
2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

5 May 2005

Original: English

New York, 2-27 May 2005

Implementation of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons, taking into account the conclusions in the Final Document of the 2000 Review Conference and paragraph 4 (c) of the 1995 Decision on Principles and Objectives for Nuclear Non-Proliferation and Disarmament

Report submitted by the Netherlands

Introduction

1. This paper contains a substantive report of the steps undertaken by the Netherlands to implement article VI of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and paragraph 4 (c) of the 1995 Principles and Objectives. As the most recent elaboration of the obligations embodied in article VI and the Principles and Objectives is contained in the 13 practical steps of the Final Document of the 2000 NPT Review Conference, the report focuses on these practical steps, in particular those related to nuclear disarmament, for which non-nuclear-weapon States also bear responsibility. It is clear that only the nuclear-weapon States bear a special responsibility for implementing all steps.

Step 1: The Comprehensive Nuclear-Test-Ban Treaty

2. The Netherlands has worked towards entry into force of the Comprehensive Nuclear-Test-Ban Treaty in two ways: by actively supporting the work of the Preparatory Commission for the Treaty Organization in Vienna in implementing the Treaty's verification mechanism, and by promoting signature and ratification of the Treaty. The Netherlands belonged to the group of original co-sponsors of the joint ministerial statement (A/57/586, annex) on the early entry into force of the Treaty, issued on 14 September 2002 during the general debate of the fifty-seventh session of the General Assembly. The Netherlands, together with Japan, Finland and Australia, undertook to reinforce this effort on 23 September 2004 during the general debate at the fifty-ninth session of the General Assembly with a new joint ministerial statement (A/59/550, annex), co-sponsored by over 30 countries,

repeating the call for the early entry into force of the Treaty. The Netherlands also voted in favour of General Assembly resolution 59/109 on the Comprehensive Nuclear-Test-Ban Treaty.

3. The Netherlands participated actively in the Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty (Article XIV Conference) in 2003. The Conference decided, inter alia, to create the function of a Special Representative to further promote the entry into force of the Treaty. Ambassador Jaap Ramaker of the Netherlands was subsequently appointed as Special Representative. The Government of the Netherlands provides financial assistance to the Special Representative to fulfil his task. The Netherlands furthermore participated in the efforts undertaken in the framework of the European Union late in 2004 to achieve early entry into force of this Treaty through diplomatic démarches in non-signatory and non-ratifying countries.

Step 2: Test moratorium

4. Although strictly speaking a step to be taken by the nuclear-weapon States, it is clear that, pending entry into force of the Comprehensive Nuclear-Test-Ban Treaty, test moratoriums gain in importance. That is why, for the Netherlands, insistence on a test moratorium is part and parcel of our diplomatic efforts promoting the Treaty.

Step 3: Negotiations on a fissile material cut-off treaty

5. The Netherlands has supported several initiatives, in particular the initiative of the so-called Five Ambassadors, that could provide the basis for a work programme in the Conference on Disarmament and could subsequently lead to the immediate commencement of negotiations leading to a treaty to stop the production of fissile material for nuclear weapons and other nuclear explosive devices (fissile material cut-off treaty). The Netherlands co-sponsored General Assembly resolution 59/81 in 2004, supporting early start of negotiations on a fissile material cut-off treaty in the Conference on Disarmament. During its recent presidency of the Conference in the beginning of 2005, the Netherlands launched ideas to promote consensus on a mandate for such negotiations. The Netherlands will continue to apply maximum flexibility in the discussions on a work programme of the Conference, which should finally allow these negotiations to really start.

6. In the meantime, the Netherlands has remained active in relation to the issue of fissile material, in order to try to implement the agreements reached at both the 1995 and 2000 NPT Conferences on this important next multilateral step on the road to nuclear disarmament. For this reason, the Netherlands initiated in Geneva a series of open-ended informal meetings of an informative and educational nature on the issue of fissile material for nuclear weapons and other nuclear explosive devices. The purpose of this exercise is to better prepare delegations in Geneva for the actual negotiations in the Conference on Disarmament on a fissile material cut-off treaty. So far the Netherlands has organized six meetings on various relevant topics: the relevance of a fissile material cut-off treaty for nuclear disarmament and nuclear non-proliferation, the scope of a fissile material cut-off treaty, the relationship between International Atomic Energy Agency (IAEA) safeguards and a fissile

material cut-off treaty, and stockpiles of fissile material. Reports of these meetings have been circulated as official documents of the Conference on Disarmament. The Netherlands will continue this exercise as long as the negotiations have not commenced.

Step 4: Nuclear disarmament in the Conference on Disarmament

7. Once the Conference on Disarmament has agreed upon a programme of work, attention should also be given to nuclear disarmament. The proposal to establish a subsidiary body in the Conference to deal with this subject was originally made by a group of States including the Netherlands.

Step 5: Irreversibility

8. Irreversibility is important for multilateral and bilateral arms control alike. Although **agreeing** on bilateral nuclear arms reductions is primarily the responsibility of the nuclear-weapon States, international stability and security are best served by **irreversible** reductions. It has been a consistent element in the approach of the Netherlands towards nuclear reduction talks to emphasize the importance of irreversibility. The Netherlands therefore welcomes the Moscow Treaty of 2002 between the United States of America and the Russian Federation, in which reductions of strategic offensive nuclear weapons have been laid down in a legally binding document. This in itself promotes irreversibility. The Netherlands welcomes the entry into force of this Treaty, and encourages both the United States and the Russian Federation to report to the Review Conference on the implementation of the undertakings laid down in the Treaty.

Step 6: The unequivocal undertaking

9. The Netherlands considers the unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, to which all States parties are committed under Article VI, as one of the major achievements of the 2000 NPT Review Conference. While acknowledging the nuclear-weapon States for the steps they have taken so far to reduce their nuclear arsenals (by dismantling nuclear weapons, destroying fissile material and closing down production facilities), the Netherlands has been encouraging the nuclear-weapon States to continue their efforts in this respect. In the context of nuclear disarmament, the Netherlands co-sponsored, voted in favour of, or supported the following General Assembly resolutions:

- Resolution 59/63: Establishment of a nuclear-weapon-free zone in the region of the Middle East
- Resolution 59/65: Prevention of an arms race in outer space
- Resolution 59/73: Mongolia's international security and nuclear-weapon-free status
- Resolution 59/75: Accelerating the implementation of nuclear disarmament commitments

- Resolution 59/76: A path to the total elimination of nuclear weapons
- Resolution 59/85: Nuclear-weapon-free southern hemisphere and adjacent areas
- Resolution 59/106: The risk of nuclear proliferation in the Middle East
- Decision 59/513: Establishment of a nuclear-weapons-free zone in Central Asia
- Decision 59/514: United Nations conference to identify ways of eliminating nuclear dangers in the context of nuclear disarmament.

Step 7: The Treaty on Strategic Offensive Arms (START) and the Treaty on the Limitation of Anti-Ballistic Missile Systems (ABM)

10. Strictly speaking, START and ABM are a bilateral issue, but of course this issue is of interest to the whole NPT community. The Netherlands believes that in looking at the implementation of this step we should take the changed international circumstances into account. Instead of focusing on the demise of ABM we must look to the future. The Netherlands is encouraged by the new strategic framework that has been negotiated between the Russian Federation and the United States, and the prominent place strategic nuclear reductions take therein, building on the START process, and welcomes the entry into force of the Moscow Treaty. In this context, the Netherlands supported General Assembly resolution 59/94 concerning bilateral strategic nuclear arms reductions and the new strategic framework. We will continue to argue for measures regarding verification, transparency, predictability and irreversibility to form part of any ensuing agreement.

Step 8: The Trilateral Initiative

11. The Netherlands has been encouraging the trilateral parties — the Russian Federation, the United States and IAEA — to conclude and implement the Trilateral Initiative. This Initiative is an important contribution to enhancing confidence and trust, and should be used in full.

Step 9: International stability and undiminished security

12. The implementation of the elements making up step 9 is primarily the responsibility of the nuclear-weapon States. Nevertheless, the Netherlands has always emphasized the importance of two of these elements — accountability and transparency, and non-strategic nuclear weapons — in the context of the United Nations, the Conference on Disarmament and the Treaty on the Non-Proliferation of Nuclear Weapons and during bilateral discussions on nuclear disarmament.

13. The Netherlands has been strongly advocating increasing accountability and transparency with regard to nuclear arsenals. At the last NPT Review Conference, in 2000, the Netherlands introduced proposals in this respect, together with Belgium, Germany, Italy and Norway. Regarding transparency, according to the original proposals, such measures could include a commitment by the nuclear-weapon States to make known periodically the aggregate numbers of warheads, delivery systems

and stocks of fissile material for military purposes in their possession and their nuclear policies. Some of the nuclear-weapon States have already allowed for a good degree of transparency. It is the sincere hope of the Netherlands that these States will further their efforts in being transparent regarding their nuclear arsenals. The Netherlands calls on the other nuclear-weapon States to also become more transparent on their nuclear arsenals.

14. However, transparency on nuclear issues not only applies to the “haves”; it also applies to the “have-nots”. Comprehensive Safeguards (IAEA document INFCIRC/153) constitute a bare minimum. Concluding an Additional Protocol to Safeguards (INFCIRC/540) with IAEA is also an important way of being transparent. The Netherlands has done so. The Netherlands is of the opinion that the Comprehensive Safeguards together with an Additional Protocol constitutes the verification standard. We urge all those States that have not yet signed or ratified such an Additional Protocol to do so without delay.

15. We also believe that the reduction of warheads and non-strategic nuclear weapons should take place in a transparent and irreversible way. Increased transparency with regard to tactical or non-strategic nuclear weapons could be a first step and would be an important confidence-building measure.

16. As party to the Treaty on the Non-Proliferation of Nuclear Weapons and as a member of the North Atlantic Treaty Organization (NATO), we feel a special responsibility in relation to the issue of non-strategic nuclear weapons. Since the end of the cold war, NATO has significantly reduced the number of tactical nuclear weapons in its arsenal. What remains deployed in Europe is only a very small proportion of the original numbers that were there 10 or more years ago. More than 80 per cent of these weapons were actually eliminated. Their readiness is presently measured in weeks and months rather than in hours and days. The purpose of the remaining non-strategic nuclear weapons held by NATO is fundamentally political. Within NATO, a process has started between the Alliance and the Russian Federation to give appropriate attention to the question of non-strategic nuclear weapons. The dialogue that is now starting will hopefully lead to measures that will promote mutual confidence, transparency and stability.

17. The Netherlands, together with Belgium and Norway, submitted working papers at the second and third sessions of the Preparatory Committee for the NPT Review Conference (NPT/CONF.2005/PC.II/WP.17 and NPT/CONF.2005/PC.III/WP.25) which aimed to support and assist the chairs of the respective sessions of the Preparatory Committee, and ultimately the chair of the 2005 Review Conference, in their efforts to develop consensus language on a number of relevant issues. In the preparations for the Review Conference, interested countries were invited to make additional comments and further develop substantive elements of the document, as orally announced by the authors at the second and third sessions of the Preparatory Committee, as well as by the Minister for Foreign Affairs of the Netherlands in his speech to the Conference on Disarmament on 15 March 2005. The initiators however invite all other interested parties to co-sponsor a revised version of this working paper at the present Review Conference.

Step 11: General and complete disarmament

18. The Netherlands continues to be active on almost all non-nuclear arms control and disarmament issues, including biological weapons, chemical weapons, missiles, landmines, explosive remnants of war and small arms and light weapons.

Step 12: Reporting

19. This report constitutes fulfilment by the Netherlands of this obligation.

Step 13: Development of verification

20. On the development of verification capabilities to assure “compliance with nuclear disarmament agreements for the achievement and maintenance of a nuclear-weapon-free world”, as step 13 puts it, the Netherlands participated in various seminars and discussions. The Netherlands also supported General Assembly resolution 59/60 on verification in all its aspects, including the role of the United Nations in the field of verification.
