**Compilation of amendments received from States on the revised draft submitted by the President dated 27 June 2017**

**A/CONF.229/2017/CRP.1/Rev.1**

**ECUADOR**

We are proposing two alternative paragraphs, either one would be a new number 3 under article 1.

**Article 1…**

3. Each State Party shall not allow the transit of its territory by land or internal waterways or through its airports or seaports of nuclear weapons or other nuclear explosive devices.

Each State Party undertakes not to permit visits to its ports and airfields by foreign ships and aircraft carrying nuclear weapons or other nuclear explosive devices, transit of its airspace by foreign aircraft carrying such weapons or explosive devices, and navigation through its territorial sea or archipelagic waters by foreign ships carrying such weapons or explosive devices without prejudice to freedom of the high seas, rights of innocent passage, archipelagic sea lanes passage or transit passage of ships and aircraft.

**Article 18**

**Duration**

This Treaty shall be of unlimited duration and cannot be the object of denunciation or withdrawal.

**FIJI**

The intention is to strengthen the text by ensuring that the burden rests on the polluters in the so called 'polluter pay principle'

Given that the Pacific was the ground of more than 300 tests which caused unnecessary burden and inconvenience in many ways as had been raised numerous times earlier, the Pacific (unlike other parts of the world) feels that due consideration should be given to the victims and the environment and the text should specify clearly the burden which vests on the nuclear powers . This received enormous support from other delegates. Vietnam being the ground of real use also raised similar sentiments likewise Egypt, Ecuador and other delegates in the room.

**Article 7**

**Victims assistance and environment remediation**

* We would like to see deletion of the phrase **"in a position to do so."** as has already been mentioned by several delegations.

We would like to add that ideally, specific victim assistance measures would be enumerated also.

On paragraph 2, we would like to add the following addition to the existing text on environment remediation. Our changes are shown in bold:

Environmental remediation:

[*Note: Rationale for this intervention: Art. 7(2) currently merely establishes a right for states to seek and receive assistance for environmental remediation. It does not create any obligation to remediate it.]*

While we would prefer to see specific measure enumerated, we would like to recommend the following language.  The changes to the current text are in bold:

**2.** Each State Party with respect to areas under its jurisdiction or control contaminated as a result of activities related to the testing or use of nuclear weapons or other nuclear explosive devices **shall take necessary and appropriate measures to ensure**environmental remediation of areas so contaminated.

We also propose new language relevant to addressing the particular position of some affected states who did not have control over what happened to them as also supported by a number of delegation:

The following new language could be added to Article 7 to recognize that user states have a moral duty to help affected states parties meet their obligations:

*We suggest the following new text as paragraph 3:*

**"3. States Parties shall strongly encourage States that have used or tested nuclear weapons or other nuclear explosive devices to provide assistance for remediation of contamination that they have caused."**

**IRAN**

# Article 1

**General obligations**

1. Each State Party undertakes never under any circumstances to:
2. Develop, produce, manufacture, otherwise acquire, possess**, retain** or stockpile nuclear weapons or other nuclear explosive devices**, or transfer, directly or indirectly, such weapons or explosive devices to anyone**;
3. ~~Transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly, or indirectly~~; *Delete subparas (a) and (b) and incorporate the element of TRANSFER in subpara (a). They imply there are two categories of membership in the treaty with different general obligations.*
4. ~~Receive the transfer or control over nuclear weapons or other nuclear explosive devices directly, or indirectly~~;
5. Use **or threaten to use** nuclear weapons;
6. Carry out any nuclear weapon test **including test** explosion or any other nuclear explosion**, subcritical testing and computer simulations**;

*The original language of subpara (f) in the text only bans nuclear test explosions and provides a loophole with which NWS with adequate technology could continue to improve their arsenals with subcritical testing and computer simulations.*

1. Assist, encourage, or induce, in any way, anyone to engage in any activity prohibited to a State Party under this Treaty;
2. ~~Seek or receive any assistance, in any way, from anyone to engage in any activity prohibited to a State Party under this Treaty.~~*Delete. It suggests that there are two categories of membership in the treaty with different general obligations. The retention of subpara (g) is enough.*
3. ~~Each State Party undertakes to prohibit and prevent in its territory or at any place under its jurisdiction or control:~~*Delete*
4. **permit** Any stationing, installation or deployment **or transit** of any nuclear weapons or other nuclear explosive devices **in its territory or at any place under its jurisdiction or control**;
5. **permit** Any nuclear weapon test **including test** explosion or any other nuclear explosion**, subcritical testing and computer simulations** **in its territory or at any place under its jurisdiction or control**.

**2.** **Each State Party undertakes to destroy all nuclear weapons and nuclear weapons production facilities it owns or possesses.**

*Article 1 sets out the scope of the treaty and serves as the reference for the provisions in other Articles. Article 4 specifies an obligation for destruction of nuclear weapons while there is no specific reference to such obligation in the scope of the treaty. Therefore, in order to avoid any misinterpretation and creation of potential loophole in the treaty,**the obligation to destroy nuclear weapons and their production facilities should be included in the scope of the treaty namely Article 1, as a basis for measures in Article 4.*

**SOUTH AFRICA**

**South African proposal on Article 1**

**Article 1: ~~General obligations~~ Prohibitions**

1. ~~Each State Party undertakes never~~ It is prohibited, under any circumstances, to:

(a) Develop, produce, manufacture, otherwise acquire, possess or stockpile nuclear weapons or other nuclear explosive devices;

(b) Transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly, or indirectly;

(c) Receive the transfer or control over nuclear weapons or other nuclear explosive devices directly, or indirectly;

(d) Use nuclear weapons;

(e) Carry out any nuclear weapon test explosion or any other nuclear explosion;

(f) Assist, encourage, or induce, in any way, anyone to engage in any activity prohibited to a State Party under this Convention;

(g) Seek or receive any assistance, in any way, from anyone to engage in any activity prohibited to a State Party under this Convention.

2. Each State Party undertakes to prohibit and prevent in its territory or at any place under its jurisdiction or control:

(a) Any stationing, installation or deployment of any nuclear weapons or other nuclear explosive devices;

(b) Any nuclear weapon test explosion or any other nuclear explosion

**SWEDEN**

*PP10 Considering* that any use of nuclear weapons would generally be contrary to the rules of international law applicable in armed conflict, and in particular the principles and rules of international humanitarian law,

**Article 1 General obligations**

1. , produce, manufacture, otherwise acquire, possess or stockpile nuclear weapons or other nuclear explosive devices;

**Comment: As prior stated, develop cannot be verified without the Additional Protocol and therefore should be deleted.**

*in accordance with the CTBT*

**Comment: If not deleted a reference to the CTBT should be made as suggested by Switzerland as stated above.**

(f) Intentionally assist, encourage, or induce, in any way, anyone to engage in any activity prohibited to a State Party under this Treaty;

**Comment: Adding *intentionally* in order to closer define the prohibition.**

**New subparagraph to Article 1correlating to the mentioning of peaceful uses in the preamble (PP21)**

Nothing under this article shall impede the possibility of State Parties to engage, individually or in cooperation with other states, in peaceful nuclear activities, including for purposes of detection, protection, non-proliferation or civilian nuclear activities, subject to obligations under sub-paragraphs: a., b., c., d.. e, f. and g, in conformity with the NPT.

**Comment: Addition of the subparagraph to ensure that the prohibitions in OP1 do not affect the inalienable right in accordance with the NPT to engage in peaceful nuclear activities.**