Beckman, P. R., Crumlish, P. W., Dobkowski, M. N., & Lee, S. P. (2000). *The nuclear predicament: Nuclear weapons in the twenty-first century*. Upper Saddle River, New Jersey: Prentice-Hall.

This book examines the development of nuclear weapons in the international community starting in Hiroshima and going to modern times. It also covers many bilateral agreements that work to reduce nuclear stockpiles. In addition, it focuses on the reasons why many states seek to develop nuclear programs.

Cabinet Office. (2009). *The Road to 2010: Addressing the nuclear question in the twenty first century*. Retrieved September 24, 2010, from <http://www.cabinetoffice.gov.uk/media/224864/roadto2010.pdf>

This report was produced by the government of the United Kingdom leading up to the 2010 NPT review conference. It contains all of the proposals by the United Kingdom to address all aspects of the nuclear question contained within the NPT. Of particular importance, it includes efforts to address reductions of nuclear stockpiles in both nuclear-weapon states and non-nuclear-weapon states.

Caldwell, D. (1991). *The dynamics of domestic politics and arms control*. Columbia, South Carolina: University of South Carolina Press.

This book examines the political events that occurred in the United States Senate in response to the development of SALT II with the Soviet Union. It outlines the foreign policy of the Carter administration in the development of SALT II and the reactions of not only the Senate, but also public opinion. It goes on to show how public opinion and the reception of these negotiations helped to influence the final outcome of SALT II.

Dean, J., Driscoll, W., Forsberg, R., & Webb, G. (1995). *Nonproliferation primer*. Cambridge, Massachusetts: MIT Press.

The primer provides a strong foundation into many facets of the nuclear non-proliferation regime. Topics covered include strategies and trends in nuclear proliferation. Additionally, this book was useful in examining the threats nuclear weapons pose and their implications for regional and international security.

Dunn, L. A. (1982). Introduction. *Controlling the bomb*. London: Yale University Press.

Controlling the bomb focuses on the development of the non-proliferation regime following the entry into force of the NPT and its first review conference. It was written under the cold war perspective and still strongly focuses on the non-proliferation activities between the US and the USSR. A lot of the information focuses around bilateral measures that the United States can take to prevent proliferation which was particularly important to gain a historical perspective of the NPT during the review conference of the 1980's.

Federation of American Scientists. (n.d.). *Treaty on the Non-Proliferation of Nuclear Weapons [NPT]*. Retrieved August 10, 2010, from <http://www.fas.org/nuke/control/npt/>

The Federation of American Scientists, founded in 1945 by scientists who worked on the Manhattan Project, is a policy research group that provides insights into various areas related to international security, including nuclear nonproliferation, bio-security, conventional arms transfers, government secrecy, learning technology, and energy and the environment. By following the "Provisions" link on this page, delegates are given an overview of the NPT that provides a great insight into many of the forces that shaped the Treaty. Delegates are highly encouraged to explore not only the NPT page within the FAS Web site, but also the remainder of the site's nuclear proliferation links, as they provide a great insight into the specific nuclear programs and policies of nuclear-weapon states.

Federation of American Scientists. (1996). *Nuclear Weapons in the Former Soviet Union: Location, Command, and Control*. Retrieved September 23, 2010, from <http://www.fas.org/spp/starwars/crs/91-144.htm>

This valuable resource expands upon the concerns of the international community following the collapse of the Soviet Union regarding nuclear weapons now outside of the control of the Soviet Union. It details the activities taken by the United States and Russian Federation to safeguard those materials and weapons. It also provides a description of the political consideration within the newly independent states and their motivations for cooperating with the United States and Russian Federation.

International Atomic Energy Agency. (n.d.). *The safeguards system of the international atomic energy agency*. Retrieved July, 2010, from http://www.iaea.org/OurWork/SV/Safeguards/safeg_system.pdf

Paramount to understanding the means to implement practical measures towards the full realization of Article VI of the NPT is understanding the current method through which the IAEA

carries out its verification duties. This document provides the reader with a very thorough understanding of the safeguards system of the IAEA. It outlines the verification process at each step in the process and what information is required by Member States to comply with the IAEA's verification methods. This document also includes updates that have been added to the safeguard process over the years.

Johnson, R. (2010). *NPT: challenging the nuclear powers' fiefdom*. Retrieved August 13, 2010, from <http://www.opendemocracy.net/5050/rebecca-johnson/npt-challenge-to-nuclear-powers-fiefdom>

Rebecca Johnson is the director of the Acronym Institute for Disarmament Diplomacy and a recognized expert in the realm of nuclear weapons policy. This article provides an insider's view of the final outcome of the 2010 Review Conference, as well as several links delegates may explore for further references on each main points of agreement on the final document. Ultimately, the author concludes that nuclear-weapons states can no longer defer negotiations on a treaty to abolish nuclear weapons, and as she continues, the time may not be better for such negotiations to start.

Johnson, R. (2010). *NPT one week after consensus adoption of agreed document*. Retrieved August 23, 2010, from <http://acronyminstitute.wordpress.com/2010/06/07/npt-one-week-after-consensus-adoption-of-agreed-document/>

This article is a good overview of the workings of the 2010 NPT Review Conference and focuses on the results of the negotiations throughout the Conference. The author provides analysis into the Final Document and subsequent action plan, along with possible implications for the international disarmament and non-proliferation regime. The author also provides an assessment of closing remarks made by Member States and also Member States' positions throughout the Conference.

Kartchner, K. (1992). *Negotiating START*. New Brunswick, New Jersey: Transaction Publishers.

This resource provides valuable insight into the negotiations leading up to and following the conclusion of the first round of START talks. It discusses in detail the objectives of both the United States and the Soviet Union as well as the methods used to achieve those goals during the process of negotiations. It also provides a summary of the outcome, noting those priorities that were able to be addressed within the document and the effect that the decisions had on the nuclear security of the countries involved.

Kirkup, J. (2009). *Britain prepared to cut nuclear arsenal as part of arms deal*. Retrieved September 24, 2010, from <http://www.telegraph.co.uk/news/5007215/Britain-prepared-to-cut-nuclear-arsenal-as-part-of-arms-deal.html>

This brief article introduces the United Kingdom's plan to reduce its nuclear stockpiles at the same time as it considered replacing its Trident nuclear deterrent system. It also specifies the United Kingdom did not wish to reduce its nuclear stockpiles below 160 warheads, due to perceived threats and the need for national security. The article also briefly mentions other efforts taking place in the international community to reduce the amount of nuclear weapons, particularly between the United States and the Russian Federation.

Krieger, D. (n.d.). *Debating Article VI*. Retrieved August 11, 2010, from

http://www.wagingpeace.org/articles/2008/06/24_krieger_debating_article_vi.php

This article by David Krieger is a response to another article by Christopher Ford, arguing the non-legally binding aspects of Article VI. Krieger refutes Ford's arguments, at the same time providing a good overview of the tradeoff between nuclear and non-nuclear-weapons states and indicating that the longer Article VI continues to be seemingly ignored, the more fragile the international nuclear non-proliferation becomes. Ford's article provides delegates with several insights as to a nuclear-weapon state's legal views on Article VI of the NPT, including how the Article provides for no actual legally binding commitment to disarm. Krieger opposes Ford's views, and together, this source allows delegates to see both sides of the argument regarding the legality of a commitment to disarm arguably espoused in Article VI of the NPT.

Muller, H. (2005). *The 2005 NPT Review Conference: Reasons and Consequences of Failure and Options for Repair*. Retrieved August 10, 2010, from <http://www.wmdcommission.org/files/No31.pdf>

This paper by Harald Muller was prepared for the Weapons of Mass Destruction Commission, a body of intellectuals commission under the auspices of the Swedish government, tasked to "present proposals aimed at the greatest possible reduction of the dangers of weapons of mass destruction, including both short-term and long-term approaches and both non-proliferation and disarmament aspects." This report enumerates, summarizes and analyzes the various reasons for the widespread failure of the 2005 NPT Review conference, providing delegates with a great source for insights as to the many circumstances that can provide a fertile ground for a Review Conference, or doom its outcome from the very beginning.

Nuclear Threat Initiative. (2009). *NPT Tutorial: NPT Perceptions of Key Contentious Issues for the NPT*. Retrieved August 10, 2010, from http://www.nti.org/h_learnmore/npttutorial/chapter06_01.html

The Nuclear Threat Initiative is a policy research group aimed at providing research and policy alternatives towards the global non-proliferation of nuclear, biological, and chemical weapons, as well as the achievement of the goals of the NPT. Their NPT tutorial is a resourceful introduction to the Treaty. Even more importantly, Chapter 6 of the tutorial effectively summarizes many of the remaining obstacles to the full realization of the NPT and the goals of a nuclear weapon free world. This summary also contains several statements from all sides of each challenge, as well as various proposals for tackling these challenges.

Nuclear Threat Initiative. (2004). *Compliance and growth - NPT review conferences*. Retrieved August 11, 2010, from http://www.nti.org/h_learnmore/npttutorial/chapter04_01.html

The Nuclear Threat Initiative compiled a list of each of the NPT review conferences as well as a quick and informative synopsis of every review conference of the NPT. It provides a list of each of the major issues discussed at the NPT in addition to vital statistics including the number of Member States present at the meeting. In addition, it has links to other resources pertinent to the review conference including final documents agreed to at the review conferences.

Ozmanczyk, E., Jan, M.A. (2003). *Encyclopedia of the United Nations and International Agreements: Third Edition Vol. 3: N-S*. New York City, New York: Routledge.

This encyclopedia lists all of the treaties in the international community. Whereas this is a very valuable resource, it does not provide background information on a particular treaty, only the full text. Treaties of interest to the topics include the NPT and CTBT.

Payne, S. B. (1980). *The Soviet Union and SALT*. Cambridge, Massachusetts: MIT Press.

Within these pages, the reader will find a very thorough analysis of the soviet perspective on the events of SALT I and SALT II. It includes the attitude of the Soviet Union towards the United States at the time and how this relationship led to the conclusions reached. In addition, it also details how these attitude and particular security concerns led to the derailment of the SALT process.

Reaching Critical Will. (n.d.). *Disarmament and arms control treaties*. Retrieved August 30, 2010, from <http://www.reachingcriticalwill.org/legal/treaties.html>

This site provides a list and link to various arms control treaties. With each link, it also provides a brief synopsis of the contents of each treaty in addition to important aspects developed through each treaty. A final section also provides links to work being done on possible future, most notable the fissile material cut-off treaty, which should be of particular important to discussions of Article VI.

Reaching Critical Will. (2000). *Non-Proliferation Treaty*. Retrieved August 3, 2010, from <http://www.reachingcriticalwill.org/legal/npt/factsheet.html>

This document provides a concise overview of the NPT including the origins, definitions, and some background on the Review Conferences. The fact sheet also delineates specific items under consideration and offers an idea of what to look for in the future. This is a good starting point to get a general understanding of the NPT.

Reaching Critical Will. (2000). *The Promises of the 2000 NPT Review Conference*. Retrieved August 3, 2010, from <http://www.reachingcriticalwill.org/legal/npt/13point.html>

This document is a fact sheet covering and explaining the details of some of the decisions made at the 2000 Review Conference. It is a quick reference guide that boils down what would be a lot of information, into a simple spreadsheet. It also cites specific articles and the NPT and how they relate to the 13 steps and an ICJ ruling.

Scowcroft, B., Perry, W. J., Ferguson, C. D. (2009). *U.S. Nuclear Weapons Policy*. New York City, New York: Council on Foreign Relations.

This text examines the implications and offers recommendations for the then new U.S. administration regarding the U.S. nuclear weapons posture. It also offers background information on the international nonproliferation regime, NPT Review Conferences, and the nature of the bilateral relationships between the U.S. and Russia and the U.S. and China. While written with an emphasis on the U.S. its perspective is global in nature.

United Nations General Assembly. (1968). *Treaty on the non-proliferation of nuclear weapons*. Retrieved July 31, 2010, from <http://www.un.org/disarmament/WMD/Nuclear/NPT.shtml>

The NPT serves as the foundation for discussions on current non-proliferation system and the means by which to enforce it. It also serves as the basis for the activities of the IAEA. The three main tenets of the NPT include disarmament of nuclear weapons, non-proliferation of nuclear, and the promotion of the peaceful uses of nuclear technology.

United Nations Secretary-General Office of the Spokesperson. (2010). *Secretary-General's remarks at the Hiroshima Peace Memorial Ceremony*. Retrieved August 17, 2010, from <http://www.un.org/apps/sg/sgstats.asp?nid=4712>

These remarks, delivered by the Secretary-General of the United Nations, mark the first time that the Secretary-General attend the memorial service of the day that nuclear weapons were first used. The Secretary-General's remarks also outline his desire to work towards a world free of nuclear weapons. It specifically calls for Member States to work for the realization of the Comprehensive nuclear test ban treaty as well as a Fissile Material cutoff treaty and incorporating disarmament education into schools.

United Nations Security Council (S/RES/1540). (2004). *Resolution 1540*. Retrieved August 10, 2010, from http://www.un.org/Docs/sc/unsc_resolutions04.html

Resolution 1540 served as a means to limit the proliferation of all weapons of mass destruction through various national and international measures. It is very useful in demonstrating some of the specific measures that the international community wanted to address to limit proliferation. It is also significant to note that the resolution clearly states that nothing contained within it can interfere with previous treaty obligations including the NPT, leaving a lot of room open for discussion on the topic of export controls.

United States of America State Department. (n.d.). *Strategic arms limitation talks (SALT I)*. Retrieved August 30, 2010, from <http://www.state.gov/www/global/arms/treaties/salt1.html>

This resource provides an overview of the SALT talks as well as the outcome of the on-going negotiations. It includes the agreements that were reached as a result of the negotiations, notable the Anti-Ballistic Missile Treaty and the Interim Agreement. It also includes some fundamental disagreements held by both parties and the steps taken to achieve consensus.

United States Department of State. (1991). *Treaty between the United States of America and the Union of Soviet Socialist Republics on the reduction and limitation of strategic offensive arms*. Retrieved September 2, 2010, from <http://www.state.gov/www/global/arms/starthtm/start/start1.html>

This contains the full text of the START treaty and provides the specific numbers set by both the United States of America and the Russia Federation to reduce their stockpiles and work towards achieving not only a better security situation, but also Article VI of the NPT. It also contains clear definitions for specific types of nuclear devices to be limited. Additionally, it provides a timetable to achieve these goals and the means by which to verify progress made towards achieving START.

United States Department of State. (1993). *Treaty between the United States of America and the Russian Federation on further reduction and limitation of strategic offensive arms*. Retrieved September 2, 2010, from <http://www.state.gov/www/global/arms/starthtm/start2/strt2txt.html>

Also known as START II, this document continues the work of START and further reduces the acceptable number of nuclear armaments that the United States and the Russian Federation can possess. Since this was written after both countries had continued to develop nuclear arms, it provides greater detail of the types of armaments and specific weapons that are limited by the treaty. While signed, START II did not become ratified and the Russian Federation withdrew following the withdrawal of the United States from the ABM.

United States Department of State. (2010). *Treaty between the United States of America and the Russian Federation on measures for the further reduction and limitation of strategic offensive arms*. Retrieved September 2, 2010, from <http://www.state.gov/documents/organization/140035.pdf>

Also known as New START, this document is the latest in bilateral discussions between the United States and the Russian Federation. Like previous START documents, it once again provides clear benchmarks for the number of nuclear armaments each state can possess and once again provides new definitions due to technical developments. This document is currently waiting to be ratified in the United States and will be under discussion during the fall session of the Senate.

White House Office of the Press Secretary. (2010). *Joint Understanding*. Retrieved July 31, 2010, from http://www.whitehouse.gov/the_press_office/The-Joint-Understanding-for-The-START-Follow-On-Treaty/

This Web site covers the recent interactions between the United States and the Russian Federation in renewing talks to address nuclear stockpiles. It outlines the need to create and define further confidence building measures between the United States and the Russian Federation. Most importantly it set specific numbers for acceptable amounts of nuclear warheads to be possessed by both Member States as well as a specific date that these levels must be reached by.

II. Nuclear security as the "fourth pillar" of the NPT

2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.2000/28 (Parts I and II)). (2000). *Final Document: Volume I*. Retrieved August 20, 2010, from <http://www.un.org/disarmament/WMD/Nuclear/2000-NPT/2000NPTDocs.shtml>

The 2000 NPT RevCon is judged to have been very successful, as both the backward-looking review and the forward-looking parts were adopted by consensus at the conference. The 2000 Final Document includes the "13 Practical Steps" for the NWSs to work towards nuclear disarmament (pages 14-15). The most relevant step to nuclear security is step 10, which obliges NWSs to place unused military fissile materials (HEU and plutonium) under IAEA protection to prevent it from entering a military program at a later stage.

2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.2005/57 (Part I)). (2005). *Final Document*. Retrieved August 20, 2010, from <http://www.un.org/en/conf/npt/2005/reports.html>

The 2005 NPT RevCon failed, partly because many NPT parties felt that the NWSs had made insufficient progress in implementing the 13 Steps from the previous RevCon. As no consensus vote was held, the 2005 Final Document only contains procedural points. Delegates may still wish to browse through the working papers of the 2005 sub-committees to find out what proposals regarding nuclear security issues were made.

2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/Conf.2010/50(Vol.I)). (2010, May). *Final Document: Volume I*. Retrieved August 5, 2010, from <http://www.un.org/en/conf/npt/2010/index.shtml>

The 2010 RevCon did not repeat the failure of 2005, but still, as some contentious issues remained over the backward-looking review part, the conference president decided to transfer this entire part into a President's Report which allowed it to be included into the Final Document without

having to be put to a vote. The 64-point action plan directly follows the President's report. Adopted by consensus, NPT parties decided on future actions and recommendations to implement the provisions of the Treaty, Some of the action plan's points refer to nuclear security provisions.

Antonov, A. (2009, May 4). *Statement by H.E. Ambassador Anatoly Antonov, Head of the Delegation of the Russian Federation at the Third Session of the Preparatory Committee for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons*. Retrieved August 6, 2010, from <http://www.un.org/disarmament/WMD/Nuclear/NPT2010Prepcom/PrepCom2009/statements.html>

Anatonov's statement covers a whole range of Russian policies related to the NPT review process. Referring to the nuclear security regime, Anatonov praises that an "efficient international 'safety net'" has already been established. Yet he then chides States that are not cooperating with or signing up the regime's instruments.

Bodansky, D. (2004). *Nuclear energy: Principles, practices, and prospects (2nd ed.)*. New York: Springer. *Aimed at policy-makers, this textbook provides a solid and comprehensive background understanding of all aspects of the civilian nuclear fuel cycle. It also covers the technological links between the fuel cycle and nuclear weapons. Although some parts are fairly technical, with the help of the appendix, which contains a basic introduction into nuclear physics, this book can make a great background reading.*

Boureston, J. and Ogilvie-White, T. (2010, March). *Seeking Nuclear Security Through Greater International Coordination*. Council on Foreign Relations. Retrieved 5 August, 2010, from http://www.cfr.org/content/publications/attachments/IIGG_WorkingPaper_1_NuclearSecurity.pdf

Boureston's and Ogilvie-White's report opens with a concise history and summary of the nuclear security regime, highlighting its three most prominent weaknesses. Pages 4-10 introduce the various treaties, resolutions, conventions and initiatives of the regime, providing their key facts, advantages and shortcomings. This part not only provides a useful overview, by following the references it may also serve as a starting point for delegates researching the individual elements that make up the regime. The remaining parts of the report draw from the literature as well as from insider sources. The authors summarize (and criticize) the three most prominent suggestions that have been made so far to improve nuclear security (which are to strengthen the IAEA, improve national and regional cooperation, and increase private sector and civil society responsibility). Finally, the authors provide their own, arguably more realistic, suggestions for minimizing the threat of nuclear terrorism,

Bunn, G. (2007). *Enforcing International Standards: Protecting Nuclear Materials from Terrorists Post-9/11*. *Arms Control Today*, January/February 2007. Retrieved August 2, 2010 from http://www.armscontrol.org/act/2007_01-02/Bunn

George Bunn summarizes the status of the nuclear security regime of 2007 in this short article. He draws particular attention to the fact that, in contrast to the IAEA safeguards regime, physical protection of nuclear material is not internationally verified and implementing international standards is essentially voluntary. With the adoption of UNSCR 1540, he sees the Security Council as primarily responsible for implementing physical protection standards, as opposed to the IAEA taking that role.

Bunn, M. et al. (2003). *Controlling Nuclear Warheads and Materials: A Report Card and Action Plan*. Belfer Center for Science and International Affairs, Harvard University. Retrieved September 9, 2010 from http://www.nti.org/e_research/cnwm/cnwm.pdf.

Written not long after 9/11, this is a comprehensive yet very accessible report on the threat of nuclear terrorism and the measures available to respond to it. Part I which discusses the threat and the pathway of terrorists acquiring a nuclear weapon will be of most use here. The quoted estimate of damage caused following a nuclear attack in Manhattan is grounded on sound analysis and alarming, but it should be seen in perspective of the low likelihood of such even occurring.

Burk, S. (2010) *Taking Stock of the NPT: An Interview With U.S. Special Representative Susan Burk*. *Arms Control Today*, March 2010. Retrieved August 2, 2010 from http://www.armscontrol.org/act/2010_03/Burk

This interview with the U.S. Presidents' special representative for nonproliferation shortly before the 2010 NPT RevCon touches on many issues related to the NPT and its review process. Burk explains US nuclear policies and what the U.S. Administration hopes to achieve at the RevCon. A few questions address nuclear terrorism and nuclear security.

Choubey, D. (2010). Future Prospects for the NPT. *Arms Control Today, July/August 2010*. Retrieved August 2, 2010, from http://www.armscontrol.org/act/2010_07-08/choubey

Choubey's four-page report produced after the 2010 NPT RevCon contains some great insights in the negotiation process of the RevCon's Final Document. The largest part of the report, however, evaluates the agreements reached at the Conference and places them into the perspective of current non-proliferation issues. One paragraph is devoted to nuclear security where Choubey takes the inclusion of nuclear security issues in the Final Document as example of the Document's "real world impact", meaning that it possesses substantial political value, rather than being a lowest-common-denominator document.

Clinton, H. R. (2009, October 21). Remarks at the United States Institute of Peace by Hillary Rodham Clinton, Secretary of State at the Renaissance Mayflower Hotel. Washington, DC, October 21, 2009. Retrieved August 2, 2010 from <http://www.state.gov/secretary/rm/2009a/10/130806.htm>

Clinton's speech at the United States Institute of Peace, a Congress-funded think-tank, touched on a number of nuclear related issues. These included the three pillars of the NPT, nuclear terrorism, to regional nuclear concerns such as posed by the DPRK and Iran. Speaking about nuclear security, Clinton picked up the language of the "fourth pillar" from the UK: "And to those three pillars [of global nonproliferation], we should add a fourth: preventing nuclear terrorism. Stopping terrorists from acquiring the ultimate weapon was not a central preoccupation when the NPT was negotiated, but today, it is, and it must remain at the top of our national security priorities."

Commission on the Prevention of WMD Proliferation and Terrorism. (2008). *World at Risk*. Retrieved September 9, 2010 from <http://a.abcnews.go.com/images/TheLaw/WMD-report.pdf>

A number of well-known experts authored this report. The US Congress charged them with the task to give "any and all of the nation's activities, initiatives, and programs to prevent weapons of mass destruction proliferation and terrorism, ... and to provide concrete recommendations ... to address these threats." One of the report's findings is that "unless the world community acts decisively and with great urgency, it is more likely than not that a weapon of mass destruction will be used in a terrorist attack somewhere in the world by the end of 2013." The report addresses both biological and nuclear terrorism and devotes sections on Pakistan's and Russia's nuclear security.

Crail, P. (2006). Implementing UN Security Council Resolution 1540: A Risk-Based Approach. *Nonproliferation Review*: 13(2). Retrieved August 20, 2010, from <http://cns.miis.edu/npr/pdfs/132crail.pdf>

In this comprehensive report, Peter Crail evaluates the progress of implementing UNSCR 1540 in 84 key States that are most relevant in the implementation of this resolution. The result is that as of 2006, States had few of the obligations of UNSCR 1540 in place. The report contains some interesting bar graphs that compare the level of fulfillment among those 84 States. However, the point to note here is the wide gap between the resolution's provisions and the current state of implementation, which demonstrates that a large shortcoming in implementation might exist for a long time. Even if all States were achieving a level of implementation similar to Germany or the US, they would still not fulfill all obligations of the resolution.

Ferguson, C.D. (2009). *Radiological Weapons and Jihadist Terrorism*. In Ackerman, G. and Tamsett, J. eds. *Jihadists and Weapons of Mass Destruction*. Boca Raton: CRC Press.

This chapter is both a timely and comprehensive analysis of the threat of radiological terrorism. It introduces the radioisotopes of greatest concern, explains how terrorists might acquire as well as use them in an attack and provides an overview of Jihadists' (limited) interest in radiological weapons. This chapter also helps distinguish between nuclear and radiological terrorism, both of

which are addressed by nuclear security measures. Some universities can provide free online access to this resource via the CRC Press website.

Ferguson, C.D. and Potter, W.C. (2005). *The Four Faces of Nuclear Terrorism*. New York: Routledge. Retrieved August 8, 2010, from http://www.nti.org/c_press/analysis_4faces.pdf

This excellent book provides a solid foundation of the “four faces” of nuclear terrorism: (1) Acquisition of an intact weapon; (2) Acquisition of nuclear material and construction of a weapon; (3) Sabotage of nuclear facilities and (4) Radiological terrorism. The first two “faces” are of course most relevant here, and therefore delegates are most encouraged to read chapters 3 and 4. The book can be downloaded for free. However, it is also the necessary to consult more up to date publications on the relevant issues.

Harvey, Cole. (2010, March). *Major Proposals to Strengthen the Nuclear Nonproliferation Treaty: A Resource Guide for the 2010 Review Conference*. Arms Control Association. Retrieved August 4, 2010, from <http://www.armscontrol.org/system/files/Proposals%20to%20Strengthen%20NPT.pdf>

This useful report provides a concise, accurate and comprehensive overview of the key issues that faced the 2010 NPT RevCon. Pages 41 to 42 cover nuclear security and list the relevant proposals that have been made by States at the PrepComs leading to the 2010 NPT RevCon. Further useful and instructive sections are the glossary of terms and the timeline of the NPT.

IISS. (2010, April). Nuclear Summit Strengthens Security Measures. *IISS Strategic Comments*, 16(15). Retrieved August 2, 2010, from <http://www.iiss.org/publications/strategic-comments/past-issues/volume-16-2010/april/nuclear-summit-strengthens-security-measures/>

This three-page report by the International Institute for Strategic Studies, a London-based think-tank, provides a useful, brief analysis of the outcomes of the April 2010 Nuclear Security Summit. Both successes and shortcomings of the Summit are highlighted. It also places the Summit into the perspective of the Obama Administration’s approach towards tackling nuclear security issues.

International Atomic Energy Agency. (2010). *International Conventions & Agreements: Convention on the Physical Protection of Nuclear Material*. Retrieved August 13, 2010, from <http://www.iaea.org/Publications/Documents/Conventions/cppnm.html>

This website links directly to the original text of the CPPNM and its status of signatories and parties, the amendment to the CPPNM and its status of signatories and parties, and further useful information about the Convention. The CPPNM is one of the most important elements of the nuclear security regime because it provides a binding agreement on the physical protection of nuclear materials used for non-military purposes. Its amendment which is not yet in force is thought to greatly improve the Convention’s role in nuclear security. It is worthwhile to track the status of ratification of the amendment, because the slow rate of ratification has been one of the most contentious issues in recent nuclear security discussions.

International Atomic Energy Agency. (2010) *Nuclear Security: IAEA: Working to Build a Global Response to a Global Threat*. Retrieved August 14, 2010, from <http://www.iaea.org/NewsCenter/Focus/NuclearSecurity/>

This is the IAEA’s web portal on nuclear security. It is maintained with up to date news stories, videos and podcasts, background reports and relevant resources to inform the public about the Agency’s activities to protect nuclear materials and facilities around the world. Particularly the links in the “Ask & Learn” part will be of use. Delegates are advised to familiarize themselves with current IAEA nuclear security activities in order to identify potential for improvement. Many of the ideas to strengthen global nuclear security involve giving the IAEA more powers.

International Atomic Energy Agency (GOV/2009/54-GC(53)/18). (2009). *Nuclear Security Plan 2010-2013*. Retrieved August 19, 2010, from <http://www-ns.iaea.org/downloads/security/nuclear-security-plan2010-2013.pdf>

The IAEA’s Nuclear Security Plan is the fundamental document underlying all of the Agency’s nuclear security activities to combat the threat of nuclear terrorism. The 2010-2013 version was approved by the Agency’s Board of Governors in 2009. There are four key elements of the IAEA’s Nuclear Security Programme: (1) needs assessment, information collation and analysis; (2) enhancing the nuclear security regime; (3) providing nuclear security services at the request of

States; and (4) taking practical measures to risk reduction. While this is undoubtedly an essential document, the IAEA's nuclear security web portal is more suited at introducing the Agency's nuclear security activities to a non-expert.

International Atomic Energy Agency (INFCIRC/225/Rev.4). (1999). *The Physical Protection of Nuclear Material and Nuclear Facilities*. Retrieved August 13, 2010, from <http://www.iaea.org/Publications/Documents/Infcircs/1999/infcirc225r4c.pdf>

INFCIRC/225/Rev.4 by the IAEA contains the most concrete recommendations of how nuclear security measures are to be implemented in national nuclear programs. Delegates are recommended to browse through INFCIRC/225/Rev.4 to get an idea of what implementing nuclear security measures means in practice. Delegates should also keep checking whether a comprehensively updated INFCIRC/225/Rev.5 has been released, as this is expected to happen in 2010.

James Martin Center for Nonproliferation Studies. (2009). *NPT Tutorial*. Retrieved August 10, 2010, from http://www.nti.org/h_learnmore/npttutorial/index.html

Just like the NTI's nuclear terrorism tutorial, the NPT tutorial is a great place to start exploring the basics of the non-proliferation regime with all its strengths and weaknesses. The tutorial covers what the treaty says, how it works, how it is being reviewed and the challenges it faces today. The material was created by the James Martin Center for Nonproliferation Studies, a leading institute in research in weapons of mass destruction proliferation.

James Martin Center for Nonproliferation Studies. (2009). *Nuclear Terrorism Tutorial*. Retrieved August 9, 2010, from http://www.nti.org/h_learnmore/nuctutorial/index.html

The James Martin Center for Nonproliferation Studies, a center of Middlebury College, created this interactive tutorial for the website of the Nuclear Threat Initiative. The following basics are covered: nuclear weapons and how terrorists might acquire them, why terrorists might want to do so and how the thread of nuclear terrorism can be countered. Given that this tutorial is created by a trustworthy source and that it effectively employs multimedia to communicate essential facts, it is a great place to start research on nuclear terrorism and its means of prevention.

Levi, M. (2007). *On Nuclear Terrorism*. Cambridge: Harvard University Press.

The basic argument of Levi's book is that nuclear terrorism can best be prevented by having multiple layers of defense in place that, taken together, minimize the threat of a nuclear attack occurring. Levi has a thorough understanding of the key concepts of nuclear weapons and he is therefore able to provide an accurate (and accessible) analysis of the technological hurdles terrorists need to overcome to achieve a successful attack. Apart from chapter 3 which is most relevant here, the remainder of this book can make a great background reading.

Luongo, K. (2010). Making the Nuclear Security Summit Matter: An Agenda for Action. *Arms Control Today*, January/February 2010. Retrieved August 2, 2010 from http://www.armscontrol.org/act/2010_01-02/Luongo

Published soon before the April 2010 Nuclear Security Summit, this is a great article on nuclear security and its importance to international security. Kenneth Luongo starts off by noting that most nuclear security procedures were drafted during the Cold War. Obama's Prague speech and a number of other sources are used as example of the heightened urgency to combat nuclear terrorism. A short overview of selected items of the nuclear security regime is given. New initiatives for nuclear security, including the UK's "fourth pillar" narratives are also briefly introduced. The second half contains some of the author's own ideas to strengthen nuclear security, such as a new fissile material framework and strengthening the IAEA.

Masse, T. (2010). Nuclear Terrorism Redux: Conventionalists, Skeptics, and the Margin of Safety. *Orbis*, Spring 2010.

The purpose of this article is to contrast the arguments of "conventionalists" who believe that the occurrence of a nuclear terrorism attack is a question of "when, not if", with the arguments of "skeptics" who believe that the threat of nuclear terrorism has been overstated. This is done in the article's main text as well as in illustrative tables that place arguments of both camps next to

each other. The article shows that the last word in this contentious debate has not yet been spoken and that everyone needs to make up their own mind about how serious the threat is to be taken. Masse's own conclusion remains balanced: while the threat clearly exists, it is hard to qualify it precisely based on open sources. One should also not discount the progress that has been made so far to prevent nuclear terrorism.

Mowatt-Larssen, R. (2010, January). *Al Qaeda Weapons of Mass Destruction Threat: Hype or Reality?* Belfer Center for Science and International Affairs. Retrieved August 16, 2010, from <http://belfercenter.ksg.harvard.edu/files/al-qaeda-wmd-threat.pdf>

Rolf Mowatt-Larssen has served more than 30 years in U.S. Central Intelligence Agency operations, including as Director of Intelligence and Counterintelligence at the U.S. Department of Energy. For this report published by Harvard University's Belfer Center, he presents a 1988-2003 open-source chronology to strongly argue that al Qaeda has been seeking to obtain a nuclear weapon for years and that the threat of nuclear terrorism is therefore very real. While this is a useful and illustrative publication on the nuclear terrorism threat, delegates are advised to also consult more critical and balanced evaluations of the threat.

Müller, H. (2010). *Between Power and Justice: Current Problems and Perspectives of the NPT Regime. Strategic Analysis, 34(2)*

Harald Müller is an established commentator of the non-proliferation regime. This article, published just before the 2010 NPT RevCon highlights the NPT's success in minimizing proliferation as well as the grave challenges that it faces. The second half of the article explores the NPT in the light of international relations theories, making reference to the political realist's perspective and the Treaty's normative powers.

Obama, B. H. (2009, April 5). *Remarks by President Barack Obama, Hradcany Square, Prague, Czech Republic.* Retrieved August 3, 2010, from http://www.whitehouse.gov/the_press_office/Remarks-By-President-Barack-Obama-In-Prague-As-Delivered

In his famous Prague speech, Barack Obama outlined his commitment for a world without nuclear weapons. His speech addressed a whole range of disarmament/non-proliferation issues, including a new Strategic Arms Reduction Treaty with Russia, the Comprehensive Test Ban Treaty and the proposed Fissile Material Cutoff Treaty. Obama was not the first to call the threat of nuclear terrorism to be the gravest one facing American and global security, but hearing it from a U.S. President makes a difference.

Potter, W. et al. (2010). *The 2010 NPT Review Conference: Deconstructing Consensus.* CNS Special Report. Retrieved August 3, 2010, from http://cns.miis.edu/stories/pdfs/100617_npt_2010_summary.pdf

In this report, a group of senior analysts from the James Martin Center for Nonproliferation Studies provide an insider's account of the negotiations that took place at the 2010 NPT RevCon and evaluation of the conference's results. After an introduction that summarizes the RevCon's result and that places them into the perspective of current issues of arms control and non-proliferation, each topic that the RevCon addressed is covered in turn. These include the three pillars of the NPT, but also the Middle East Nuclear Weapon Free Zone, withdrawal and multilateral approaches to the nuclear fuel cycle. Nuclear security is covered in one paragraph in the non-proliferation section and the emphasis is on the issue of minimizing HEU in civilian nuclear fuel cycle. The last part of the report also explains why the backward-looking review part of the Final Document was moved into the president's review.

Preparatory Committee for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.2010/PC.I/WP.37). (2007, May 7). *Nuclear Security: Working Paper Submitted by the European Union.* Retrieved August 6, 2010, from <http://www.un.org/en/conf/npt/2007/documents.html>

In this 2007 PrepCom working paper, the European Union stresses that it is the responsibility of all States to implement nuclear security measures. It calls States to ratify certain elements of the nuclear security regime. It also elaborates practical steps how recommendations by the IAEA can be implemented.

Preparatory Committee for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.2010/PC.III/WP.19). (2009, May 4). *Article III and preambular paragraphs 4 and 5, especially in their relationship to article IV and preambular paragraphs 6 and 7 (physical protection and illicit trafficking): Working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden ("the Vienna Group of Ten")*. Retrieved August 6, 2010, from <http://www.un.org/disarmament/WMD/Nuclear/NPT2010Prepcom/PrepCom2009/documents.html>

"The Vienna Group of Ten" strongly urges States to ratify the CPPNM and its amendment in this 2009 PrepCom working paper. Interestingly, nuclear security is here addressed in the context of article III of the NPT (IAEA safeguards, non-proliferation), rather than under its own heading. "The Vienna Group of Ten" also explains its stance towards other nuclear security instruments in quite some detail.

Preparatory Committee for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.2010/PC.III/WP.33). (2009, May 12). *Working paper submitted by Belgium, Lithuania, the Netherlands, Norway, Poland, Spain and Turkey for consideration at the third session of the Preparatory Committee for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons*. Retrieved August 6, 2010, from <http://www.un.org/disarmament/WMD/Nuclear/NPT2010Prepcom/PrepCom2009/documents.html>

With the support of Turkey, these European States cover nuclear security issues under its own "nuclear terrorism" heading in this working paper for the 2009 PrepCom. However the wording is slightly less urgent compared to other working papers referenced here. The three pillars of the NPT are also addressed here in more detail.

Sagan, S. D. (1996). Why do states build nuclear weapons? Three models in search of a bomb. *International Security*: 21(3).

This article is a classic in the non-proliferation literature. Sagan essentially answers the question in the article's title and demonstrates that internal political and normative factors may give a better explanation of why States acquire nuclear weapons. Yet it seems that the desire to obtain more security through a strategic deterrent always plays some role.

United Nations General Assembly (A/59/766). (2005, April 4). *Report of the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996: International Convention for the Suppression of Acts of Nuclear Terrorism*. Retrieved August 13, 2010, from http://www.iaea.org/Publications/Documents/Treaties/unga040405_csant.pdf

The Nuclear Terrorism Convention was passed under the auspices of the United Nations General Assembly. Its passage through the General Assembly and obligations to State parties to cooperate with the IAEA, contribute to establishing nuclear security and the prevention of nuclear terrorism as an international norm. State parties to the Convention are required to change their national legislation to criminalize acts of nuclear terrorism, as defined by the Convention.

United Nations Security Council (S/RES/1540). (2004, April 28). *Resolution 1540*. Retrieved August 2, 2010, from http://www.un.org/Docs/sc/unsc_resolutions04.html

In operative clauses 1 and 2 of this important resolution, the Security Council "decides" that States must not support non-state actors from acquiring nuclear, chemical or biological weapons and that they must adopt laws that prevent non-state actors from doing so. In clause 3, the Council "decides" that all States must establish domestic measures to prevent proliferation and to increase nuclear security measures. Clause 4 establishes the 1540 Committee. Having been adopted under Chapter VII of the UN Charter means that the Security Council may use force to implement the resolution's provisions if it decides to do so at a later stage. The resolution has received criticism from multiple directions as noted above.

UNODA. (2010). *Multilateral Arms Regulation and Disarmament Agreements*. Retrieved August 5, 2010, from <http://www.un.org/disarmament/HomePage/treaty/treaties.shtml>

The United Nations Office for Disarmament Affairs has been publishing the status of multilateral arms control treaties since 1987. The status of the NPT can be found by following the link of

“UNODA Treaties” and navigating to the NPT. A more accessible (though not verified) list of NPT parties can be found on Wikipedia.

UK Cabinet Office. (2009, July). *The Road to 2010: Addressing the Nuclear Question in the Twenty First Century*. Retrieved August 3, 2010, from <http://www.cabinetoffice.gov.uk/media/224864/roadto2010.pdf>

Produced by the UK Cabinet Office, this policy report addresses a range of nuclear issues and provides the UK’s stance towards those. Issues include nuclear security and countering the threat of nuclear terrorism, non-proliferation, disarmament as well as international governance and the IAEA. On multiple occasions, nuclear security is called to become the “fourth pillar” of the nuclear regime, though unfortunately, it is not explained in much detail how nuclear security could be incorporated into the NPT review cycle.

Union of Concerned Scientists. (2010, April). *Worldwide Nuclear Arsenals*. Retrieved August 5, 2010, from http://www.ucsusa.org/nuclear_weapons_and_global_security/nuclear_weapons/technical_issues/worldwide-nuclear-arsenals.html

The Union of Concerned Scientists is an NGO that was founded to protest against the militarization of scientific research. Its program on nuclear weapons and nuclear terrorism seeks ways to reduce the threats posed by nuclear weapons to the world. The up to date list of worldwide nuclear arsenals referenced here gives estimates of how many nuclear weapons the world’s nine nuclear powers (including the DPRK) maintain today.

The White House. (2010, April 13). *Communiqué of the Washington Nuclear Security Summit*. Retrieved August 2, 2010, from <http://www.whitehouse.gov/the-press-office/communiqu-washington-nuclear-security-summit>

In twelve paragraphs of the final document of the April 2010 Nuclear Security Summit, 47 State representatives (including 38 Heads of State) reaffirm that it is primarily the responsibility of individual States to maintain effective nuclear security measures within their borders, yet every State is encouraged to join nuclear security treaties, conventions and initiatives. The wording remains vague, but the Summit could not have been expected to overhaul the patchwork of the nuclear security regime, as it is often described. The biggest short-term success of the summit remains that so many world leaders sat on a table to discuss the threat of nuclear terrorism. The long-term success is yet hard to measure.

The White House. (2010, April 13). *Nuclear Security Summit Work Plan Reference Document*. Retrieved August 2, 2010, from <http://www.whitehouse.gov/the-press-office/nuclear-security-work-plan-reference-document>

The Reference Document accompanies the Work Plan of the Washington Nuclear Security Summit. The Reference Document could be a great starting point for delegate research as it lists all key facts of the major elements of the nuclear security regime. Taken together with the Council on Foreign Relations report by Boureston and Ogilvie-White, it provides an invaluable and up to date overview of the nuclear security regime.

The White House. (2010, April 13). *Work Plan of the Washington Nuclear Security Summit*. Retrieved August 2, 2010, from <http://www.whitehouse.gov/the-press-office/work-plan-washington-nuclear-security-summit>

This seven-page Work Plan accompanies the Communiqué of the Nuclear Security Summit. It contains key steps in which the participating States commit themselves to improve nuclear security measures, mostly by joining and adhering to existing conventions and resolutions. This commitment remains purely political and voluntary, rather than legally binding. Like other documents from the Summit, it is a must read to understand to what extent the international community is currently able to reach consensus on nuclear security issues.

III. Article X and deterring withdrawal from the NPT

2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. (2010). *Final Document (NPT/CONF.2010/50.Vol.I)*. Retrieved on October 15, 2010 from <http://www.reachingcriticalwill.org/legal/npt/revcon2010/DraftFinalDocument.pdf>

The Final Document contains the RevCon’s review of the implementation of the NPT. It also

contains agreed points of action to take in further implementing the treaty. The Final Document considers the issue of Article X and treaty withdrawals briefly on pages 24 and 25.

Acronym Institute for Disarmament Diplomacy. (2010). *Strengthening the NPT: Addressing the Treaty's Institutional Deficits, Including Withdrawal*. Retrieved on August 3, 2010 from <http://www.acronym.org.uk/npt/npt2010%20B2%20-%20Strengthening%20the%20NPT.pdf>

The Acronym Institute for Disarmament Diplomacy is a think-tank specializing in nuclear disarmament and non-proliferation issues. This article provides an overview of the debate at the 2010 Review Conference on a number of issues, including treaty withdrawal. The report provides a valuable introduction to the key discussions on treaty withdrawal.

Acronym Institute. (2002). *Withdrawal from ABM Treaty/Russia Withdrawal from START II, June 13/14*. Retrieved on August 3, 2010 from <http://www.acronym.org.uk/docs/0206/doc06.htm>

The Acronym think-tank reports on the American withdrawal from the ABM Treaty and Russian withdrawal from START II in 2002. The U.S. withdrawal from the ABM Treaty was the first time a State had withdrawn from a multilateral disarmament treaty since the end of the Second World War. The website includes statements from American and Russian leaders on the decisions.

Australia. (2007). *Perspectives on Issues Related to Article X of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.2010/PC.I/WP.34)*. Retrieved on October 15, 2010

http://www.un.org/NPT2010/offdocs_9_May/NPT_CONF_2010_PC_I_WP_32_E.pdf

Australia's Working Paper for the 2007 PrepCom concentrates on Article X and treaty withdrawal. It concludes: "All NPT parties have a strong shared interest in ensuring that no other NPT party takes the North Korean route of developing nuclear technology, announcing withdrawal from the Treaty and using that same technology for a nuclear weapons programme." The Paper contains a number of proposals to address treaty withdrawal and Article X.

Australia and New Zealand. (2005). *Working Paper on Article X (NPT Withdrawal) Submitted by Australia and New Zealand (NPT/CONF.2005/WP.16)*. Retrieved on October 15, 2010 from

<http://www.reachingcriticalwill.org/legal/npt/RevCon05/wp/WP16.pdf?OpenElement>

Australia and New Zealand present a joint Working Paper to the 2005 RevCon. It contains a number of proposals on the issue of Article X and withdrawal from the NPT. These include suggested wording for the Final Document.

Goldblat, J. (2009). *Should The Right to Withdraw From The NPT be Withdrawn?* International Commission on Nuclear Non-proliferation and Disarmament. Retrieved on August 17, 2010 from

http://www.icnnd.org/research/Goldblat_Withdrawal_from_NPT.pdf

Goldblat considers the status of States' legal rights to enter into and withdraw from multilateral disarmament agreements, including the NPT. He argues that "the right to withdraw should be removed from the relevant provision of the NPT." He proposes giving the task of assessing whether withdrawal is justified to a conference of State Parties.

International Atomic Energy Agency (2003). *IAEA and DPRK: Fact Sheet on DPRK Nuclear Safeguards*. Vienna.

Retrieved on August 18 from, http://www.iaea.org/NewsCenter/Focus/IaeaDprk/fact_sheet_may2003.shtml

The International Atomic Energy Agency provides a time line of the IAEA's consideration of DPRK's nuclear program. The factsheet is a useful tool for understanding the chronology of the key events leading up to the 2003 withdrawal from the NPT. The source also covers events after 2003.

Islamic Republic of Iran. (2010). *Other Provisions of the Treaty, Including Article X (NPT/CONF.2010/WP.42)*.

Retrieved on October 15, 2010 from <http://www.reachingcriticalwill.org/legal/npt/revcon2010/papers/WP42.pdf>

Iran considers Article X and withdrawal from the NPT in this Working Paper for the 2010 RevCon. It proposes an "incentive-based approach" to encourage the return of States that have withdrawn from the Treaty. Iran argues that there was no "urgency or necessity" to address the issue of treaty withdrawals, and discussion on Article X had diverted the Conference's attention away from "more important priorities and challenges."

Japan. (2007). *Working Paper Submitted by Japan (NPT/CONF.2010/PC.I/WP.2)*. Retrieved on October 15, 2010 from <http://daccess-ods.un.org/access.nsf/Get?Open&DS=NPT/CONF.2010/PC.I/WP.2&Lang=E>

Japan's Working Paper for the 2007 PrepCom considers many issues relating to nuclear disarmament and non-proliferation. On the issue of NPT withdrawal, Japan urges making it "more costly". The Working Paper presents measures to prevent a State benefiting from nuclear materials it secured while a party to the treaty.

Kirgis, F. (2003). *North Korea's Withdrawal from the Non Proliferation Treaty*. American Society of International Law. Retrieved on August 3, 2010 from <http://www.asil.org/insigh96.cfm#author>

This article was published in the same year on which North Korea withdrew from the NPT. It contains an overview of the principle events leading up to North Korea's decision to abandon the treaty. Additionally, it analyzes the reasons why the Security Council failed to take immediate action after the notification.

Meyer, P. (2008). Preventing further Defections: Early Warning Indicators and Disincentives. In *Nuclear Challenges and Policy Options for the Next U.S. Administration*. Monterey Institute of International Studies. Retrieved on August 3, 2010, from: http://cns.miis.edu/opapers/pdfs/op14_dupreez.pdf

In Nuclear Challenge and Policy Options, experts on nuclear policy give their policy recommendations to the current US administration. Meyer lists a number of policy options on strengthening the NPT, particularly on the issue of treaty withdrawal. He also considers past Working Papers from State Parties that address the issue.

Natalegawa, R.M.M.M. (2010). *Statement on Behalf of the NAM States Party to the Non-Proliferation of Nuclear Weapons Treaty*. Retrieved on October 15, 2010 from http://www.wagingpeace.org/menu/programs/nuclear-dangers/2010_npt/nam.pdf

H.E. Dr. R.M.M.M. Natalegawa, Foreign Minister of Indonesia addresses the 2010 RevCon on the behalf of the Non-Aligned Movement. Dr. Natalegawa told delegates to the RevCon: "NAM Member Countries believe that the right of 'withdrawal' of Member States from treaties or conventions should be governed by international treaty law." The speech also covered other aspects of the Movement's collective policy on nuclear disarmament and non-proliferation.

Text of North Korea's Statement on NPT Withdrawal. (2003). Retrieved on August 18, 2010 from <http://www.atomicarchive.com/Docs/Deterrence/DPRKNPTstatement.shtml>

In 2003, North Korea issued a statement on its withdrawal from the NPT. The statement identified a "grave situation where the national sovereignty and the supreme interests of the state are most seriously threatened by the US vicious hostile policy towards the DPRK." The statement claimed: "After the appearance of the Bush administration, the United States listed the DPRK as part of an 'axis of evil', adopting it as a national policy to oppose its system, and singled it out as a target of pre-emptive nuclear attack, openly declaring a nuclear war."

The European Union. (2007). *Withdrawal From the Treaty on the Non-Proliferation of Nuclear Weapons: Report Submitted by the European Union (NPT/CONF.2010/PC.I/WP.25)*. Retrieved October 15, 2010 from <http://daccess-ods.un.org/access.nsf/Get?Open&DS=NPT/CONF.2010/PC.I/WP.25&Lang=E>

The European Union countries present a joint Working Paper on Article X to the 2007 PrepCom. It includes proposals on the effect of withdrawals. The Working Paper also covers suggested procedures that should be followed in the event of a treaty withdrawal.

The European Union. (2005). *Withdrawal From the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.2005/WP.32)*. Retrieved on October 15, 2010 from <http://daccess-ods.un.org/access.nsf/Get?OpenAgent&DS=NPT/CONF.2005/WP.32&Lang=E>

A joint Working Paper for the 2005 RevCon considers the issue of treaty withdrawal. It considers a number of measures to address the issue. The paper was submitted on behalf of the European Union by Luxembourg.

Ukraine and Russia. (2007). *Working Paper Prepared by Ukraine and the Russian Federation*

Regarding Recommendations on the Procedures for, and Consequences of, Possible Exercise by a State of the Right to Withdraw from the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.2010/WP.2). Retrieved on October 15, 2010 from

http://www.un.org/ga/search/view_doc.asp?symbol=NPT/CONF.2010/WP.2&referer=http://www.un.org/en/conf/npt/2010/workingpapers.shtml&Lang=E

Russia and Ukraine drafted this Working Paper for the 2007 PrepCom. It states that “no decisions on withdrawal from the NPT should lead to the revision of article X, amendments to the text of the Treaty or compromise the generally recognized principles and standards of international law.” It outlines a set of procedures to be implemented by States wishing to withdraw from the treaty.

United States of America. (2007). *Article X of the Treaty on the Non-Proliferation of Nuclear Weapons: Deterring and Responding to Withdrawal by Treaty Violators (NPT/CONF.2010/PC.I/WP.22)*. Retrieved on October 15, 2010 from <http://daccess-ods.un.org/access.nsf/Get?Open&DS=NPT/CONF.2010/PC.I/WP.22&Lang=E>

The United States' Working Paper for the 2007 PrepCom considers responses to withdrawals from the NPT. It considers responses by the Security Council, the IAEA and nuclear suppliers. The Working Paper argues: “It is of critical importance to the nuclear non-proliferation regime that NPT States parties work together to develop and implement prompt and effective measures to deter withdrawal by Treaty violators and to respond vigorously should it occur.”

Rules of Procedure

Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

I. INTRODUCTION

1. These rules shall be the only rules that apply to the Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (hereinafter referred to as “the Review Conference”) and shall be considered adopted by the Review Conference prior to its first meeting.
2. For purposes of these rules, the Review Conference Director(s), the Assistant Director(s), the Under-Secretaries-General, and the Assistant Secretary-General are designates and agents of the Secretary-General and Directors-General and are collectively referred to as the “Secretariat.”
3. Interpretation of the rules shall be reserved exclusively to the Director-General or her or his designate.
4. Such interpretation shall be in accordance with the philosophy and principles of the National Model United Nations and in furtherance of the educational mission of that organization.
5. For the purposes of these rules, “President” shall refer to the chairperson or acting chairperson of the Review Conference.

II. AGENDA

Rule 1 - Provisional Agenda

The provisional agenda shall be drawn up by the Secretariat and communicated to the State Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (hereinafter referred to as “the Treaty”) at least sixty days before the opening of the session.

Rule 2 - Adoption of the Agenda

The agenda provided by the Secretariat shall be considered adopted as of the beginning of the session. The order of the agenda items shall be determined by a majority vote of those present and voting.

The vote described in this rule is a procedural vote and, as such, observers are permitted to cast a vote. For purposes of this rule, “those present and voting” means those delegates, including observers, in attendance at the meeting during which this motion comes to a vote.

III. SECRETARIAT

Rule 3 - Duties of the Secretary-General

The Secretary-General shall provide and direct the staff required by the Review Conference and be responsible for all the arrangements that may be necessary for its meetings. The Secretary-General or her/his designate shall act in this capacity in all meetings of the Review Conference.

Rule 4 - Duties of the Secretariat

The Secretariat shall receive, print, and circulate the documents, reports, and resolutions of the Review Conference; shall distribute any report of the Review Conference; and generally perform all other work which the Review Conference may require.

Rule 5 - Statements by the Secretariat

The Secretary-General, or her/his representative, may make oral as well as written statements to the Review Conference concerning any question under consideration.

Rule 6 - Selection of the President

The Secretary-General or her/his designate shall appoint, from applications received by the Secretariat, a President who shall hold office and, *inter alia*, chair the Review Conference for the duration of the session, unless otherwise decided by the Secretary-General.

Rule 7 - Replacement of the President

If the President is unable to perform her/his functions, a new President shall be appointed for the unexpired term at

the discretion of the Secretary-General.

IV. LANGUAGE

Rule 8 - Official and Working Language

English shall be the official and working language of the Review Conference.

Rule 9 - Interpretation (oral) or translation (written)

Any representative wishing to address any United Nations organ or submit a document in a language other than English shall provide interpretation or translation into English.

This rule does not affect the total speaking time allotted to those representatives wishing to address the body in a language other than English. As such, both the speech and the interpretation must be within the set time limit.

V. CONDUCT OF BUSINESS

Rule 10 - Quorum

The President may declare a meeting open and permit debate to proceed when representatives of at least one third of State Parties to the Treaty are present. The presence of representatives of a majority of the members to the Treaty shall be required for any decision to be taken.

For purposes of these rules, "members" refers to the number of State Parties to the Treaty (excluding observers) in attendance at the first night's session.

Rule 11 - General Powers of the President

In addition to exercising the powers conferred upon him or her elsewhere by these rules, the President shall declare the opening and closing of each meeting of the Review Conference, direct the discussions, ensure observance of these rules, accord the right to speak, put questions to the vote, and announce decisions. The President, subject to these rules, shall have complete control of the proceedings of the Review Conference and over the maintenance of order at its meetings. He or she shall rule on points of order. He or she may propose to the Review Conference the closure of the list of speakers, a limitation on the time to be allowed to speakers, and on the number of times the representative of each member may speak on an item, the adjournment or closure of the debate, and the suspension or adjournment of a meeting.

Included in these enumerated powers is the President's power to assign speaking times for all speeches incidental to motions and amendment. Further, the President is to use her/his discretion, upon the advice and at the consent of the Secretariat, to determine whether to entertain a particular motion based on the philosophy and principles of the NMUN. Such discretion should be used on a limited basis and only under circumstances where it is necessary to advance the educational mission of the NMUN conference. For purposes of this rule, the President's power to "propose to the Review Conference" entails her/his power to "entertain" motions, and not to move the body on his or her own motion.

Rule 12

The President, in the exercise of her or his functions, remains under the authority of the Review Conference.

Rule 13 - Points of Order

During the discussion of any matter, a representative may rise to a point of order, which shall be decided immediately by the President. Any appeal of the decision of the President shall be immediately put to a vote, and the ruling of the President shall stand unless overruled by a majority of the State Parties to the Treaty present and voting.

Such points of order should not under any circumstances interrupt the speech of a fellow representative. Any questions on order arising during a speech made by a representative should be raised at the conclusion of the speech, or can be addressed by the President, sua sponte, during the speech. For purposes of this rule, "the State Parties to the Treaty present and voting" mean those State Parties to the Treaty (not including observers) in attendance at the meeting during which this motion comes to vote.

Rule 14

A representative may not, in rising to a point of order, speak on the substance of the matter under discussion.

Rule 15 - Speeches

1. No one may address the Review Conference without having previously obtained the permission of the President.
2. The President shall call upon speakers in the order in which they signify their desire to speak.
3. Debate shall be confined to the question before the Review Conference, and the President may call a speaker to order if her/his remarks are not relevant to the subject under discussion.
4. The Review Conference may limit the time allowed to speakers and all representatives may speak on any question.
5. Permission to speak on a motion to set such limits shall be accorded only to two representatives favoring and two opposing such limits, after which the motion shall be put to the vote immediately. When debate is limited and a speaker exceeds the allotted time, the President shall call her or him to order without delay.

In line with the philosophy and principles of the NMUN, in furtherance of its educational mission, and for the purpose of facilitating debate, if the President determines that the Review Conference in large part does not want to deviate from the limits to the speaker's time as it is then set, and that any additional motions will not be well received by the body, the President, in her/his discretion, and on the advice and consent of the Secretariat, may rule as dilatory any additional motions to change the limits of the speaker's time.

Rule 16 - Closing of List of Speakers

Delegations may only be on the list of speakers once but may be added again after having spoken. During the course of a debate, the President may announce the list of speakers and, with the consent of the Review Conference, declare the list closed. When there are no more speakers, the President shall declare the debate closed. Such closure shall have the same effect as closure by decision of the Review Conference.

The decision to announce the list of speakers is within the discretion of the President and should not be the subject of a motion by the Review Conference. A motion to close the speakers' list is within the purview of the Review Conference and the President should not act on her/his own motion.

Rule 17 - Right of Reply

If a remark impugns the integrity of a representative's State, the President may permit that representative to exercise her/his right of reply following the conclusion of the controversial speech and shall determine an appropriate time limit for the reply. No ruling on this question shall be subject to appeal.

For purposes of this rule, a remark that "impugns the integrity of a representative's State" is one directed at the governing authority of that State and/or one that puts into question that State's sovereignty or a portion thereof. All interventions in the exercise of the right of reply shall be addressed in writing to the Secretariat and shall not be raised as a point of order or motion. The reply shall be read to the Review Conference by the representative only upon approval of the Secretariat and in no case after voting has concluded on all matters relating to the agenda topic, during the discussion of which, the right arose.

Rule 18 - Suspension of the Meeting

During the discussion of any matter, a representative may move the suspension of the meeting, specifying a time for reconvening. Such motions shall not be debated but shall be put to a vote immediately, requiring the support of a majority of the members present and voting to pass.

Rule 19 - Adjournment of the Meeting

During the discussion of any matter, a representative may move the adjournment of the meeting. Such motions shall not be debated but shall be put to the vote immediately, requiring the support of a majority of the members present and voting to pass. After adjournment, the Review Conference shall reconvene at its next regularly scheduled meeting time.

As this motion, if successful, would end the meeting until the Review Conference's next regularly scheduled session

the following year, and in accordance with the philosophy and principles of the NMUN and in furtherance of its educational mission, the President will not entertain such a motion until the end of the last meeting of the Review Conference.

Rule 20 - Adjournment of Debate

A representative may at any time move the adjournment of debate on the topic under discussion. Permission to speak on the motion shall be accorded to two representatives favoring and two opposing adjournment, after which the motion shall be put to a vote immediately, requiring the support of a majority of the members present and voting to pass. If a motion for adjournment passes, the topic is considered dismissed and no action will be taken on it.

Rule 21 - Closure of Debate

A representative may at any time move the closure of debate on the item under discussion, whether or not any other representative has signified her/his wish to speak. Permission to speak on the motion shall be accorded only to two representatives opposing the closure, after which the motion shall be put to the vote immediately. Closure of debate shall require a two-thirds majority of the members present and voting. If the Review Conference favors the closure of debate, the Review Conference shall immediately move to vote on all proposals introduced under that agenda item.

Rule 22 - Order of Motions

Subject to rule 18, the motions indicated below shall have precedence in the following order over all proposals or other motions before the meeting:

- a) To suspend the meeting;
- b) To adjourn the meeting;
- c) To adjourn the debate on the item under discussion;
- d) To close the debate on the item under discussion.

Rule 23 - Proposals and Amendments

Proposals and substantive amendments shall normally be submitted in writing to the Secretariat, with the names of twenty percent of the members of the Review Conference that would like the Review Conference to consider the proposal or amendment. The Secretariat may, at its discretion, approve the proposal or amendment for circulation among the delegations. As a general rule, no proposal shall be put to the vote at any meeting of the Review Conference unless copies of it have been circulated to all delegations. The President may, however, permit the discussion and consideration of amendments or of motions as to procedure, even though such amendments and motions have not been circulated.

For purposes of this rule, all "proposals" shall be in the form of working papers prior to their approval by the Secretariat. Working papers will not be copied, or in any other way distributed, to the Review Conference by the Secretariat. The distribution of such working papers is solely the responsibility of the sponsors of the working papers. Along these lines, and in furtherance of the philosophy and principles of the NMUN and for the purpose of advancing its educational mission, representatives should not directly refer to the substance of a working paper before the Draft Final Document has been produced. After approval of a working paper, all proposals will be collected into the Draft Final Document, which will be copied by the Secretariat for distribution to the Review Conference.

In accordance with Rule 37, all approved working papers shall be collected and edited by the President into a single Draft Final Document and will be voted on as one document. The Draft Final Document is the collective property of the Review Conference and, as such, the names of the original sponsors will be removed. Since the contents of this Final Document will amalgamate the content of multiple working papers, "friendly amendments" will not be permitted in the NPT Review Conference. This provision only applies to the NPT Review Conference and to no other committee at the NMUN conference.

The copying and distribution of amendments is at the discretion of the Secretariat, but the substance of all such amendments will be made available to all representatives in some form.

Rule 24 - Withdrawal of Motions

A proposal or a motion may be withdrawn by its sponsor at any time before voting has commenced, provided that it

has not been amended. A motion thus withdrawn may be reintroduced by any representative.

For the purposes of this rule, proposals may not be withdrawn after a working paper has been finally approved by the Secretariat and work has begun on creating the conference's Draft Final Document for printing and circulation to the Review Conference.

Rule 25 - Reconsideration of a topic

When a topic has been adjourned, it may not be reconsidered at the same session unless the Review Conference, by a two-thirds majority of those present and voting, so decides. Reconsideration can only be moved by a representative who voted on the prevailing side of the original motion to adjourn. Permission to speak on a motion to reconsider shall be accorded only to two speakers opposing the motion, after which it shall be put to the vote immediately.

For purposes of this rule, "those present and voting" means those representatives, including observers, in attendance at the meeting during which this motion is voted upon by the body.

VI. VOTING

Rule 26 - Voting rights

Each State Party to the Treaty shall have one vote.

This rule applies to substantive voting on amendments, the Draft Final Document, and portions of the Draft Final Document divided out by motion. Observer delegations are not permitted to cast votes on substantive matters.

Rule 27 - Request for a vote

A proposal or motion before the Review Conference for decision shall be voted upon if any member so requests. Where no member requests a vote, the Review Conference may adopt proposals or motions without a vote.

For purposes of this rule, "proposal" refers to the Draft Final Document, an amendment thereto, or a portion of the Draft Final Report divided out by motion. Just prior to a vote on a particular proposal or motion, the President may ask if there are any objections to passing the proposal or motion by acclamation, or a member may move to accept the proposal or motion by acclamation. If there are no objections to the proposal or motion, then it is adopted without a vote.

Rule 28 – Adoption of Decisions

1. The task of the Review Conference being to review, pursuant to paragraph 3 of article VIII of the Treaty, the operation of the Treaty with a view to ensuring that the purposes of the preamble and the provisions of the Treaty are being realized, and thus to strengthen its effectiveness, every effort should be made to reach agreement on substantive matters by means of consensus. There should be no voting on such matters until all efforts to achieve consensus have been exhausted.
2. Decisions on matters of procedure shall be taken by a majority of representatives present and voting.
3. If, notwithstanding the best efforts of delegates to achieve a consensus, a matter of substance comes up for voting, decisions shall be taken by a two-thirds majority of the representatives present and voting, provided that such majority shall include at least a majority of the States participating in the Review Conference.
4. If the question arises whether a matter is one of procedure or of substance, the President of the Review Conference shall rule on the question. An appeal against this ruling shall immediately be put to the vote and the President's ruling shall stand unless the appeal is approved by a majority of the representatives present and voting.

For the purposes of this rule, a "matter of substance" and "substantive matters" refer to the vote on adoption of the Draft Final Document, an amendment thereto, or a portion of the Draft Final Document divided out by motion. When considering substantive matters, the President shall ask the Review Conference if there are objections to passing the proposal by acclamation. If there are no objections, the matter is considered passed by consensus. Where there are objections, the matter will be decided by a two-thirds majority. These provisions apply only to the NPT Review Conference and to no other committee at the NMUN conference.

All members declaring their delegation as “present and voting” during the attendance roll call for the meeting during which a substantive voting occurs, must cast an affirmative or negative vote, and cannot abstain.

Rule 29 - Method of voting

1. The President of the Review Conference shall ask the body if dissent exists to passing the Draft Final Document by consensus. If dissent exists in the body, the Review Conference shall normally vote by a show of placards, except that a representative may request a roll call, which shall be taken in the English alphabetical order of the names of the members, beginning with the member whose name is randomly selected by the President. The name of each present member shall be called in any roll call, and one of its representatives shall reply “yes,” “no,” “abstention,” or “pass.”

Only those State Parties to the Treaty who designate themselves as “present” or “present and voting” during the attendance roll call, or in some other manner communicate their attendance to the President and/or Secretariat, are permitted to vote and, as such, no others will be called during a roll-call vote. Any representatives replying “pass,” must, on the second time through, respond with either “yes” or “no”. A “pass” cannot be followed by a second “pass” for the same proposal or amendment, nor can it be followed by an abstention on that same proposal or amendment.

2. When the Review Conference votes by mechanical means, a non-recorded vote shall replace a vote by show of placards and a recorded vote shall replace a roll-call vote. A representative may request a recorded vote.
3. In the case of a recorded vote, the Review Conference shall dispense with the procedure of calling out the names of the members.
4. The vote of each member participating in a roll call or a recorded vote shall be inserted in the record.

Rule 30 - Explanations of vote

Representatives may make brief statements consisting solely of explanation of their votes after the voting has been completed. The representatives of a member sponsoring a proposal or motion shall not speak in explanation of vote thereon, except if it has been amended, and the member has voted against the proposal or motion.

All explanations of vote must be submitted to the President in writing before debate on the topic is closed, except where the representative is of a member sponsoring the proposal, as described in the second clause, in which case the explanation of vote must be submitted to the President in writing immediately after voting on the topic ends.

Rule 31 - Conduct during voting

After the President has announced the commencement of voting, no representatives shall interrupt the voting except on a point of order in connection with the actual process of voting.

Rule 32 - Division of proposals and amendments

Immediately before a proposal or amendment comes to a vote, a representative may move that parts of a proposal or of an amendment should be voted on separately. If there are calls for multiple divisions, those shall be voted upon in an order to be set by the President where the most radical division will be voted upon first. If objection is made to the motion for division, the request for division shall be voted upon, requiring the support of a majority of those present and voting to pass. Permission to speak on the motion for division shall be given only to two speakers in favor and two speakers against. If the motion for division is carried, those parts of the proposal or of the amendment which are involved shall then be put to a vote. If all operative parts of the proposal or of the amendment have been rejected, the proposal or the amendment shall be considered to have been rejected as a whole.

For purposes of this rule, “most radical division” means the division that will remove the greatest substance from the Final Document, but not necessarily the one that will remove the most words or clauses. The determination of which division is “most radical” is subject to the discretion of the Secretariat, and any such determination is final.

Rule 33 - Amendments

An amendment is a proposal that does no more than add to, delete from, or revise part of another proposal.

Rule 34 - Order of Voting on Amendments

When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the amendment furthest removed in substance from the original proposal shall be voted on first and then the amendment next furthest removed there from, and so on until all the amendments have been put to the vote. Where, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted on.

For purposes of this rule, "furthest removed in substance" means the amendment that will have the most significant impact on the Final Document. The determination of which amendment is "furthest removed in substance" is subject to the discretion of the Secretariat, and any such determination is final.

Rule 35 - The President shall not vote

The President shall not vote but may designate another member of her/his delegation to vote in her/his place.

VII. PARTICIPATION AND ATTENDANCE

Rule 36

1. Observers
 - (a) Any other State which, in accordance with article IX of the Treaty, has the right to become a Party thereto but which has neither acceded to it nor ratified it may apply to the Secretary-General of the Conference for observer status, which will be accorded on the decision of the Conference. Such a State shall be entitled to appoint officials to attend meetings and to receive documents of the Review Conference. An observer State shall also be entitled to submit documents for the participants in the Review Conference.
 - (b) Any national liberation organization entitled by the General Assembly of the United Nations to participate as an observer in the sessions and the work of the General Assembly, all international conferences convened under the auspices of the General Assembly and all international conferences convened under the auspices of other organs of the United Nations may apply to the Secretary-General of the Conference for observer status, which will be accorded on the decision of the Conference. Such a liberation organization shall be entitled to appoint officials to attend meetings and to receive documents of the Review Conference. An observer organization shall also be entitled to submit documents to the participants in the Review Conference.
2. The United Nations and the International Atomic Energy Agency
The Secretary-General of the United Nations and the Director-General of the International Atomic Energy Agency, or their representatives, shall be entitled to attend meetings and to receive the Review Conference documents. They shall also be entitled to submit material, both orally and in writing.
3. Specialized agencies and international and regional intergovernmental organizations
The Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, the South Pacific Forum, other international and regional intergovernmental organizations, the Preparatory Commission for the Comprehensive Nuclear Test-Ban Treaty Organization and any specialized agency of the United Nations may apply to the Secretary-General of the Conference for observer agency status, which will be accorded on the decision of the Conference. An observer agency shall be entitled to appoint officials to attend meetings, and to receive the documents of the Review Conference. The Review Conference may also invite them to submit, in writing, their views and comments on questions within their competence, which may be circulated as Review Conference documents.
4. Non-governmental organizations
Representatives of non-governmental organizations who attend meetings of the plenary or of the Main Committees will be entitled upon request to receive the documents of the Review Conference.

For the purposes of this simulation, all delegations that are not State Parties to the Treaty are defined as "observers." Like other observer delegations in other committees, they are entitled to draft and sign proposals or amendments for consideration by the Conference, but may not be sponsors.

VII. PRODUCTION OF THE FINAL DOCUMENT

Rule 37 – Drafting Committee

The Review Conference shall establish a Drafting Committee to coordinate the drafting of and edit all texts referred to it by the Conference, without altering the substance of the texts, and report to the Review Conference as appropriate. It shall also, without reopening the substantive discussion on any matter, formulate drafts, and give advice on drafting as requested by the Review Conference.

The membership of the Drafting Committee shall constitute the President and other members of the Secretariat as required. No delegates will be members of the Drafting Committee. The Drafting Committee shall be responsible for formulating the Draft Final Document. This will be a single document, based on proposals approved by the President. At the discretion of the President, the Drafting Committee may edit and reformulate proposals to ensure the Draft Final Document exhibits good flow, structure, and consistency. Where significant differences or inconsistencies exist between proposals, the Drafting Committee may decide to circulate portions of the Draft Final Document as amendments for later consideration by the Review Conference.