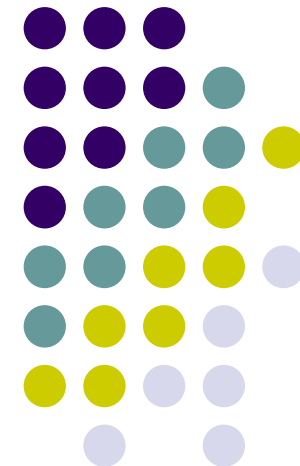


NATIONAL CONVENTION ON NUCLEAR & RADIOACTIVE MATERIAL SAFETY, SECURITY & SAFEGUARDS

Session 4: Safeguarding Peaceful Nuclear & Nuclear-Related Activities

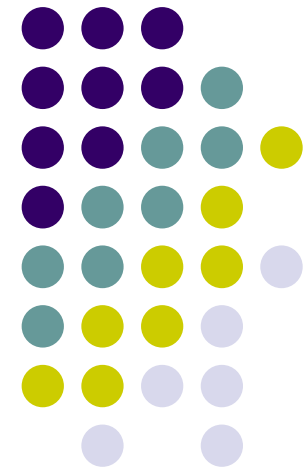
NUCLEAR NON-PROLIFERATION TREATY (NPT)

by
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at the Putrajaya International Convention Center (PICC)
on 10th December 2007

OVERVIEW & BASIC BARGAIN UNDER THE NPT



HISTORY & STATUS OF THE NPT



The Treaty on the Non-proliferation of Nuclear Weapons (NPT) was opened for signature on 1st July 1968 & entered into force on 5th March 1970.

Currently, there are 190 States Parties to the NPT, including the Democratic People's Republic of Korea (DPRK), which had announced its withdrawal from the NPT on 10th January 2003.

Only India, Israel & Pakistan are not parties to the NPT.

THE BASIC BARGAIN UNDER THE NPT



Unlike most, if not all, other arms control agreements, the NPT can be viewed as a bargain struck between 3 general objectives, viz:

- 1. a commitment by all parties not to contribute to the horizontal proliferation of nuclear weapons, or the spread of nuclear weapons to States not already in possession of such weapons;**

THE BASIC BARGAIN UNDER THE NPT



2. **a commitment to promote international transfer of technology for peaceful applications of nuclear energy, especially to developing nations not already in possession of such technologies; and,**
3. **a commitment not to contribute to the vertical proliferation of nuclear weapons or the increase in the nuclear weapons arsenal of States in possession of such weapons, as a step towards general and complete nuclear disarmament.**

TWO CATEGORIES OF NPT STATES PARTIES



**In pursuant of these objectives,
the NPT categorises the States Parties into:**

- 1. Nuclear Weapon States (NWS); and,**
- 2. Non-Nuclear Weapon States (NNWS).**

Each category has different obligations under the NPT.

NUCLEAR WEAPON STATES (NWS) PARTIES TO THE NPT



The NWS, as defined under Article IX.3 of the NPT, are States that have manufactured or exploded nuclear weapons or other nuclear explosive devices prior to 1st January 1967.

As defined in this way, five States Parties qualified, viz:

NUCLEAR WEAPON STATES (NWS) PARTIES TO THE NPT



- 1. The United States of America,
which conducted its first nuclear test explosion
in the Alamogordo desert in New Mexico on 16th July 1945;**
- 2. The dissolved Union of Soviet Socialist Republics (USSR),
and since succeeded by the Russian Federation,
which conducted its first nuclear test explosion
at Semipalatinsk in Kazakhstan on 29th August 1949;**

NUCLEAR WEAPON STATES (NWS) PARTIES TO THE NPT



- 3. The United Kingdom,
which conducted its first nuclear test explosion
in Monte Bello, Australia, on 3rd October 1952;**
- 4. France, which conducted its first nuclear test
in Reganne, Algeria, on 13th February 1960; and,**
- 5. The Peoples' Republic of China,
which conducted its first nuclear test explosion
at Lop Nur in the Xinjiang Uygur region on 16th October 1964.**

NUCLEAR WEAPON STATES (NWS) PARTIES TO THE NPT



**Thus, as defined under Article IX.3 of the NPT,
India, Pakistan & the DPRK,
which had each conducted their first nuclear tests
on 18th May 1974, 28th May 1998 & 9th October 2006 respectively,
do not qualify to be recognised as NWS under the NPT.**

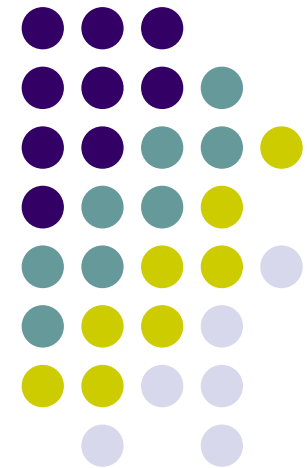
**Israel is not openly known
to have conducted any nuclear test explosion,
but is believed to possess such weapons.**

NON-NUCLEAR WEAPON STATES (NNWS) PARTIES TO THE NPT



Thus, for Non-Nuclear Weapon States Parties to the NPT, which did not manufacture or explode any nuclear explosive device prior to 1st January 1967, signing or acceding to the NPT implied a national decision to renounce the option to develop or otherwise acquire a nuclear weapon or nuclear explosive capability.

FIRST BARGAIN UNDER THE NPT: HORIZONTAL NON-PROLIFERATION



NON-PROLIFERATION OBLIGATIONS OF NUCLEAR WEAPON STATES PARTIES



**Under Article I of the NPT,
the NWS undertake not to contribute
to the horizontal proliferation of nuclear weapons
or nuclear explosive devices
by the actual transfer of such devices
or the transfer of control over such devices.**

**This undertaking also include the commitment not to assist,
encourage or induce any non-nuclear weapon State, in any way,
to acquire such devices or to acquire the capability
to manufacture such devices.**

ARTICLE I OF THE NPT



Each nuclear-weapon State Party to the Treaty undertakes not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly, or indirectly; and not in any way to assist, encourage, or induce any non-nuclear-weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices.

NON-PROLIFERATION OBLIGATIONS OF NUCLEAR WEAPON STATES PARTIES



Observation:

These non-proliferation commitments of the NWS, in so far as it appears to have been no direct transfer of nuclear weapons, have generally been well-observed, but there has been a long-standing issue over the stationing of nuclear weapons by the NWS in the territories of NNWS Parties to the NPT.

NON-PROLIFERATION OBLIGATIONS OF NUCLEAR WEAPON STATES PARTIES



Observation:

One significant reason for this compliance by the NWS with Article I of the NPT is believed to be the general aversion among NWS to the rise of more nuclear weapon States, with each new member to the club of nuclear weapon States always seeking to shut the door behind them.

NON-PROLIFERATION OBLIGATIONS OF NON-NUCLEAR WEAPON STATES PARTIES



Under Article II of the NPT, the NNWS undertake:

- 1. not to receive any transfer of nuclear weapons or nuclear explosive devices, or the control over such devices;**
- 2. not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices; and,**
- 3. not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices.**

ARTICLE II OF THE NPT



Each non-nuclear-weapon State Party to the Treaty undertakes not to receive the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices directly, or indirectly; not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices; and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices.

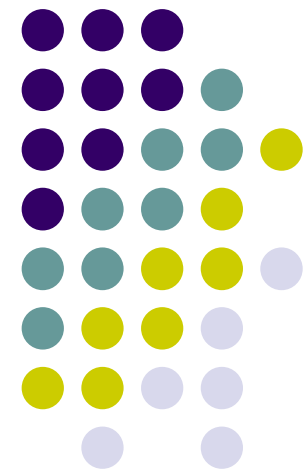
NON-PROLIFERATION OBLIGATIONS OF NON-NUCLEAR WEAPON STATES PARTIES



Observation:

Until the early 1990's, these commitments, as provided for under Article II of the NPT, have generally been well-honoured by the NNWS in that there were no clear-cut breaches of obligations, until the discovery of clandestine nuclear weapon programmes in the Republic of Iraq and the DPRK in the 1990's, the declaration by the Libyan Arab Jamahariyah in 2004 that it was ending its pursuit of weapons of mass destruction, including nuclear weapons, and also the controversy over the nuclear programme in the Islamic Republic of Iran, since 2004.

**SECOND BARGAIN UNDER THE NPT:
SAFEGUARDED NUCLEAR
TECHNOLOGY TRANSFER
FOR PEACEFUL USES**



UNDERLYING BARGAIN FOR NON-NUCLEAR WEAPON STATES PARTIES



In exchange for the forfeiture of nuclear weapons, the NNWS, under Article IV of the NPT, are assured the inalienable rights to participate in the fullest possible exchange of equipment, materials, and scientific and technological information for the peaceful uses of nuclear energy.

This international exchange in nuclear technology is to have occurred without discrimination and with due consideration for the needs of the developing areas of the world.

ARTICLE IV OF THE NPT



- 1. Nothing in this Treaty shall be interpreted as affecting the inalienable right of all the Parties to the Treaty to develop research, production & use of nuclear energy for peaceful purposes without discrimination and in conformity with Articles I and II of this Treaty.*
- 2. All the Parties to the Treaty undertake 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 co-operate 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 NNWS Party to the Treaty, with due consideration for the needs of the developing areas of the world.*

SAFEGUARDS OBLIGATIONS OF NON-NUCLEAR WEAPON STATES PARTIES



Under Article III of the NPT, as a means of assuring that this international transfer of nuclear technology does not contribute to nuclear weapons proliferation, the NNWS are obliged to accept a certain diminution of their national sovereignty by subjecting their nuclear activities to inspections under an international safeguards system established by International Atomic Energy Agency (IAEA) in accordance with the Statute of the IAEA.



ARTICLE III OF THE NPT

- 1. Each non-nuclear-weapon State Party to the Treaty undertakes to accept safeguards, as set forth in an agreement to be negotiated and concluded with the IAEA in accordance with the Statute of the IAEA and the Agency's safeguards system, for the exclusive purpose of verification of the fulfilment of its obligations assumed under this Treaty with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices. Procedures for the safeguards required by this Article shall be followed with respect to source or special fissionable material whether it is being produced, processed or used in any principal nuclear facility or is outside any such facility. The safeguards required by this Article shall be applied on all source or special fissionable material in all peaceful nuclear activities within the territory of such State, under its jurisdiction, or carried out under its control anywhere.*

ARTICLE III OF THE NPT



2. *Each State Party to the Treaty undertakes 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 shall be subject to the safeguards required by this Article.

ARTICLE III OF THE NPT



- 3. The safeguards required by this Article shall be implemented in a manner designed to comply with Article IV of this Treaty, and to avoid hampering the economic or technological development of the Parties or international co-operation in the field of peaceful nuclear activities, including the international exchange of nuclear material and equipment for the processing, use or production of nuclear material for peaceful purposes in accordance with the provisions of this Article and the principle of safeguarding set forth in the Preamble of the Treaty.*

ARTICLE III OF THE NPT



- 4. Non-nuclear-weapon States Party to the Treaty shall conclude agreements with the International Atomic Energy Agency to meet the requirements of this Article either individually or together with other States in accordance with the Statute of the International Atomic Energy Agency. Negotiation of such agreements shall commence within 180 days from the original entry into force of this Treaty. For States depositing their instruments of ratification or accession after the 180-day period, negotiation of such agreements shall commence not later than the date of such deposit. Such agreements shall enter into force not later than eighteen months after the date of initiation of negotiations.*

IAEA NUCLEAR WEAPON NON-PROLIFERATION SAFEGUARDS SYSTEM



Basically, there are two IAEA Safeguards Systems in force for the purpose of nuclear weapon non-proliferation safeguards, with one entirely based on the Statute of the IAEA, established prior to existence of the NPT, and another based on the mandate of the IAEA as the designated safeguards verification agency under the NPT, also in accordance with the Statute of the IAEA.

Each of these two IAEA Safeguards Systems are widely known by the IAEA reference number designated to the Information Circular (INFCIRC) in which the basic guidelines for negotiation of Safeguards Agreements between the IAEA and States were documented.

PRE-NPT IAEA SAFEGUARDS SYSTEM



The first system, documented in INFCIRC/66/Rev.2, is entirely based on the provisions of the Statute of the IAEA & was the only IAEA Safeguards System in force before the NPT and is still being used for safeguards agreements between the IAEA and non-NPT States.

This system originated from INFCIRC/26, adopted on 31st January 1961, covering nuclear reactors with less than 100 MW thermal output, and later revised and extended to cover larger reactors through INFCIRC/66, adopted on 25th February 1965, and further extended in 1966 & 1968, through INFCIRC/66/Rev.2, to include nuclear spent fuel reprocessing plants and nuclear material in fuel conversion & fabrication plants.

PRE-NPT IAEA SAFEGUARDS SYSTEM



In general, the INFCIRC/66/Rev.2 System is facility-specific, in that it is applicable only to individual facilities and not based on any full, nuclear fuel cycle material flow.

Basically, the INFCIRC/66/Rev.2 System provides for the auditing of nuclear material records maintained by the State, verification of the amount of safeguarded nuclear material by physical inspection & review of the facilities by the IAEA, with verification of compliance aimed at preventing changes in material content without the knowledge of the IAEA and, thus, deter any possible diversion of safeguarded material.

PRE-NPT IAEA SAFEGUARDS SYSTEM



The INFCIRC/66/Rev.2 System embodies 3 categories of Safeguards Agreements between the IAEA & States, viz:

- 1. Safeguards Transfer Agreements, under which parties to bilateral nuclear agreements designate the IAEA as the safeguards verification agency;**
- 2. Project and Supply Agreements, used for nuclear research reactor projects implemented under the IAEA Technical Assistance Programme; and,**
- 3. Unilateral Submission Agreements, under which the consenting States voluntarily submit all or part of their nuclear activities to IAEA Safeguards.**

PRE-NPT IAEA SAFEGUARDS SYSTEM



All these Agreements can serve as back-up agreements to the Safeguards Agreements that were concluded between States and the IAEA in pursuant to the NPT, in the event of a withdrawal from the NPT by the States.

IAEA NPT SAFEGUARDS SYSTEM



With the coming into force of the NPT, a second safeguards system, known as the INFCIRC/153 system, was introduced on 20 April 1971 to provide a basis for negotiating safeguards agreements between the IAEA, under its mandate as the safeguards agency of the NPT, and individual States Parties to the NPT.

IAEA NPT SAFEGUARDS SYSTEM



The fundamental difference between the INFCIRC/66/Rev.2 & INFCIRC/153 systems is that the INFCIRC/153 system, as provided for under Article III.1 of the NPT, requires the application of IAEA safeguards on all source or special fissionable material in all peaceful nuclear activities within the territory or under the jurisdiction and control of NPT NNWS Parties.

Thus, the INFCIRC/153 system is also known as a Full-Scope or Comprehensive Safeguards System and differs from the INFCIRC/66/Rev.2 safeguards, where indigenously-developed nuclear technology & activities are not subjected to international surveillance or control.

IAEA NPT SAFEGUARDS SYSTEM



For individual State-IAEA safeguards arrangements, as provided for under Article III.4 of the NPT, a three-tiered structure of agreements is involved, viz:

- 1. At the first tier are the main bilateral Comprehensive Safeguards Agreements concluded between the NPT States Parties and the IAEA, which specify in general terms their rights & obligations, including the obligation of the State to establish & maintain a State System for the Accounting for and Control of all nuclear materials subjected to safeguards (SSAC), and the right of the IAEA to inspect, within limits, the peaceful nuclear activities of the State;**

IAEA NPT SAFEGUARDS SYSTEM



- 2. At the second tier are Subsidiary Arrangements to the Comprehensive Safeguards Agreements, which specify in greater detail the procedures to be followed for the application of safeguards by the IAEA on the nuclear activities of the respective States; and,**
- 3. At the third and final tier are Facility Attachments to the Subsidiary Arrangements, which specify in exact detail the procedures to be followed at each safeguarded Facility, which may be a nuclear power reactor, research reactor, nuclear fuel conversion, fabrication, enrichment or reprocessing plants, or any kind of installation containing safeguarded nuclear material.**

ADVENT OF NUCLEAR NON-PROLIFERATION EXPORT CONTROL REGIMES



In retrospect, the IAEA NPT Safeguards System was considered to be quite effective in curbing a further spread of nuclear weapons beyond the 5 NWS Parties to the NPT, until it was eventually challenged by India, with the conduct of its first nuclear test explosion in 1974.

This test prompted the nuclear supplier States into action, upon realising that it was probably their own prior exports, particularly the export of a nuclear power plant by Canada to India in the mid-1960's that may be instrumental in enabling India to develop a nuclear explosive capability in the first place.

ADVENT OF NUCLEAR NON-PROLIFERATION EXPORT CONTROL REGIMES



Concurrently, there were already serious concerns among the supplier States over certain limitations under the NPT in curbing any further spread of nuclear weapons.

Of concern were the provisions under Article III.2 of the NPT, for all States Parties to undertake *not to provide source or special fissionable material, nor equipment or material especially designed or prepared for the processing, use, or production of special fissionable material, to any non-nuclear weapon State,* apparently, whether a Party to the NPT or otherwise, *for peaceful purposes, unless the source or special fissionable material shall be subject to the safeguards.*

ADVENT OF NUCLEAR NON-PROLIFERATION EXPORT CONTROL REGIMES



Such a concern basically arose out of a lack of any definition on such *especially designed or prepared equipment and material* under the NPT.

Consequently, the supplier States established a Committee, chaired by Professor Claude Zangger of Switzerland, in 1971, to clarify these matters, until a, so-called, Trigger List of all such material and equipment that were deemed by the Committee to be covered under that Article III.2 of the NPT, was issued in September 1974, 5 months after the Indian test.

This first Zangger Committee Trigger List was published in INFCIRC/209 in September 1974, before being revised in later years.

ADVENT OF NUCLEAR NON-PROLIFERATION EXPORT CONTROL REGIMES



Following the heightened concern over nuclear proliferation, arising from that first Indian nuclear test explosion, as well as other concurrent attempts, by other non-NPT States, notably Argentina & Brazil, to develop a full nuclear fuel cycle, another group of nuclear supplier countries was formed in 1975.

This group was initially unofficially known as the London Club, for having met in tight secrecy in London from 1975 to 1977, before assuming the name, Nuclear Suppliers Group (NSG).

Largely as a result of this secretive manner in which it had met, the NSG has often been considered to be a nuclear cartel by many developing countries until today.

ADVENT OF NUCLEAR NON-PROLIFERATION EXPORT CONTROL REGIMES



In 1977, the NSG issued its first set of Guidelines for Nuclear Transfers as a common basis for the institution of nuclear non-proliferation export control by its member countries on an individual national basis.

However, instead of formulating its own list, the NSG adopted, *in toto*, the Zangger Committee Trigger List as an integral part of that common set of Guidelines, which were published as INFCIRC/254, in February 1978, before being revised in later years, but with three additional conditions introduced by the NSG for the supply or export of the items listed.

ADVENT OF NUCLEAR NON-PROLIFERATION EXPORT CONTROL REGIMES



These 3 new conditions by the NSG were, viz.,

- 1. a non-explosive use assurance, which would require each importing country to provide an assurance that none of the items imported will be used for developing any nuclear explosive device;**
- 2. an IAEA safeguards requirement, which would require any item imported to be placed under the IAEA safeguards system; and,**
- 3. a re-transfer provision, which require the importing countries to impose such same conditions when re-exporting the items.**

ADVENT OF NUCLEAR NON-PROLIFERATION EXPORT CONTROL REGIMES



After the adoption of the 1977 Guidelines for Nuclear Transfers, the NSG became relatively inactive for almost thirteen years.

As such, no change was made to the Guidelines by the NSG, but the Zangger Committee continued to update its Trigger List, culminating with a modified and consolidated list in 1990, which was considerably more detailed than the 1977 NSG List, and was published as INFCIRC/209/Rev.1 in 1990.

STRENGTHENING OF NUCLEAR NON-PROLIFERATION EXPORT CONTROL



It was only after the end of the Cold War & first Gulf War in 1991, and also the discovery of a nuclear weapons programme in Iraq, that the NSG became active again.

Part of this renewed vigour of the NSG, at that time, was due to a realisation that it was some among its members that had exported nuclear-related material & equipment to Iraq, thus, enabling Iraq to pursue a nuclear weapons programme.

Of fresh concern was on the role of dual-use non-nuclear items, viz., items that are normally used for non-nuclear purposes, but can also be used for the development of nuclear weapons, in facilitating the clandestine Iraqi nuclear weapons programme.

STRENGTHENING OF NUCLEAR NON-PROLIFERATION EXPORT CONTROL



This discovery of the nuclear weapons programme in Iraq, and to a lesser extent, also in the DPRK in subsequent years, consequently revealed a number of inadequacies of the NPT verification regime & IAEA safeguards system.

In this respect, the original NPT-based IAEA safeguards system was based only on the safeguard of nuclear facilities & activities that have been declared to the IAEA, but a large number of the facilities that were discovered through inspections by the IAEA in Iraq after the 1991 Gulf War had never been declared and placed under IAEA safeguards.

STRENGTHENING OF NUCLEAR NON-PROLIFERATION EXPORT CONTROL



The lessons learned in Iraq led the nuclear supplier States to tighten its export control, not only on their Trigger List items, which are considered to be single-use items, or those items that are usually used only in nuclear activities, but also on dual-use items.

This led to the adoption by Model Protocol Additional to the Agreements between States & the IAEA for the Application of Safeguards by the IAEA Board of Governors in May 1997, which was published as INFCIRC/540, and resulted in the NSG Trigger List being incorporated, *in toto*, in Annex II to the Additional Protocol.

PEACEFUL NUCLEAR EXPLOSIVES (PNE)



Under Article V of the NPT, provided as part of the original bargain for the NNWS in exchange for their forfeiture of the nuclear weapons option, is embodied a right for the NNWS to potentially benefit from peaceful nuclear explosions to be conducted by the NWS under appropriate international observation and through appropriate international procedures.

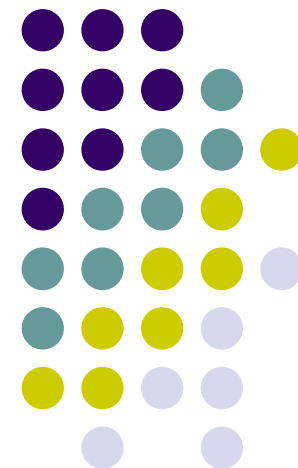
However, as a result of the test explosion by India in 1974, and the absence of any obvious need for such explosive devices, the merits of PNE's have, since, practically disappeared.

ARTICLE V OF THE NPT



Each Party to the Treaty undertakes to take appropriate measures to ensure that, in accordance with this Treaty, under appropriate international observation and through appropriate international procedures, potential benefits from any peaceful applications of nuclear explosions will be made available to non-nuclear-weapon States Party to the Treaty on a non-discriminatory basis and that the charge to such Parties for the explosive devices used will be as low as possible and exclude any charge for research and development. Non-nuclear-weapon States Party to the Treaty shall be able to obtain such benefits, pursuant to a special international agreement or agreements, through an appropriate international body with adequate representation of non-nuclear-weapon States. Negotiations on this subject shall commence as soon as possible after the Treaty enters into force. Non-nuclear-weapon States Party to the Treaty so desiring may also obtain such benefits pursuant to bilateral agreements. 48

THIRD BARGAIN UNDER THE NPT: VERTICAL NON-PROLIFERATION & NUCLEAR DISARMAMENT



DISARMAMENT OBLIGATIONS OF NUCLEAR WEAPON STATES PARTIES



**Under Article VI of the NPT,
the NWS are obliged to pursue negotiations
on effective measures relating to the cessation
of the nuclear arms race and to nuclear disarmament.**

**The ultimate objective for these negotiations
is for the NWS to agree on general and complete disarmament
under strict and effective international control.**

ARTICLE VI OF THE NPT



Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control.

DISARMAMENT OBLIGATIONS OF NUCLEAR WEAPON STATES PARTIES



Observation:

Nuclear disarmament efforts towards this have characteristically been slow in producing results, and this has been a major point of contention by the NNWS in the context of the underlying bargain of the NPT with the NWS.

Previous efforts, notably the bilateral negotiations between the two superpowers, have centred on arms limitation, rather than arms reduction.

Nevertheless, some progress towards nuclear disarmament have been achieved over the years.

DISARMAMENT OBLIGATIONS OF NUCLEAR WEAPON STATES PARTIES



Observation:

One notable achievement was the conclusion of the Comprehensive Nuclear Test-Ban Treaty (CTBT) in 1996, but the CTBT has yet to enter into force, due to the reluctance of certain key States listed under Annex 2 of the CTBT to ratify the Treaty.

NUCLEAR WEAPON-FREE ZONES



**Under Article VII of the NPT,
provides for the establishment of nuclear weapons free zones.**

To date, 6 such zones have been established, viz:

- 1. 1959 Antarctic Treaty;**
- 2. 1967 Treaty for the Prohibition of Nuclear Weapons in Latin America, or Tlatelolco Treaty;**
- 3. 1985 South Pacific Nuclear Free Zone (SPNFZ) Treaty, or Rarotonga Treaty;**
- 4. 1995 Treaty on the South-East Asia Nuclear Weapon-Free Zone (SEANWFZ), or Bangkok Treaty;**
- 5. 1996 Treaty on the Nuclear Weapon-Free Zone in Africa, or Pelindaba Treaty; and,**
- 6. 2006 Treaty on the Nuclear Weapon-Free Zone in Central Asia.**

ARTICLE VII OF THE NPT



Nothing in this Treaty affects the right of any group of States to conclude regional treaties in order to assure the total absence of nuclear weapons in their respective territories.

NUCLEAR SECURITY ASSURANCES

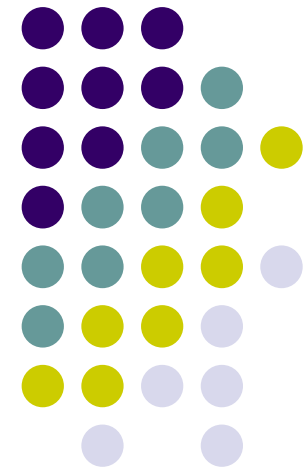


Related to this is the issue of nuclear security assurances, which are not specifically provided for under the NPT, but individually provided in varying degrees by the NWS.

There are two types of nuclear security assurances, viz:

- 1. Negative Security Assurances that assure that the NWS will not use or threaten to use nuclear weapons against NNWS not parties to nuclear security arrangements of the NWS; and,**
- 2. Positive Security Assurances that guarantee immediate assistance to any NNWS party to the NPT that is a victim of an act or threat of aggression in which nuclear weapons are used.**

OTHER PROVISIONS UNDER THE NPT



NPT REVIEW PROCESS



Under Article VIII of the NPT, any Party to the Treaty may propose amendments to the Treaty, which should be approved by a majority in a conference that should be convened by the Depositary Governments to the NPT, including the votes of all NWS Parties to the NPT and all other Parties which, at the time of such an amendment, are members of the IAEA Board of Governors.

The States Parties may also convene a conference to review the operation of the NPT, 5 years after its entry into force, and at intervals of 5 years thereafter.

WITHDRAWAL FROM THE NPT



Under Article X.1 of the NPT, the States Parties have the right to withdraw from the Treaty, by giving a 3-month notice of the withdrawal to all other States Parties & the United Nations Security Council, if it decides that extraordinary events related to the Treaty have jeopardised the supreme interests of the country.

Only DPRK has withdrawn from the NPT, and the status of its withdrawal is still a point of contention.

EXTENSION OF THE NPT



**Under Article X.2 of the NPT,
the Treaty may be extended for an additional fixed period,
25 years after the entry into force of the Treaty.**

**Based on this provision,
the 1995 NPT Review & Extension Conference
has indefinitely extended the Treaty.**

ARTICLE X OF THE NPT



- 1. Each Party shall in exercising its national sovereignty have the right to withdraw from the Treaty if it decides that extraordinary events, related to the subject matter of this Treaty, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other Parties to the Treaty and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.*
- 2. Twenty-five years after the entry into force of the Treaty, a conference shall be convened to decide whether the Treaty shall continue in force indefinitely, or shall be extended for an additional fixed period or periods. This decision shall be taken by a majority of the Parties to the Treaty.*



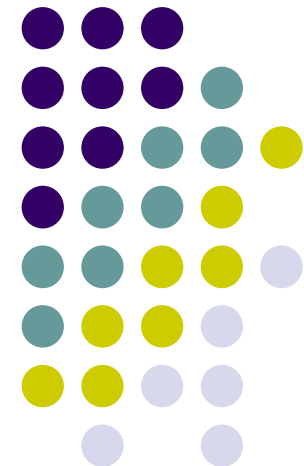
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