

CONFERENCE ON DISARMAMENT

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NOTE VERBALE DATED 26 APRIL 2007 FROM THE PERMANENT MISSION OF CUBA ADDRESSED TO THE SECRETARIAT OF THE CONFERENCE ON DISARMAMENT TRANSMITTING THE WORKING PAPER ENTITLED “RECOMMENDATIONS FOR ACHIEVING THE OBJECTIVE OF NUCLEAR DISARMAMENT AND NON-PROLIFERATION OF NUCLEAR WEAPONS” SUBMITTED BY THE NON-ALIGNED MOVEMENT TO THE DISARMAMENT COMMISSION DURING ITS 2007 SUBSTANTIVE SESSION IN NEW YORK¹

The Permanent Mission of Cuba to the United Nations Office at Geneva and the international organizations based in Switzerland presents its compliments to the secretariat of the Conference on Disarmament and has the honour to attach the working paper entitled “Recommendations for achieving the objective of nuclear disarmament and non-proliferation of nuclear weapons” submitted by the Non-Aligned Movement to the Disarmament Commission during its 2007 substantive session.

Noting the importance which the Non-Aligned Movement attaches to the achievement of nuclear disarmament and its awareness of the potential benefit of the attached working paper in carrying forward the work of the Conference on Disarmament on matters relating to nuclear disarmament, the Permanent Mission of Cuba wishes to request the distribution of the present letter and its attachment as an official document of the Conference on Disarmament.

Geneva, 26 April 2007

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RECOMMENDATIONS FOR ACHIEVING THE OBJECTIVE OF NUCLEAR DISARMAMENT AND NON-PROLIFERATION OF NUCLEAR WEAPONS

Working paper submitted by the Non-Aligned Movement

We reaffirm that achieving the objective of nuclear disarmament continues to be our highest priority. We remain alarmed by the threat to humanity posed by the continued existence of nuclear weapons and of their possible use or threat of use and deeply concerned over the slow pace of progress towards nuclear disarmament.

We are convinced that disarmament and arms control, particularly in the nuclear field, are essential for the prevention of dangers of nuclear war and the strengthening of international peace and security.

While the final objectives of the efforts of all States should continue to be general and complete disarmament under effective international control, the immediate goal is that of the elimination of the danger of nuclear war and the implementation of measures to halt and reverse the arms race and clear the path towards lasting peace.

We underline the need for all members of the Commission to fulfil their obligations in relation to nuclear disarmament and arms control and to prevent the proliferation of nuclear weapons in all its aspects. We call upon all members to renew and fulfil their individual and collective commitments to multilateral cooperation as an important means of pursuing and achieving their common objectives in the area of disarmament and non-proliferation.

We would like to emphasize that progress in nuclear disarmament and non-proliferation in all its aspects is essential to strengthening international peace and security. We reaffirm that efforts towards the objective of nuclear disarmament, global and regional approaches and confidence-building measures complement each other and should, wherever possible, be pursued simultaneously to promote regional and international peace and security.

We also reaffirm the absolute validity of multilateral diplomacy in the field of disarmament and non-proliferation, and are determined to promote multilateralism as an essential way to develop arms regulations and disarmament negotiations.

The Non-Aligned Movement States parties to the Non-Proliferation Treaty, while reaffirming the package of agreements of the 1995 Review and Extension Conference and the Final Document of the 2000 Review Conference, call for the firm commitment by all States parties to the Treaty to the implementation of all the provisions of the Treaty and the full implementation of the 13 practical steps for systematic and progressive efforts to implement article VI of the Treaty, particularly the unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament.

In view of the above and in an effort to achieve the objectives of nuclear disarmament and non-proliferation of nuclear weapons, the Non-Aligned Movement presents the following recommendations:

1. Calls upon the nuclear-weapon States:

- To refrain from nuclear sharing for military purposes under any kind of security arrangements in conformity with their obligations;
- To fulfil with determination their nuclear disarmament obligations under article VI, to pursue negotiations in good faith on effective measures towards cessation of the nuclear arms race at an early date and to nuclear disarmament;
- To forgo any efforts to research and develop new types of nuclear weapons or other nuclear explosive devices;
- To further implement their commitment to diminishing the role of nuclear weapons in their security policies/doctrines to minimize the risk that such weapons ever be used and to facilitate the process of their total elimination;
- To implement their commitment to further reducing the operational status of their nuclear weapon system (de-alerting);
- To establish a comprehensive phased programme with agreed time frames, for progressive and balanced reduction of stockpiles of nuclear weapons and their means of delivery;
- To further reduce their non-strategic nuclear weapons based on unilateral or bilateral initiatives and as an integral part of the nuclear arms reduction and disarmament process;
- To apply the principle of irreversibility, transparency and verifiability to nuclear disarmament, arms control and other related reduction measures;
- To respect fully their existing commitments with regard to security assurances pending the conclusion of multilaterally negotiated legally binding security assurances for all non-nuclear-weapon States;
- To reaffirm their commitment 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, and not in any way to assist, encourage or induce any non-nuclear-weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices;
- To refrain from conducting nuclear test explosions for the development or further improvement of nuclear weapons and maintaining their voluntary moratorium on nuclear weapon test explosions since the opening for signature of the Comprehensive Nuclear-Test-Ban Treaty;

- To take further steps to bring into effect the security assurances provided by nuclear-weapon-free-zone treaties and their protocols;
- To place under IAEA safeguards fissile materials transferred from military to peaceful uses to ensure that such materials remain permanently outside military programmes.

2. While underlining the unanimous conclusion of the International Court of Justice that there exists an obligation to pursue in good faith and to bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control, calls upon all States to immediately fulfil that obligation by commencing multilateral negotiations leading to an early conclusion of a nuclear-weapon convention prohibiting the development, production, acquisition, testing, deployment, stockpiling, transfer, use or threat of use, and providing for their elimination.

3. To establish as soon as possible, and as the highest priority, an ad hoc committee on nuclear disarmament in the Conference on Disarmament, taking into account all proposals which have been submitted by members of the Group of 21 and the Five Ambassadors, and to commence negotiations on a phased programme of nuclear disarmament and for the complete elimination of nuclear weapons with a specified framework of time, including a nuclear-weapon convention.

4. Urges the Conference on Disarmament to agree on a balanced and comprehensive programme of work that includes, inter alia, immediate commencement and early conclusion of negotiations on a non-discriminatory, multilateral, internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons and other nuclear explosive devices, in accordance with the report of the Special Coordinator (CD/1299) in 1995 and the mandate contained therein, within an appropriate ad hoc committee in the Conference on Disarmament. This would be a significant contribution to nuclear disarmament and nuclear non-proliferation.

5. Reaffirms that the qualitative improvement and development of new types of nuclear weapons is in contravention with the undertakings provided by the nuclear-weapon States at the time of the conclusion of the Comprehensive Nuclear-Test-Ban Treaty that the Treaty would prevent the improvement of existing nuclear weapons and development of new types of nuclear weapons.

6. Expresses concern on strategic defence doctrines that set out the rationales for the use of nuclear weapons.

7. Expresses concern over the negative implications of the development and deployment of anti-ballistic missile defence systems and the pursuit of advanced military technologies capable of being deployed in outer space, which could trigger an arms race or arms races, the further development of advanced missile systems and an increase in the number of nuclear weapons, and declares the urgent need for the commencement of substantive work in the Conference on Disarmament on the prevention of an arms race in outer space.

8. While noting the entry into force of the Moscow Treaty, stresses that reduction in deployments and in operational status cannot substitute for irreversible cuts in nuclear weapons

and their total elimination; calls upon the United States and the Russian Federation to apply the principles of transparency, irreversibility and verifiability to further reduction of their nuclear arsenals, both warheads and delivery systems, under the Treaty.

9. Reaffirms that the total elimination of nuclear weapons is the only absolute guarantee against the use or threat of use of nuclear weapons. Pending the total elimination of nuclear weapons, calls for the conclusion of, as a matter of priority, a universal, unconditional and legally binding instrument on security assurances to non-nuclear-weapon States.

10. Recommends to the General Assembly to declare the decade 2010-2020 the “Decade for nuclear disarmament”.

11. Reaffirms the commitment of non-nuclear-weapon States parties to the Non-Proliferation Treaty not to receive the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices directly, or indirectly; not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices; and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices.

12. Supports the objectives of the Comprehensive Nuclear-Test-Ban Treaty, which is intended to enforce a comprehensive ban on all nuclear test explosions, and to stop the qualitative development of nuclear weapons which would pave the way towards the total elimination of nuclear weapons.

13. Reaffirms the importance of achieving universal adherence to the Comprehensive Nuclear-Test-Ban Treaty, including by the nuclear-weapon States, to contribute towards the process of nuclear disarmament and therefore towards the enhancement of international peace and security.

14. Underlines that a positive decision on the part of the nuclear-weapon States would have the desired impact on the progress towards entry into force of the Comprehensive Nuclear-Test-Ban Treaty, and emphasizes that early ratification by the nuclear-weapon States would pave the way and encourage the remaining countries listed in annex 2 to the Treaty.

15. Reaffirms the establishment of nuclear-weapon-free zones by the Treaties of Tlatelolco, Rarotonga, Bangkok, Pelindaba and Semipalatinsk as a positive step towards attaining the objective of global nuclear disarmament.

16. Supports Mongolia’s nuclear-weapon-free status, considering that the institutionalization of that status would be an important measure towards strengthening the non-proliferation regime in that region.

17. Urges States to conclude agreements with a view to establishing new nuclear-weapon-free zones in regions where they do not exist in accordance with the provisions of the Final Document of the Tenth Special Session of the General Assembly and the principles and guidelines adopted by the Disarmament Commission at its 1999 substantive session.

18. Supports the establishment in the Middle East of a zone free of nuclear weapons and other weapons of mass destruction and reaffirms the need for the speedy establishment of a

nuclear-weapon-free zone in the Middle East in accordance with the Security Council resolution 487 (1981) and the relevant General Assembly resolutions adopted by consensus, and recalls that the 2000 Review Conference reaffirmed the importance of Israel's accession to the Non-Proliferation Treaty and the placement of all its nuclear facilities under comprehensive IAEA safeguards, in realizing the goal of universal adherence to the Treaty in the Middle East.

19. Calls for the total and complete prohibition of the transfer of all nuclear-related equipment, information, material and facilities, resources or devices and the extension of assistance in the nuclear-related scientific or technological fields to Israel.

20. Reaffirms the basic and inalienable right of all States to develop research, production and use of nuclear energy for peaceful purposes without discrimination.

21. Expresses concern that undue restrictions persist on export to developing countries of material, equipment and technology for peaceful purposes.

22. Reaffirms that IAEA is the competent authority responsible for verifying and assuring, in accordance with the statute of IAEA and its safeguards system, compliance with its safeguards agreements with States parties undertaken in fulfilment of their obligations under article III, paragraph 1, of the Non-Proliferation Treaty, with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices.

23. Reaffirms that a clear distinction has to be made between the legal obligations of Member States under their respective safeguards agreements and their voluntary commitments, in order to ensure that such voluntary commitments are not turned into legal safeguards obligations.

24. Emphasizes that nothing shall be interpreted as affecting the inalienable rights of all the parties to the Non-Proliferation Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I, II and III of the Treaty; and reaffirms that each country's choices and decisions in the field of peaceful uses of nuclear energy should be respected without jeopardizing its policies or international cooperation agreements and arrangements for peaceful uses of nuclear energy and its fuel-cycle policies.

25. Calls upon all Member States to support international efforts within the United Nations framework to prevent terrorists from acquiring weapons of mass destruction and their means of delivery and urges all Member States to take and strengthen national measures, as appropriate, to prevent terrorists from acquiring weapons of mass destruction, their means of delivery and materials and technologies related to their manufacture.

26. While recognizing that the most effective way to address the concern arising from non-State actors acquiring weapons of mass destruction is the total elimination of such weapons and noting Security Council resolution 1540 (2004), believes that measures to prevent non-State actors from acquiring weapons of mass destruction, their means of delivery and related materials should be adopted through a universally negotiated instrument.
