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

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## **Nuclear disarmament**

### **Working paper submitted by the Islamic Republic of Iran**

1. In the course of the negotiations leading to the Treaty on the Non-Proliferation of Nuclear Weapons, an integrated and balanced package of rights and obligations was introduced according to which non-nuclear-weapon States undertake not to acquire nuclear weapons, and to place their facilities under the safeguards agreements. In return, nuclear-weapon States undertake not to transfer and develop nuclear weapons and commit themselves to practical steps towards nuclear disarmament. Moreover, all States parties to the Treaty undertake to cooperate and ensure the implementation of the inalienable rights of the States parties with respect to peaceful use of nuclear energy in a non-selective and non-discriminatory manner. In addition, universality of the Treaty has been assumed as a common international commitment of all States parties.

2. Since 1978, when the Final Document of the Tenth Special Session of the General Assembly, the first to be devoted to disarmament, confirmed nuclear disarmament as the highest priority in the disarmament agenda, the international community has had to wait for more than two decades to witness a comparable endorsement of its long-sought goal, as contained in the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. The 2005 Review Conference of the Parties to the Treaty was a sad setback in this direction. The practical steps adopted by consensus at the 2000 Review Conference of the Parties to the Treaty still constitute the basic commitments for achieving the ultimate and urgent goal of the international community of complete nuclear disarmament. The violation of these commitments by some nuclear-weapon States should not be permitted.

3. With the adoption of the reasonable steps in the 2000 Review Conference, including the “unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament under article VI of the Treaty”, hopes for the implementation of this fundamental part of the Treaty was renewed. The rational steps for the systematic and progressive efforts to implement article VI of the Treaty were considered to be the most important



achievement of the 2000 Review Conference of the Parties to the Treaty in the field of nuclear disarmament.

4. Non-nuclear-weapon States parties to the Treaty are expecting the upcoming Conference to consider the national reports of the nuclear-weapon States with respect to their implementation of article VI of the Treaty, including the measures that they have adopted in the implementation of the agreements reached at the 2000 Conference.

5. Since the 2000 Review Conference of the Parties to the Treaty, developments in the area of nuclear disarmament have not been promising. Despite the obligations under article VI and undertakings by the nuclear-weapon States in 1995 and 2000, the continued development and deployment of thousands of nuclear warheads in the stockpiles of the nuclear-weapon States still threaten international peace and security.

6. The non-entry into force of the Treaty on the Further Reduction and Limitation of Strategic Offensive Arms (START II), the reluctance to pursue the START III negotiations and the abrogation of the Anti-Ballistic Missile Treaty are among the serious setbacks to the implementation of the agreements of the 2000 Conference. The international community has noted the signature of the Treaty on Strategic Offensive Reductions (“the Moscow Treaty”) in 2002. However, reductions, as stipulated in this Treaty, are far below the international expectations for real steps towards the total elimination of nuclear weapons. The Moscow Treaty does not go beyond the decommissioning of nuclear weapons, and its parties do not have any obligation to destroy their nuclear weapons.

7. Moreover, no verification mechanism has been envisaged. It therefore does not take into account the principles of “increased transparency”, “diminishing role for nuclear weapons” and “irreversibility”, which were agreed by the nuclear-weapon States at the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

8. During the 2000 Review Conference of the Parties to the Treaty, the nuclear-weapon States committed themselves to “the further reduction of non-strategic nuclear weapons, based on unilateral initiatives and as an integral part of the arms reduction and disarmament process”. In spite of that, no practical steps have been taken to reduce tactical nuclear weapons by the nuclear-weapon States.

9. Officials of the United States of America have recently pledged to reduce 80 per cent of its nuclear arsenals. The international community has rightly expected such a statement to be realized through implementation in a transparent manner. It should also be highlighted that any reduction of nuclear weapons, whether strategic or non-strategic, should be carried out in a verifiable and irreversible manner. Needless to say, such reduction in nuclear weapons can never be a substitute for the main obligation of nuclear-weapon States, namely, total elimination of nuclear weapons. As a first step, a real change is needed on the aggressive Nuclear Posture Review and removal of the emphasis on the old doctrine of nuclear deterrence.

10. The adoption of the Nuclear Posture Review by the United States, and the United Trident plan by the United Kingdom of Great Britain and Northern Ireland, which provide for the development of new types of nuclear weapons, the possible use or threat of use of nuclear weapons against non-nuclear-weapon States and targeting nuclear weapons against non-nuclear-weapon States parties to the Treaty,

is in contravention of the assurances given by the nuclear-weapon States at the time of the conclusion of the Treaty on the Non-Proliferation of Nuclear Weapons and its indefinite extension. More worrisome are new announcements by France. It has recently proclaimed the addition of a nuclear-armed ballistic missile submarine to its nuclear arsenals. The President of France was quoted as stating that “French nuclear forces are a key element in Europe’s security”. It appears that this country, in defiance of its international obligation, is seeking new roles for its nuclear forces in order to justify the continued retention of them. In this regard, they even resort to irresponsible methods such as manipulating intelligence and frightening people in order to promote programmes that would otherwise not be supported by their population.

11. Today, in spite of the allocation of hundreds of millions of dollars to projects aimed at developing mini-nuclear weapons or so-called bunker busters, these projects are claimed to be simple research programmes. The Preparatory Committee and the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons have an urgent task, which is to address the concerns of the non-nuclear-weapon States emanating from the development and deployment of new nuclear weapons and their means of delivery and to alleviate these concerns by considering a decision on the prohibition of the development and the production of any new nuclear weapons, particularly mini-nukes, as well as a ban on the construction of any new facility for the development, deployment and production of nuclear weapons and their means of delivery in home and foreign countries.

12. Moreover, real concerns of the international community remain, over vertical proliferation of nuclear weapons, transfer to other countries and deployment of nuclear weapons in territories of non-nuclear-weapon States, lowering the threshold of resort to nuclear weapons and the danger of using such inhumane weapons in conventional conflicts and against non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons. Ironically, not only do some nuclear-weapon States not take steps towards the total elimination of their arsenals, and give no security assurances to non-nuclear States parties, but they also threaten to be the first users.

13. In accordance with article I of the NPT: “Each nuclear-weapon State Party to the Treaty undertakes not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly, or indirectly.” In contravention of this obligation, hundreds of nuclear weapons and their means of delivery have been and are still being deployed in other countries and air forces of non-nuclear-weapon States train in the delivery of these weapons under the cover of military alliances. In the same context, the nuclear sharing between nuclear-weapon States and between nuclear-weapon States and non-parties to the Treaty is also a grave source of concern for parties to the Treaty on the Non-Proliferation of Nuclear Weapons. The nuclear-weapon States should comply with their obligations under article I by refraining from nuclear-sharing, under any pretext including security arrangements or military alliance.

14. The Treaty on the Non-Proliferation of Nuclear Weapons, in its article III, paragraph 2, commits all States to refrain from the transfer of sensitive technology and materials to non-parties to the Treaty unless they are placed under the International Atomic Energy Agency (IAEA) safeguards.

15. Accordingly, the sessions of the Preparatory Committee and the Review Conference of the Parties to the Treaty should reaffirm the total and complete prohibition of transfer of any nuclear-related equipment, information, material and facilities, resources or devices and the extension of assistance in the nuclear, scientific or technological fields to non-parties to the Treaty on the Non-Proliferation of Nuclear Weapons, without exception and in particular to the Israeli regime, whose unsafeguarded nuclear facilities and continued programme for the development of nuclear weapons are a real threat to all countries of the Middle East and to international peace and security. The United States is a non-compliant party in its undertakings under the provisions of the Treaty on the Non-Proliferation of Nuclear Weapons by continuing nuclear-sharing with the Zionist regime of Israel and by strongly supporting this regime by keeping silent in respect of the acknowledgement by the Israeli Prime Minister of the nuclear arsenal. The policy of inaction of the United States and some other nuclear-weapon States regarding the real threats of the nuclear arsenal of the Zionist regime to regional and international peace and security in the Security Council and other relevant forums constitutes an act of horizontal proliferation, adding to their vertical one.

16. The agreement signed by the director of the Israeli Atomic Energy Commission, and the chairman of the United States Nuclear Regulatory Commission, enabling the Zionist regime to access most of available United States nuclear data and technology is another example of United States non-compliance with the provisions of the Treaty on the Non-Proliferation of Nuclear Weapons. It seems that the United States has no shyness about supporting that regime's nuclear weapons programme; and the disclosed "top-secret document dated 23 August 1974" clearly shows the role of the United States in equipping the Zionist regime with nuclear weapons.

17. Although the nuclear testing moratorium has been maintained since the signature of the Comprehensive Nuclear-Test-Ban Treaty, some efforts have been under way in the United States to allocate millions of dollars to reducing to 18 months the time necessary to resume a nuclear test. It has put into question its commitment to the so-called moratorium. The international community, as a gesture towards crediting a real "change" in the policies of the new United States Administration, expects that the Nuclear Posture Review, including the issue of nuclear testing, will be promptly revised in light of such an announced policy.

18. Similarly, the unwarranted insistence of the same country on excluding the element of verification and stockpiles from the negotiating mandate of the ad hoc committee for the Fissile Material Cut-Off Treaty, to be established at the Conference on Disarmament, and its opposition to a balanced and comprehensive programme of work have created the main obstacle to commencement of the substantive work in the Conference.

19. While new issues such as terrorism, non-proliferation threats and the possible role of the terrorist groups in proliferation should be duly dealt with, it is very unfortunate that these issues are abused as pretexts to justify the pursuit of programmes on a new nuclear-weapon system and ignorance of nuclear disarmament obligations by certain nuclear-weapon States. Specific threats may not be resolved through resorting to more dangerous weapons that would have catastrophic consequences well beyond any other threats in terms of scope and effects. The main responsibility for nuclear security and preventing nuclear terrorist

groups from having access to the nuclear weapons or materials within the territory of a nuclear-weapon State or under its jurisdiction or control rests entirely with that State. Pending the total elimination of such weapons, such States should take necessary measures to protect their arsenals from theft and incident.

20. The Treaty on the Non-Proliferation of Nuclear Weapons review process should be able to reiterate once again its unconditional global call for the full implementation of the unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals, and must assess the implementation of the 13 practical steps adopted by consensus at the 2000 Review Conference of the Parties to the Treaty.

21. The Parties to the Treaty, particularly the nuclear-weapon States, should engage in good faith in substantive work of the Conference for the prompt and meaningful implementation of obligations under the Treaty, including article VI, and the commitments made at the 1995 and 2000 Review Conferences of the Parties to the Treaty.

22. We continue to believe in the need for negotiations on a phased programme for the complete elimination of nuclear weapons within a specified time limit, including a nuclear weapons convention, and in this regard reiterate our call for the establishment, as the highest priority and as soon as possible, of an ad hoc committee on nuclear disarmament in the Conference on Disarmament. Such negotiations must lead to the legal prohibition, once and for all, of the possession, development and stockpiling of nuclear weapons by any country and provide for the destruction of such inhuman weapons. Until the conclusion of a nuclear weapons convention similar to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, the nuclear-weapon States must honour their obligations under the Treaty on the Non-Proliferation of Nuclear Weapons and immediately stop:

- Any kind of development of and research on nuclear weapons
- Any threat of use of nuclear weapons against non-nuclear-weapon States
- Any modernization of nuclear weapons and their facilities
- Deployment of nuclear weapons in the territories of other countries
- Maintaining their nuclear weapons in the trigger-alert situation

23. Another concern of the international community is the lack of transparency regarding the nuclear activities of nuclear-weapon States which is vital for the States parties to the Treaty on the Non-Proliferation of Nuclear Weapons. The few pieces of news leaked to the media on submarine accidents show the scale of the dangers to international peace and security as well as the great challenges created by the existing nuclear arsenals to the survival of mankind and the environment. Since 2000, the collisions and failures of the United Kingdom nuclear submarines, including the HMS Superb in May 2008, have been a great source of concern for the international community and an immense risk for the marine environment. During this period, HMS Triumph, HMS Trafalgar and HMS Tireless had similar catastrophic incidents. In particular, in February 2009, the incident involving the United Kingdom HMS Vanguard nuclear submarine and Le Triomphant, the French nuclear submarine, in the Atlantic Ocean, was of serious concern to the international community. Such catastrophes once more proved the righteousness of the

international calls for the immediate realization of a world free from nuclear arsenals through the full implementation of article VI of the Treaty.

24. The question of the security of non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons against the use or threat of use of nuclear weapons has been an important issue since the inception of the Treaty.

25. The Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons reaffirmed, in the second paragraph of its section on article VII, the total elimination of nuclear weapons as the only absolute guarantee against the use or threat of use of nuclear weapons, and agreed that legally binding security assurances by the five nuclear-weapon States parties to the Treaty to the non-nuclear-weapon States strengthen the nuclear non-proliferation regime; and called upon the Preparatory Committee to make recommendations to the Review Conference. In view of this agreement, the Review Conference of the Parties to the Treaty has a clear mandate to make a decision on negative security assurances.

26. We regret that the past review processes were not able to produce recommendations on the security assurances.

27. Therefore, we continue to propose that the Conference should establish an ad hoc committee to work on a draft legally binding instrument on providing security assurances by the five nuclear-weapon States to non-nuclear-weapon States parties to the Treaty, and to submit the draft of the legal instrument to the Review Conference of the Parties to the Treaty for its consideration and adoption.

28. As a first step towards addressing the twin issues of illegality of use and negative security assurances, we believe that, as suggested by the non-governmental organizations community, the Review Conference of the Parties to the Treaty should adopt a decision by which the Conference would “decide that the threat or use of nuclear weapons against non-nuclear-weapon States shall be prohibited”.

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