Nuclear Weapons Convention

Simulated negotiations during NPT PrepCom 2009
May 2009, New York
Article IV of model NWC: Phases for Implementation as adopted in 2009 simulation

Comment: Changes that were adopted during the simulated negotiations are marked as follows: underlined – text added; crossed out – text deleted.

A. General Requirements

1. Each phase indicates the deadline for completion of specific implementation activity. Any phase can begin at any time, and does not require the completion of previous phases before initiation but must begin at least when every State Party has completed the previous phase.

2. Implementation activities shall be conducted in accordance with the Verification Annex.

B. Extension of Deadlines

3. If a State Party is unable to complete any of its obligations under Phase One (and following) within the deadline, it may submit a request to the Executive Council for an extension. Such a request must be made at least [four] months prior to the deadline, and no extension may exceed [six] months. The summed up extensions cannot be longer than the original phase.

4. If a State Party is unable to complete any of its obligations under Phase Two within the deadline, it may submit a request to the Executive Council for an extension. Such a request must be made at least [six] months prior to the deadline, and no extension may exceed [one] year[s].

5. If a State Party is unable to complete any of its obligations under Phases Three, Four, or Five within the deadlines, it may submit a request to the Executive Council for an extension of the deadline. Such a request must be made at least [one] year[s] prior to the deadline for that phase, and no extension may exceed [one] year[s].

C. Reciprocity in Extensions

6. If any State Party makes a request for an extension of any deadline, any other State Party may request a similar extension within [one month] of the original State’s request.
D. Phases

7. Phase One. Not later than [one year] after entry into force of this Convention:
   a. All States Parties shall have complied with the requirements of Article III {Declarations}.
   b. Targeting coordinates and navigational information for all nuclear weapons delivery vehicles shall be removed.
   c. All nuclear weapons and nuclear weapons delivery vehicles shall be de-alerted and disabled.
   d. Activities listed in Schedule 1 of the Annex on Nuclear Activities shall have ceased and if not shall be sanctioned.
   e. Production of nuclear weapon components and equipment listed in Schedules 1 and 2 of the Annex on Nuclear Weapons Components and Equipment shall have ceased.
   f. All nuclear weapons testing facilities, nuclear weapons research facilities and nuclear weapons production facilities shall be designated for decommissioning and closure or for conversion and should be controlled by the Agency and the Executive Committee.
   g. Production of proscribed nuclear material shall have ceased, with the exception of exemption quantities.
   h. [Funding for] nuclear weapons research of any sort not consistent with the purposes and obligations of this Convention shall have ceased.
   i. Plans for the implementation of all obligations under this Convention shall have been submitted to the Agency.

8. Phase Two. Not later than [two one] years after entry into force of this Convention completion of the previous phase:
   a. All nuclear weapons and nuclear weapons delivery vehicles shall be removed from deployment sites.
   b. All warheads shall be removed from their delivery vehicles and either placed into nuclear weapons storage facilities or dismantled.
   c. Agreements shall be negotiated to subject all nuclear weapons, nuclear material and nuclear facilities to preventive controls.
9. Phase Three. Not later than [five years] later than completion of the previous phase entry into force of this Convention:

a. All nuclear weapons shall be dismantled disabled.

b. All nuclear weapons shall be destroyed, except: i. no more than [1000] warheads in each of the stockpiles of Russia and the United States; and ii. no more than [100] warheads in each of the stockpiles of China, France, and the United Kingdom, iii. no more than 60 warheads in the stockpile of Israel, and iv. no more than 40 warheads in each of the stockpiles of India and Pakistan.

c. All nuclear weapons delivery vehicles shall be destroyed or converted for purposes not prohibited under this Convention.

d. All nuclear weapons facilities shall be designated for decommissioning and closure or for conversion.

10. Phase Four. Not later than [10 years] later than completion of the previous phase entry into force of this Convention:

a. All nuclear weapons shall be destroyed, except: i. no more than [50] warheads in each of the stockpiles of Russia and the United States, and ii. no more than [10] warheads in each of the stockpiles of China, France, and the United Kingdom, and ii. no more than 5 warheads in each of the stockpiles of India, Israel, and Pakistan.

b. All reactors using highly enriched uranium shall be closed or converted to low enriched uranium use. A multilateral highly enriched uranium cycle shall be established only for research reasons. Therefore, regional HEU research reactors shall be established in the various regions with free access for all states. In addition equal and free access to peaceful nuclear technology shall be guaranteed with the aim that all states reaching the same technological level until the end of phase Four. All procedures and facilities shall be under verification and safeguard measures defined in Article V of this convention.

All reactors using highly enriched uranium shall be closed or converted to low enriched uranium use. In addition, equal access to state-of-the-art high-density nuclear fuel shall be guaranteed for all States Parties for use in their research reactors.

c. [All reactors using plutonium as fuel shall be closed or converted to reactors that do not use any special nuclear material.]
d. All special nuclear material in any form shall be under strict, effective and exclusive preventive controls.

11. Phase Five. Not later than five years after completion of the previous phase entry into force of this Convention:
   a. All nuclear weapons shall be destroyed.
   b. [The powers and functions of the Agency shall be reviewed and adjusted to preserve its role in carrying out the objectives of this Convention.]

E. Special Provision
12. The Executive Council may make special provision for temporary retention of small and diminishing quantities of nuclear weapons or proscribed nuclear materials by Nuclear Capable States

13. States meeting the criteria of this Special Provision shall follow the requirements, guidelines and phases outlined in this Article. They shall not be expected to implement the provisions of this Convention in advance of other States Parties, nor shall they be exempted from the requirements of each phase.