

Non-Proliferation Treaty Review Conference (NPT)

Introduction

The States Party to the Treaty on the Non-Proliferation of Nuclear Weapons did not meet in the second half of 2014. The next meeting of the NPT Review Conference (RevCon) will take place in April 2015.¹ The outcome documents of the previous three Preparatory Committee (PrepCom) meetings suggest the main topics and issues for discussion at the upcoming RevCon, including the peaceful uses of nuclear energy, technical treaty provisions related to universality and withdrawal from the treaty, and regional nuclear issues such as nuclear security in the Middle East and the Korean Peninsula.² In addition to discussing the fulfillment of Article VI, other recommendations for topics to be discussed at the RevCon include practical steps to achieving nuclear disarmament, and more technical aspects of non-proliferation, including export controls, and safeguard mechanisms.³ As the RevCon only meets once every five years, the upcoming meeting presents an important opportunity for states to address current challenges in the nuclear non-proliferation regime, as well as to review the implementation of the 2010 Action Plan.⁴

Though the NPT States Parties have not formally met within the last six months, many other events and activities on nuclear weapons and nuclear disarmament have recently taken place. In fact, civil society and non-governmental organization (NGO) participation in current discussions related to the future NPT RevCon is being encouraged and facilitated through open registration and documentation procedures.⁵ This update will review the outcomes of the First Committee meeting held in October 2014, which demonstrated a strong focus on nuclear weapons and included the adoption of numerous resolutions on nuclear disarmament and non-proliferation.⁶ Also, the update will draw attention to the Vienna Conference on the Humanitarian Impact of Nuclear Weapons held in December 2014 as it highlighted growing international support for urgent progress on disarmament.⁷ Finally and in order to present the most recent work of diverse stakeholders and the civil society on the topic at hand, the update will refer to specific regional initiatives and conferences that underscored the importance of the nuclear non-proliferation regime, which will likely have implications for the 2015 RevCon.

Recent Activities

In setting international priorities for 2015, on 8 January UN Secretary-General Ban Ki-Moon noted that nuclear disarmament must be a priority in order to achieve lasting peace and security.⁸ The Secretary-General noted that in order for States Parties to fulfill Article VI NPT obligations, they must make meaningful progress on nuclear disarmament, and the RevCon should be a critical starting point.⁹

At the United Nations General Assembly First Committee meeting held in October 2014, nuclear security and disarmament were prominent topics for discussion.¹⁰ At a panel during the meeting, the UN High Representative for Disarmament Affairs, Angela Kane, pointed to the responsibility of all states to begin nuclear disarmament negotiations in good faith, and to remove barriers to international cooperation in this area.¹¹ In the first week of February, the permanent five members of the Security Council - all nuclear weapons states - met in London to discuss the upcoming NPT RevCon.¹² The resulting joint statement paid particular attention to implementing the

¹ UN DPI, *2015 can and must be time for global action, ' Ban declares, briefing UN Assembly on year's priorities*, 2015.

² Preparatory Committee for the 2015 Review Conference of the Parties to the NPT, *Recommendations by the Chair to the 2015 NPT Review Conference*, 2014.

³ Ibid.

⁴ RCW, *2014 NPT Preparatory Committee Briefing Book*, 2014, p. 3.

⁵ Chalmers, "The P5 process should revisit its disarmament verification roots," *European Leadership Network*, 2015.

⁶ UN DPI *General Assembly Adopts 63 Drafts on First Committee's Recommendation with Nuclear Disarmament at Core of Several Recorded Votes*, 2014.

⁷ RCW, *Filling the Gap: Report on the Third Conference on the Humanitarian Impact of Nuclear Weapons*, 2014, p. 6.

⁸ UN DPI, *'2015 can and must be time for global action, ' Ban declares, briefing UN Assembly on year's priorities*, 2015.

⁹ Ibid.

¹⁰ UN DPI, *General Assembly Adopts 63 Drafts on First Committee's Recommendation with Nuclear Disarmament at Core of Several Recorded Votes*, 2014.

¹¹ UN Office for Disarmament Affairs, *Remarks on Capacities for Disarmament*, 2014, p. 2.

¹² *Joint Statement from the Nuclear-Weapon States at the London P5 Conference*, Newsroom America, 2015.

2010 Action Plan, including the universalization of the Comprehensive Test Ban Treaty (CTBT), and the strengthening of the International Atomic Energy Agency (IAEA) safeguards.¹³

In addition to developments within the UN, other multilateral conferences on nuclear weapons have also taken place. Concluding on 24 November, Iran and the P5 + 1 (Germany) met in Vienna to discuss Iran's nuclear program.¹⁴ The Vienna talks were the latest in a long-term negotiation to assure the international community that Iran's nuclear program is not being used to create a nuclear weapon.¹⁵ Though unsuccessful, the deadline for an agreement has been extended to July 2015, after the NPT RevCon.¹⁶

On 8-9 December 2014, Austria hosted the Vienna Conference on the Humanitarian Impact of Nuclear Weapons.¹⁷ While this conference does not have an explicit relationship to the NPT, it does have implications for the nuclear weapons regime more generally.¹⁸ The conference highlighted the potential catastrophic humanitarian consequences resulting from nuclear detonation, and presented legal, humanitarian and environmental arguments supporting nuclear disarmament.¹⁹ Many states present also called for negotiations on a legally binding instrument for the elimination of nuclear weapons.²⁰ In addition to state support for urgent disarmament, civil society also participated actively in the conference, calling for swift action on nuclear disarmament.²¹ This conference, in addition to an increased focus on the humanitarian impacts of nuclear weapons, as opposed to simply their "hard security" implications, may be a central topic of discussion at the RevCon.

Regional Developments

From 20 to 22 November 2014, the Centre for Energy and Security Studies hosted the 2014 Moscow Nonproliferation conference in Moscow, Russia.²² The conference, which included governments, academics and civil society representatives, discussed nuclear disarmament and non-proliferation issues, including regional nuclear programs, IAEA safeguards, and strategies to ensure the success of the upcoming 2015 RevCon.²³ The conference gathered together 208 experts from 40 countries that examined specific thematic issues including the Iranian nuclear crisis, Syrian disarmament process, and the denuclearization of the Korean Peninsula, beyond others.²⁴

Another conference on nuclear disarmament took place in Prague on 4-5 December 2014.²⁵ The conference not only included discussions on the logic of nuclear disarmament, but also on the feasibility of attaining a nuclear-weapon free world.²⁶ At the conference, Angela Kane, High Representative for Disarmament Affairs, pointed to the need for states to reevaluate their NPT commitments, and approach the achievement of a nuclear weapon-free world as part of the larger peace and security agenda.²⁷ Kane also noted the lack of meaningful progress made at past NPT RevCons, and urged States Parties to the treaty to consider these broader goals in preparation for the meeting.²⁸

There has also been an effort to streamline and unify nuclear policy between the United States, the United Kingdom, and France by the creation of a group of high-level experts through the Centre for Strategic and International Studies (CSIS).²⁹ The most recent discussions between the group of experts has included NATO nuclear policy, nuclear

¹³ *Joint Statement from the Nuclear-Weapon States at the London P5 Conference*, Newsroom America, 2015.

¹⁴ *Vienna talks fail to reach agreement on Iran nuclear program*, Common Dreams, 2014.

¹⁵ *Iran nuclear talks extended to 2015 after failure at Vienna negotiations*, The Guardian, 2014.

¹⁶ *Ibid.*

¹⁷ Austria, *Vienna Conference on the Humanitarian Impact of Nuclear Weapons*, 2014.

¹⁸ RCW, *Filling the Gap: Report on the Third Conference on the Humanitarian Impact of Nuclear Weapons*, 2014, p.6.

¹⁹ *Ibid.*, pp.3-4.

²⁰ *Ibid.*, p. 6.

²¹ International Campaign to Abolish Nuclear Weapons, "*International Campaign to Abolish Nuclear Weapons (ICAN) on the Humanitarian Impact of Nuclear Weapons*" by Nadja Schmidt, 2014.

²² Centre for Energy and Security Studies, *The Moscow Non-Proliferation Conference 2014: Agenda*, 2014.

²³ Centre for Energy and Security Studies, *About the Conference*, 2014.

²⁴ *Ibid.*

²⁵ Center for Security Studies, *Prague Agenda 2014*, 2014.

²⁶ *Ibid.*

²⁷ United Nations Office for Disarmament Affairs, *Outlook for the 2015 NPT Review Conference and the Prague Agenda*, 2014.

²⁸ *Ibid.*

²⁹ Centre for Strategic and International Studies, *CSIS European Trilateral Dialogue*, 2015, p.3.

security on the Korean Peninsula, and the upcoming NPT RevCon. Discussions about the 2015 RevCon centered on the humanitarian initiative, and strategies to ensure global and regional security.³⁰

Recent Policy Outcomes

During the First Committee, 63 resolutions focusing on nuclear disarmament were adopted in the General Assembly's sixty-ninth session.³¹ Two of these resolutions highlighted the importance of the establishment of nuclear weapon-free zones (NWFZs) in Africa and Central Asia and their contribution to nuclear disarmament, and call on all non-States Parties to accede to the treaty to ensure broad participation, and link regional agreements to the broader international nuclear non-proliferation regime.³²

The First Committee also called upon the NPT to accelerate progress in ensuring a nuclear weapon-free world.³³ In this regard, GA resolution 69/37 of 11 December 2014 reaffirms the 2010 NPT RevCon Outcome Document as well as the 2015 PrepCom documents, which highlighted the urgent need to progress on nuclear disarmament.³⁴ The resolution also calls upon the 2015 RevCon to consider the humanitarian impacts of nuclear weapons in discussions of disarmament and on States Parties' commitments to make progress on nuclear disarmament as laid out in the 2010 RevCon Action Plan.³⁵ The resolution also proposed that the NPT RevCon discuss further steps to ensure nuclear disarmament, as provided for in Article VI of the NPT.³⁶ The General Assembly also adopted resolution 69/52 of 2 December 2014, which reaffirms the importance of NWFZs and supports the creation of such zones to combat proliferation.³⁷ The resolution also calls upon all states to continue working towards meeting their commitments in the 2010 RevCon Action Plan, and urges them to continue to work unilaterally and multilaterally to secure and safeguard nuclear and fissile material.³⁸

Conclusion

Though the NPT has not met since May 2014, other developments in the nuclear weapons regime will have implications for the key topics discussed and decisions taken at the 2015 RevCon. Nuclear disarmament has been an especially important topic in international discussions in the past months, as demonstrated during the General Assembly First Committee held in October.³⁹ Resolutions adopted by the General Assembly noted the importance for NPT States Parties to uphold Article VI treaty obligations by pursuing disarmament negotiations in good faith, noting this as a major priority for the NPT RevCon.⁴⁰ The call for progress on nuclear disarmament was also echoed at the Vienna Conference on the Humanitarian Impact of Nuclear Weapons by both states and civil society alike.⁴¹ The recent activities that have taken place over the past several months may be reflected in the NPT RevCon discussions and outcomes, and delegates should take these trends into account when addressing each topic.

³⁰ Centre for Strategic and International Studies, *CSIS European Trilateral Dialogue*, 2015, p.4.

³¹ UN DPI, *General Assembly Adopts 63 Drafts on First Committee's Recommendation with Nuclear Disarmament at Core of Several Recorded Votes*.

³² UN General Assembly, *African nuclear-weapon-free zone treaty (A/C.1/69/L.60)*, 2014; UN General Assembly, *Treaty on a nuclear-weapon-free zone in Central Asia (A/C.1/69/L.11)*, 2014.

³³ UN General Assembly, *Towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments (A/RES/69/37)*, 2014, p.6.

³⁴ *Ibid.*

³⁵ *Ibid.*, p. 6.

³⁶ *Ibid.*

³⁷ UN General Assembly, *United action towards the total elimination of nuclear weapons (A/RES/69/52)*, 2014, p. 5.

³⁸ *Ibid.*

³⁹ United Nations Office for Disarmament Affairs, *Remarks on Capacities for Disarmament*, 2014.

⁴⁰ UN DPI, *General Assembly Adopts 63 Drafts on First Committee's Recommendation with Nuclear Disarmament at Core of Several Recorded Votes*, 2014.

⁴¹ RCW, *Filling the Gap: Report on the Third Conference on the Humanitarian Impact of Nuclear Weapons*, 2014, p. 6.



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Outcome Document

Whether a committee writes a report or a resolution depends on each committee's mandate. As opposed to deliberative or policymaking organs, some bodies within the UN are tasked specifically with examining specific situations and reporting on them to a parent organ, as well as developing specific suggestions on policies to be adapted. This is the case for the NPT. **The NPT is a report writing committee, which means the final outcome document of the committee will be one report comprised of multiple report segments.**

Reports are similar in nature to resolutions, with only a few key differences. Reports represent the formal conclusions and recommendations of the committee on the agenda topics at hand, in the same manner as resolutions, but in the form of one document. Committees that write resolutions typically produce a number of draft resolutions for each topic, and each one is subject to a substantive vote by the body. In a similar manner, committees that write reports produce several draft report segments and then vote on each one. The final report of these committees, however, will combine the adopted draft reports into one comprehensive report at the end of the simulation.

Another key difference is the format of reports. While resolutions consist of one long sentence, reports are a series of complete sentences. Thus, where the clauses of a resolution each contain one whole concept, a report is composed of paragraphs, each constituted by a sentence or a few sentences that contain one whole concept. For further details regarding report writing please see **NMUN Delegate Preparation Guide**, p. 36.

Majority Required

In the NPT draft report segments will ideally be adopted by **consensus**. If consensus is not achieved by the time the body enters to voting procedure, delegates will have the opportunity to achieve consensus during the voting process, through a short, 10-minute deliberation period. However, in the case that consensus is not achievable after a short deliberation period, the body may adopt the draft report segment with a two-thirds majority vote. The full text of the rule as articulated in **Rule 33** in the long form rules of procedure is as follows:

1. [...]
2. For the purpose of tabulation, the phrase "members present and voting" means members casting an affirmative or negative vote. Members which abstain from voting are considered as not voting.

All delegates declaring that they are "present and voting" during the attendance roll call for the meeting during which the substantive voting occurs, must cast an affirmative or negative vote, and cannot abstain on substantive votes.

3. [...] If consensus is not attainable when an issue comes up for decision, the President shall make every effort to facilitate achievement of consensus. If the President determines that consensus is not possible, the Committee shall take the decision by a two-thirds majority of the members present and voting.

Voting Procedure

Voting procedure will thus, proceed as follows:

1. Body will begin consideration of a draft report segment.
2. If there is opposition to adopting this draft report segment by acclamation, then the Chair will call for a short (less than 10-minutes) deliberation period. During this period, delegates are expected to achieve consensus by discussing with each other any outstanding concerns.
3. Upon returning from the deliberation period, the Chair will ask once more if there is opposition from the body to adopting the draft report segment by acclamation.
4. If there is opposition, then a two-thirds majority will be required for adoption.

Annotated Bibliography

United Nations, Department of Public Information. (2014, December 2). *General Assembly Adopts 63 Drafts on First Committee's Recommendation with Nuclear Disarmament at Core of Several Recorded Votes*. Retrieved 7 January 2015 from: <http://www.un.org/press/en/2014/ga11593.doc.htm>

This press story summarizes the key resolutions passed by the UN General Assembly on recommendations from the First Committee. The story highlights the focus on nuclear disarmament, and summarizes the key assertions of the resolutions. Delegates may find this especially helpful when looking for the more recent resolutions on nuclear disarmament to support their additional research.

Reaching Critical Will. (2014). *Filling the Gap: Report on the Third Conference on the Humanitarian Impact of Nuclear Weapons*. New York: Reaching Critical Will. Retrieved 8 January 2015 from:

<http://www.reachingcriticalwill.org/images/documents/Disarmament-fora/vienna-2014/filling-the-gap.pdf>

This report from Reaching Critical Will details the major discussions and outcomes from the Third Conference on the Humanitarian Impact of Nuclear Weapons. The report includes summaries of the major panels and discussions of the conference. The report also provides a broader overview on state and civil society perspectives on nuclear disarmament, and the ways various actors consider how nuclear disarmament should progress.

United Nations, General Assembly, Sixty-ninth session. (2014). *Towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments (A/RES/69/37)* [Resolution]. Adopted on the report of the First Committee (A/69/440). Retrieved 8 January 2015 from:

http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/69/37

This resolution adopted by the UN General Assembly includes recommendations from the General Assembly on the best way to accelerate nuclear disarmament. It also recalls some key commitments from the 2010 RevCon, and then provides concrete recommendations for the 2015 RevCon. This resolution may also be helpful in supporting delegates' understanding of the way the UN and the NPT work together and support each other's work in the field of nuclear disarmament.

United Nations, General Assembly, Sixty-ninth session. (2014). *United action towards the total elimination of nuclear weapons (A/RES/69/52)* [Resolution]. Retrieved 7 January 2014 from:

http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/69/52

This resolution presents a comprehensive overview of topics that the General Assembly proposes for discussion at the NPT RevCon. The resolution addresses the need for total nuclear weapon disarmament and universalization of safeguard agreements, the benefits of NWFZs, and gaps in nuclear security. Though there are many aspects of nuclear disarmament not mentioned in this document, this may be seen as a condensed list of priorities according to the UN General Assembly.

United Nations Office for Disarmament Affairs. (2014). *Remarks on Capacities for Disarmament*. Retrieved 7 January 2015 from: https://s3.amazonaws.com/unoda-web/wp-content/uploads/2014/10/HR_remarks_hi-level_panel_ms.pdf

This document by the United Nations Office for Disarmament Affairs (UNODA) discusses some of the central barriers to nuclear disarmament, and diverse mechanisms to overcome them. The document discusses the various roles of domestic discourse and international institutions, and how they must work together in order to create meaningful progress on nuclear disarmament. It also raises the importance of the humanitarian initiative in current discourse on nuclear disarmament.

Bibliography

United Nations, Department of Public Information. (2015, January 8). *'2015 can and must be time for global action,' Ban declares, briefing UN Assembly on year's priorities*. Retrieved 7 January 2015 from:

http://www.un.org/apps/news/story.asp?NewsID=49752#.VK9dBWTF_uc

- Centre for Strategic and International Studies. (2015). *CSIS European Trilateral Dialogue*. Retrieved 7 February 2015 from: http://csis.org/files/publication/150114_Consensus_Statement.pdf
- Centre for Energy and Security Studies. (2014). *About the Conference* [Website]. Retrieved 31 January 2015 from: <http://ceness-russia.org/eng/conf2014/about/>
- Centre for Energy and Security Studies. (2014). *The Moscow Non-Proliferation Conference 2014: Agenda*. Retrieved 31 January 2015 from: <http://ceness-russia.org/conf2014/Agenda%20of%20the%202014%20MNC%20ENG.pdf>
- Chalmers, H. (2015, February 4). "The P5 process should revisit its disarmament verification roots." *European Leadership Network*. Retrieved 7 February 2015 from: http://www.europeanleadershipnetwork.org/the-p5-process-should-revisit-its-disarmament-verification-roots_2395.html
- Austria, Federal Ministry. (2014). *Vienna Conference on the Humanitarian Impact of Nuclear Weapons* [Website]. Retrieved 30 January 2015 from: <http://www.bmeia.gv.at/en/european-foreign-policy/disarmament/weapons-of-mass-destruction/nuclear-weapons-and-nuclear-terrorism/vienna-conference-on-the-humanitarian-impact-of-nuclear-weapons/>
- United Nations, Department of Public Information. 2014, December 2). *General Assembly Adopts 63 Drafts on First Committee's Recommendation with Nuclear Disarmament at Core of Several Recorded Votes*. Retrieved 7 January 2015 from: <http://www.un.org/press/en/2014/ga11593.doc.htm>
- International Campaign to Abolish Nuclear Weapons. (2014, December 9). "International Campaign to Abolish Nuclear Weapons (ICAN) on the Humanitarian Impact of Nuclear Weapons" by Nadja Schmidt. Retrieved 8 January 2015 from: http://www.bmeia.gv.at/fileadmin/user_upload/Zentrale/Aussenpolitik/Abruestung/HINW14/Statements/HINW14_Statement_ICAN.pdf
- Iran nuclear talks extended to 2015 after failure at Vienna negotiations*. (2014, November 24). The Guardian. Retrieved 31 January 2015 from: <http://www.theguardian.com/world/2014/nov/24/iran-nuclear-talks-likely-extended-vienna>
- Joint Statement from the Nuclear-Weapon States at the London P5 Conference*. (2015, February 7). Newsroom America. Retrieved 7 February 2015 from: <http://www.newsroomamerica.com/story/474055.html>
- Preparatory Committee for the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. (2014). *Recommendations by the Chair to the 2015 NPT Review Conference*. Retrieved 7 January 2014 from: http://www.un.org/ga/search/view_doc.asp?symbol=NPT/CONF.2015/PC.III/WP.46
- Reaching Critical Will. (2014). *2014 NPT Preparatory Committee Briefing Book*. New York: Reaching Critical Will. Retrieved 30 January 2015 from: http://www.reachingcriticalwill.org/images/documents/Disarmament-fora/npt/prepcom14/RCW_Briefing%20Book_NPT.pdf
- Reaching Critical Will. (2014). *Filling the Gap: Report on the Third Conference on the Humanitarian Impact of Nuclear Weapons*. New York: Reaching Critical Will. Retrieved 8 January 2015 from: <http://www.reachingcriticalwill.org/images/documents/Disarmament-fora/vienna-2014/filling-the-gap.pdf>
- United Nations, General Assembly, Sixty-ninth session. (2014). *African nuclear-weapon-free zone treaty (A/C.1/69/L.60)* [Resolution]. Retrieved 7 January 2015 from: http://www.un.org/ga/search/view_doc.asp?symbol=A/C.1/69/L.60
- United Nations, General Assembly, Sixty-ninth session. (2014). *Towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments (A/RES/69/37)* [Resolution]. Adopted on the report of the First Committee (A/69/440). Retrieved 8 January 2015 from: http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/69/37

United Nations, General Assembly, Sixty-ninth session. (2014). *Treaty on a nuclear-weapon-free zone in Central Asia (A/C.1/69/L.11)* [Resolution]. Retrieved 7 January 2015 from: http://www.un.org/ga/search/view_doc.asp?symbol=A/C.1/69/L.11

United Nations, General Assembly, Sixty-ninth session. (2014). *United action towards the total elimination of nuclear weapons (A/RES/69/52)* [Resolution]. Retrieved 7 January 2014 from: http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/69/52

United Nations Office for Disarmament Affairs. (2014). *Outlook for the 2015 NPT Review Conference and the Prague Agenda*. Retrieved 31 January 2015 from: <https://unoda-web.s3.amazonaws.com/wp-content/uploads/2014/12/HR-remarks-prague.pdf>

United Nations Office for Disarmament Affairs. (2014). *Remarks on Capacities for Disarmament*. Retrieved 7 January 2015 from: https://s3.amazonaws.com/unoda-web/wp-content/uploads/2014/10/HR_remarks_hi-level_panel_ms.pdf

Vienna Talks Fail to Reach Agreement on Iran Nuclear Program. (2014, November 24). Common Dreams. Retrieved 30 January 2015 from: <http://www.commondreams.org/news/2014/11/24/vienna-talks-fail-reach-agreement-iran-nuclear-program>

I. Advancing Technical Cooperation in the Peaceful Use of Nuclear Energy

Introduction

Article IV of the *Treaty on the Non-Proliferation of Nuclear Weapons* (NPT) protects the right of all States Parties to pursue nuclear energy.⁴² According to UN-Energy, approximately 28% of people in developing countries do not have access to electricity, with about three billion people worldwide relying on solid fuel for cooking.⁴³ As Member States at the United Nations (UN) continue to discuss the post-2015 development agenda and the Sustainable Development Goals (SDGs), there has been considerable focus on renewable energy and developing countries' access to relevant technology as a key to sustainable development.⁴⁴ However, the possibility of diversion of peaceful nuclear technology into an illicit weapons program, combined with the risk of a nuclear accident, necessitates both technical assistance and caution from States Parties as they consider advancing cooperation with regard to nuclear energy.⁴⁵

Although there have been no recent meetings of the Preparatory Committee of the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), many other relevant international meetings have occurred in the last few months. The 69th session of the UN General Assembly (GA), held in fall 2014, adopted 21 resolutions concerning nuclear issues.⁴⁶ However, these resolutions focused on nuclear disarmament and other issues related to nuclear weapons, such as the *Comprehensive Nuclear Test-Ban Treaty* (1996), rather than nuclear energy.⁴⁷ The GA also adopted a text on the promotion of renewable energy sources without a vote, indicating strong consensus.⁴⁸ However, nuclear energy was not specifically referenced in the document as a renewable energy source.⁴⁹ Finally, the GA adopted a resolution regarding its report from the International Atomic Energy Agency (IAEA), the organization charged with monitoring NPT compliance.⁵⁰ The resolution reaffirmed the GA's support for the IAEA's work in assisting developing countries with nuclear technology.⁵¹

The 2014 Climate Summit was held in New York from 23-30 September 2014.⁵² The Summit was attended by UN Secretary-General Ban Ki-Moon, as well as many world leaders who made statements in support of alternative energy and scientific cooperation.⁵³ At the summit, world leaders committed to finalizing a new agreement under the *UN Framework Convention on Climate Change* (UNFCCC) at the 2015 meeting.⁵⁴ Participants also recognized the importance of reducing carbon emissions and shifting energy production towards more sustainable methods, including nuclear energy.⁵⁵

Additionally, the twentieth Conference of the Parties (COP) to the UNFCCC, known as COP-20, was held from 1-12 December 2014 in Lima, Peru.⁵⁶ The participating states continued to discuss the possibility of a new agreement on climate change to be adopted in 2015, as well as discussing the current state of carbon emissions, with several industrialized countries agreeing to undergo a new emissions evaluation process called Multilateral Assessment.⁵⁷ Many inter-governmental organizations, including the IAEA, and civil society organizations, participated in the

⁴² *Treaty on the Non-Proliferation of Nuclear Weapons*, 1968, art. 4.

⁴³ UN-Energy, *Energy Access*.

⁴⁴ UN General Assembly, *Thematic Debate of the General Assembly "Water, Sanitation and Sustainable Energy In the Post-2015 Development Agenda"*, 2014.

⁴⁵ Union of Concerned Scientists, *Nuclear Power 101*.

⁴⁶ UN DPI, *General Assembly Adopts 63 Drafts on First Committee's Recommendation with Nuclear Disarmament at Core of Several Recorded Votes*, 2014.

⁴⁷ UN General Assembly, *Resolutions: 69th Session*, 2014.

⁴⁸ UN DPI, *Acting upon Recommendation by Second Committee, General Assembly Adopts 43 Texts, Defers Action on Sovereign Debt Restructuring Framework Draft*, 2014.

⁴⁹ UN General Assembly, *Sustainable Development: Promotion of New and Renewable Sources of Energy (A/Res/69/468/Add.9)*, 2014.

⁵⁰ IAEA, *The "Atoms for Peace" Agency*, 2014.

⁵¹ UN General Assembly, *Report of the International Atomic Energy Agency (A/Res/69/7)*, 2014.

⁵² UN, *UN Climate Summit 2014*, 2014.

⁵³ UN Executive Office of the Secretary General, *UN Climate Summit 2014*, 2014.

⁵⁴ UN, *UN Climate Summit 2014*, 2014.

⁵⁵ UN, *2014 Climate Change Summary – Chair's Summary*, 2014.

⁵⁶ UNFCCC, *Lima Call for Climate Action Puts World on Track to Paris 2015*, 2014.

⁵⁷ *Ibid.*

conference to promote the use of nuclear energy as a method of combating climate change.⁵⁸ However, other civil society organizations, including the Union of Concerned Scientists and Reaching Critical Will, advocated for caution, noting the potential safety and security risks presented by increased use of nuclear energy.⁵⁹

Additionally, the IAEA continued its work on nuclear energy. The 58th General Conference took place in September, with a strong focus on managing nuclear waste.⁶⁰ A two-day scientific forum was held on this topic during the conference, with the meeting emphasizing that a cradle-to-grave approach is necessary for safe usage of nuclear technology.⁶¹ IAEA Director-General Yukiya Amano addressed the UN General Assembly and called for science and technology to be part of the post-2015 development agenda, drawing attention to the work of the IAEA technical cooperation program's provision of assistance to countries wishing to gain access to nuclear technology.⁶² In October, the IAEA released its report, *Climate Change and Nuclear Power*, contributing to the ongoing discussion regarding the role of nuclear technology in mitigating climate change.⁶³

The NPT remains the key document underpinning this issue, with all States Parties legally bound to respect the right of other states to pursue peaceful nuclear technology.⁶⁴ The IAEA, with its considerable technical expertise, remains an important organization that provides assistance and monitors safety.⁶⁵ As international negotiations regarding climate change continue, frameworks like the UNFCCC remain relevant as states consider methods to reduce carbon emissions, which could include the provision of technical assistance to states developing nuclear energy programs.⁶⁶ However, other civil society organizations have a voice in these conversations, including the Union of Concerned Scientists, who caution against over-reliance on nuclear energy due to concerns about safety and security.⁶⁷ All these stakeholders will likely be in attendance at the 2015 Review Conference of the NPT.

Recent Developments

Nuclear Waste Management

An inescapable aspect of nuclear energy, and one which lends itself to technical cooperation between states is the management of nuclear waste. Waste produced by nuclear energy production is typically classified as high-level and is thermally hot in addition to highly radioactive, necessitating special handling and storage.⁶⁸ Although radioactive isotopes eventually decay and are no longer hazardous, it can take thousands of years for certain isotopes to become harmless.⁶⁹ The effectively permanent risk posed by nuclear waste requires countries using or developing nuclear energy reactors to consider nuclear waste management proactively, and for states with developed nuclear programs to provide assistance to states pursuing nuclear energy.⁷⁰

The IAEA has played a key role in waste management and nuclear systems planning, providing technical assistance to states and collating expert knowledge.⁷¹ As part of its 58th General Conference, the agency hosted a scientific forum called "Radioactive Waste: Meeting the Challenge - Science and Technology for Safe and Sustainable Solutions."⁷² A focus of discussion at the forum was the *Joint Convention on the Safety of Spent Fuel*, which establishes safety requirements and measures for emergency preparedness.⁷³ Presenters noted that the efficacy of the convention rests with the level of implementation by the States Parties.⁷⁴ Several technical experts from the IAEA and Member States presented on waste management during and after the nuclear cycle, as well as the role of

⁵⁸ IAEA Office of Public Information and Communication, *Climate Change Forum Discusses Nuclear Power*, 2014.

⁵⁹ Reaching Critical Will, *Nuclear Energy*, 2015.

⁶⁰ IAEA, *Looking Back to 2014: Highlights of IAEA Achievements and Activities*, 2014.

⁶¹ IAEA Department of Nuclear Energy, *IAEA Scientific Forum Highlights Responsibility for Radioactive Waste*, 2014.

⁶² IAEA, *Science and Technology as a Central Part of the Post-2015 Development Agenda*, 2014.

⁶³ IAEA, *Climate Change and Nuclear Power 2014*, 2014.

⁶⁴ *Treaty on the Non-Proliferation of Nuclear Weapons*, 1968, art. 4.

⁶⁵ IAEA, *The "Atoms for Peace" Agency*, 2014.

⁶⁶ UNFCCC, *Lima Call for Climate Action Puts World on Track to Paris 2015*, 2014.

⁶⁷ Union of Concerned Scientists, *Nuclear Power 101*.

⁶⁸ United States, *Backgrounder on Radioactive Waste*, 2014.

⁶⁹ *Ibid.*

⁷⁰ *Ibid.*

⁷¹ IAEA Department of Nuclear Energy, *IAEA Assistance in Energy and Nuclear Power Planning*.

⁷² IAEA Department of Nuclear Energy, *IAEA Scientific Forum Highlights Responsibility for Radioactive Waste*, 2014.

⁷³ *Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management*, 1997.

⁷⁴ IAEA Department of Nuclear Energy, *IAEA Scientific Forum Highlights Responsibility for Radioactive Waste*, 2014.

emerging technologies.⁷⁵ This forum discussed many issues and possible solutions, including licensing schemes for spent fuel depositories and the potential for underground disposal, which will likely be part of negotiations at the 2015 Review Conference.

Nuclear Safety and Security

An important consideration in the development of nuclear energy programs is nuclear safety, which encompasses the possibility of nuclear weapons development, as well as the possibility of an accident.⁷⁶ The 2011 incident at Fukushima demonstrates the possible risk to the environment and human life due to nuclear accidents.⁷⁷ Nuclear energy plants are also at risk for sabotage and may allow states to pursue nuclear weapons programs illicitly.⁷⁸ This means that the promotion of nuclear energy and technical cooperation between states, must proceed cautiously.⁷⁹

The Safeguards Symposium, hosted every four years by the IAEA, the European Safeguards Research and Development Association, and the Institute of Nuclear Materials Management, was held from 20-24 October 2014 in Vienna.⁸⁰ The Symposium was attended by representatives from IAEA Member States as well as technical experts, and discussed emerging issues in nuclear verification.⁸¹ Participants engaged in important dialogue regarding evolving safeguards, the role of the IAEA, regional groups, and individual Member States in nuclear safety, and the importance of cooperation in promoting safeguards.⁸² The Symposium is an example of cooperation between civil society, international organizations, and Member States to pursue nuclear safety, and can serve as a model for discussions about issues like safeguards verification, training and education, and the role of emerging technologies at the 2015 Review Conference.

Conclusion

As more states pursue nuclear energy programs to meet their electricity needs, there will be a greater need for technical cooperation and assistance. This was made particularly evident at the fall 2014 meetings discussing climate change, the post-2015 development agenda, and the SDGs, all of which considered the importance of reducing carbon emissions and shifting energy production to more sustainable methods through global cooperation. An important facet of this cooperation is the need to manage waste properly, as well as to ensure nuclear safety and security. While international organizations like the IAEA and the UN are fora for discussion of these issues, the 2015 NPT Review Conference is a unique opportunity for States Parties to the NPT to advance technical cooperation in the peaceful use of nuclear energy.

⁷⁵ IAEA, *Scientific Forum: Radioactive Waste: Meeting the Challenge — Science and Technology for Safe and Sustainable Solutions*, 2014.

⁷⁶ Union of Concerned Scientists, *Nuclear Power 101*.

⁷⁷ World Nuclear Association, *Fukushima Accident*, 2014.

⁷⁸ Union of Concerned Scientists, *Nuclear Power 101*.

⁷⁹ *Ibid.*

⁸⁰ IAEA Media Centre, *IAEA to Host International Symposium on Safeguards*, 2014.

⁸¹ Symposium on International Safeguards, *Book of Abstracts, Presentations, and Papers*, 2014.

⁸² *Ibid.*

Annotated Bibliography

International Atomic Energy Agency. (2014, November 6). *Science and Technology as a Central Part of the Post-2015 Development Agenda* [Website]. Retrieved 3 January 2015 from:

<http://www.iaea.org/newscenter/news/science-and-technology-central-part-post-2015-development-agenda>

Fall 2014 saw a large amount of discourse about the post-2015 development agenda, as states continue negotiations regarding the SDGs. IAEA Director-General, Yukiya Amano, spoke to the General Assembly to advocate for the role of science and technology in development.

Understanding the current context of development and sustainable energy production is the key to discussions regarding technical cooperation in nuclear energy.

International Atomic Energy Agency, Department of Nuclear Energy. (n.d.) *IAEA Assistance in Energy and Nuclear Power Planning* [Presentation]. Retrieved 3 January 2015 from:

https://seors.unfccc.int/seors/attachments/get_attachment?code=LF1KNDN6RL7NPCA7RURCSWOCTQP1MYZO

As the international body charged with monitoring NPT compliance, the IAEA has amassed significant knowledge regarding best practices and safeguards for nuclear energy systems. This presentation details the role the IAEA can play in assisting states that are developing nuclear energy programs. It also identifies challenges states may encounter during development. The presentation is an example of the role international bodies can play in this topic.

International Atomic Energy Agency, Office of Public Information and Communication. (2014, December 15). *Climate Change Forum Discusses Nuclear Power* [Press Release]. Retrieved 3 January 2015 from:

<http://www.iaea.org/newscenter/news/climate-change-forum-discusses-nuclear-power>

Climate change continues to be a major topic of discussion in the international community, with the 20th meeting of the parties to the UN Framework Convention on Climate Change occurring in Lima. Representatives from the IAEA and other international bodies and civil society organizations were on hand to discuss the role of nuclear energy in combating climate change.

These same organizations will likely attend the 2015 NPT Review Conference, and their statements at COP-20 may preview the role they will take during negotiations.

Symposium on International Safeguards. (2014). *Book of Abstracts, Presentations, and Papers*. Retrieved 3 January 2015 from: http://www.iaea.org/safeguards/symposium/2014/home/e proceedings/sg2014_e proceedings_online.pdf

Held every four years, the Symposium on International Safeguards is an opportunity for nuclear experts to discuss key safeguards issues, as well as for states pursuing civilian nuclear programs to benefit from existing knowledge. This book, compiled by the IAEA, summarizes the body of work of the Symposium. It is a useful resource for understanding the most current research and opinions regarding nuclear safety and security, which are an important aspect of technical cooperation.

United Nations, General Assembly, Sixty-ninth session. (2014, December 9). *Sustainable Development: Promotion of New and Renewable Sources of Energy (A/Res/69/468/Add.9)* [Report]. Retrieved 3 January 2015 from:

http://www.un.org/en/ga/search/view_doc.asp?symbol=A/69/468/Add.9

The 69th session of the General Assembly held long discussions, and adopted many resolutions and reports, related to nuclear issues and sustainable energy. This report, adopted on the recommendation of the Second Committee, addresses the growing need for diversification of energy production and the importance of sustainable energy to mitigate climate change. As all States Parties to the NPT are Member States of the UN, this document reflects the consensus of all states that will participate in the 2015 Review Conference, and may inform discussions in the spring.

Bibliography

International Atomic Energy Agency. (2014, October). *Climate Change and Nuclear Power 2014* [Report].

Retrieved 3 January 2015 from: <http://www-pub.iaea.org/MTCD/Publications/PDF/ccanp2014web-14869824.pdf>

- International Atomic Energy Agency. (2014, December 31). *Looking Back to 2014: Highlights of IAEA Achievements and Activities* [Website]. Retrieved 3 January 2015 from: <http://www.iaea.org/newscenter/news/looking-back-2014-highlights-iaea-achievements-and-activities>
- International Atomic Energy Agency. (2014, November 6). *Science and Technology as a Central Part of the Post-2015 Development Agenda* [Website]. Retrieved 3 January 2015 from: <http://www.iaea.org/newscenter/news/science-and-technology-central-part-post-2015-development-agenda>
- International Atomic Energy Agency. (2014, September). *Scientific Forum: Radioactive Waste: Meeting the Challenge — Science and Technology for Safe and Sustainable Solutions* [Website]. Retrieved 3 January 2015 from: <http://www-pub.iaea.org/iaea-meetings/46089/Scientific-Forum-Radioactive-Waste-Meeting-the-Challenge-Science-and-Technology-for-Safe-and-Sustainable-Solutions>
- International Atomic Energy Agency. (2014, November 25). *The “Atoms for Peace” Agency* [Website]. Retrieved 3 January 2015 from: <http://www.iaea.org/about/about-iaea>
- International Atomic Energy Agency, Department of Nuclear Energy. (n.d.) *IAEA Assistance in Energy and Nuclear Power Planning* [Presentation]. Retrieved 3 January 2015 from: https://seors.unfccc.int/seors/attachments/get_attachment?code=LF1KNDN6RL7NPCA7RURCSWOCTQP1MYZO
- International Atomic Energy Agency, Department of Nuclear Energy. (2014, September 24). *IAEA Scientific Forum Highlights Responsibility for Radioactive Waste* [Website]. Retrieved 3 January 2015 from: <http://www.iaea.org/newscenter/news/iaea-scientific-forum-highlights-responsibility-radioactive-waste>
- International Atomic Energy Agency, Media Centre. (2014). *IAEA to Host International Symposium on Safeguards* [Press Release]. Retrieved 3 January 2015 from: <http://www.iaea.org/safeguards/symposium/2014/media-centre/index.html>
- International Atomic Energy Agency, Office of Public Information and Communication. (2014, December 15). *Climate Change Forum Discusses Nuclear Power* [Press Release]. Retrieved 3 January 2015 from: <http://www.iaea.org/newscenter/news/climate-change-forum-discusses-nuclear-power>
- Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management*. (1997, December 24). Retrieved 3 January 2015 from: <http://www.iaea.org/sites/default/files/publications/documents/infcircs/1997/infcirc0546.pdf>
- Reaching Critical Will. (2015). *Nuclear Energy* [Website]. Retrieved 2 February 2015 from: <http://www.reachingcriticalwill.org/resources/fact-sheets/critical-issues/5445-nuclear-energy>
- Symposium on International Safeguards. (2014). *Book of Abstracts, Presentations, and Papers*. Retrieved 3 January 2015 from: http://www.iaea.org/safeguards/symposium/2014/home/e proceedings/sg2014_e proceedings_online.pdf
- Treaty on the Non-Proliferation of Nuclear Weapons*. (1968). Retrieved 3 January 2015 from: <http://www.un.org/disarmament/WMD/Nuclear/NPT.shtml>
- UN-Energy. (n.d.) *Energy Access* [Website]. Retrieved 3 January 2015 from: http://www.un-energy.org/cluster/energy_access
- Union of Concerned Scientists. (n.d.) *Nuclear Power 101* [Website]. Retrieved 3 January 2015 from: <http://www.ucsusa.org/our-work/nuclear-power/nuclear-power-101#.VKiw7yvF-So>
- United Nations. (2014, September). *2014 Climate Change Summary – Chair’s Summary*. Retrieved 3 January 2015 from: <http://www.un.org/climatechange/summit/2014/09/2014-climate-change-summary-chairs-summary/>

United Nations, Department of Public Information. (2014, December 19). *Acting upon Recommendation by Second Committee, General Assembly Adopts 43 Texts, Defers Action on Sovereign Debt Restructuring Framework Draft* [Press Release]. Retrieved 3 January 2015 from: <http://www.un.org/press/en/2014/ga11605.doc.htm>

United Nations, Department of Public Information. (2014, December 2). *General Assembly Adopts 63 Drafts on First Committee's Recommendation with Nuclear Disarmament at Core of Several Recorded Votes* [Press Release]. Retrieved 3 January 2015 from: <http://www.un.org/press/en/2014/ga11593.doc.htm>

United Nations. (2014, September). *UN Climate Summit 2014* [Website]. Retrieved 3 January 2015 from: <http://www.un.org/climatechange/summit/>

United Nations, Executive Office of the Secretary-General. (2014, September). *UN Climate Summit 2014* [Website]. Retrieved 3 January 2015 from: <http://www.un.org/climatechange/summit/>

United Nations, Framework Convention on Climate Change. (2014, December 14). *Lima Call for Climate Action Puts World on Track to Paris 2015* [Press Release]. Retrieved 3 January 2015 from: <http://newsroom.unfccc.int/lima/lima-call-for-climate-action-puts-world-on-track-to-paris-2015/>

United Nations, General Assembly, Sixty-eighth session. (2014, February 18). *Thematic Debate of the General Assembly "Water, Sanitation and Sustainable Energy In the Post-2015 Development Agenda"* [Website]. Retrieved 3 January 2015 from: <http://www.un.org/en/ga/president/68/settingthestage/1wsse.shtml>

United Nations, General Assembly, Sixty-ninth session. (2014, November 3). *Report of the International Atomic Energy Agency (A/Res/69/7)* [Resolution]. Retrieved 3 January 2015 from: http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/69/7

United Nations, General Assembly, Sixty-ninth session. (2014). *Resolutions: 69th Session* [Website]. Retrieved 3 January 2015 from: <http://www.un.org/en/ga/69/resolutions.shtml>

United Nations, General Assembly, Sixty-ninth session. (2014, December 9). *Sustainable Development: Promotion of New and Renewable Sources of Energy (A/Res/69/468/Add.9)* [Report]. Retrieved 3 January 2015 from: http://www.un.org/en/ga/search/view_doc.asp?symbol=A/69/468/Add.9

United States, Nuclear Regulatory Commission. (2014, 12 December). *Backgrounder on Radioactive Waste* [Website]. Retrieved 3 January 2015 from: <http://www.nrc.gov/reading-rm/doc-collections/fact-sheets/radwaste.html>

World Nuclear Association. (2014, December). *Fukushima Accident* [Website]. Retrieved 3 January 2015 from: <http://www.world-nuclear.org/info/Safety-and-Security/Safety-of-Plants/Fukushima-Accident/>

II. Article X and Measures to Address the Withdrawal from the NPT

Introduction

Marking the International Day for the Total Elimination of Nuclear Weapons on 26 September 2014, UN Secretary-General Ban Ki-moon reiterated that nuclear disarmament and the implementation of the *Treaty on the Non-Proliferation of Nuclear Weapons* (NPT) remains of utmost importance for the security of mankind.⁸³ He also noted that although the NPT came into force 44 years ago, genuine negotiations on nuclear disarmament and the elimination of all nuclear weapons have yet to begin.⁸⁴ A continued lack of implementation of the NPT's provisions and previous commitments by States Parties at Review Conferences of the Parties to the NPT may stir up frustration with the existing non-proliferation regime, eventually resulting in an increased possibility of states withdrawing from the NPT citing the treaty's Article X.⁸⁵ At the Vienna Conference on the Humanitarian Impact of Nuclear Weapons on 8 and 9 December 2014, leaders of several non-governmental organizations, including the Arms Control Association, Physicians for Social Responsibility and the Union of Concerned Scientists, highlighted in a joint statement that contrary to agreements reached at the 2010 NPT Review Conference, the United States, Russia and China have continued to modernize their nuclear weapons systems, while progress towards the coming into force of the *Comprehensive Nuclear-Test-Ban Treaty* (CTBT) has stalled.⁸⁶ A recent assessment of Middle Eastern states' expectations for the 2015 NPT Review Conference stresses that this apparent lack of implementation of the NPT and the associated failure to dismiss fears of the use of nuclear weapons, may drive States Parties to reconsider the NPT's indefinite extension they agreed upon in 1995.⁸⁷

Notwithstanding States Parties' continued disagreement on nuclear disarmament and different interpretations of the treaty's provisions, the NPT remains the cornerstone of the international framework to address issues of nuclear non-proliferation, and is likely to have prevented the development or acquisition of nuclear weapons by a number of states since its inception.⁸⁸ It is therefore of paramount importance that States Parties find viable solutions at the 2015 NPT Review Conference to both address and prevent possible withdrawal of States Parties from the NPT in the future.

The Preparatory Committee for the 2015 NPT Review Conference, the main entity responsible for preparing negotiations on nuclear non-proliferation issues at the Conference, has not formally met since its third session between 28 April and 9 May 2014.⁸⁹ However, the General Assembly First Committee (GA First) regularly debated nuclear non-proliferation and disarmament over the past few months, which have implications for States Parties' negotiations on measures to address withdrawal from the NPT.⁹⁰ Highlighting the importance of enhancing non-nuclear-weapon states' trust in the existing nuclear non-proliferation regime, the General Assembly adopted a resolution titled "Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons" (69/30) on 2 December 2014.⁹¹ Furthermore, on the same day the body adopted resolutions "Towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments" (69/37), "Nuclear disarmament" (69/48) and "Compliance with non-proliferation, arms limitation and disarmament agreements and commitments" (69/59), which aim to accelerate the implementation of

⁸³ UN DPI, *Nuclear Disarmament 'Not an Idealistic Dream' But Urgent Necessity for Human Security, Says Secretary-General in International Day Message*, 2014.

⁸⁴ Ibid.

⁸⁵ Vazquez, *Toward the 2015 NPT Review Conference: Attitudes and Expectations of Member States in the Middle East*, 2014, p. 2.

⁸⁶ Arms Control Association, *Make Disarmament a "Global Enterprise"*, 2014.

⁸⁷ Vazquez, *Toward the 2015 NPT Review Conference: Attitudes and Expectations of Member States in the Middle East*, 2014, p. 2.

⁸⁸ Kwon, *Is the NPT in Trouble? Setting the Stage for the 2015 Review Conference*, 2014, p. 273.

⁸⁹ UN Office for Disarmament Affairs, *Third Session of the Preparatory Committee for the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT)*, 2014.

⁹⁰ UN DPI, *More than 20 Recorded Votes Required in First Committee as It Forwards 14 Nuclear Weapons-Related Drafts to General Assembly*, 2014; UN DPI, *Nuclear Non-Proliferation Treaty, Unimplemented Becomes 'Place-Holder' for States to 'Insert Disarmament Measures Here'*, *First Committee Told*, 2014.

⁹¹ UN General Assembly, *Conclusion of effective international arrangements to assure non-nuclear weapon States against the use or threat of use of nuclear weapons (A/RES/69/30)*, 2014.

nuclear weapons states' nuclear disarmament commitments and strengthen compliance with States Parties' non-proliferation agreements.⁹²

The work of GA First, aiming to strengthen the international communities' trust in the existing non-proliferation regime, was reflected in the debate within the Conference on Disarmament, which submitted its annual report to the General Assembly (CD/2004) on 10 September 2014.⁹³ The report highlights the significance of effective international arrangements to assure non-nuclear-weapons states against the use or threat of use of nuclear weapons.⁹⁴ In light of the armed conflict between separatists and the Ukrainian military in the eastern and south-eastern parts of Ukraine, the debate within the Conference on Disarmament on this topic particularly revolved around the purported violation of security assurances granted to Ukraine by the Russian Federation, the United States and the United Kingdom in connection with Ukraine's accession to the NPT in 1994.⁹⁵ This debate stresses the importance of effective security assurance to incentivize non-nuclear-weapons states to comply with the NPT's provisions, while exemplifying the possible detriments of the absence or violation of such assurances, including the development or acquisition of nuclear weapons by allegedly threatened non-nuclear-weapon states.

In addition, on 22 December 2014 the Security Council discussed the situation in the Democratic People's Republic of Korea (DPRK), the only state which has so far made use of Article X to withdraw from the NPT.⁹⁶ The debate highlighted that a deteriorating humanitarian situation in DPRK is preventing the country's return to the NPT.⁹⁷ Notably, bearing in mind that any action within the United Nations system related to DPRK's withdrawal from the NPT may set a legal or procedural precedent on how withdrawal from the treaty is to be addressed, the Security Council neither took a formal vote nor issued a presidential statement on the issue.⁹⁸

The topic of withdrawal from the NPT was also briefly discussed on 5 September 2014 at the "EU Non-Proliferation and Disarmament Conference 2014" organized by the International Institute for Strategic Studies (IISS).⁹⁹ During the conference's third plenary session, Tariq Rauf, Director of the Stockholm International Peace Research Institute's Arms Control and Non-Proliferation Program, told attendees that offering States Parties to the NPT the possibility to withdraw from the treaty is sending the wrong message, emphasizing that there should be a "one-way entry point" to the NPT.¹⁰⁰

In addition to the NPT itself, the key documents which continue to underpin States Parties' efforts to address withdrawal from the NPT are the 1969 *Vienna Convention on the Law of Treaties* (VCLT), the 1963 *Treaty Banning Nuclear Weapon Tests In The Atmosphere, in Outer Space And Under Water* (PTBT), and the 1996 *Comprehensive Nuclear-Test-Ban Treaty* (CTBT), which has yet to enter into force.¹⁰¹ This treaty framework outlines states' right to withdraw from international agreements and sets out the fundamental principles prohibiting nuclear weapons test explosions, which enhance the NPT's provisions proscribing the development of nuclear weapons by non-nuclear-weapons states.

As illustrated above, nuclear non-proliferation and disarmament are regularly discussed in a number of fora, including the General Assembly, the Security Council, and the Conference on Disarmament. Due to its working procedure of developing comprehensive follow-on actions designed to shape States Parties' implementation efforts

⁹² UN General Assembly, *Towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments* (A/RES/69/37), 2014; UN General Assembly, *Nuclear disarmament* (A/RES/69/48), 2014; UN General Assembly, *Compliance with non-proliferation, arms limitation and disarmament agreements and commitments* (A/RES/69/59), 2014.

⁹³ UN Conference on Disarmament, *Report of the Conference on Disarmament to the General Assembly of the United Nations* (CD/2004), 2014.

⁹⁴ *Ibid.*, p. 16.

⁹⁵ UN Conference on Disarmament, *Note verbale dated 1 March 2014 from the Permanent Mission of Ukraine addressed to the Acting Secretary General of the Conference on Disarmament transmitting the briefing note concerning the guarantees of the sovereignty, territorial integrity and inviolability of the territory and frontiers of Ukraine* (CD/1975), 2014, p. 6.

⁹⁶ UN Security Council, *The situation in the Democratic People's Republic of Korea* (S/PV.7353), 2014.

⁹⁷ *Ibid.*

⁹⁸ UN Security Council, *Meetings Records*, 2014.

⁹⁹ IISS, *EU Non-Proliferation and Disarmament Conference. Working for a Successful 2015 NPT Review Conference*, 2014.

¹⁰⁰ *Ibid.*

¹⁰¹ *Vienna Convention on the Law of Treaties*, 1969; UN Office for Disarmament Affairs, *Nuclear Weapons*.

of the treaty's provisions, the 2015 NPT Review Conference is likely to be a promising venue to coordinate the work of these fora and outline clear policy recommendations to allow for an effective interplay between entities aiming to foster nuclear disarmament and nuclear non-proliferation.

Recent Developments

Implications for Safeguards and Technical Assistance

The status list of safeguards agreements, additional protocols, and small quantities protocols published by the International Atomic Energy Agency (IAEA) on 5 November 2014 continues to list DPRK's safeguards agreement as being in effect, illustrating that even in the event of a state's withdrawal from the NPT the IAEA considers its agreements with the withdrawing state to remain in force.¹⁰² Nonetheless, the report by the IAEA's Director-General on the application of safeguards in DPRK published on 3 September 2014 reiterated that the IAEA has neither been able to verify the correctness and completeness of DPRK's declarations under the agreement with the agency, nor been able to implement any safeguards measures since April 2009.¹⁰³ Thus, the case of DPRK illustrates that states withdrawing from the NPT, although legally bound to adhere to the IAEA's safeguards agreement, are effectively able to ignore the agreement's provision. Nonetheless, it is hard to tell to what extent the case of DPRK will set a procedural precedent in this regard, bearing in mind DPRK's unequaled isolation from the international community. Illustrating the importance of strengthening the effective application of the IAEA's safeguard agreements, the draft recommendations for the 2015 NPT Review Conference adopted at the third session of the Preparatory Committee urge States Parties to step up their assistance to the IAEA in order to enable the full exercise of the agency's mandate, while States Parties are also encouraged to consider the status of safeguards agreements in recipient states when making export decisions.¹⁰⁴

The Debate Over Possible Measures to Address Withdrawal

Although there has been no formal action in direct relation to measures to address withdrawal from the NPT or incentives against withdrawal from the treaty over the past several months, a number of States Parties recently issued statements and communications on the topic outlining the various options to address withdrawal to be considered at the 2015 NPT Review Conference. In a series of interviews in the run-up to the GA First session in October 2014, representatives of Arab states and Iran highlighted the importance of creating incentives for states currently not party to the NPT to accede.¹⁰⁵ At the GA First meeting the representative of DPRK re-emphasized that his country withdrew from the NPT to defend its sovereignty against threats from a nuclear weapon state, namely the United States, implying that further assurances against the threat of use of nuclear weapons are essential to prevent States Parties' withdrawal from the NPT.¹⁰⁶ Finally, in the context of IISS' "EU Non-Proliferation and Disarmament Conference 2014," a representative of the European Union highlighted the pivotal role of the Security Council in responding promptly to any States Party's announcement of withdrawal from the NPT.¹⁰⁷

Conclusion

The possibility of withdrawal from the NPT under the treaty's Article X remains a contentious issue in the run-up to the 2015 NPT Review Conference. Although no genuine progress has been made in developing measures to address withdrawal from the NPT during the last several months, recent actions taken in the multiple fora debating nuclear disarmament and non-proliferation have highlighted the key challenges States Parties to the NPT face in implementing the treaty's provisions, which also have implications for delegates' negotiations at the 2015 NPT Review Conference. Delegates are faced with the challenge to develop credible security assurances to non-nuclear-weapons states in light of the continued lack of implementation of the NPT's provisions, strengthen the IAEA in carrying out its mandate and monitoring the application of its safeguards agreements, as well as coordinating the work of the different fora within the UN system addressing the topic of nuclear non-proliferation and disarmament.

¹⁰² IAEA, *Status List. Conclusion of safeguard agreements, additional protocols and small quantities protocols*, 2014.

¹⁰³ IAEA, *Application of Safeguards in the Democratic People's Republic of Korea (GOV/2014/42-GC(58)/21)*, 2014.

¹⁰⁴ UN Preparatory Committee for the 2015 Review Conference of the Parties to the NPT, *Draft Recommendations to the 2015 NPT Review Conference (NPT/CONF.2015/PC.III/CRP.7)*, 2014, p. 6.

¹⁰⁵ Vazquez, *Toward the 2015 NPT Review Conference: Attitudes and Expectations of Member States in the Middle East*, 2014, p. 11.

¹⁰⁶ UN DPI, *More than 20 Recorded Votes Required in First Committee as It Forwards 14 Nuclear Weapons-Related Drafts to General Assembly*, 2014.

¹⁰⁷ IISS, *EU Non-Proliferation and Disarmament Conference. Working for a Successful 2015 NPT Review Conference*, 2014.

Annotated Bibliography

Kwon, H. (2014). Is the NPT in Trouble? Setting the Stage for the 2015 Review Conference. *Asian Journal of Peacebuilding*, 2 (2): 263-276.

This recently published journal article by Hee-Seog Kwon, Director-General of the Middle Eastern and African Affairs Bureau at the Ministry of Foreign Affairs of the Republic of Korea, outlines the key challenges to the international nuclear non-proliferation regime in the run-up to the 2015 NPT Review Conference. Highlighting contentious issues surrounding the implementation of the NPT's provisions, the article provides delegates with an up-to-date assessment of the obstacles that have obstructed achieving universal application of the NPT and need to be addressed in order to deter non-nuclear-weapons states from withdrawing from the treaty.

United Nations, General Assembly, Sixty-ninth session. (2014). *Conclusion of effective international arrangements to assure non-nuclear weapon States against the use or threat of use of nuclear weapons (A/RES/69/30)* [Resolution]. Adopted on the report of the First Committee (A/69/437). Retrieved 28 December 2014 from: <http://undocs.org/A/RES/69/30>

Resolution 69/30 of the General Assembly is the entity's latest action urging the international community to develop effective international arrangements to assure non-nuclear-weapon states against the use or threat of nuclear weapons. Bearing in mind the importance of enhancing the trust of States Parties to the NPT into the existing nuclear non-proliferation regime, this resolution represents a key reference document for delegates' negotiations at the 2015 NPT Review Conference.

United Nations Department of Public Information. (2014). *More than 20 Recorded Votes Required in First Committee as It Forwards 14 Nuclear Weapons-Related Drafts to General Assembly* [Website]. Retrieved 28 December 2014 from: <http://www.un.org/press/en/2014/gadis3513.doc.htm>

This detailed coverage of the 20th meeting of the General Assembly's First Committee at the body's 69th session provides delegates with a comprehensive account of current patterns of the debates on nuclear non-proliferation and nuclear disarmament, including the adoption of legally binding instruments ensuring non-nuclear-weapons states against the use or threat of use of nuclear weapons, the elimination of all types of nuclear weapons, and the universalization of the IAEA's safeguards agreements. Awareness of these debates helps delegates in identifying potential catalysts fuelling States Parties' motivation to withdraw from the NPT.

United Nations Department of Public Information. (2014). *Nuclear Non-Proliferation Treaty, Unimplemented Becomes 'Place-Holder' for States to 'Insert Disarmament Measures Here', First Committee Told* [Website]. Retrieved 28 December 2014 from: <http://www.un.org/press/en/2014/gadis3507.doc.htm>

This coverage of the 13th meeting of the General Assembly's First Committee at the body's 69th session illustrates non-nuclear-weapon states' concerns over the continued lack of implementation of nuclear and other weapons of mass destruction disarmament commitments. The coverage provides delegates with an overview over the current thematic debate concerning nuclear disarmament, outlining the positions of both nuclear and non-nuclear-weapons states. The debate helps delegates to retrace non-nuclear-weapons states' security concerns in the light of stalling nuclear disarmament on behalf of nuclear-armed states, which may fuel considerations for NPT withdrawal.

Vazquez, L. (2014). *Toward the 2015 NPT Review Conference: Attitudes and Expectations of Member States in the Middle East* [Report]. British American Security Information Council. Retrieved 27 December 2014 from: <http://www.basicint.org/sites/default/files/nptrevcon.pdf>

This report published by the British American Security Information Council, a non-partisan think tank based in London (United Kingdom) and Washington D.C. (United States), outlines the risks associated with the potential withdrawal of further States Parties' to the NPT and illustrates key motivations of states to do so. Although focusing on the perspectives and expectations of representative of Arab states and Iran, the report helps delegates to identify reasons for states'

withdrawal from the NPT, which may serve as a starting point to develop counter-effective solutions at the 2015 NPT Review Conference.

Bibliography

- Arms Control Association. (2014). *Make Disarmament a “Global Enterprise”*. Retrieved 28 January 2015 from: http://www.reachingcriticalwill.org/images/documents/Disarmament-fora/vienna-2014/9Dec_ArmsControlAssociation.pdf
- International Atomic Energy Agency. (2014). *Status List. Conclusion of safeguard agreements, additional protocols and small quantities protocols as of 5 November 2014*. Retrieved 28 December 2014 from: http://www.iaea.org/safeguards/documents/sir_table.pdf
- International Atomic Energy Agency. (2014). *Application of Safeguards in the Democratic People’s Republic of Korea (GOV/2014/42-GC(58)/21)*. Retrieved 28 December 2014 from: http://www.iaea.org/sites/default/files/gc58-21_en.pdf
- International Institute for Strategic Studies. (2014). *EU Non-Proliferation and Disarmament Conference. Working for a Successful 2015 NPT Review Conference* [Website]. Retrieved 29 December 2014 from: <https://www.iiss.org/en/events/eu%20conference/sections/eu-conference-2014-4706/plenary-3-b71b/tariq-rauf-2aa2>
- Kwon, H. (2014). Is the NPT in Trouble? Setting the Stage for the 2015 Review Conference. *Asian Journal of Peacebuilding*, 2 (2): 263-276.
- United Nations Conference on Disarmament. (2014). *Note verbale dated 1 March 2014 from the Permanent Mission of Ukraine addressed to the Acting Secretary-General of the Conference on Disarmament transmitting the briefing note concerning the guarantees of the sovereignty, territorial integrity and inviolability of the territory and frontiers of Ukraine (CD/1975)*. Retrieved 29 January 2015 from: <http://daccess-ods.un.org/access.nsf/Get?OpenAgent&DS=CD/1975&Lang=E>
- United Nations, Conference on Disarmament. (2014). *Report of the Conference on Disarmament to the General Assembly of the United Nations (CD/2004)*. Retrieved 29 December 2014 from: <http://daccess-ods.un.org/access.nsf/Get?OpenAgent&DS=CD/2004&Lang=E>
- United Nations, General Assembly, Sixty-ninth session. (2014). *Compliance with non-proliferation, arms limitation and disarmament agreements and commitments (A/RES/69/59)* [Resolution]. Adopted on the report of the First Committee (A/69/440). Retrieved 28 December 2014 from: <http://undocs.org/A/RES/69/59>
- United Nations, General Assembly, Sixty-ninth session. (2014). *Conclusion of effective international arrangements to assure non-nuclear weapon States against the use or threat of use of nuclear weapons (A/RES/69/30)* [Resolution]. Adopted on the report of the First Committee (A/69/437). Retrieved 28 December 2014 from: <http://undocs.org/A/RES/69/30>
- United Nations, General Assembly, Sixty-ninth session. (2014). *Nuclear disarmament (A/RES/69/48)* [Resolution]. Adopted on the report of the First Committee (A/69/440). Retrieved 28 December 2014 from: <http://undocs.org/A/RES/69/48>
- United Nations, General Assembly, Sixty-ninth session. (2014). *Towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments (A/RES/69/37)* [Resolution]. Adopted on the report of the First Committee (A/69/440). Retrieved 28 December 2014 from: <http://undocs.org/A/RES/69/37>
- United Nations Department of Public Information. (2014). *More than 20 Recorded Votes Required in First Committee as It Forwards 14 Nuclear Weapons-Related Drafts to General Assembly* [Website]. Retrieved 28 December 2014 from: <http://www.un.org/press/en/2014/gadis3513.doc.htm>

United Nations Department of Public Information. (2014). *Nuclear Disarmament 'Not an Idealistic Dream' But Urgent Necessity for Human Security, Says Secretary-General in International Day Message* [Website]. Retrieved 22 December 2014 from: <http://www.un.org/press/en/2014/sgsm16194.doc.htm>

United Nations Department of Public Information. (2014). *Nuclear Non-Proliferation Treaty, Unimplemented Becomes 'Place-Holder' for States to 'Insert Disarmament Measures Here', First Committee Told* [Website]. Retrieved 28 December 2014 from: <http://www.un.org/press/en/2014/gadis3507.doc.htm>

United Nations Office for Disarmament Affairs. (n.d.). *Nuclear Weapons* [Website]. Retrieved 29 December 2014 from: <http://www.un.org/disarmament/WMD/Nuclear>

United Nations Office for Disarmament Affairs. (2014). *Third Session of the Preparatory Committee for the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT)* [Website]. Retrieved 22 December 2014 from: <http://www.un.org/disarmament/WMD/Nuclear/NPT2015/PrepCom2014>

United Nations, Preparatory Committee for the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. (2014). *Draft Recommendations to the 2015 NPT Review Conference (NPT/CONF.2015/PC.III/CRP.7)*. Retrieved 28 January 2015 from: <http://www.reachingcriticalwill.org/images/documents/Disarmament-fera/npt/prepcom14/documents/draft-recommendations.pdf>

United Nations, Security Council, 7353rd meeting. (2014). *The situation in the Democratic People's Republic of Korea (S/PV.7353 (2014))*. Retrieved 28 December 2014 from: http://www.un.org/en/ga/search/view_doc.asp?symbol=S/PV.7353

United Nations Security Council. (2014). *Meetings Records* [Website]. Retrieved 28 December 2014 from: <http://www.un.org/en/sc/meetings/records/2014.shtml>

Vazquez, L. (2014). *Toward the 2015 NPT Review Conference: Attitudes and Expectations of Member States in the Middle East* [Report]. British American Security Information Council. Retrieved 27 December 2014 from: <http://www.basicint.org/sites/default/files/nptrevcon.pdf>

Vienna Convention on the Law of Treaties. (1969). Retrieved 29 December 2014 from: <https://treaties.un.org/doc/Publication/UNTS/Volume%201155/volume-1155-I-18232-English.pdf>

III. Denuclearization of the Korean Peninsula

“The situation is difficult, but not hopeless.”¹⁰⁸

Introduction

In recent months, attempts to restart the political dialogue between the Democratic People’s Republic of Korea (DPRK) and the Republic of Korea (ROK) have progressed slowly. However, as the DPRK’s nuclear weapons program continues to be a source of tension between DPRK and the ROK, the denuclearization of the Korean Peninsula remains pivotal for the reestablishment of peace and security in the region.¹⁰⁹ In October 2014, attempts at reestablishing high-level talks between the DPRK and the ROK, as well as tentative steps towards a possibility to resume the Six-Party-Talks, have not yet yielded any substantive results.¹¹⁰ Meanwhile, following a Human Rights Council (HRC)-commissioned report and the ensuing consideration of the Security Council (SC) and the General Assembly (GA) on the matter, the humanitarian situation in the DPRK has drawn attention within the UN system in recent months.¹¹¹ In January 2015, after a mounting pressure over its human rights record, the DPRK has taken a more reconciliatory stance towards both its nuclear weapons program as well as the possibility to resume high-level talks with the ROK.¹¹²

Consideration on this topic has been discussed within both the UN General Assembly as well as the UN Security Council. With the adoption of resolution 69/188 of 18 November 2014, the GA stressed on the humanitarian situation on the Korean Peninsula.¹¹³ Also, on 31 December 2014, the 1718 DPRK Sanctions Committee pursuant to Security Council resolution 1718 (2006) issued its annual report on its work.¹¹⁴ The Preparatory Committee for the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons has issued a number of reports and working papers relevant to the topic, including the Final Report of the Preparatory Committee and the Recommendation by the Chair to the 2015 NPT Review Conference.¹¹⁵

The key documents that continue to underpin this topic include the Final Document of the 2010 NPT Review Conference, as well as a number of important UN Security Council resolutions, including resolutions 1718 (2006), 1874 (2009) and 2094 (2013).¹¹⁶

Recent Developments

The 1718 DPRK Sanctions Committee

On 10 November 2014, the Chair of the 1718 DPRK Sanctions Committee, Ambassador Sylvie Lucas, briefed the members of the Security Council on its work.¹¹⁷ During the consultations on that day, several Member States made references to the human rights situation in the DPRK and called upon the Security Council to address the matter, reflecting an intensified international focus on the humanitarian situation in the Korean Peninsula.¹¹⁸ Since the November briefing, the 1718 DPRK Sanctions Committee has met twice.¹¹⁹ In fact, on 31 December 2014, pursuant

¹⁰⁸ Baczyńska, *Russia sees chance of six-party talks on North Korea resuming*, 2014.

¹⁰⁹ Gamba, *Opening Statement, 13th UN-ROK Joint Conference on Disarmament and Non-Proliferation Issues, on Jeju Island, Republic of Korea*, 4 December 2014

¹¹⁰ Security Council Report, *November 2014 Monthly Forecast, DPRK (North Korea)*, 2014.

¹¹¹ What’s in Blue, *Meeting on the Human Rights Situation in North Korea*, 2014.

¹¹² Security Council Report, *February 2015 Monthly Forecast, DPRK (North Korea)*, 2015.

¹¹³ UN General Assembly, *Situation of human rights in the Democratic People’s Republic of Korea (A/RES/69/188)*, 2014.

¹¹⁴ UN Security Council, *Non-proliferation – Democratic People’s Republic of Korea (S/RES/1718 (2006))*, 2006; UN Security Council, *Letter dated 17 December 2014 from the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) addressed to the President of the Security Council (S/2014/920)*, 2014.

¹¹⁵ UN Preparatory Committee for the 2015 Review Conference of the Parties to the NPT, *Recommendations by the Chair to the 2015 NPT Review Conference (CONF.2015/PC.III/WP.46)*, 2014.

¹¹⁶ UN Security Council, *Non-proliferation – Democratic People’s Republic of Korea (S/RES/1718 (2006))*, 2006; UN Security Council, *Non-proliferation/Democratic People’s Republic of Korea (S/RES/1874 (2009))*, 2009; UN Security Council, *Non-proliferation/Democratic People’s Republic of Korea (S/RES/2094 (2013))*, 2013.

to resolution 1718 (2006), the 1718 DPRK Sanctions Committee issued its annual report covering information on the DPRK's sanctions regime from 1 January to 31 December 2014.¹²⁰

UN General Assembly and Security Council Activities

International focus on the human rights situation in the DPRK intensified as the General Assembly's Third Committee adopted resolution 69/188 of 18 November 2014, deciding to submit the report of the Human Rights Council-mandated DPRK Commission of Inquiry to the Security Council.¹²¹ The resolution included comparatively strong language, encouraging the Security Council "to consider relevant conclusions and recommendations and take appropriate action, including through consideration of referral of the situation in the DPRK to the International Criminal Court."¹²² Following the adoption of the GA Third Committee resolution, the Security Council met on 22 December 2014 to discuss the situation in the DPRK with briefings by Ivan Šimonović, Assistant Secretary-General for Human Rights, and Tayé-Brook Zerihoun, Assistant Secretary-General for Political Affairs.¹²³ It was the first time that the Council considered the situation in the DPRK as a separate item from the non-proliferation issue.¹²⁴ However, the session did not see the adoption of any resolution on the matter.¹²⁵

While the NPT Review Conference is not mandated to cover the humanitarian and human rights situation in the DPRK, the humanitarian dimensions indirectly affects multilateral efforts aimed at the denuclearization of the Korean Peninsula, including the Six-Party Talks.¹²⁶ Recent developments suggest that the focus on the humanitarian situation in the DPRK has political implications beyond human rights related issues. As several news outlets reported, the growing international pressure over its human rights record may have resulted in the DPRK taking a more conciliatory stance towards its nuclear weapons program and the possibility of high-level bilateral talks.¹²⁷

Bilateral High-Level Talks and the Six-Party Talks

Before the humanitarian situation on the Korean Peninsula became a focus of international discussion, attempts to revive bilateral high-level talks in October were unsuccessful. On 4 October 2014, officials from both the ROK and DPRK agreed to resume high-level talks within the next two months, after their suspension on 12 February 2014.¹²⁸ However, tensions have since escalated as both sides' navies exchanged fire after a DPRK vessel crossed the Northern Limit Line in the Yellow Sea on 7 October 2014.¹²⁹ Furthermore, the DPRK opened fire in the Demilitarized Zone after several South Korean balloons launched by activists and carrying propaganda leaflets crossed the border into the DPRK.¹³⁰ Although top military officials from both sides met in the aftermath of these incidents on 15 October 2014, the DPRK eventually declined to hold further talks in late October.¹³¹

On 1 January 2015, while delivering his traditional new year message to DPRK state media, Kim Jong-un expressed his willingness to hold meetings with the ROK at the highest level.¹³² This sudden move is seen by many as a step to fend off prosecutions over DPRK's human rights record in the wake of the General Assembly's recommendation to involve the International Criminal Court (ICC).¹³³ While Kim's tone was generally conciliatory, the speech required the ROK to suspend joint US-ROK military exercises and to prevent activists from dropping propaganda leaflets from balloons.¹³⁴ On 23 January 2015, the DPRK added the requirement for the ROK to remove the sanctions it imposed following the 24 May 2010 torpedo attack against a ROK naval ship.¹³⁵ On 12 January 2015, South Korean

¹²¹ UN Human Rights Council, *Report of the commission of inquiry on human rights in the Democratic People's Republic of Korea (A/HRC/25/63)*, 2014; UN General Assembly, *Situation of human rights in the Democratic People's Republic of Korea (A/RES/69/188)*, 2014.

¹²² UN General Assembly, *Situation of human rights in the Democratic People's Republic of Korea (A/RES/69/188)*, 2014.

¹²³ UN Security Council, *Summary record of 7353rd meeting (S/PV.7353)*, 2014.

¹²⁴ Security Council Report, *Chronology of Events, DPRK (North Korea)*, 2014.

¹²⁵ UN Security Council, *Summary record of 7353rd meeting (S/PV.7353)*, 2014.

¹²⁶ Park, *Inside Multilateralism: The Six-Party Talks*, 2005, p. 77.

¹²⁷ *Kim Jong-un says North Korea is open to 'highest-level' talks with South*, The Guardian, 2015.

¹²⁸ Security Council Report, *November 2014 Monthly Forecast, DPRK (North Korea)*, 2014.

¹²⁹ *Ibid.*

¹³⁰ *Ibid.*

¹³¹ *Ibid.*

¹³² *Kim Jong-un says North Korea is open to 'highest-level' talks with South*, 2015

¹³³ The Guardian, *Kim Jong-un says North Korea is open to 'highest-level' talks with South*, 2015.

¹³⁴ Security Council Report, *February 2015 Monthly Forecast, DPRK (North Korea)*, 2015.

¹³⁵ *Ibid.*

President Park Geun-hye expressed that the ROK is prepared to hold talks without any preconditions.¹³⁶ Meanwhile, the DPRK has expressed, on 10 January 2015, that it would consider a temporary moratorium on nuclear tests if the United States suspended its joint military exercises with the ROK.¹³⁷ The US immediately rejected this proposal, demanding the DPRK to take necessary steps towards denuclearization before meaningful negotiations could be resumed.¹³⁸

There have also been reports about attempts to revive the Six-Party Talks, which have been stalled since 2009.¹³⁹ After a meeting with his DPRK counterpart, Ri Su-yong; Russian Foreign Minister Sergei Lavrov stated on 1 October 2014 that he saw a possibility for the talks to resume.¹⁴⁰ The DPRK Ambassador in Geneva, So Se-pyong, also confirmed that his country was prepared to restart the talks, however, no official plans for the resumption of these talks have yet been made.¹⁴¹

The 13th UN-ROK Joint Conference on Disarmament and Non-proliferation Issues

Denuclearization of the Korean Peninsula was also subject of discussion at the 13th United Nations-Republic of Korea Joint Conference on Disarmament and Non-Proliferation Issues.¹⁴² This conference was jointly hosted, on 4-5 December 2014, by the United Nations Office for Disarmament Affairs (UNODA) through its Regional Centre for Peace and Disarmament in Asia and the Pacific (UNRCPD), and the Government of the Republic of Korea.¹⁴³ The conference has been held annually since 2002 and has gained a reputation for providing an informal setting for open discussions of current issues of disarmament and non-proliferation.¹⁴⁴ The meeting focused on addressing the challenges for the 2015 NPT Review Cycle, including the importance of a humanitarian approach to promote nuclear disarmament and the establishment of a Middle East Nuclear-Weapon-Free-Zone (NWFZ).¹⁴⁵ The work of the NPT Review Conference towards a Middle East NWFZ can serve as an example for a similar approach on the Korean Peninsula, especially given that no specific action has been pursued in this regard.¹⁴⁶

Conclusion

Despite recent attempts to reestablish both bilateral high-level talks between the DPRK and the ROK, and the Six-Party Talks, diplomatic efforts aimed at denuclearizing the Korean Peninsula remain at a stalemate.¹⁴⁷ The prospect of resuming talks have been further challenged by recent military clashes on the Korean Peninsula in mid-October, further underscoring the instability of any spoken agreement on this conflict.¹⁴⁸ The recent focus on the DPRK through the human rights report of the HRC-mandated Commission of Inquiry, the adoption of GA resolution 69/188 (2014), and the following Security Council meeting on the same matter have added a new dimension to the already complex diplomatic dynamics between the DPRK and other parties.¹⁴⁹

¹³⁶ Ibid.

¹³⁷ Malenko, *North Korea's Proposal for Peace and Stability on the Korean Peninsula*, 2015; Security Council Report, *November 2014 Monthly Forecast, DPRK (North Korea)*, 2014.

¹³⁸ Security Council Report, *November 2014 Monthly Forecast, DPRK (North Korea)*, 2014.

¹³⁹ Ibid.

¹⁴⁰ Ibid.

¹⁴¹ Ibid.

¹⁴² 13th Republic of Korea-UN Joint Conference on Disarmament and Non-proliferation Issues, *Looking Ahead: Opportunities and Challenges in Disarmament and Non-proliferation. 4-5 December 2014, Seoul, Republic of Korea. Agenda*, 2014

¹⁴³ UN Regional Centre for Peace and Disarmament in Asia and the Pacific, *13th Republic of Korea-United Nations Joint Conference on Disarmament and Non-proliferation Issues*, 2014

¹⁴⁴ 13th Republic of Korea-UN Joint Conference on Disarmament and Non-proliferation Issues, *Press Release*, 2014.

¹⁴⁵ 13th Republic of Korea-UN Joint Conference on Disarmament and Non-proliferation Issues, *Looking Ahead: Opportunities and Challenges in Disarmament and Non-proliferation. 4-5 December 2014, Seoul, Republic of Korea. Agenda*, 2014; Gamba, *Opening Statement, 13th UN-ROK Joint Conference on Disarmament and Non-Proliferation Issues, on Jeju Island, Republic of Korea*, 2014; UN 1995 Review Conference of the Parties to the NPT, *Resolution on the Middle East (NPT/CONF.1995/32 (Part I), Annex)*, 1995.

¹⁴⁶ UN 2005 Review Conference of the Parties to the NPT, *Final Document. Part III. Summary records. List of Participants (NPT/CONF.2005/57 (Part III))*, 2005; UN 2010 Review Conference of the Parties to the NPT, *Final Document. Part IV. Summary records and list of participants (NPT/CONF.2010/50 (Vol. III))*, 2010.

¹⁴⁷ Da, *Expect little progress on Korean Peninsula despite proposed talks*, 2015.

¹⁴⁸ Security Council Report, *November 2014 Monthly Forecast, DPRK (North Korea)*, 2014.

¹⁴⁹ UN General Assembly, *Situation of human rights in the Democratic People's Republic of Korea (A/RES/69/188)*, 2014.

Whether this development will lead to reconciliation or further exacerbate tensions is yet to be seen. While the conciliatory tone of Kim Jon-un's new year message in the aftermath of GA resolution 69/188 (2014) has been regarded by some observers as a positive signal towards diplomatic reconciliation and possible negotiations in regard to denuclearization, there are also signs that the mounting international pressure to involve the ICC could lead to increased friction between the US and the DPRK, further stalling meaningful steps towards denuclearization.¹⁵⁰ In preparation for the 2015 NPT Review Conference, delegates should remain aware of the diverging perceptions and particular interests of the countries affected by the nuclear situation on the Korean Peninsula, especially in regards to cross-cutting issues like the humanitarian dimension of the topic.

¹⁵⁰ Da, *Expect little progress on Korean Peninsula despite proposed talks*, 2015; Klingner, *Tumultuous year ahead for Korean Peninsula*, 2015.

Annotated Bibliography

Gamba, V. (2014, December 4). *Opening Statement, 13th UN-ROK Joint Conference on Disarmament and Non-Proliferation Issues, on Jeju Island, Republic of Korea*. Retrieved 08 January 2014 from:

<https://s3.amazonaws.com/unoda-web/wp-content/uploads/2014/12/Jeju-2014-Virginia-Gamba-statement.pdf>

This is the Opening Statement for the 13th UN-ROK Joint Conference on Disarmament and Non-Proliferation Issues, emphasizing a number of relevant issues in advance of the 2015 NPT Review Conference. The statement expresses concern over the lack of negotiations in regard to DPRK's nuclear program and particularly focuses on the importance of a humanitarian approach towards non-proliferation.

Klingner, B. (2015, January 5). Tumultuous year ahead for Korean Peninsula. *The Daily Signal*. Retrieved 30 January 2015 from: <http://dailysignal.com/2015/01/05/tumultuous-year-ahead-korean-peninsula/>

This article, published shortly after Kim Jon-un's new year message, gives a brief outlook on what the Korean Peninsula can expect diplomatically over the course of the next year. With respect to the recent signs of reconciliation between the two Koreas, the author takes a rather skeptical stance, arguing that it has yet to be determined whether the recent developments will actually amount to meaningful talks and progress.

Security Council Report (2014). *Chronology of Events, DPRK (North Korea)* [Website]. Retrieved 08 January 2014 from: <http://www.securitycouncilreport.org/chronology/dprk-north-korea.php>

The Chronology of Events as provided by the Security Council Report provides a concise summary of recent developments in regard to the DPRK and its nuclear activities. It also focuses on how the issue has been debated within the Security Council and the wider international community. Furthermore, it provides a summary of the most recent debate of the Council on the human rights situation in the DPRK.

Security Council Report. (2015). *February 2015 Monthly Forecast, DPRK (North Korea)* [Website]. Retrieved 30 January 2015 from: http://www.securitycouncilreport.org/monthly-forecast/2015-02/dprk_north_korea_10.php

This website provides a detailed summary of the UN Security Council's activities in regard to the DPRK in the months of December and January. The summary touches developments including DPRK's proposal to both the ROK and the United States to resume talks and to consider a moratorium on its nuclear program. Furthermore, this website provides the reader with a broad analysis of the recent Security Council discussion on the human rights situation in the DPRK as well as the work of the 1718 DPRK Sanctions Committee, putting different developments into context.

Security Council Report. (2014). *November 2014 Monthly Forecast, DPRK (North Korea)*. [Website]. Retrieved 08 January 2014 from: http://www.securitycouncilreport.org/monthly-forecast/2014-11/dprk_north_korea_9.php

This website provides detailed information on the UN Security Council's activities in November regarding the DPRK. It emphasizes the recent attempts to reestablish high-level talks as well as the recent shift of focus on the humanitarian dimension of the issue. This summary is a great resource to start research on how the issue of non-proliferation and the DPRK has been debated in the UN system and what cross-cutting issues have to be considered.

United Nations, General Assembly, Sixty-ninth session. (2014). *Situation of human rights in the Democratic People's Republic of Korea (A/RES/69/188)* [Resolution]. Retrieved 08 January 2014 from:

<http://undocs.org/A/RES/69/188>

This GA resolution marked a shift of focus on issues relating to the DPRK within the UN system, since for the first time it recommended the Security Council to consider the item of the DPRK separate from non-proliferation issues. Among the recommended actions is the referral of the case to the ICC, potentially providing further grounds for intensifying tensions within the diplomatic community on DPRK matters. It remains to be seen how this will affect non-proliferation negotiations.

What's in Blue. (2014). *Meeting on the Human Rights Situation in North Korea* [Website]. Retrieved 30 January 2015 from: <http://www.whatsinblue.org/2014/12/meeting-on-the-human-rights-situation-in-north-korea.php>

What's in Blue is a website with articles on evolving Security Council actions published by the Security Council Report. This article provides an in-depth analysis on the recent Security Council debate on the human rights situation in the DPRK, outlining the implications of the shift of focus towards the humanitarian dimension of the conflict while musing over the connection between human rights and peace and security.

Bibliography

- 13th Republic of Korea-United Nations Joint Conference on Disarmament and Non-proliferation Issues. (2014). *Looking Ahead: Opportunities and Challenges in Disarmament and Non-proliferation. 4-5 December 2014, Seoul, Republic of Korea. Agenda*. Retrieved 08 January 2014 from: <http://unrcpd.org/wp-content/uploads/2014/08/13th-Jeju-agenda.pdf>
- 13th Republic of Korea-United Nations Joint Conference on Disarmament and Non-proliferation Issues. (2014). *Press Release*. Retrieved 30 January 2015 from: <http://unrcpd.org/wp-content/uploads/2014/08/Press-release-Jeju-conference-FINAL-from-HQ.pdf>
- Baczynska, G.. (2014, October 1). Russian sees chance of six-party talks on North Korea resuming. *Reuters*. Retrieved 08 January 2014 from: <http://www.reuters.com/article/2014/10/01/us-northkorea-russia-talks-idUSKCN0HQ3LC20141001>
- Da, Z. (2015, January 12). Expect little progress on Korean Peninsula despite proposed talks. *Global Times*. Retrieved 30 January 2015 from: <http://www.globaltimes.cn/content/901442.shtml>
- Gamba, V. (2014, December 4). *Opening Statement, 13th UN-ROK Joint Conference on Disarmament and Non-Proliferation Issues, on Jeju Island, Republic of Korea*. Retrieved 08 January 2014 from: <https://s3.amazonaws.com/unoda-web/wp-content/uploads/2014/12/Jeju-2014-Virginia-Gamba-statement.pdf>
- Kim Jong-un says North Korea is open to 'highest-level' talks with South*. (2015, January 1). *The Guardian*. Retrieved 30 January 2015 from: <http://www.theguardian.com/world/2015/jan/01/kim-jong-un-says-north-korea-is-open-to-highest-level-talks-with-south>
- Klingner, B. (2015, January 5). Tumultuous year ahead for Korean Peninsula. *The Daily Signal*. Retrieved 30 January 2015 from: <http://dailysignal.com/2015/01/05/tumultuous-year-ahead-korean-peninsula/>
- Malenko, I. (2015, January 11). North Korea's Proposal for Peace and Stability on the Korean Peninsula. *Global Research*. Retrieved 30 January from: <http://www.globalresearch.ca/north-koreas-proposal-for-peace-and-stability-on-the-korean-peninsula/5424042>
- Park, J. S. (2005). Inside Multilateralism: The Six-Party Talks. *The Washington Quarterly*, 28 (4): 73-91.
- Preparatory Committee for the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. (2014). *Recommendations by the Chair to the 2015 NPT Review Conference*. Retrieved 12 July 2014 from: http://www.un.org/ga/search/view_doc.asp?symbol=NPT/CONF.2015/PC.III/WP.46
- Security Council Report. (2014). *November 2014 Monthly Forecast, DPRK (North Korea)* [Website]. Retrieved 08 January 2014 from: http://www.securitycouncilreport.org/monthly-forecast/2014-11/dprk_north_korea_9.php
- Security Council Report. (2014). *Chronology of Events, DPRK (North Korea)* [Website]. Retrieved 08 January 2014 from: <http://www.securitycouncilreport.org/chronology/dprk-north-korea.php>
- Security Council Report. (2015). *February 2015 Monthly Forecast, DPRK (North Korea)* [Website]. Retrieved 30 January 2015 from: http://www.securitycouncilreport.org/monthly-forecast/2015-02/dprk_north_korea_10.php

United Nations, 1995 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. (1995). *Resolution on the Middle East (NPT/CONF.1995/32 (Part I), Annex)*. Retrieved 6 August 2014 from: http://www.un.org/disarmament/WMD/Nuclear/1995-NPT/pdf/Resolution_MiddleEast.pdf

United Nations, 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. (2005). *Final Document. Part III. Summary records. List of Participants (NPT/CONF.2005/57 (Part III))*. Retrieved 5 August 2014 from: [http://undocs.org/NPT/CONF.2005/57\(PartIII\)](http://undocs.org/NPT/CONF.2005/57(PartIII))

United Nations, 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. (2010). *Final Document. Volume III. Part IV. Summary records and list of participants (NPT/CONF.2010/50 (Vol. III))*. Retrieved 4 September 2014 from: [http://undocs.org/NPT/CONF.2010/50\(Vol.III\)](http://undocs.org/NPT/CONF.2010/50(Vol.III))

United Nations, General Assembly, Sixty-ninth session. (2014). *Situation of human rights in the Democratic People's Republic of Korea (A/RES/69/188)*. Retrieved 08 January 2014 from: <http://undocs.org/A/RES/69/188>

United Nations, Human Rights Council, Twenty-fifth session. (2014). *Report of the commission of inquiry on human rights in the Democratic People's Republic of Korea (A/HRC/25/63)* [Resolution]. Retrieved 30 January 2014 from: http://www.un.org/ga/search/view_doc.asp?symbol=A/HRC/25/63

United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific. (2014). *13th Republic of Korea-United Nations Joint Conference on Disarmament and Non-proliferation Issues* [Website]. Retrieved 08 January 2014 from: <http://unrcpd.org/event/13th-republic-korea-united-nations-joint-conference-disarmament-non-proliferation-issues/>

United Nations, Security Council, 5551st Meeting. (2006). *Non-proliferation – Democratic People's Republic of Korea (S/RES/1718 (2006))* [Resolution]. Retrieved 30 January 2015 from: http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1718%282006%29

United Nations, Security Council. 6141st Meeting. (2009). *Non-proliferation/Democratic People's Republic of Korea (S/RES/1874 (2009))* [Resolution]. Retrieved 4 August 2014 from: [http://undocs.org/S/RES/1874\(2009\)](http://undocs.org/S/RES/1874(2009))

United Nations, Security Council. 6932nd Meeting. (2013). *Non-proliferation/Democratic People's Republic of Korea (S/RES/2094 (2013))* [Resolution]. Retrieved 30 January 2014 from: [http://undocs.org/S/RES/2094\(2013\)](http://undocs.org/S/RES/2094(2013))

United Nations, Security Council. (2014). *Letter dated 17 December 2014 from the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) addressed to the President of the Security Council (S/2014/920)*. Retrieved 30 January 2015 from: http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2014_920.pdf

United Nations, Security Council. (2014). *Summary record of 7353rd meeting (S/PV.7353)*. Retrieved 08 January 2014 from: http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_pv_7353.pdf

United Nations, Security Council, 7126th Meeting. (2014). *Non-Proliferation – Democratic People's Republic of Korea (S/RES/2141 (2014))* [Resolution]. Retrieved 30 January from: http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/2141%282014%29

What's in Blue. (2014). *Meeting on the Human Rights Situation in North Korea* [Website]. Retrieved 30 January 2015 from: <http://www.whatsinblue.org/2014/12/meeting-on-the-human-rights-situation-in-north-korea.php>