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with a proposal for a European Parliament recommendation to the Council on non-proliferation and the future of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT)
(2008/2324(INI))

Committee on Foreign Affairs

Rapporteur: Angelika Beer

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PROPOSAL FOR A EUROPEAN PARLIAMENT RECOMMENDATION TO THE COUNCIL

on non-proliferation and the future of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) (2008/2324(INI))

The European Parliament,

- having regard to the proposal for a recommendation to the Council by Annemie Neyts-Uyttebroeck, on behalf of the ALDE Group, and Angelika Beer, on behalf on the Verts/ALE Group, on non-proliferation and the future of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) (B6-0421/2008),
- having regard to the forthcoming 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,
- having regard to its previous resolutions of 26 February 2004¹, 10 March 2005², 17 November 2005³ and 14 March 2007⁴ on nuclear non-proliferation and nuclear disarmament,
- having regard to its resolution of 5 June 2008 on implementation of the European Security Strategy and ESDP⁵,
- having regard to the European Union Strategy against the proliferation of Weapons of Mass Destruction (WMD), adopted by the European Council on 12 December 2003,
- having regard to the Council statement of 8 December 2008 on tighter international security, in particular points 6, 8 and 9 thereof, which expresses the EU's "determination to combat the proliferation of weapons of mass destruction and their means of delivery",
- having regard to the pivotal role of the Nuclear Suppliers Group in the context of non-proliferation,
- having regard to the UN Security Council resolutions relating to issues of non proliferation and nuclear disarmament, especially Resolution 1540 (2004),
- having regard to the Comprehensive Nuclear-Test-Ban Treaty, the IAEA Comprehensive Safeguards Agreements and Additional Protocols, the Convention on the Physical Protection of Nuclear Material, the International Convention for the Suppression of Acts of Nuclear Terrorism, the Hague Code of Conduct against Ballistic Missile Proliferation, the Strategic Arms Reduction Treaty (START I), which will expire in 2009, and the Strategic Offensive Reductions Treaty (SORT),

¹ OJ C 98 E, 23.4.2004, p. 152.

² OJ C 320 E, 15.12.2005, p. 253.

³ OJ C 280E, 18.11.2006, p.453.

⁴ OJ C 301 E, 13.12.2007, p.146.

⁵ Texts adopted, P6_TA(2008)0255.

- having regard to the report on the implementation of the European Security Strategy agreed by the European Council on 11 December 2008,
 - having regard to Rule 114(3) and Rule 90 of its Rules of Procedure,
 - having regard to the report of the Committee on Foreign Affairs (A6-0234/2009),
- A. stressing the need to reinforce further all of the three pillars of the NPT, namely non-proliferation, disarmament and cooperation on the civilian use of nuclear energy,
 - B. strongly concerned about the lack of progress in achieving concrete objectives (such as the so-called "13 steps"¹) in pursuit of the goals of the NPT Treaty, as agreed at the previous Review Conferences, especially now that threats are arising from a variety of sources, including increasing proliferation going hand in hand with the greater demand for, and availability of, nuclear technology, the potential for such technology and radioactive material to fall into the hands of criminal organisations and terrorists, and the reluctance of nuclear weapons States that are signatories to the NPT to reduce or eliminate their nuclear arsenals and decrease their adherence to a military doctrine of nuclear deterrence,
 - C. whereas the proliferation of WMD and their means of delivery, both to state and non-state actors, represents one of the most serious threats to international stability and security,
 - D. recalling the commitment of the EU to make use of all instruments at its disposal to prevent, deter, halt and if possible eliminate proliferation programmes causing concern at global level, as clearly expressed by the EU Strategy against Proliferation of WMD adopted by the European Council on 12 December 2003,
 - E. stressing the need for the EU to intensify efforts to counter proliferation flows and proliferation financing, to sanction acts of proliferation and to develop measures to prevent intangible transfers of knowledge and know-how via all instruments available including multilateral treaties and verification mechanisms, national and internationally coordinated export controls, cooperative threat reduction programmes and political and economic levers,
 - F. encouraged by new disarmament proposals such as those called for by Henry Kissinger, George P. Shultz, William J. Perry and Sam Nunn in January 2007 and January 2008 and campaigns such as "Global Zero", which argue that one crucial way of ensuring the prevention of nuclear proliferation and the achievement of global security is to move towards the elimination of nuclear weapons,
 - G. welcoming, in this respect, the initiatives of the French and British governments to reduce their nuclear arsenals,
 - H. in particular, strongly encouraged by a number of statements on US nuclear policy made

¹ United Nations: 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, NPT/CONF.2000/28 (Parts I and II).

by the then President-elect Barack Obama, in which he underlined that the United States will strive for a world in which there are no nuclear weapons, and will work with Russia to take US and Russian ballistic missiles off hair-trigger alert, and dramatically reduce the stockpiles of US nuclear weapons and material; welcoming the ratification by the USA of the Additional Protocol to the IAEA Safeguards Agreements as a positive, confidence-building step; warmly welcoming also the intention of President Obama to finalise the ratification by the United States of the Comprehensive Nuclear-Test-Ban Treaty (CTBT),

- I. underscoring the need for close coordination and cooperation between the European Union and its partners, including in particular the United States and Russia, with a view to reviving and strengthening the non-proliferation regime,
- J. emphasising that strengthening the NPT as the cornerstone of the global non-proliferation regime is of vital importance, and recognising that bold political leadership and a number of progressive, consecutive steps are urgently needed in order to reaffirm the validity of the NPT and to reinforce the agreements, treaties and agencies that make up the existing proliferation and disarmament regime, including in particular the CTBT and the International Atomic Energy Agency,
- K. welcoming, in this respect, the joint British-Norwegian initiative aimed at assessing the feasibility of, and establishing clear procedural steps for, the eventual dismantling of nuclear weapons and the verification procedures relating thereto; regarding this initiative as very positive for the EU, for NATO and for other relevant players,
- L. noting the letter dated 5 December 2008 from the French EU Presidency to UN Secretary-General Ban Ki-moon on disarmament issues,
- M. welcoming the speech made on 9 December 2008 by Javier Solana, EU High Representative for the CFSP, at a conference on "Peace and Disarmament: A World without Nuclear Weapons", in which he welcomed the fact that the question of nuclear disarmament has again moved to the top of the international agenda and underlined the need for the EU to mainstream non-proliferation in its overall policies,
- N. pointing to the generalisation of the introduction of "non-proliferation clauses" into the agreements concluded between the EU and third States since 2003,
- O. having regard to non-proliferation and disarmament initiatives outside the framework of the UN which the EU has endorsed, such as the Proliferation Security Initiative and the G8 World Partnership,
- P. welcoming the fact that the Commission has observer status in the Nuclear Suppliers Group and in the NPT Review Conference, and that the Council Secretariat is also participating in the NPT Conference, either within the EC delegation or with the EU Presidency,

1. Addresses the following recommendations to the Council:
 - (a) review and update Council Common Position 2005/329/PESC of 25 April 2005 relating to the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons¹, to be endorsed at the December 2009 European Council meeting, in preparation for a successful outcome at the 2010 NPT Review Conference which will further strengthen all three existing pillars of the NPT;
 - (b) intensify efforts to secure the universalisation and effective implementation of non-proliferation rules and instruments, in particular by improving means of verification;
 - (c) actively support, in cooperation with its partners, concrete proposals to bring the production, use and reprocessing of all nuclear fuel under the control of the IAEA, including the creation of an international fuel bank; support in addition other initiatives for the multilateralisation of the nuclear fuel cycle aimed at the peaceful use of nuclear energy, bearing in mind in that regard that Parliament welcomes the readiness of the Council and the Commission to contribute up to EUR 25 million to the creation of a nuclear fuel bank under the control of the IAEA and wishes to see a speedy approval of the Joint Action on this subject;
 - (d) support further efforts to strengthen the mandate of the IAEA, including the generalisation of the Additional Protocols to the IAEA Safeguard Agreements, and other steps designed to develop confidence-building measures; ensure that sufficient resources are made available to that organisation so as to fulfil its vital mandate in making nuclear activities secure;
 - (e) make substantial progress on the G8 Partnership initiative, the Proliferation Security Initiative and the Global Threat Reduction Initiative, and push for the early entry into force of the CTBT;
 - (f) deepen its dialogue with the new US administration and all nuclear-weapons powers, with a view to pursuing a common agenda aimed at progressive reduction of the nuclear warheads stockpile; in particular, support those steps being taken by the USA and Russia to substantially reduce their nuclear weapons as agreed in START I and in SORT; press for ratification of the CTBT and renewal of the START agreement;
 - (g) develop strategies at the 2010 NPT Review Conference aimed at achieving agreement on a treaty to halt the production of fissile material for weapons purposes in a way that is not discriminatory, which means that the treaty thus negotiated should require not only non-nuclear-weapons States or States currently outside the NPT but also the five UN Security Council members, all of which possess nuclear weapons, to forswear the production of fissile material for weapons and to dismantle all their established fissile material production facilities for such weapons;
 - (h) fully support the reinforcement and improvement of means of verification of compliance with all available non-proliferation instruments;

¹ OJ L 106, 27.4.2005, p. 32.

- (i) request an evaluation of the effectiveness of the use of clauses on non-proliferation of WMD in the agreements concluded between the EU and third States;
 - (j) keep Parliament regularly informed about all preparatory meetings in the run-up to the 2010 NPT Review Conference and duly take into account its views on non-proliferation and disarmament matters with regard to that Conference;
2. Instructs its President to forward this recommendation to the Council and, for information, to the Commission, the UN Secretary-General, the President of the 2010 NPT Review Conference, the parliaments of the Member States, Parliamentarians for Nuclear Non-Proliferation and Disarmament and Mayors for Peace.

EXPLANATORY STATEMENT

Recommendation to the Council on non proliferation and the future of the Treaty on Non-Proliferation of Nuclear Weapons (NPT)

During many years the European Parliament has played a leading role in promoting strict controls over types of weapons that are considered to be excessively harmful or that indiscriminately impact on both military personnel and civilians. Hence, the parliament has fully supported international treaties such as the UN Action Programme to Combat the Illegal Use of Small Arms and Light Weapons (SALW), and global treaties to ban anti-personnel landmines, cluster munitions, chemical weapons and biological weapons.

On the issues of nuclear weapons the European Parliament has systematically adopted resolutions on the occasion of every NPT Review Conference since the NPT entered into force in 1970 as well on many of the NPT PrepCom-meetings. All these resolutions aimed to strengthen the NPT and its implementation and to provide recommendations to the European Council and the member states.

This note briefly explains the key features of the NPT and the mixed results of the 2000 and 2005 NPT Review Conferences. It outlines the key issues on the agenda at the NPT 2010 Review Conference and stresses that there is a new international climate that favours diplomatic negotiation on nuclear disarmament. It then focuses on outlining the content and background of two key proposals: the Nuclear Weapons Convention and the Hiroshima-Nagasaki Protocol. It is argued that it is only through the adoption of both the Nuclear Weapons Convention and the Hiroshima-Nagasaki Protocol that the European Union and State Parties to the NPT can ensure that the 2010 NPT Review Conference is a success.

The NPT and its challenges

The Nuclear Non-Proliferation Treaty consists primarily of a core bargain between the non-nuclear weapon States (non-NWS) who agree not to acquire nuclear weapons and to accept safeguards on their nuclear facilities, and the nuclear weapon States (NWS) who agree to pursue negotiations toward nuclear disarmament. Whilst the NPT has been relatively successful in preventing widespread nuclear proliferation, it has failed to ensure that the NWS implement their obligation to begin negotiations towards nuclear disarmament, as stated in Article VI of the NPT. Moreover, although in the post-Cold War era NWS have taken steps to reduce their nuclear arsenals, some NWS have also embarked on a process of modernisation of their nuclear weapons or are considering so doing.¹ Some NWS have embraced a doctrine of nuclear deterrence that envisages the use of first strike against States who do not possess nuclear weapons.²

¹ For example, Defence Secretary Robert Gates suggested in October 2008 that the United States should modernize its inventory of nuclear weapons. 29 October 2008, Gates' nuclear warning. *Los Angeles Times*. page A-8. For his original speech: *Robert Gates: Nuclear Weapons and Deterrence in the 21st century*. Carnegie Endowment for international peace. (28 October 2008).

² Ibid. George Perkovich and James N. Acton. (1 March 2008). *Chapter one: Establishing the Political Conditions to Enhance the Feasibility of Abolishing Nuclear Weapons*. Adelphi Papers. Vol 48, Routledge. (for example, see page 18 to 21 for the question of pre-emptive use of nuclear strike). David S. Yost, (2006) France's new nuclear doctrine. *International Affairs*, Vol 82, No 4;

The lack of progress on the part of NWS in fulfilling their nuclear disarmament obligations threatens the treaty, and if this issue is not adequately addressed, some States might withdraw from the treaty and develop a nuclear weapons capability. Since the entry into force of the Treaty, India, Israel, and Pakistan did not sign or ratify it and have developed nuclear weapons. India and Pakistan argue that the NPT is discriminatory in that it prohibits all States Parties except the P5 (that is China, France, Russia, United Kingdom and the United States) from possessing nuclear weapons and requires States Parties except the P5 to accept safeguards on their nuclear facilities.

North Korea did ratify the Treaty but announced its withdrawal in 2003. Iran is developing uranium enrichment facilities which might give it a nuclear weapons capability if the Iranian government were to decide to withdraw from the NPT and from the current safeguards agreed for their nuclear facilities. India, Pakistan and North Korea all support a comprehensive and non-discriminatory program to eliminate nuclear weapons through a Nuclear Weapons Convention (NWC).

It is perhaps understandable that during the Cold War the super-power's confrontation prevented progress on the NPT nuclear disarmament obligation. Immediately after the end of the Cold War, new opportunities for disarmament seemed to be possible. Indeed, some significant diplomatic achievements were made at NPT Review Conferences of 1995 and 2000.

In **1995**, the States Parties agreed to extend the Treaty 'indefinitely' past its initial 25 years with key conditions being attached including a commitment to conclude a Comprehensive Test Ban Treaty by 1996, commence negotiations on a treaty to control fissile materials and to pursue complete nuclear disarmament. The States also adopted a resolution calling for a nuclear-weapon-free zone in the Middle East and agreed to strengthen the NPT review process.

In **2000** the States Parties agreed by consensus to a set of 13 Practical steps for systematic and progressive efforts to implement Article VI of the NPT, the article committing States Parties to nuclear disarmament. These steps can be summarized as follows: unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals, concrete agreed measures to further reduce the operational status of nuclear-weapon systems, steps by all the nuclear-weapon States leading to nuclear disarmament in a way that promotes international stability, the principle of irreversibility to apply to nuclear disarmament, and the development of the verification capabilities that will be required to provide assurance of compliance with nuclear disarmament agreements for the achievement and maintenance of a nuclear-weapon-free world.

However, there has been little, if any, progress on the implementation of the 2000 agreed steps. At the 2005 NPT Review Conference the States parties struggled to put together a common agenda and failed to agree on any outcome document, largely because of disagreement between the **nuclear weapon states** and **non-nuclear weapon states**. The former emphasized the importance of strengthening non-proliferation efforts and focusing on specific cases of actual and suspected non-compliance with the non-proliferation obligations of the Treaty. The latter emphasized the importance of compliance with and implementation of disarmament obligations. Developments outside the review process also prevented progress: there was the 2003 invasion of Iraq - led by the United States and Britain and launched on the pretext that Iraq possessed nuclear weapons - the failure to bring into force

the Comprehensive Test Ban Treaty, the United States' withdrawal from the Anti-Ballistic Missile Treaty, along with the failure of states to commence negotiations on a treaty banning the production of fissile material for nuclear weapons.

Since the 2005 NPT Review Conference, proliferation concerns have been heightened by North Korea's decision to launch a nuclear test, Iran's alleged intention to develop an enhanced uranium enrichment program, announcements by a number of additional States (especially in the Middle East) of plans to commence civilian nuclear energy programs, and the continuing resistance by the NWS to implementing their nuclear disarmament obligations.

NPT 2010 Review Conference work: what is on the table?

The next Review Conference will meet in New York in April–May **2010**. Preparatory Committee Meetings, which are open to all NPT member States, were held in 2007 and 2008. The third and final Preparatory Committee for this conference will meet from 4–15 May 2009 in New York. The items currently under consideration during this review process include:

- Implementation of the 1995 and 2000 nuclear disarmament commitments;
- Operationalization of the 1995 resolution on the Middle East;
- Entry into force of the Comprehensive Test Ban Treaty;
- Commencement of negotiations of a fissile materials treaty;
- Qualitative and quantitative improvement of nuclear forces by the nuclear weapon states;
- Universalization of the Treaty;
- “Negative security assurances”;
- The establishment of additional nuclear weapon free zones;
- Nuclear sharing arrangements with NATO countries;
- Commencement of negotiations for a nuclear weapons convention and practical preparatory work to support such negotiations;
- The nuclear programmes of North Korea, Iran, and Syria;
- Establishing a reporting mechanism for nuclear disarmament; and
- Establishing a standing NPT secretariat.

The 2009 NPT Prep Com will be the first NPT meeting with a new US administration and will follow a new wave of mainstream political support for the aim of a nuclear weapons free world – including visionary statements from high-level former officials of the NWS, parliamentarians from across the political spectrum, civil society leaders, nobel prize winners and mayors. These statements also emphasise the importance of fully ratifying the Comprehensive Nuclear-Test Ban Treaty, the Strategic Arms Reduction Treaty (START I),

which expire in 2009 and the Strategic Offensive Reductions Treaty (SORT). There are thus good prospects for a comprehensive nuclear disarmament program to be supported at the 2009 NPT prep com and agreed at the 2010 NPT Review Conference. This should focus on the achievement of a nuclear weapons free world through nuclear weapons convention established as one all-covering treaty or as a package of agreements.

Already the European Parliament has in many occasions promoted the need for nuclear disarmament and more specifically with a view to the Preparatory Committees for the 2010 NPT Review Conferences.¹ In addition, the EP has argued in its resolution of 9 March 2005, that the EU should support the establishment of the Model Nuclear Weapons Convention.²

The EP has also supported disarmament initiatives from the international Mayors' campaign. In its resolution of 10 March 2005, it states "renews its support for the international Mayors' campaign -initiated by the Mayors of Hiroshima and Nagasaki - on nuclear disarmament and recommends the international community to carefully consider the Campaign's 'Project Vision 2020', urging a scheduled program of elimination of all nuclear weapons."³

What is the Nuclear Weapons Convention and how did it come about?

A **Nuclear Weapons Convention** is a proposed international treaty that would prohibit the development, testing, production, stockpiling, transfer, use and threat of use of nuclear weapons, as well as provide for their elimination. It would be similar in form to existing conventions outlawing other categories of weapons, such as biological weapons, chemical weapons, anti-personnel mines and cluster-munitions.

The model convention⁴ would require countries with nuclear weapons to destroy them in stages, including taking them off high alert status, removing them from deployment, removing the warheads from their delivery vehicles, disabling the warheads by removing the explosive "pits", and placing the fissile material under UN control. As well as outlawing nuclear weapons, the convention would prohibit the production of fissile materials suitable for making them, namely highly enriched uranium and separated plutonium.

It would establish an agency to ensure that countries comply with the terms of the treaty. This body would receive progress reports from nuclear-armed states, conduct inspections of weapons facilities, acquire intelligence through satellite photography and remote sensors, and monitor the production and transfer of materials suitable for making nuclear weapons.

Background to the Nuclear Weapons Convention

Each year since 1996, the UN General Assembly has passed a resolution calling on all countries immediately to fulfil their disarmament obligation, as articulated in a 1996 advisory opinion of the International Court of Justice, "by commencing multilateral negotiations leading to an early conclusion of a nuclear weapons convention". In 2007, 127 countries voted

¹ Texts adopted, P6_TA(2008)0255.

² resolution of 9 March 2005 (para 10) "urges the EU to work hard for the establishment of the Model Nuclear Weapons Convention, as has already been deposited at the UN and which could provide a framework of steps within a legally binding disarmament process.

³ EP Resolution, *Review of the Non-proliferation Treaty - Nuclear arms in North Korea and Iran*, P6_TA(2005)0075 paragraph 20.

⁴ NPT/Conf.2010/P.CI/WP17.

in favour of the resolution, including four countries with nuclear weapons: China, India, Pakistan and North Korea.

In 1997, a consortium of experts in law, science, disarmament and negotiation drafted a **Model Nuclear Weapons Convention**, which Costa Rica submitted to the UN Secretary-General as a discussion draft.

In 2000, the governments of Costa Rica and Malaysia submitted a working paper¹ to the NPT Review Conferences calling for the commencement of negotiations leading to a NWC as the most effective way to implement the NPT disarmament obligation and to achieve NPT universality (considering that India and Pakistan support a NWC but not the NPT in its currently indiscriminate form). The Model NWC was outlined as a useful document to assist in such negotiations.

An updated version of the model convention was released in 2007 at the first meeting of the Preparatory Committee for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (Vienna, 30 April – 11 May 2007).

At that occasion Costa Rica again submitted a working paper taking into account and reiterating the calls made in the previous working papers.² The working paper outlined how a Nuclear Weapons Convention would build upon existing nuclear non-proliferation and disarmament mechanisms and measures such as the NPT, nuclear weapon free zones, Comprehensive Test Ban Treaty, International Atomic Energy Agency safeguards, Intermediate Nuclear Forces Treaty (INF) and Strategic Arms Reduction Treaty (START). It then explores additional mechanisms and measures that would be required.

The working paper specifically calls for: “*States Parties* to commence multilateral negotiations leading to the conclusion of a nuclear weapons convention and *invite* those States that have not acceded to the Treaty on the Non-Proliferation of Nuclear Weapons to join in such negotiations.”³ In order to assist this process the working paper also calls on States Parties to undertake preparatory work for a nuclear weapons convention by giving “further consideration to the legal, technical and political elements required for a nuclear weapons convention or a framework of instruments.”⁴

The paper recognises that complete nuclear disarmament is a complex process that will take a number of steps and mechanisms to achieve. They thus suggest an approach that combines a step-by-step process with a comprehensive process. In their view, what is important is to concentrate international attention on concrete steps towards nuclear disarmament, which are achievable in the short term. It is also vital to simultaneously consider the requirements for a comprehensive nuclear disarmament regime in order to have an understanding of the final destination of nuclear disarmament steps.

¹ NPT/Conf.2000/MC.I/SB.1/WP.4, 8 May 2000, 200 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. *Follow up to the advisory opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons*. Working papers submitted by Malaysia and Costa Rica.

² NPT/Conf.2010/PCI/WP.17.

³ Ibid, point 5.B.

⁴ Ibid, point 5.C.

On 24 October 2008, at an event at the UN organised by the East-West Institute, the UN Secretary-General Ban Ki-moon announced his support for the NWC as the first point in his five-point plan for nuclear disarmament "[NPT member states] could consider negotiating a nuclear-weapons convention, backed by a strong system of verification, as has long been proposed at the United Nations. Upon the request of Costa Rica and Malaysia, I have circulated to all UN member states a draft of such a convention, which offers a good point of departure."

What is the Hiroshima Nagasaki Protocol and how does it relate to the proposal for a Nuclear Weapons Convention?

The Hiroshima-Nagasaki Protocol, which was launched by Mayors for Peace at the second PrepCom in May 2008, has three key aims: first, to urge and ensure that the NPT State Parties take responsibility at the 2010 Review Conference for launching the negotiations for the Nuclear Weapons Convention; second, to urge for the implementation of the previously agreed results in the area of nuclear disarmament; third, to identify measures that could already be agreed before the beginning of or during the negotiations. In simple words, the Hiroshima-Nagasaki Protocol pushes for fast-track diplomatic efforts to ensure that actions are taken to implement previous and new disarmament proposals.

The Hiroshima-Nagasaki Protocol consists of three articles:

Article I calls for steps by states with nuclear weapon programs that can be taken rapidly and at little or no cost, but which demonstrate determination to end reliance upon nuclear weapons.

Acquisition programs are to be stopped as well as preparations for use. As a precautionary measure, all nuclear weapons and weapon-usable nuclear materials are to be placed in safe and secure storage.

Article II mandates negotiation to start of a Nuclear Weapons Convention with clear benchmarks for the 2015 NPT Review Conference to judge progress toward the achievement of a nuclear-weapon-free world in 2020.

Article III underscores that the Protocol builds upon the NPT, stating explicitly that it is not to be construed as lessening in any way the NPT obligations of any State Party.

The Protocol, which will be tabled at the 3rd Prepcom, aims to be adopted at the 2010 Review Conference, either as a self-standing protocol or as an amendment to the Treaty. Once adopted the Parties would be committed to commencing negotiations immediately and to pursuing them, without interruption, to conclusion.

The Protocol calls for a Secretariat to be established to facilitate the negotiations. It does not say precisely when negotiations should be concluded, but it sets benchmarks for implementation of specific aspects of nuclear disarmament at 2015 and 2020; verified cessation of acquisition and threat postures at the former date, and elimination of nuclear weapons and related infrastructure and material stockpiles at the latter. By implication negotiations will need to be concluded prior to the first benchmark if other relevant benchmarks are to be included by 2015. Mayors for Peace chose the year 2020 because the

existing facilities for dismantling nuclear weapons could complete the job of eliminating nuclear weapons if they just keep working at the pace they have maintained since the end of the Cold War (1991).

The Protocol takes the position that the nuclear-weapon States owe it to the non-nuclear-weapon States to stop exploiting their discriminatory advantage under the NPT by instituting reciprocal moratoria on acquiring new nuclear weapons. The Protocol also calls for nuclear weapons and weapon-grade nuclear materials to be placed in safe and secure storage at the earliest possible date. It is also essential that Nuclear Weapons States and organisations such as NATO publicly state that they will not use their nuclear weapons against potential conventional attacks.

11.9.2008

PROPOSAL FOR A RECOMMENDATION (B6-0421/2008)

under Rule 114(1) of the Rules of Procedure

by Annemie Neyts-Uyttebroeck, on behalf of the ALDE Group and Angelika Beer, on behalf of the Verts/ALE Group

on non-proliferation and the future of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT)

The European Parliament,

- having regard to UN Security Council Resolutions 1540 (2004) and 1673 (2006) on the non-proliferation of weapons of mass destruction (WMD),
 - having regard to the implementation of the European Security Strategy and, in particular, of the EU strategy against proliferation of weapons of mass destruction adopted by the European Council on 12 December 2003,
 - having regard to its previous resolutions on the NPT,
 - having regard to Rule 114(1) of its Rules of Procedure,
- A. underlining the consensus within the European Union on revitalising and reinforcing the NPT in the period leading up to the forthcoming 2010 NPT Review Conference,
- B. whereas, in view of the growing threat of an erosion of the non-proliferation regime, it is vital to re-establish international consensus on the urgent need for nuclear disarmament,
1. Addresses the following recommendations to the Council:
 - a) to engage and contribute pro-actively to the work in preparation for the NPT review conference in 2010;
 - b) to devise a strategy on how to reinforce NPT, working in close cooperation with non-EU partners in NATO;
 - c) to initiate the establishment of the Nuclear Weapons Convention that would incorporate and reinforce the existing non-proliferation and disarmament instruments, including the NPT, the Comprehensive Nuclear Test Ban Treaty and the International Atomic Energy Agency, as well as proposals for a Fissile Materials Cut-Off Treaty and continental/regional treaties on nuclear weapon free zones;
 2. Instructs its President to forward this recommendation to the Council and, for information, to the Commission, the Member States, the United Nations and the parliaments of states party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT).

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	31.3.2009
Result of final vote	+: 40 -: 5 0: 3
Members present for the final vote	Sir Robert Atkins, Angelika Beer, Călin Cătălin Chiriță, Véronique De Keyser, Jas Gawronski, Maciej Marian Giertych, Ana Maria Gomes, Richard Howitt, Anna Ibrisagic, Jelko Kacin, Helmut Kuhne, Vytautas Landsbergis, Johannes Lebech, Willy Meyer Pleite, Francisco José Millán Mon, Baroness Nicholson of Winterbourne, Raimon Obiols i Germà, Justas Vincas Paleckis, Ioan Mircea Pașcu, Béatrice Patrie, Alojz Peterle, Tobias Pflüger, João de Deus Pinheiro, Hubert Pirker, Pierre Pribetich, Libor Rouček, Flaviu Călin Rus, Katrin Saks, José Ignacio Salafranca Sánchez-Neyra, Jacek Saryusz-Wolski, Hannes Swoboda, István Szent-Iványi, Inese Vaidere, Geoffrey Van Orden, Andrzej Wielowieyski, Jan Marinus Wiersma, Zbigniew Zaleski, Josef Zieleniec
Substitute(s) present for the final vote	Laima Liucija Andrikiienė, Árpád Duka-Zólyomi, Milan Horáček, Gisela Kallenbach, Tunne Kelam, Jules Maaten, Erik Meijer, Nickolay Mladenov, Rihards Pīks
Substitute(s) under Rule 178(2) present for the final vote	Brigitte Fouré