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NPT 2010: Prospects for a New Era of Progress in Disarmament and Non-Proliferation

Promoting International Cooperation in Peaceful Uses of Nuclear Energy

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International Cooperation in Peaceful uses of Nuclear Energy

NPT Article IV: “ - Nothing in this Treaty shall be interpreted as affecting the inalienable right of all Parties to the Treaty to develop, research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with Articles I and II of this Treaty.

- All the Parties to the Treaty undertakes to facilitate, and have the right to participate in, the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy. Parties to the Treaty in a position to do so shall also cooperate in contributing alone or together with other States or international organizations to the further development of the applications of nuclear energy for peaceful purposes, especially in the territories of non-nuclear-weapon States Party to the Treaty, with due consideration for the needs of the developing areas of the world. “

- I. Existing Frameworks for International Cooperation in PUNE.
- II. Governing Parameters.
- III. Key International developments affecting ICPUNE
- VI. Choices available at the 2010 Review Conference to advance ICPUNE.

Key International Frameworks of ICPUNE (1)

Examples of International Arrangements:

- **IAEA Technical Cooperation Programme.**
- **IAEA International Project on Innovative Nuclear Reactors and Fuel Cycles (INPRO).**
- **IAEA Nuclear Fuel Bank**
- **The Seven States initiative.**
- **Generation IV International Forum (GIF).**
- **Global Nuclear energy Partnership (GNEP).**
- **International Fuel Cycle Centre (INFCC).**

Key International Frameworks of ICPUNE (2)

- **Examples of Regional Arrangements:**

- EURATOM projects.
- Arab Atomic Energy Agency (22 States).
- Arrangement for the Promotion of Nuclear Sci.&Tech. in Latin America (ARCAL). (15 States).

- **Examples of bilateral cooperation:**

- USA is assisting a number of developing countries including Ukraine, UAE, Egypt,
- Japan training nuclear power personnel from Russia, Ukraine, Bulgaria, Hungary, Czech Republic & Slovak Republics on nuclear safety.
- France cooperating with Bulgaria on safety and radiation surveillance and with Ukraine in nuclear fuel cycle and waste management techniques.

- **Examples of National Programmes for ICPUNE:**

In USA, France, Russia, Japan and others.

Current Governing parameters for ICPUNE

I. Political and Economic Parameters:

- Impact of global energy crisis vs. global economic/financial crises.
- Regional, North-South and South-South technology transfer trends.
- Economic motivations versus political considerations.

II. Legal requirements:

- CSA, non-proliferation record, Additional Protocol?

III. Practical and Technical Parameters:

- Actual need for a certain Nuclear power generation potential.
- National independent regulatory body.
- Nuclear safety, security, waste management considerations...etc.
- Regional considerations and long term potential of a nuclear fuel cycle.

Conflicting interpretations of Legal Parameters

- NPT Article IV Rights:

- NPT Article IV interpretation
(“inalienable” right undiminished while under safeguards vs. right restricted)
- 1995 Resolution on Principles and Objectives of Nuclear Non-Proliferation and Disarmament

(Cooperation with NPT non-members./CSA condition of supply)
- 2000 Outcome
(Contained stipulations linking the importance of an AP to the size and magnitude of a nuclear programme.)

- NPT Obligatory Safeguards:

- Comprehensive Safeguards
(argued not to be enough for “verifying completeness and correctness” of States’ declarations).

- Other Safeguards requirements?

- Additional Protocol?
(Debatable nature of AP/IAEA GC relevant resolution not consensual since 2008/Not an official NSG requirement)
- Voluntary Offer agreements
(Are they sufficient for a balance in safeguards commitments?).

International Developments affecting the future of ICPUNE

- Implications of UNSC approach to NPT non-compliance.
- Competing dynamics of the global economic and energy crises?
- Legitimacy of the call for a “proliferation resistant” nuclear fuel cycle?
- Impact of NSG’s exemption of India on the AP debate.
- Outcome of discussions on voluntary nuclear fuel assurances.
- Outcome of the debate on multilateral approaches to nuclear fuel cycle.
- Possible outcome of US Summit on Nuclear Safety and Security.
- Continued production of some NNWS continue of their own fuel,

Issues at 2010 NPT Review Conference

	Members with a Progressive Agenda	Members with a Traditional Agenda (Mostly NAM)	Suggested/Possible 2010 Outcome format
Art. IV Interpretation	Inalienable right with restrictions	No restrictions as long as under a CSA	Reiterate no political restrictions on inalienable right
Additional Protocol	Enhanced Verification Standard	Voluntary option till brought into force	Discuss AP relevance/use 2000 language
Export Control regimes	NSG, Zangger Com.	NSG exemption to India disqualifies role	Discuss/Do not reflect in final outcome draft
PSI and other related international arrang.	Part of NNP regime	limited membership regime	Discuss/Do not reflect in final outcome draft
Security Council Resolutions on Non-Proliferation	Must be integral part of the review	Their reference will obstruct consensus	Discuss/Do not reflect in final outcome draft
Iran-DPRK-Syria	Constitute a NP risk	Israel, India and Pakistan represent the risk	Priority to highlight NP risks from outside NPT/Universality

Issues 2010 NPT Review Conference

	Members with a Progressive Agenda	Members with a Traditional Agenda (Mostly NAM)	Suggested/Possible 2010 Outcome format
UNSC Res. 1887 text	Fully supportive of the resolution	Resolution contains non-consensual elements	Discuss/Do not reflect in final outcome draft
Expanded role of UNSC	Supportive	Only in accordance with NPT mechanisms-IAEA	Discuss/Do not reflect in final outcome draft
Use of HEU in civil cycles	Restrict/Down-blend to LEU	Does not contradict any obligation under NPT	Discuss/Do not reflect in final outcome draft
Priority of CSA universality	Less or equally important to AP universalization	More important than AP universalization	Discuss/Remain within text of 2000 final outcome
Priority of AP universality	At least equally important to CSA's	Less important than AP's	Discuss/Remain within text of 2000 final outcome

How 2010 NPT Review Conference can deal with ICPUNE

- ICPUNE will certainly be promoted by a successful outcome of 2010.
- Approaches to PUNE reflect almost conflicting North-South agendas.
- Will 2010 Rev.Con. review implementation or aim at reinterpretations?
- PUNE expansion may pose proliferation risks but attempted restrictions have only provoked further interest in nuclear power.
- Future role of export control regimes in light of Indian exemption.
- New Conditions for supply vs. Agreed CSA as a condition of supply.
- Some key relevant issues to the 2010 review are managed outside the NPT and have not been conclusive.
- Need to learn lessons of 2nd and 3rd PrepComs on effect of ambitious text on prospects for consensus.
- A brief document, building on the 3rd PrepCom Chair's draft can serve as a useful basis in 2010 negotiations of a final outcome.