

2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Working paper submitted by the Islamic Republic of Iran on non-proliferation

1. Today, non-proliferation, in common with the other two pillars of the Treaty on the Non-Proliferation of Nuclear Weapons, faces serious challenges mostly originating from the non-compliance of some nuclear-weapon States with their obligations under articles I and VI of the Treaty. Certain nuclear-weapon States, in contravention of their commitments under article VI, continued to resort to nuclear deterrence as their defence and security doctrine and accelerated the nuclear arms race. By maintaining their nuclear arsenals and their horizontal proliferation through the transfer of nuclear technologies and weapons-grade materials to non-parties to the Treaty, these nuclear-weapon States have also contributed to the emergence of new nuclear weapons possessors. It is in clear violation of their obligations under article I.
2. A few countries have attempted to wrongly infer that proliferation concerns are only attributed to non-nuclear-weapon States. Furthermore, through false and misleading propaganda, they similarly have tried to describe nuclear energy as the synonym of nuclear weapons. This false misinformation has been highlighted, while all the nuclear activities of the non-nuclear-weapon States parties to the Non-Proliferation Treaty are under the full-scope safeguards of the International Atomic Energy Agency (IAEA), and they have already foregone the nuclear option, therefore they pose no threat to the others.
3. The Review Conference of the Parties to the Treaty cannot easily overlook that certain nuclear-weapon States, in contravention of their legal undertakings, promote the role and status of nuclear weapons in their defence and security doctrines and proliferate these weapons to the others. Non-compliance with article I and the lack of any mechanism for verification of obligations of nuclear-weapon States have resulted in serious concern. Nuclear-weapon States have already undertaken under the Non-Proliferation Treaty provisions to eliminate their nuclear arsenals and committed not to develop or transfer nuclear weapons or its materials to others. In long term, the maintenance of these inhumane weapons, and the threat to use them, would weaken and jeopardize international peace and security.
4. In the past few years, some efforts have been made to undermine the main principles of the Non-Proliferation Treaty in order to change it to a single-goal treaty. In this context, unfortunately, the nuclear disarmament obligations have been



totally overlooked, and access to peaceful nuclear materials and technologies has been denied. At the same time, obligations of the non-nuclear-weapon States on non-proliferation have been overemphasized as if the Treaty has no other provision. With such an approach, certain countries have tried to impose more extreme and deeper restrictions on access to peaceful nuclear technology and sought to monopolize such technology only to nuclear-weapon States, and a few staunch allies even in some cases if they are non-parties to the Treaty. Additionally, these countries, possessors of nuclear weapons, have imposed restrictions on other States parties who believe nuclear energy should not be turned into weapons. This is an unfortunate fact in international relations. The clear examples are the growth of United States-Israeli nuclear cooperation and a recent decision of the Nuclear Suppliers Group that have shown that being a non-party to the Non-Proliferation Treaty is more privileged and is even being rewarded by Western countries.

5. The unprecedented decision of the Nuclear Suppliers Group, an exclusive and non-transparent club that claims to have been established in order to strengthen the non-proliferation regime, has already damaged the Non-Proliferation Treaty. Such a decision for providing nuclear fissile materials to a non-party that has an active nuclear-weapons programme is a clear violation of paragraph 2 of article III, which stipulates that cooperation of each State party to the Treaty in providing equipment or material for peaceful purposes is not possible “unless the source or special fissionable material shall be subject to the safeguards required by the [Non-Proliferation Treaty]”. The Nuclear Suppliers Group decision, which has been taken under United States pressure, is also a violation of nuclear-weapon States’ commitment under the decision on principles and objectives of the 1995 Review Conference and the Final Document of the 2000 Review Conference for promoting the universality of the Non-Proliferation Treaty. When a country outside the Treaty enjoys freely nuclear assistance of Nuclear Suppliers Group members, it will never accede to the Treaty. Thus the Nuclear Suppliers Group’s decision is in clear contravention of the obligations on the promotion of the universality of the Non-Proliferation Treaty and has seriously jeopardized the credibility and integrity of the Treaty. Such a decision is another manifestation of double standards and discrimination in implementing the provisions of the Treaty. We ask the Review Conference to seriously consider this issue and make a decision on the prohibition of any nuclear assistance to non-parties to the Non-Proliferation Treaty.

6. Furthermore, it seems that in the view of the United States and its allies, clandestine development of nuclear weapons by those outside the Non-Proliferation Treaty is justifiable. And worse than that, such a nuclear programme is supportable through cooperation and transferring nuclear technology, materials and equipments by the Nuclear Suppliers Group. It is a matter of great concern that such an approach has been applied to the nuclear weapons programme of the Israeli regime, which is a staunch ally of the United States. Permitting such a regime to continue to produce nuclear weapons with impunity is a matter of grave concern. Under the current trend, it is predictable that the nuclear weapons of the Zionist regime, which were publicly acknowledged by its Prime Minister, might become known, recognized and even rewarded.

7. The Review Conference should seriously address the proliferation of nuclear weapons by these nuclear-weapon States. It is essential that all proliferation cases committed by certain nuclear-weapon States be identified and examined thoroughly. It should be taken into account that allies and partners of these violators have

themselves acquired nuclear weapons. The Non-Proliferation Treaty could only last and be widely supported by States parties, if nuclear-weapon States fulfil their obligations under the Treaty.

8. The current challenges of the non-proliferation regime require the establishment of a new arrangement and a robust strategy to prevent the arbitrary measures of some nuclear-weapon States in proliferating nuclear weapons. It is indispensable for the Review Conference to adopt a new approach towards non-proliferation and emphasize its basic and primary paradigms. Full materialization of non-proliferation provisions requires the implementation of article I of the Non-Proliferation Treaty by the nuclear-weapon States. Therefore, the Conference needs to establish a strong mechanism to verify the implementation of article I by the nuclear-weapon States. The Review Conferences should also call upon the nuclear-weapon States to fully implement their obligations under article VI of the Treaty.

9. In this line, the new strategy of the 2010 Review Conference, based on the full implementation of the nuclear-weapon States' obligations on non-proliferation, should be designed in a way to cover the following key issues:

- The non-proliferation by certain nuclear-weapon States is the most immediate and essential risk threatening the non-proliferation regime.
- The legal status of article I of the Treaty and its implementation by nuclear-weapon States should be defined. In this context, establishing a verification mechanism similar to that under article III of the Treaty is essential.
- The old concept that the risk of proliferation arises from non-nuclear-weapon States should be revisited and the new strategy of the Review Conference should be focused on proliferation risks of nuclear-weapon States.
- It is essential that all proliferation cases made by certain nuclear-weapon States be examined.
- In order to take measures to strengthen non-proliferation, the nuclear-weapon States must also refrain from cooperating with non-parties to the Treaty and undertake not to transfer any nuclear material, equipment, information, knowledge and technology to them.
- The only solution to remove concerns originating from non-proliferation and threats of the possible use of nuclear weapons is the total rejection of nuclear deterrence through the conclusion of a universal legally binding nuclear disarmament treaty.
- In the current circumstances, IAEA should demonstrate, more than before, its commitment and dedication not only to the implementation of the safeguards, but also to facilitate development of nuclear energy as its main and primary purpose.

10. In conclusion, we believe that IAEA, as the sole competent authority in verifying nuclear programmes of the States parties, has an important and sensitive role in dealing with the nuclear activities of the Member States. In this regard, IAEA should act within its mandate, the IAEA Statute and the relevant safeguards agreements of the States parties. The Agency should also strengthen its

confidentiality policies in order to prevent any leakage of the sensitive and confidential information of Member States.

11. The other concern of the States parties to the Non-Proliferation Treaty is the increase of baseless allegations against the peaceful nuclear activities of other States. These allegations have significant consequences, in particular, political and economic damages to the relevant State party. In this context, the Agency must be very vigilant in dealing with the open source information, baseless allegations and the authenticity of the documents presented. The Agency must not build its verification activities on non-reliable and fake evidence. In this context, based on article III of the Treaty, which stipulates that implementation of safeguards shall be in a manner to avoid hampering the economic or technological development of States Parties, we propose to establish a legal mechanism for the settlement of disputes and appropriate arrangements to rectify the damages inflicted on the relevant States party and provide a framework for compensation.
