

# Appendix 6B. The 2000 NPT Review Conference

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## I. Introduction

On 20 May the 2000 Review Conference of the 1968 Treaty on the Non-Proliferation of Nuclear Weapons (Non-Proliferation Treaty, NPT) agreed a Final Document whose core was an ‘action plan’ on nuclear disarmament. This was the first NPT review conference since 1985 to produce such a result. Follow-up statements and interviews by representatives of some of the nuclear weapon states (NWS), however, indicated that it did not signal a major alteration in their national policies, nor did it stimulate progress in the work of the Conference on Disarmament (CD) in Geneva.<sup>1</sup> Those who participated in the 2000 NPT Review Conference and other interested observers were thus left confronting a troubling question: was the outcome an anomaly or an event conditioned by its immediate context, or did it reflect a significant shift in global attitudes and policies towards nuclear weapons?

## II. The three contexts of the conference

The 2000 NPT Review Conference took place within three distinct contexts: the treaty, the nuclear non-proliferation regime and the international security system. In early 2000 all were seen to be confronting increasing difficulties.

### The treaty context

At the 1995 NPT Review and Extension Conference revised guidelines for the treaty review process were agreed at the same time as the NPT was made permanent.<sup>2</sup> These were contained in two collateral decisions: Strengthening the Review Process, and Principles and Objectives for Nuclear Non-Proliferation and Disarmament.<sup>3</sup> One aspiration was that these changes would create a focused, effective and rational, rather than political, process through which an action plan could be produced every five years for all the areas covered by the NPT. The strengthening of the review process involved holding sessions of a Preparatory Committee (PrepCom) in each of the three years prior to a five-yearly NPT review conference; having those sessions dis-

<sup>1</sup> Johnson, R., ‘The 2000 NPT Review Conference: a delicate, hard-won compromise’, *Disarmament Diplomacy*, no. 46 (May 2000), pp. 15–16; and Rissanen, J., ‘NPT outcome fails to kickstart CD’, *Disarmament Diplomacy*, no. 47 (June 2000), pp. 15–20.

<sup>2</sup> Simpson, J., ‘The nuclear non-proliferation regime after the NPT Review and Extension Conference’, *SIPRI Yearbook 1996: Armaments, Disarmament and International Security* (Oxford University Press: Oxford, 1996), pp. 561–89; Dunn, L. A., ‘High noon for the NPT’, *Arms Control Today*, vol. 25, no. 6 (July/Aug. 1995), pp. 3–9; Orlov, V., ‘The 1995 NPT Review and Extension Conference: peculiarities, results and lessons’, *Yaderny Kontrol*, vol. 5, no. 3 (summer 2000), pp. 42–48; and Johnson, R., ‘Indefinite extension of the NPT: risks and reckonings’, *Acronym Report*, no. 7 (1995).

<sup>3</sup> NPT/CONF.1995/32, Final Document, Part II, Documents issued at the Conference, New York, 1995, pp. 233–34 (NPT/CONF.1995/L.4); and NPT/CONF.1995/32, Part II, pp. 235–38 (NPT/CONF.1995/L.5). NPT documents are available at the Federation of American Scientists Internet site, URL <<http://www.fas.org>>.

cuss substance and procedure and make recommendations on that substance to the NPT review conference, as well as on the creation of 'subsidiary bodies' to allow focused discussion on key issues; and using the steps agreed in the Principles and Objectives decision to assess the implementation of the treaty through to 2000.<sup>4</sup> Some states parties perceived these decisions, and a Resolution on the Middle East agreed at the same time, as politically conditioning the indefinite extension, thus generating pressure for their effective implementation.<sup>5</sup>

The 1995 decisions offered general guidelines for action but lacked detail in areas such as the modalities of the revised review process.<sup>6</sup> The 1997 PrepCom session attempted to generate a 'rolling text' of potential recommendations for development by subsequent PrepCom sessions, but concerns were voiced that this was premature.<sup>7</sup> The 1997 session also made recommendations to its successor that 'special time' should be allocated for discussion of three specific issues: the Resolution on the Middle East, security assurances and a Fissile Material Cut-off Treaty (FMCT).<sup>8</sup>

The 1998 PrepCom session made no further progress on either substance or procedural matters.<sup>9</sup> This failure could be attributed in part to the friction between the NWS and the non-nuclear weapon states (NNWS) over the pace of disarmament and the alleged failure of the former to fulfil their commitments under Article VI of the treaty. These disagreements came to a head when the NWS, and particularly the United States, blocked a Canadian proposal to include comments on these and other substantive matters in the report of the session.<sup>10</sup> The failure was also the result of acute problems between Egypt and the USA over the Resolution on the Middle East. It was Egypt's insistence that the NWS had accepted a responsibility for acting on this resolution, and the refusal of the USA in particular to accept that it had a duty to do so, that precipitated the collapse of efforts to agree any consensus outcomes from this meeting.

The 1999 session, however, resolved most of the outstanding procedural issues confronting the 2000 NPT Review Conference, but no consensus emerged on whether the outcome of that conference should be contained in a single document or in separate forward- and backward-looking documents. In addition, there was no agreement on any substantive recommendations or on the specific subsidiary bodies that might be created at the 2000 NPT Review Conference.<sup>11</sup>

<sup>4</sup> Previously, these PrepComs had an almost exclusively procedural role and were held in the 18- to 24-month period before an NPT review conference.

<sup>5</sup> NPT/CONF.1995/32, Part II (note 3), pp. 243–44 (NPT/CONF.1995/L.8). This resolution was sponsored by the depositary states and called upon all states parties to take practical steps towards the early establishment of a Middle East zone free of weapons of mass destruction and their delivery systems.

<sup>6</sup> Sanders, B. and Bunn, G., 'A new view of review', *PPNN Issue Review*, no. 6 (Sep. 1996); and Bailey, E. and Simpson, J., 'The strengthened review process of the NPT: lessons from the past and options for the future', *PPNN Issue Review*, no. 18 (Apr. 2000).

<sup>7</sup> *PPNN Newsbrief*, no. 38 (2nd quarter 1997), pp. 1–4; and Johnson, R., 'Reviewing the NPT: the 1997 PrepCom', *Disarmament Diplomacy*, no. 14 (Apr. 1997), pp. 9–25.

<sup>8</sup> NPT/CONF.2000/PC.I/32, 18 Apr. 1997, para. 15; and NPT/CONF.2000/PC.I/31, 18 Apr. 1997.

<sup>9</sup> *PPNN Newsbrief*, no. 42 (2nd quarter 1998), pp. 1–3; Johnson, R., 'NPT updates: the 1998 PrepCom', *Disarmament Diplomacy*, no. 25 (Apr. 1998), pp. 15–20; Johnson, R., 'Reviewing the Non-Proliferation Treaty: problems and processes', *Acronym Report*, no. 12 (Sep. 1998); and NPT/CONF.2000/PC.II/36, 9 June 1998, para. 14.

<sup>10</sup> The basis for these proposals was contained in a Canadian informal paper, Track II: Canadian comments, 6 May 1998. The substantive proposal for language for the report on the session was contained in the Canadian document NPT/CONF.2000/PC.II/34, 8 May 1998.

<sup>11</sup> NPT/CONF.2000/1, 21 May 1999; *PPNN Newsbrief*, no. 46 (2nd quarter 1999), pp. 1–5; and Johnson, R., 'NPT report', *Disarmament Diplomacy*, no. 37 (May 1999), pp. 8–27.

The three PrepCom sessions thus failed to implement significant aspects of the guidelines agreed for the strengthened review process in 1995. Some states parties and security analysts warned that the new review process might be inherently flawed, and others cautioned that its increased complexity reduced its chances of success.<sup>12</sup> Counterbalancing these assertions was the realization that the future of the strengthened review process, and possibly the 1995 decisions, rested on a positive result emerging from the 2000 NPT Review Conference.<sup>13</sup>

### The regime context

In April 2000 only four United Nations member states (Cuba, India, Israel and Pakistan) were non-parties to the NPT; the treaty had been instrumental in enabling the breakup of the former Soviet Union to be managed without adding to the number of NWS; and only two parties, Iraq and North Korea, had been accused of clandestinely seeking to acquire a nuclear weapon capability. The International Atomic Energy Agency (IAEA) had initiated major reforms of its NPT safeguards system, including the prospect of acquiring expanded powers through an additional protocol to national safeguards agreements.<sup>14</sup> Amendments to the Nuclear Suppliers Group (NSG) Guidelines for Nuclear Transfers and Guidelines for Nuclear-Related Dual-Use Equipment, Materials, Software and Related Technology had made NPT or 'full-scope' safeguards (FSS) a condition of supply.<sup>15</sup> Offsetting these developments was the apparent inability of the international community to deal effectively and collectively with cases of non-compliance with the NPT and with breaches of the nuclear non-proliferation norm by non-NPT parties.

The issue of non-compliance with the NPT involved both North Korea and Iraq. The USA had unilaterally brokered the 1994 US–North Korean Agreed Framework for the decommissioning of North Korea's existing reactors and the removal of their irradiated nuclear fuel in return for the full implementation of IAEA safeguards once two large, externally supplied power reactors were close to commissioning.<sup>16</sup> How-

<sup>12</sup> Further enhancing the strengthened review process for the treaty: Working Paper submitted by Canada, NPT/CONF.2000/PC.III/3, 3 May 1999; Johnson, R., 'Non-Proliferation Treaty: challenging times', *Acronym Report*, no. 13 (Feb. 2000); and Bailey and Simpson (note 6), pp. 1–8.

<sup>13</sup> It may also be worth noting one other mundane factor in this context. In 1995 the first priority had been to agree on an indefinite extension of the treaty: agreeing a consensus Final Declaration was a secondary one. In 2000 for many states this was their first priority.

<sup>14</sup> Carlson, J. *et al.*, 'Nuclear safeguards as an evolutionary system', *Nonproliferation Review*, vol. 6, no. 2 (winter 1999), pp. 109–17. For the model additional protocol approved by the Board of Governors in 1997, see IAEA, Model Protocol Additional to the Agreement(s) between State(s) and the International Atomic Energy Agency for the Application of Safeguards, IAEA document INFCIRC/540, Sep. 1997. INFCIRC/540 was corrected twice in 1998: in INFCIRC/540/Corr.1 (12 Oct.) and INFCIRC/540 (Corrected) (Dec.). This protocol constitutes an extension to the powers contained in the model safeguards agreement IAEA, Structure and content of agreement(s) between the Agency and states required in connection with the Treaty on the Non-Proliferation of Nuclear Weapons, IAEA document INFCIRC/153, June 1972. IAEA INFCIRC documents are available at URL <<http://www.iaea.org/worldatom/infcircs>>.

<sup>15</sup> *2nd NSG International Seminar on the Role of Export Controls in Nuclear Non-Proliferation, 8–9 Apr. 1999* (United Nations: New York, 2000); Communications Received from Certain Member States Regarding Guidelines for the Export of Nuclear Material, Equipment and Technology, INFCIRC/254/Rev.4/Part 1, 15 Mar. 2000; and Communications Received from Certain Member States Regarding Guidelines for Transfers of Nuclear-Related Dual-Use Equipment, Materials, Software and Related Technology, INFCIRC/254/Rev.4/Part 2\*, 9 Mar. 2000. The NSG guidelines are discussed and a list of the NSG members is given in chapter 9 in this volume.

<sup>16</sup> The Agreed Framework is discussed in Kile, S., 'Nuclear arms control and proliferation', *SIPRI Yearbook 2000: Armaments, Disarmament and International Security* (Oxford University Press: Oxford, 2000), pp. 474–75.

ever, this implied tacit acceptance of breaches of the IAEA safeguards agreement for a decade. By 2000 the Iraq issue focused on its refusal to make a full declaration of its past weapons of mass destruction (WMD) capabilities and the failure to implement the post-disarmament monitoring programme devised for it. Lack of unity among the five permanent members (P5) of the UN Security Council on these issues had resulted in a US–British bombing campaign against Iraq to retard any efforts to rebuild its WMD capabilities.

The breaches in the non-proliferation norm perpetrated by the nuclear weapon explosions conducted by India and Pakistan in 1998 were regarded as a major issue for three reasons: they had highlighted the NPT's lack of universality; they had challenged the NPT's legal foundations; and they had demonstrated that neither the norms codified in the treaty nor the regime mechanisms, such as its export control guidelines, had been able to prevent them. The norm and political enterprise of non-proliferation had therefore been subject to a major challenge by these actions. The response of the international community had been vigorous but, as in the case of North Korea, states found themselves facing the dilemma of whether priority should be given to reducing the risks of a nuclear war through dialogue and inducements or punishing the norm-breakers with sanctions to sustain support for the regime.

The Indian and Pakistani nuclear explosions were a legal challenge to the treaty text, which defines a NWS as one that has exploded a nuclear device prior to 1 January 1967. India and Pakistan are thus defined by the NPT as *de jure* NNWS, even if the explosions in May 1998 made them *de facto* NWS. This challenge to the treaty regime was compounded by the fact that some key states had ratified the NPT assuming that there would never be any additional NWS, and these tests appeared *de facto* to undermine this presumption.

If positive action were not taken at the 2000 NPT Review Conference to address these issues directly, and make strong recommendations in respect of them, many observers felt that the regime would be exposed as a 'paper tiger', with grave implications for its long-term effectiveness and survival. At the same time, the conference could not move the Middle East peace process forward and ease the pressure on Israel and its protector, the United States, over the former's alleged nuclear weapon programme. The impact of this issue thus seemed to depend on the effectiveness of Egyptian–US diplomacy over it and events in the region.

### **The wider disarmament and international security context**

The high point of the post-cold war multilateral nuclear disarmament negotiations occurred when the Comprehensive Nuclear Test-Ban Treaty (CTBT) was opened for signature in 1996. After that point positive movement in both the multilateral and bilateral contexts slowed. The next item on the CD and NPT agenda, the negotiation of an FMCT, was entangled in arguments over the creation of a body to address nuclear disarmament and the priority to be given to limiting military activity in outer space. Similarly, in the bilateral context, the START process was stalled by the unwillingness of the Russian Duma to ratify the 1993 Treaty on Further Reductions and Limitation of Strategic Offensive Arms (START II Treaty).

At the same time, the security relationships between the NWS had deteriorated owing to the enlargement of NATO; conflicts over the handling of the WMD capabilities of Iraq, culminating in the British–US bombing campaign; and the NATO bombing campaign against the Federal Republic of Yugoslavia (FRY), including the attack

on the Chinese embassy in Belgrade. As a consequence, China withdrew from constructive participation in the informal NWS caucus group seeking to agree a joint statement for presentation to the 1999 PrepCom session, to supplement those produced in 1997 and 1998.<sup>17</sup> It was not until the last day of this session that the NWS started to function as a group again, when their resulting mutually supportive actions had a marked effect on the subsequent course of events.

Two events in the USA exacerbated this situation. One was the refusal of the US Senate to ratify the CTBT in the autumn of 1999, despite an appeal to do so by the heads of government of France, Germany and the United Kingdom. The second was the advocacy by some in the US Congress of a US withdrawal from the 1972 Treaty on the Limitation of Anti-Ballistic Missile Systems (ABM Treaty) in order to allow work to proceed on the limited national missile defence (NMD) system, which had generated perceptions in China, Russia and some European countries that the USA was now the main threat to sustaining the global nuclear arms management regime.<sup>18</sup> Such perceptions were strengthened prior to the start of the NPT review conference by the decision of the Russian Duma to ratify both START II and the CTBT.

As the 2000 NPT Review Conference opened, acute fears existed that it would be dominated by the disagreements between China, Russia and the USA over their nuclear policies, and that this would doom any prospect of a consensus product. Given that both China and Russia could expect to have significant support for their positions on arms control issues, whether they chose to focus on these issues at the conference was thus seen to be an important determinant of its outcome.

### III. The evolution of the 2000 NPT Review Conference

The 2000 NPT Review Conference opened positively. Presidential consultations had produced agreement on the creation of two ‘subsidiary bodies’: Subsidiary Body I (SBI) on disarmament within Main Committee I (MCI) and Subsidiary Body II (SBII) on regional issues within Main Committee II (MCII).<sup>19</sup> The plenary debate started on the first day and lasted into the middle of the second week. The three main committees and the two subsidiary bodies started their work in the first week after Egypt and the USA agreed that the Resolution on the Middle East would be handled as a regional question in Subsidiary Body II, whose remit also included India, Iraq, Israel, North Korea and Pakistan.

After months of private negotiations, initially in the margins of the CD in Geneva and later in New York, all five NWS agreed the text of a joint statement. This was presented to the conference in its second week by France, which had coordinated these activities.<sup>20</sup> The omission of any reference to the ‘immediate commencement and early conclusion’ of negotiations on an FMCT was perceived by many delegations and NGOs as a major concession to China, as it appeared to abandon commitments contained in the 1995 Principles and Objectives document.<sup>21</sup> It did, however, send a signal that the NWS were prepared to shelve their differences on nuclear

<sup>17</sup> NPT/CONF.2000/PC.I/2, 8 Apr. 1997; and NPT/CONF.2000/PC.II/8, 1 May 1998.

<sup>18</sup> See also chapter 6 in this volume.

<sup>19</sup> NPT/CONF.2000/Dec.1, Apr. 2000. NPT review conferences have traditionally drafted their Final Declarations/Documents through 2, later 3, Main Committees (MC I–III). The text of the treaty is divided among them, and each MC is responsible for producing a text reviewing the operations of the treaty over the previous 5 years in the areas allocated to it.

<sup>20</sup> NPT/CONF.2000/21, 1 May 2000.

<sup>21</sup> NPT/CONF.2000/21 (note 20), para. 7.

issues in the interests of a consensus NPT review conference Final Document. During the second week of the conference the president convened an informal plenary on the operations of the strengthened review process.<sup>22</sup> Ideas were collected and converted into draft texts, with the intention of completing the Main Committee reports by the end of the third week, when it was hoped that the Drafting Committee would start to compile the texts in an integrated document or documents.<sup>23</sup>

The president was not present during the final weekend of the conference, and this 'hands-off' approach stimulated direct action by the two main groups of protagonists to produce an agreed document. On Saturday, 13 May representatives of the NWS and the New Agenda Coalition (NAC) discussed their differences over the backward-looking disarmament document, and the constructive outcome of the meeting encouraged further private consultations.<sup>24</sup>

Three types of activity then took place in parallel. The MCII and MCIII met in open informal session to agree on texts; the president convened a meeting of a group of 'representative countries' to identify agreed language for the text of the MCI report (a process that was soon abandoned); and private negotiations were held to try to narrow differences over contentious issues.

At the direct request of the President of the Conference one set of private negotiations—involving mainly the Canadian chairman of SBII, the USA, Egypt, Iraq and some other Arab states—addressed the disagreements over the text on regional issues. The other set of private negotiations were the 'unofficial' discussions on disarmament issues between the NWS and the NAC, moderated by Norway, which concentrated initially on agreeing a forward-looking document on disarmament. By midweek these discussions were stalemated, although a core document did exist. The UK and the USA then indicated that they were prepared to accept the document if the NAC would also do so, and Russia surprised many delegations by indicating that it was prepared to go along with the British–US proposal, despite considerable reservations about it. France followed its lead. China alone objected to a paragraph on transparency which the other NWS and the NAC states had accepted.

Events then moved rapidly. The negotiations on the backward-looking text between the NWS and the NAC were joined by Indonesia, Germany and the Netherlands. On 18 May the UK proposed that those involved should agree to accept the text that then existed as the consensus backward-looking document on disarmament, with some balanced amendments and deletions. France supported this approach and the specific proposals made by the UK. South Africa also agreed to the British approach but asked for a brief adjournment to allow the NAC to consult.

The NAC meeting resulted in a proposal to modify the British text, and with these changes it was accepted by France, Russia, the UK and the USA. China and Indonesia, representing the Non-Aligned Movement (NAM), thus confronted a fait

<sup>22</sup> This generated proposals ranging from the first 2 PrepCom sessions in any review cycle being open ended, with only the third considering recommendations to its NPT review conference, through the creation of an NPT Management Board, to the more radical proposal from Ireland of replacing the 1995 PrepCom arrangements with four 5-day NPT annual meetings serviced by a small secretariat.

<sup>23</sup> Draft report of Main Committee I, NPT/CONF.2000/MCI/CRP.18, 11 May 2000; Chairman's report of Subsidiary Body I, NPT/CONF.2000/MCI/SB.1/CRP.7, 9 May 2000; Draft report of Main Committee II, NPT/CONF.2000/MCI/CRP.17, 12 May 2000; Chairman's Report of Subsidiary Body II, NPT/CONF.2000/MCII/SB.2/WP.1/Rev, 12 May 2000; and Draft report of Main Committee III, NPT/CONF.2000/MCIII/CRP.15/Rev.2, 12 May 2000.

<sup>24</sup> In June 1998 the NAC, a new group which cut across traditional lines, was created through a Swedish initiative. The members of the NAC are given in the glossary in this volume.

accompli, which they eventually accepted.<sup>25</sup> A consensus now existed of both forward- and backward-looking disarmament texts, thus apparently removing the main stumbling block to an agreed Final Document.

However, another roadblock existed before a consensus Final Document was possible: the inability of Iraq and the USA to agree language on Iraq's non-compliance with the NPT. Tortuous negotiations between the states involved and others resulted in agreement on 20 May, and the Drafting Committee began its work of gaining agreement on the draft text of a Final Document.<sup>26</sup> Disagreements remained over MCII's report, but the impetus to agree a text placed states under intense pressure to abandon disputed language. Agreement on a Final Document was therefore attained by this method.<sup>27</sup> It was then left to several states to indicate the areas where they dissented from the text that they had formally accepted and by this device enable a consensus Final Document to be agreed.<sup>28</sup>

## IV. The substantive issues and results of the conference

### Universality

The 2000 NPT Review Conference named for the first time those states (Cuba, India, Israel and Pakistan) which were non-parties to the treaty. All were urged to accede to the NPT as NNWS, particularly those with unsafeguarded nuclear facilities (i.e., Israel, India and Pakistan).<sup>29</sup> More significantly, it 'deplored' the Indian and Pakistani nuclear test explosions and declared that 'such actions do not in any way confer a NWS status or any special status whatsoever' on those states.<sup>30</sup> These statements were also repeated in a slightly different form elsewhere in the document.<sup>31</sup> Both India and Pakistan were called upon to implement the measures set out in UN Security Council Resolution 1172 and to strengthen their nuclear export control legislation.<sup>32</sup> These

<sup>25</sup> The members of the NAM are given in the glossary in this volume.

<sup>26</sup> NPT/CONF.2000/DC/CRP.1/Rev.1, 19 May 2000.

<sup>27</sup> Kurosawa, M., 'Results of the 2000 NPT Review Conference', *Plutonium*, no. 30 (summer 2000), pp. 3–7; Johnson, R., 'The 2000 NPT Review Conference (note 1)', pp. 2–20; Johnson, R., 'The NPT review: disaster averted', *Bulletin of the Atomic Scientists*, vol. 56, no. 4 (July/Aug. 2000), pp. 52–57, *PPNV* [Programme for Promoting Nuclear Non-Proliferation] *Newsbrief*, no. 50 (2nd quarter 2000), pp. 1–6 and insert; Rauf, T., 'The 2000 NPT Review Conference', *Non-Proliferation Review*, vol. 7, no. 1 (spring 2000), pp. 146–61; Rauf, T., 'An unequivocal success? Implications of the NPT Review Conference', *Arms Control Today*, vol. 30, no. 6 (July/Aug. 2000), pp. 9–16; Wulf, N. A., 'Observations from the 2000 NPT Review Conference', *Arms Control Today*, vol. 30, no. 9 (Nov. 2000); Grand, C., 'La Conférence d'examen du TNP et l'avenir du régime de non-prolifération nucléaire' [The NPT Review Conference and the future of the nuclear non-proliferation regime], *Annuaire Français de Relations Internationales 2001* (Bruylant: Brussels, 2001); and Kurosawa, M., 'The 2000 NPT Review Conference and nuclear disarmament', *Osaka University Law Review*, no. 48 (Feb. 2001), pp. 1–38. The 5 NPT review conferences until 2000 all sought to produce a Final Declaration, the title given to the substantive element of their Final Document. The rest of it, its first part, contained the procedural and administrative details of the conference. In 2000 the decision was taken to reverse the order of the material in the Final Document so that the substantive part came first, and in the process the heading 'Final Declaration' disappeared.

<sup>28</sup> NPT/CONF.2000/28, Parts I and II, 19 May 2000.

<sup>29</sup> NPT/CONF.2000/28 (note 28), Part I, Articles I and II and 1st and 3rd preambular paras, para. 8.

<sup>30</sup> NPT/CONF.2000/28 (note 28), Part I, Articles I and II and 1st and 3rd preambular paras, para. 9.

<sup>31</sup> NPT/CONF.2000/28 (note 28), Part I, Article VII and the security of NNWS, regional issues, para. 13; and Article IX, paras 6 and 7.

<sup>32</sup> UN Security Council Resolution 1172, 6 June 1998; and NPT/CONF.2000/28 (note 28), Part I, Articles I and II and 1st and 3rd preambular paras, paras 9, 10; Article VII and the security of NNWS, regional issues, paras 12, 13.

statements constituted a robust response to Indian demands that '[t]he NPT community needs to understand that India cannot join the NPT as a non-NWS'.<sup>33</sup>

Differences over universality did exist, however, regarding technical cooperation with non-parties and the creation of reporting mechanisms. On the former, some NAM states wished to see a total cessation of all nuclear-related assistance to non-parties, although this appeared to be contrary to the text of the treaty. The result was a rather weak paragraph on the subject, which did not specify that full-scope IAEA safeguards should be a condition of material or equipment supply to such states.<sup>34</sup>

## Non-proliferation

Two parties to the treaty have been the subject of allegations of non-compliance with Articles II and III of the NPT: North Korea and Iraq. As the former was absent, the participants had little difficulty in agreeing a text that noted the IAEA had been unable to verify its initial declaration of nuclear material and thus was unable to conclude that no diversion had occurred.<sup>35</sup> The situation concerning Iraq was considerably more complicated in two respects: its delegates were in attendance, and it had been proven to be non-compliant with the treaty prior to 1991. In nuclear matters, the IAEA had reported that all clandestine activities had been accounted for, equipment destroyed and material removed, while a regular IAEA inspection had taken place in Iraq in early 2000 as required by its NPT safeguards agreement. This led Iraq to argue that it had been fully compliant with the treaty since 1995 and that the UN Security Council resolutions requiring Iraq's compliance with disarmament obligations were irrelevant in this context.<sup>36</sup>

The USA and some other states regarded it as unacceptable not to comment on Iraq, or to note that it was in compliance with its NPT obligations, given both the continuing impasse over its compliance with the Security Council resolutions and the non-implementation of a comprehensive system for monitoring WMD activities in Iraq. This posture was reinforced by a statement made to the conference by a representative of the IAEA that 'in all the years between 1991 and 1999, the Agency has not been able to conclude that Iraq complied with its safeguards agreement'.<sup>37</sup> Iraq rejected this statement.<sup>38</sup> The language eventually agreed involved noting that a regular inspection had been carried out in January 2000 which verified the presence of the material subject to safeguards and reaffirmed 'the importance of Iraq's full continuous cooperation with [the] IAEA and compliance with its obligations'.<sup>39</sup>

A surprising aspect of the debate on non-proliferation was the lack of prominence of the 'nuclear sharing' issue.<sup>40</sup> At the 1999 PrepCom session four states (Egypt, Iran,

<sup>33</sup> *Suo Motu* statement to the Indian Parliament on the NPT Review Conference, 9 May 2000, by India's Minister of External Affairs Foreign Minister, Jaswant Singh, para. 9.

<sup>34</sup> NPT/CONF.2000/28 (note 28), Part I, Article III and 4th and 5th preambular paras, especially their relationship to Article IV and 6th and 7th preambular paras, Para. 24.

<sup>35</sup> NPT/CONF.2000/28 (note 28), Part I, Article VII and the security of NNWS, regional issues, para. 16.

<sup>36</sup> UN Security Council Resolution 687, 3 Apr. 1991; and UN Security Council Resolution 1284, 17 Dec. 1999. See also chapter 7 in this volume.

<sup>37</sup> NPT/CONF.2000/MC.II/SB.2/CRP.4, 10 May 2000.

<sup>38</sup> NPT/CONF.2000/MC.II/SB.2/CRP.9, 10 May 2000.

<sup>39</sup> NPT/CONF.2000/28 (note 28), Part I, Article VII and the security of NNWS, regional issues, para. 10.

<sup>40</sup> Events at the 1999 PrepCom suggested that 'nuclear sharing' encompassed 5 issues: stationing of nuclear weapons on the territories of NNWS; the NATO arrangements for deploying US nuclear weapons on the delivery systems of other NATO states in the event of war; the British-US and French-



Mexico and South Africa) had proposed draft language on this subject.<sup>41</sup> In 2000 the issue played little part in the negotiations on the wording of the Final Document.

## Disarmament

The debate over disarmament centred on whether the NWS should make an unconditional commitment to disarm and the practical steps that should be taken in the next five years to further this objective. The forward-looking document that eventually emerged in 2000 was much more comprehensive and wide ranging than that agreed in 1995. Partly as a consequence of the NAC addressing itself to specific actions as well as general commitments, it containing many practical steps in a wide range of areas.<sup>42</sup> These included: (a) signatures and ratifications to achieve the early entry into force of the CTBT, and a moratorium on nuclear explosions pending this event (para. 15:2); (b) the CD agreeing a programme of work including ‘the immediate commencement of negotiations on . . . [an FMCT] . . . with a view to their conclusion within five years’ (para. 15:3); and the immediate establishment of ‘an appropriate subsidiary body with a mandate to deal with nuclear disarmament’ (para. 15:4); (c) an early entry into force and full implementation of START II and the conclusion of START III while preserving and further strengthening the ABM Treaty as the basis for further reductions of strategic offensive weapons (para. 15:7); (d) the principle of irreversibility to apply to nuclear disarmament and other related arms control and reduction measures (para. 15:5); arrangements by all NWS to place fissile material no longer required for military purposes under international verification to ensure it remained permanently outside of military programmes (para. 15:10); and the completion and implementation of the Trilateral Initiative between the IAEA, Russia and the USA (para. 15:8.); (e) regular reports, within the framework of the NPT strengthened review process, by all states on the implementation of Article VI and para. 4(c) of the Principles and Objectives decision (para. 15:12); and (f) the further development of verification capabilities to provide assurance of compliance with nuclear disarmament agreements to achieve and maintain a nuclear-weapon-free world (para. 15:13).<sup>43</sup>

In addition, under the designation ‘steps leading to nuclear disarmament in a way that promotes international stability’, it was agreed that the following should be implemented: (a) further efforts by the NWS to reduce their nuclear arsenals unilaterally; (b) increased transparency by the NWS with regard to nuclear weapon capabilities and as a voluntary confidence-building measure (CBM);<sup>44</sup> (c) the further reduction of non-strategic nuclear weapons; (d) concrete agreed measures to further reduce the operational status of nuclear weapon systems; (e) giving a diminishing role

US bilateral arrangements for collaboration in weapon design and the acquisition of nuclear and non-nuclear materials and components for weapons; allegations of assistance by NWS to NNWS (especially the USA to Israel); and the consequences of NWS disintegration or integration with other states.

<sup>41</sup> NPT/CONF.2000/PC.III/39, 19 May 1999; NPT/CONF.2000/PC.III/55, 20 May 1999; NPT/CONF.2000/PC.III/47, 19 May 1999; and NPT/CONF.2000/PC.III/53, 19 May 1999.

<sup>42</sup> NPT/CONF.2000/28 (note 28), Part I, Article VI and 8th to 10th preambular paras.

<sup>43</sup> The Trilateral Initiatives are a series of negotiations that have been conducted between the IAEA, Russia and the USA in order to identify methods of verifying such arrangements without revealing weapon information to IAEA inspectors. Step f (para. 15:13) in effect gave support to one NWS, the UK, to continue the work it had initiated on this subject and which was reported in Nuclear verification, NPT/CONF.2000/MC.I/WP6, 4 May 2000.

<sup>44</sup> This commitment, in the form that it was agreed, was initially opposed by China, which wished to relate it to commitments on no-first-use of nuclear weapons and also to limit it to only being operative in the context of negotiated arms limitation agreements.

for nuclear weapons in security policies; and (f) engaging ‘as soon as appropriate’ all the NWS in the process leading to the total elimination of nuclear weapons.<sup>45</sup>

In effect, what the NPT review conference did was to create a new nuclear disarmament agenda, containing a mixture of unilateral, bilateral and multilateral activities, rather than an agenda which focused solely on multilateral negotiations and agreements. It also implied a much less radical and more incremental vision of how to move towards nuclear disarmament than the ‘time-bound framework’ proposals which had been prominent in 1995. However, this action plan begged many questions over what were the precise commitments that states parties had made in agreeing to it and what some of them meant in practice.

### **Nuclear weapon-free zones and security assurances**

The parties found little difficulty agreeing language on the general desirability of additional nuclear weapon-free zones (NWFZ), on the need for relevant ratifications to bring existing treaties into full operation and on welcoming and supporting efforts to set up an NWFZ in Central Asia.<sup>46</sup> Difficulties did emerge, however, over Central Europe and the Middle East. Belarus wished to see positive language in the Final Document concerning its initiative on the establishment of a ‘nuclear-weapon-free space’ in Central Europe, despite opposition from other states of the region.<sup>47</sup> Arab states wanted Israel to be urged by name to take the steps needed to implement a NWFZ in the Middle East, something which the USA had consistently opposed in previous review conferences. The compromise language eventually agreed restricted the naming of Israel to joint references with the other non-parties, other than in that part of the Final Document dealing with the Middle East and the implementation of the 1995 resolution.<sup>48</sup>

Given that detailed proposals for protocols on positive and negative global security assurances had been put forward at the PrepCom sessions it had been anticipated that security assurances would be a major issue at the NPT review conference. This was not the case, however, and the Final Document limited itself to ‘calling upon the Preparatory Committee to make recommendations to the 2005 Review Conference on this issue’.<sup>49</sup>

### **IAEA safeguards**

IAEA safeguards generated considerable controversy, both in their own right and because of their links to other questions, such as regional issues. The disagreements were concentrated in a limited number of areas. One was the Additional Protocol to national safeguards agreements, which gives expanded powers to the IAEA safeguards system. Some parties indicated that in future they wanted to make this protocol an integral part of the IAEA safeguards, in particular in the context of exports to non-parties. At the same time, there was concern that full-scope safeguards as a con-

<sup>45</sup> NPT/CONF.2000/28 (note 28), Part I, Article VI and 8th to 10th preambular paras, para. 15:9.

<sup>46</sup> NPT/CONF.2000/28 (note 28), Part I, Article VII and the security of NNWS, paras 5–15.

<sup>47</sup> Nuclear-weapon-free zones, working paper submitted by Belarus, and Results of the Informal Consultations on Outstanding Issues from the report of Main Committee II, NPT/CONF.2000/MCII/WP.16, 16 May 2000, para. 59.

<sup>48</sup> Results of the Informal Consultations (note 47), para. 56.

<sup>49</sup> NPT/CONF.2000/28 (note 28), Part I, Article VII and the security of NNWS, para. 2.

dition of supply to non-parties was in danger of being eroded by a willingness to trade on the basis of safeguards being applied to the imported items and materials only.<sup>50</sup> A further element in these debates was language directed originally at Israel by NAM countries calling for ‘the total and complete prohibition’ of the transfer of nuclear-related equipment and materials, and of technical assistance, to non-parties, even though this was contrary to the language of the treaty.<sup>51</sup> None of these differences were resolved, and the controversial wording was deleted in the final phase of the conference.

Another set of disagreements concerned export guidelines. Language on both the work of the Zangger Committee and on the transparency seminars organized by the NSG was opposed by those NAM states which perceived them to be a barrier to economic development.<sup>52</sup> Iran also sought to contest the right of the United States and others to prevent nuclear-related transfers to states where allegations of non-compliance with the treaty had not been verified by the IAEA. The contested language on these issues was deleted in the final hours of the conference.<sup>53</sup>

### Peaceful uses of nuclear energy

Debates on this topic centred on the implementation of the ‘inalienable right’ of states to enjoy the peaceful benefits of nuclear energy. Issues here included whether all states, not just parties to the NPT, should enjoy these benefits, and on the role of nuclear energy in sustainable development. Three different sets of state interests came into play in this latter debate: those states seeking support for their fledgling nuclear power programmes; those states seeking to further domestic decisions to abandon such programmes; and those states concerned with 1997 Kyoto Protocol ‘greenhouse gas’ issues.<sup>54</sup> Eventually, wording was agreed to meet some of these aspirations.<sup>55</sup>

<sup>50</sup> This issue was visible in disagreements over whether reference should only be made to the relevant paragraph in the 1995 Principles and Objectives document or whether the language within it should be reproduced in full. See NPT/CONF.2000/MC.II/CRP.13/Rev.2, 12 May 2000, para. 38; and NPT/CONF.2000/28 (note 28), Part I, Article III and 4th and 5th preambular paras, especially in their relationship to Article IV and the 6th and 7th preambular paras.

<sup>51</sup> Working paper presented by the members of the Movement of Non-Aligned Countries to the Treaty on the Non-Proliferation of Nuclear Weapons, NPT/CONF.2000/18, 24 Apr. 2000, para. 6; and Proposed amendments on the Chairman’s draft report of Main Committee II, 5 May 2000, submitted by Members of the Movement of Non-Aligned Countries to the Treaty on the Non-Proliferation of Nuclear Weapons, NPT/CONF.2000/MC.II/CRP.7, 9 May 2000.

<sup>52</sup> This an unofficial committee of NPT parties which meets regularly in Vienna to coordinate the implementation of safeguards on nuclear-related exports to non-parties and to update the lists of those items which will automatically trigger safeguards if they are exported to non-parties, sometimes known as the Trigger List. See also the glossary and chapter 9 in this volume.

<sup>53</sup> The text deleted was that in brackets in NPT/CONF.2000/DC/CRP.1/Rev.1, 19 May 2000 (i.e., p. 8, para. 39; p. 9, paras 40 and 41; and p. 12, para. 58).

<sup>54</sup> The debate on this issue was fuelled by the initial draft report of Main Committee III, NPT/CONF.2000/MC.III/CRP.15, 10 May 2000, which contained wording very similar to that agreed in the Final Document, NPT/CONF.2000/28, Part I, Article IV and 6th and 7th preambular paras, Treaty on the Non-Proliferation of Nuclear Weapons and the Peaceful Uses of Nuclear Energy, para. 8. In the interim, NPT/CONF.2000/MC.III/CRP.15/Revs 1 and 2, 11 and 12 May 2000 and NPT/CONF.2000/MC.III/1, 12 May 2000, it gathered references to the Kyoto Protocol and proposed references to nuclear power being a source of legitimate action, before these were removed at the last moment in order to facilitate agreement on the Final Document. The Kyoto Protocol to the United Nations Framework on Climate Change is available at URL <<http://www.unfccc.int/resource/protintr.html>>.

<sup>55</sup> NPT/CONF.2000/28 (note 28), Part I, Article IV and 6th and 7th preambular paras, Treaty on the Non-Proliferation of Nuclear Weapons and the Peaceful Uses of Nuclear Energy, para. 8

The safe transport of radioactive waste, liability for accidents and technical cooperation were other issues which generated considerable friction. Nuclear transport and liability were mainly a West–West conflict between those states (France, Japan and the UK) involved in reprocessing and the sea transport of nuclear waste, plutonium and mixed-oxide (MOX) fuel and those adjacent to the routes used to transport this material. This latter group sought enhanced consultation over these shipments and more effective and far-reaching liability mechanisms.<sup>56</sup> Most of their demands were successfully resisted by the three target states.<sup>57</sup>

## V. The implications of the conference

The successful conclusion of the 2000 NPT Review Conference was by any criteria an extraordinary outcome, especially given the generally unfavourable disarmament and international security context in which it occurred and the increased complexity of the post-1995 review arrangements. The fact that the NWS were prepared to put aside their differences in order to facilitate this result appeared to be a recognition of their common interest in sending a signal that they were united in sustaining the treaty, the regime and global nuclear stability. For their part, the NAC states were unprepared to see negative signals emerge from the conference and sought to concentrate on the areas where agreement was possible. As the products of the meeting started to be examined, however, questions emerged about what had actually been agreed, what the commitments contained in the Final Document meant and how they could be implemented. Moreover, when it became clear that some of the NWS interpreted the language of the disarmament elements in differing ways from each other and from the NAC, doubts strengthened over whether the outcome implied any change in global attitudes and policies in this area.

### The treaty

The messages for the treaty and its review process contained in the Final Document of the 2000 NPT Review Conference are at best confusing. On the one hand, the outcome suggests that among the elements that assisted success were the effective chairmanship of the main committees and the subsidiary bodies, and a president who pursued a non-interventionist policy, left the resolution of key issues to the parties to the treaty and kept his nerve in the endgame and did not panic into accepting a sub-optimal result. On the other hand, the problems encountered over the issue of Iraq's non-compliance with the treaty point to an inherent flaw in the nature of the rules of procedure for NPT review conferences: those accused of non-compliance with the treaty cannot be denied their voting rights. Only the absence of both North Korea and

<sup>56</sup> One coalition included Fiji, Ireland, Micronesia, Nauru, New Zealand, Solomon Islands, Turkey and the Caribbean Community and Common Market (CARICOM) states. Their demands are found in Peaceful uses of nuclear energy: proposed language on transport of nuclear material, NPT/CONF.2000/MC.III/CRP.4, 4 May 2000, Article VI, ; and Peaceful uses of nuclear energy: transport of nuclear material by sea, NPT/CONF.2000/MC.III/CRP.9, 5 May 2000, Article VI. The other coalition included France, Japan and the UK. CARICOM, an economic and political association of the predominantly anglophone Caribbean nations, was established in 1973. A list of current members and observers is available at URL <<http://www.caricom.org>>.

<sup>57</sup> NPT/CONF.2000/28 (note 28), Part I, Article IV and 6th and 7th preambular paras, Nuclear and radiation safety, safe transport of radioactive materials, radioactive waste and liability. The arguments over language centred around paras 10, 12 and 16.

the FRY from the 2000 NPT Review Conference may have prevented issues related to them playing a similar role to those concerning Iraq.

On a more specific level, some of the changes introduced into the review process in 1995 seem to have been vindicated. The two subsidiary bodies did focus attention on key issues at the conference, although it remained unclear if they would have worked so effectively under different chairmen; if the results would have been different under the old system of having main committees only; and what would have happened if there had been more than two subsidiary bodies. What did not occur, however, was the production of multiple products or any conscious and visible updating of the 1995 Principles and Objectives document as South Africa, in particular, proposed. While the contents of this 1995 document were reaffirmed, amendments to it appeared throughout the text. In addition, the contents of the 1995 document were not used in any conscious way as yardsticks for assessing performance over the previous five years. As a result, the ties binding the ongoing review process to the 1995 document were partially cut, making it more open to change at future review conferences.

Perhaps more significantly, the PrepCom process was given little further guidance by the Final Document. While it appeared to signal acceptance of the failure of the modalities implemented in 1997, in particular the creation of a rolling text, it did little to replace them. The NPT parties were thus left with a stark choice of 'muddling through', by holding meetings which only prepared for review conferences in the most general of ways, or the Irish proposal of holding NPT annual meetings of five days' duration in years other than those in which review conferences are to be held.<sup>58</sup> The latter, however, would mean reaching agreement on two contested issues: the executive powers to be given to such annual meetings and whether a permanent secretariat arrangement or management board should be created.

### The regime context

Six main challenges confronted the nuclear non-proliferation regime at the 2000 NPT Review Conference: (a) the Indian and Pakistani nuclear weapon tests; (b) the allegations of North Korean and Iraqi non-compliance; (c) the Egyptian–US differences over the Middle East; (d) enhancement of IAEA safeguards; (e) implementation of export controls on exports to non-parties; and (f) environmental concerns. The conference took a relatively robust stand on the first issue. It deplored the test explosions; urged India and Pakistan to join the NPT as an NNWS; and called on the two states to implement UN Security Council Resolution 1172, including ratifying the CTBT and strengthening their nuclear export control legislation. In so doing, it demonstrated to India in particular that it was totally isolated on this issue.

The challenge of non-compliance could be met without undue difficulty in the case of North Korea because of its absence from the proceedings. In the case of Iraq, the contentious nature of claims of Iraqi non-compliance after 1995 and the presence of Iraqi representatives at the conference made it more difficult to respond forcefully.

The Egyptian–US differences over Israel and the Resolution on the Middle East proved a complex problem to resolve, but success was achieved through astute diplomacy. The initial issue of devoting a subsidiary body to the subject was evaded by having it focus on regional issues, which allowed concessions over Israel to be

<sup>58</sup> Statement by Mr Brian Cowen T. D., Minister for Foreign Affairs, New York, 24 Apr. 2000, p. 4; and Strengthening the review process for the treaty, Working Paper submitted by Ireland, NPT/CONF.2000/WP4, 1 May 2000.

balanced by language on Iraq. For the first time in an NPT context, Israel was named in the Final Document, but not condemned, while all parties were requested to report at future NPT meetings on the implementation of the Resolution on the Middle East.

The enhancement of IAEA safeguards generated disappointment for some states, especially those which wished for a stronger impetus to be given to signing and implementing additional protocols to national safeguards agreements. Resistance was also encountered over the suggestion that, in future, trade with non-parties should be conditional on them accepting both full-scope safeguards and the additional protocol. The conference thus offered little assistance to the IAEA in moving towards a single comprehensive safeguards system incorporating the rights it had gained through the Additional Protocol. In addition, no recommendations were made on strengthening export controls on transfers to non-NPT parties, which are currently based on the activities of two informal bodies, the Zangger Committee and the NSG.

It is increasingly apparent that concerns over the safety of maritime nuclear transport and the effects of global warming are becoming the primary interests at NPT review conferences of many of the small island states that are parties to the treaty. In 2000 they sought to use their leverage to gain rights of consultation when such transport occurs close to their shores, as well as mechanisms to compensate them for the consequences of any accident that might take place. Their interests in the increase in greenhouse gas emissions, which if uncontrolled might submerge their territories, caused the debate between the pro- and anti-nuclear power interests to take a path not seen before at NPT review conferences. If this develops further at future meetings, it could lead to conflict between those developing states which regard nuclear power as their greatest potential 'peaceful' benefit from the treaty, and an alliance of other NAM members and Western European anti-nuclear power interests intent on blocking such development.

### **The caucus groups**

Traditionally, three caucus groups had operated at NPT review conferences: the NAM, the Western European and Others Group (WEOG), and the Eastern Group. In 1995 this structure started to degrade. The 2000 NPT Review Conference demonstrated that the politics of nuclear disarmament and non-proliferation are now taking place in a rapidly changing context. Both the NAM and the WEOG were forced to compete with regional and interest-based blocs in their attempt to play a meaningful role at the conference. Arab and other regional groupings of the NAM sought to pursue their specific interests through its consultative mechanisms, but agreed NAM positions were often coupled with contradictory regional and interest-based ones. In the case of the WEOG, the major player was the European Union (EU) and its associated states, which included many from the former Eastern Bloc.<sup>59</sup>

The EU states came to the meeting with agreed positions on many issues and, unlike the WEOG, met almost daily to exchange information and consult on issues. The language contained in their common position formed the basis for significant elements of the text of the Final Document. Despite its low profile on the conference floor, the influence of the EU on both the text of the Final Document and the outcome

<sup>59</sup> A list of the EU members is given in the glossary in this volume. The countries which associated themselves with the EU position at the conference were Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Iceland, Latvia, Liechtenstein, Lithuania, Malta, Poland, Romania, Slovakia, Slovenia and Turkey.

of the conference should therefore not be underestimated. However, it also generated perceptions of marginalizing other states in the WEOG, which lacked a similar set of common positions, through its presence and common actions.

Interest-based regional and global groupings abounded: the NATO-5,<sup>60</sup> Finland and Sweden, the Group of Ten (G-10),<sup>61</sup> Australia and Japan, the South Pacific states (South Pacific Forum), and the Caribbean Community and Common Market (CARICOM) island states.<sup>62</sup> It was the seven states of the NAC, however, which stood out as the new and significant player in this context. Although the NAC is an interest-based coalition, seeking agreement on an expanded range of commitments on disarmament, it also pulled together the traditional groupings over this issue, with individual members persuading states within the other groups to which they belonged to go along with the language they had negotiated. In order to do this they had to negotiate with the loosely-linked grouping of the five NWS, and it was in this context that the key issues of the forward- and backward-looking language on disarmament were resolved.

One issue for the future posed by the 2000 NPT Review Conference is thus whether the NAC–NWS negotiating nexus is the way forward in disarmament or whether its activity will prove to be unique to 2000. For while the old caucus system and its linked allocation of conference offices is increasingly divorced from the evolving political realities in this forum many states were dismayed by the way they were marginalized during the 2000 NPT Review Conference. One implication may be that in the new environment of fragmentation of large groupings and of cross-cutting interest groups only active, multi-linked states will be able to achieve their aims and objectives. The 2000 NPT Review Conference may thus not only mark a watershed in the evolution of the nuclear disarmament agenda and in global attitudes towards nuclear disarmament, but may also do so for the traditional groupings involved in this activity and the organizational structures underpinning its negotiating forums.

### *The influence of the NGOs*

The role and impact of NGOs at this review conference were markedly different from the NPT Review and Extension Conference in 1995. In that year there was a central issue, the extension decision, for them to focus on, and several NGOs were successful in having NAM states present their specific ideas in the conference debates in areas such as nuclear sharing and restricting the uses of fissile materials. In 2000 their influence appeared to be more diffuse, although not necessarily less effective. In addition, more states had members of NGOs and parliamentarians in their delegations than was previously the case. It was also widely recognized that specific NGOs had made an important contribution to the outcome both before and during the conference through their provision of information services for delegations.

<sup>60</sup> The NATO-5 comprises Belgium, Germany, Italy, the Netherlands and Norway.

<sup>61</sup> The G-10 is an informal grouping of Vienna-based delegations to the IAEA which traditionally has provided language on safeguards and peaceful use issues to NPT review conferences. It comprises Australia, Austria, Canada, Denmark, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden.

<sup>62</sup> The members of the South Pacific Forum are given in the glossary in this volume. The South Pacific Forum Internet site is URL <<http://chacmool.sdpn.undp.org/pacific/forumsec/about/spf.htm>>.

### **The wider disarmament and international security context**

The message generated by the 2000 NPT Review Conference in the wider disarmament and international security context was mixed. On the one hand, the NWS were prepared to sideline their differences over START, NATO expansion, Iraq, the FRY, and NMD and theatre missile defence in order to achieve consensus on both a joint statement and a Final Document. This appeared to be a recognition of the high priority they assigned to their collective interest in sustaining the NPT regime. They also agreed a much more extensive programme of action to implement nuclear disarmament than that drawn up in 1995. Indeed, some might argue that the Final Document might act as a preparation, or even a substitute, for the long-heralded fourth UN Special Session on Disarmament given its range of unilateral, bilateral and multilateral actions, and in the priority it gave to CBMs, arms reductions, verification and the irreversibility of disarmament activities.

These commitments will need to be translated into visible consequences before the Final Document can be judged to have been anything other than a piece of paper. Although the holding of the 2000 NPT Review Conference created incentives for some states, such as Russia, to ratify both bilateral and multilateral arms control treaties, little progress in disarmament was recorded during the remainder of the year. Differences clearly exist over how to translate some of the commitments into practical actions, and what may now be needed is a concerted multilateral effort to identify how the commitments can be operationalized and to seek the agreement of states to implement them. It is these follow-up activities which will determine whether the 2000 NPT Review Conference will be seen as signalling a significant shift in global attitudes and policies towards nuclear weapons.