
2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons

Report submitted by Poland

Pursuant to the request of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and in line with the action 20 of the conclusions and recommendations for follow-up actions adopted at the 2010 Review Conference, the Republic of Poland submits its report, which outlines the steps and measures undertaken to implement all the provisions of the Treaty. The scope of the report embraces a timeline since the conclusion of the eighth Review Conference, held in 2010.

As a member State of the European Union and participant of the Non-Proliferation and Disarmament Initiative, Poland has subscribed to a number of working papers presented during the current review cycle.

Article I

1. Bearing in mind the current severe security environment, Poland, as part of its policy, consistently calls upon nuclear-weapon States not to assist, encourage or induce any non-nuclear-weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices. Furthermore, Poland welcomes reductions of arsenals by the nuclear-weapon States and encourages them to continue the policy of diminishing the role of nuclear weapons in military doctrines and security strategies, because such steps could discourage other States from acquiring weapons of mass destruction.

2. Poland has taken concrete actions with respect to the non-proliferation of nuclear weapons, also by non-State actors. We promote effective practices that implement Security Council resolution 1540 (2004), and we actively participate in the Proliferation Security Initiative, (Poland hosted the 2013 high-level political meeting). Poland is also a member of the Global Initiative to Combat Nuclear Terrorism.



Article II

3. Poland remains unequivocally committed to its obligation under article II of the Treaty; that is, not to transfer, manufacture or receive control over nuclear weapons. The trade, import, export, acquisition, brokering or transport of weapons of mass destruction, whether nuclear, chemical or biological weapons or their components, through the territory of the Republic of Poland are explicitly prohibited under Polish law. In this respect, the Atomic Law of November 2000, with subsequent amendments (including a major amendment in 2011), and the Law on foreign trade in goods, technologies and services of strategic importance to the security of the State and to maintaining international peace and security, of 29 November 2000, as amended in July 2004, deserve a mention. In addition, the Polish Criminal Code provides for criminal sanctions against any person who, in violation of international law, produces, stockpiles, acquires, sells or transports weapons of mass destruction (including nuclear weapons) or other means of combat or conducts research aimed at producing or using such weapons.

Article III

4. The agreement between Poland and the International Atomic Energy Agency (IAEA) for the application of safeguards in connection with the Treaty entered into force on 11 October 1972. The requirements of article III, paragraph 1, were therefore fulfilled with regard to Poland. Moreover, in order to ensure the highest possible level of transparency, the Additional Protocol to the Agreement on Safeguards was ratified between Poland and IAEA on 5 May 2000. Poland continuously supports strengthening the IAEA and the European Atomic Energy Community (EURATOM) safeguards systems and believes that the agreement between Poland, EURATOM and IAEA, as well as the Additional Protocol, represents the current verification standard for safeguards and non-proliferation.

5. In this context, within the framework of cooperation with IAEA, Poland organized the Integrated Regulatory Review Service and the Integrated Nuclear Infrastructure Review and has begun preparations for the Integrated Physical Protection Advisory Service of IAEA. The aim of the Service mission was to conduct a review of the Polish National Atomic Energy Agency¹ preparedness to carry out its regulatory duties, taking into account the decision of the Government of Poland to develop the national nuclear power programme. Based on the Service evaluation against the IAEA safety standards, the review team concluded that Poland, through the Polish National Atomic Energy Agency, is implementing a framework that provides for effective protection of public health and safety. The visit of the Service mission took place in April 2013, and the final report is available on the websites of the Polish National Atomic Energy Agency and IAEA.

The aim of the Integrated Nuclear Infrastructure Review mission was to support the efforts of Poland in the field of best possible preparation for the implementation of the Polish nuclear power programme and for an evaluation of the development of the national nuclear power infrastructure. The Review mission concluded that Poland has made significant progress in the necessary infrastructure

¹ The Polish National Atomic Energy Agency is the Polish Government agency competent for nuclear safety, security and safeguards.

for its nuclear power programme and should continue to develop it further. The mission took place in March 2013, and the final report is available on the websites of the Polish Ministry of Economy and IAEA.

Export control

6. As a member of both the Nuclear Suppliers Group and the Zangger Committee, Poland implements its obligations under article III, paragraph 2, of the Treaty by controlling its exports in accordance with provisions of the article not to provide: (a) source or special fissionable material; or (b) equipment or material especially designed or prepared for the processing, use or production of special fissionable material, to any non-nuclear-weapon State for peaceful purposes, unless the source or special fissionable material is subject to the safeguards required by the article. Poland also cooperates in the framework of the information exchange system aimed at providing the States members of the Nuclear Suppliers Group with national control system refusals regarding dual-use products. Polish responsibilities under article III, paragraph 2, are also fulfilled through participation in the European Community regime for the control of exports and the transfer, brokering and transit of dual-use items.

7. Poland participates in the Missile Technology Control Regime and implements its Guidelines, which restrict the proliferation of the means of delivery of weapons of mass destruction, including nuclear weapons.

8. Poland continues to strengthen its borders against the possible illicit transfers of vulnerable nuclear and radiological materials.

Article IV

9. Poland strongly supports peaceful uses of nuclear energy. Resolution No. 4/2009 of the Council of Ministers of 13 January 2009 on nuclear power development activities and the Ordinance of the Council of Ministers of 12 May 2009 on establishing a Government Commissioner for Nuclear Power in Poland provided the legal basis for preparations to draw up a Polish nuclear power programme. The programme was adopted by the Council of Ministers on 28 January 2014. The document:

- Sets out the planned scope of nuclear power development;
- Identifies all the necessary tasks and time schedule for the implementation of the Polish nuclear power programme;
- Provides an estimate of the development costs of the Polish nuclear power programme and identifies financing sources;
- Assesses the economic, social and environmental impact of the development of Polish nuclear power programme.

10. Poland's nuclear power development timeline provides for the construction of two nuclear power plants with a total capacity of approximately 6 GWe by 2035.

11. Poland has a well-developed nuclear scientific and research infrastructure. It is very active at the national and international levels. The Institute of Nuclear

Chemistry and Technology serves as the Collaborating Centre “RAPID” (Radiation Processing and Industrial Dosimetry) of IAEA.

12. Poland continues to operate one nuclear research reactor “Maria”, with a nominal power output of 30 MWt. In 2014, the conversion of “Maria” was completed when highly-enriched uranium fuel was replaced with low-enriched uranium fuel. The spent fuel is systematically sent for utilization and permanent disposal to the Russian Federation under the Russian Research Reactors Fuel Return Programme, which is financed by the United States of America, within the framework of the Global Threat Reduction Initiative. The last shipment of spent fuel to the Russian Federation is expected to take place in 2016.

Nuclear safety and security

13. Nuclear safety and security issues are of utmost importance for Poland, which is a party to all the multilateral legal instruments created under the auspices of IAEA. Poland considers the aforementioned conversion of the “Maria” reactor as a crucial project, which will contribute in a major way to enhancing nuclear security.

14. Poland has also actively participated in the process aimed at amending the Convention on the Physical Protection of Nuclear Material and ratified its amendment on 1 June 2007.

15. The IAEA International Physical Protection Advisory Service mission will be conducted in Poland in 2016.

16. The International Nuclear Emergency Exercise tabletop exercise will be held in Poland in 2016. The Exercise has been organized since 1993 by the Nuclear Energy Agency of the Organization for Economic Co-operation and Development. It is an effective tool for testing and improving the ability to respond to domestic and international radiation emergencies.

17. Poland has been an active participant of the Nuclear Security Summit process since the first meeting in Washington, D.C., in 2010. We have taken concrete steps to minimize the threat of nuclear terrorism and to strengthen the chain of nuclear security. Detailed information on this subject has been provided through the Nuclear Security National Progress Report, submitted during the National Security Summit in The Hague in 2014.

Article V

18. Since the ratification of the Comprehensive Nuclear-Test-Ban Treaty in 1999, Poland has constantly reiterated its firm commitment to the Treaty.

19. Poland took part in all the conferences pursuant to article XIV of the Comprehensive Nuclear-Test-Ban Treaty with a view to facilitating its entry into force and fully supported the Final Declarations of the 2011 and 2013 Conferences. Poland’s proactive approach to the promotion of the Treaty was also reaffirmed at the above-mentioned forums and during the respective sessions of the First Committee of the General Assembly.

20. Poland considers the role of the Preparatory Commission of the Comprehensive Nuclear-Test-Ban Treaty Organization and its provisional technical

secretariat to be of key importance for the successful establishment of an effective verification regime.

Article VI

21. Poland strongly encourages all nuclear-weapon States to continue, in good faith, their efforts aimed at achieving the long-term objective of eliminating nuclear weapons.

22. Poland welcomes the ongoing implementation of New START and calls upon the Russian Federation and the United States to engage in a new round of negotiations and advance further steps in line with the principles of irreversibility, verifiability and transparency.

23. In this respect, Poland continues to support the inclusion of non-strategic nuclear weapons in Europe in general arms control and disarmament processes with a view to their gradual reduction and elimination. The disarmament efforts should be reinforced by a responsible policy of reducing the posture of nuclear weapons in military doctrines and security strategies. On 7 and 8 February 2013, the Polish Institute of International Affairs, the Nuclear Policy Program of the Carnegie Endowment for International Peace and the Norwegian Institute for Defence Studies, supported by the Ministry of Foreign Affairs of Norway and the Ministry of Foreign Affairs of Poland and with the participation of the United States Department of State, organized the workshop entitled “The Warsaw workshop: prospects for information sharing and confidence-building on non-strategic nuclear weapons in Europe”. The workshop was intended as an open arena or “Track 1.5” setting for non-governmental organizations (NGOs) and officials from member countries of the North Atlantic Treaty Organization (NATO), the Russian Federation and other European nations, convened under the Chatham House Rule, to discuss possible ways forward for information-sharing and confidence-building on non-strategic nuclear weapons in Europe. Eighty participants from 21 nations attended, including senior officials from NATO countries, representatives of the NATO International Staff, and non-governmental experts from academic and think-tank communities in NATO member States and the Russian Federation. The conference papers are available on the website of the Polish Institute of International Affairs (<http://www.pism.pl/Events/The-Warsaw-Workshop>).

24. Since 2010, Poland has taken an active part in the work of the Non-Proliferation and Disarmament Initiative. The main goal of the Initiative is to take forward the consensus outcomes of the 2010 Review Conference and jointly advance the nuclear disarmament and non-proliferation agendas as mutually reinforcing processes.

25. In March 2015, Poland joined the International Partnership for Nuclear Disarmament Verification. Future nuclear disarmament agreements will require high-level expertise, which is necessary to fulfil all the commitments related to total dismantlement of nuclear weapons. We are ready to participate in developing the technical solutions to this process.

26. On 24 September 2010, Poland took part in the High-level Meeting on Revitalizing the Work of the Conference on Disarmament and Taking Forward Multilateral Disarmament Negotiations, held in New York. Our negative assessment,

expressed during the meeting, is still valid: systematic and lasting marginalization of the Conference as a multilateral negotiating body is a fact that negatively affects all the disarmament efforts worldwide.

27. Therefore, we have decided to contribute to the Open-ended Working Group to develop proposals to take forward multilateral nuclear disarmament negotiations for the achievement and maintenance of a world without nuclear weapons, debating in Geneva in 2013, where we joined a group of States, submitting a working paper entitled “Building blocks for a world without nuclear weapons”.

Article VII

28. Poland welcomes progress made in negotiations and the implementation of nuclear-weapon-free zone agreements, in particular the signing of the Protocol to the Treaty on a Nuclear-Weapon-Free Zone in Central Asia Nuclear in 2014 and its subsequent ratification by France and the United Kingdom of Great Britain and Northern Ireland. We also welcome progress made on the Treaty on the Southeast Asia Nuclear-Weapon-Free Zone. Poland also strongly supports the efforts of the facilitator to convene a conference on a weapons of mass destruction-free zone in the Middle East.

29. At the same time, Poland upholds the view that the process of developing and establishing nuclear-weapon-free zones should be strictly consistent with international law and the universally agreed principle mentioned in the relevant guidelines agreed by the United Nations Disarmament Commission.

Article VIII

30. Poland supports an enhanced review process of the Treaty as adopted at the 1995 Review Conference and the extension conference. In this context, Poland adheres to the practice of reporting on the implementation of the Treaty as an important element of the review process.

Article IX

31. Poland continues to emphasize the importance of the universalization of the Treaty and calls on countries that have not done so to accede to the Treaty without preconditions and unnecessary delay.

Article X

32. Poland believes that the exercise of the right of withdrawal under article X of the Non-Proliferation Treaty should be governed by principles that ensure the preservation of integrity of the non-proliferation regime, the effectiveness of the safeguards and the rights of the States parties remaining in the Treaty.