NPT/CONF.2010/CRP.2

2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

24 May 2010

English only

New York, 3-28 May 2010

President's Draft

FINAL DECLARATION

Part I
Final Declaration

Review of the operation of the Treaty, as provided for in its article VIII (3), taking into account the decisions and the resolution adopted by the 1995 NPT Review and Extension Conference and the Final Document of the 2000 Review Conference

Conclusions and recommendations for follow-on actions

FINAL DECLARATION

THE STATES PARTY TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS WHICH MET IN NEW YORK FROM 3 MAY TO 28 MAY 2010 TO REVIEW THE OPERATION OF THE TREATY,

Reiterating their commitment to the effective and full implementation of the objectives of the Treaty, the decisions and resolution on the Middle East of the 1995 Review and Extension Conference and the Final Document of the 2000 Review Conference,

Seeking to achieve the peace and security of a world without nuclear weapons,

Recognizing that the Treaty is essential to international peace and security, and to the achievement of nuclear disarmament and of general and complete disarmament under strict and effective international control,

Acknowledging the grave dangers that are inherent in the continued existence of nuclear weapons,

Reaffirming that universal adherence to the Treaty would greatly strengthen international peace and security,

Firmly convinced of the importance of maintaining an acceptable balance of mutual responsibilities and obligations among all States Party to the Treaty,

Reaffirming the fundamental importance of full and strict compliance by all States with all provisions of the Treaty, and recognizes that full implementation of all provisions of the Treaty is essential to preserve the integrity of the Treaty and continuation of trust among States parties,

Determined to advance global nuclear disarmament, to prevent the proliferation of nuclear weapons or nuclear explosive devices, and to promote peaceful uses of nuclear energy,

Recognizing the vital role of safeguards implemented by the International Atomic Energy Agency in verifying the peaceful uses of nuclear energy by all States Party to the Treaty,

Underscoring their determination to improve the implementation of the Treaty and to strengthen its authority,

Solemnly declare as follows:

Review of the operation of the Treaty, as provided for in its article VIII (3), taking into account the decisions and the resolution adopted by the 1995 NPT Review and Extension Conference and the Final Document of the 2000 Review Conference

Articles I and II and first and third preambular paragraphs

1. The Conference reaffirms that the full and effective implementation of the Treaty and the regime of non-proliferation in all its aspects has a vital role in promoting international peace and security. The Conference reaffirms that every effort should be made to implement the Treaty in all its aspects and to prevent the proliferation of nuclear weapons and other nuclear explosive devices, without hampering the peaceful uses of nuclear energy by States parties to the Treaty. The Conference remains convinced that universal adherence to the Treaty and full compliance of all parties with all its provisions are the best way to prevent the spread of nuclear weapons and other nuclear explosive devices.

2. The Conference recalls that the overwhelming majority of States entered into legally binding commitments not to receive, manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices in the context, *inter alia*, of the corresponding legally binding commitments by the nuclear-weapon States to nuclear disarmament in accordance with the Treaty.

3. The Conference notes that the nuclear-weapon States reaffirmed their commitment 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.

4. The Conference notes that the non-nuclear-weapon States parties to the Treaty reaffirmed their commitment 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.

5. The Conference reaffirms the commitment of States parties to the effective implementation of the objectives and provisions of the Treaty, the decisions and resolution of the 1995 Review and Extension Conference adopted without a vote, and the final document of the 2000 Review Conference,[1] adopted by consensus.

6. The Conference reaffirms that the strict observance of all the provisions of the Treaty remains central to achieving the shared objectives of the total elimination of nuclear weapons preventing, under any circumstances, the further proliferation of nuclear weapons and preserving the Treaty's vital contribution to peace and security.

7. The Conference emphasized that responses to concerns over compliance with any obligation under the Treaty by any State Party should be pursued by diplomatic means, in accordance with the provisions of the Treaty.

[1] NPT/CONF.2000/28.

8. The Conference recognizes that breaches of the Treaty's obligations undermine nuclear non-proliferation, disarmament and peaceful uses of nuclear energy.

9. The Conference deplores the nuclear test explosions carried out by the Democratic People's Republic of Korea in 2006 and 2009. The Conference recalls all relevant United Nations Security Council resolutions and that the Democratic People's Republic of Korea cannot have the status of a nuclear-weapon-State.

Article III and fourth and fifth preambular paragraphs, especially in their relationship to article IV and the sixth and seventh preambular paragraphs

10. The Conference reaffirms that the IAEA is the sole competent authority responsible for verifying and assuring, in accordance with the Statute of the IAEA and the IAEA safeguards system, compliance by States parties with their safeguards agreements undertaken in fulfillment of their obligations under article III, paragraph 1, of the Treaty with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices. It is the conviction of the Conference that nothing should be done to undermine the authority of IAEA in this regard. States parties that have concerns regarding non-compliance with the safeguards agreements of the Treaty by the States parties should direct such concerns, along with supporting evidence and information, to the IAEA to consider, investigate, draw conclusions and decide on necessary actions in accordance with its mandate.

11. The Conference reemphasizes the importance of access to the United Nations Security Council and the General Assembly by the IAEA, including its Director General, in accordance with Article XII.C. of the Statute of IAEA and paragraph 19 of INFCIRC/153(Corrected), and the role of the United Nations Security Council and the General Assembly, in accordance with the Charter of the United Nations, in upholding compliance with IAEA safeguards agreements and ensuring compliance with safeguards obligations by taking appropriate measures in the case of any violations notified to it by the IAEA.

12. The Conference recognizes that IAEA safeguards are a fundamental component of the nuclear non-proliferation regime, play an indispensable role in the implementation of the Treaty and help to create an environment conducive to nuclear cooperation.

13. The Conference reconfirms paragraph 12 of Decision 2 ("Principles and objectives for nuclear non-proliferation and disarmament") of the 1995 Review and Extension Conference, which provides that new supply arrangements for the transfer of source or special fissionable material or equipment or material especially designed or prepared for the processing, use, or production of special fissionable material to non-nuclear-weapon States should require, as a necessary precondition, acceptance of the full scope IAEA safeguards and internationally legally binding commitments not to acquire nuclear weapons or other nuclear explosive devices.

14. The Conference reaffirms that the implementation of comprehensive safeguards agreements pursue to article III, paragraph 1, of the Treaty should be designed to provide for verification by IAEA of the correctness and completeness of a State's declaration so that there is a credible assurances of the non-diversion of nuclear material from declared activities and of the absence of undeclared nuclear material and activities.

15. The Conference welcomes that 166 States have brought into force comprehensive safeguards agreements with IAEA in compliance with article III, paragraph 4, of the Treaty.

16. The Conference welcomes the fact that since May 1997, the IAEA Board of Governors has approved additional protocols (INFCIRC/540 (Corrected)) to comprehensive safeguards agreements for 133 States. Additional protocols are currently being implemented in 102 States.

17. The Conference notes that all nuclear-weapon States have now brought into force additional protocols to their voluntary offer safeguards agreements incorporating those measures provided for in the Model Additional Protocol that each nuclear-weapon State has identified as capable of contributing to the non-proliferation and efficiency aims of the Protocol.

18. The Conference recognizes that comprehensive safeguards agreements based on document INFCIRC/153 have been successful in their main focus of providing assurance regarding declared nuclear material and have also provided a limited level of assurance regarding the absence of undeclared nuclear material and activities. The Conference notes that the implementation of measures specified in the Model Additional Protocol provides, in an effective and efficient manner, increased confidence about the absence of undeclared nuclear material and activities in a State as a whole and that those measures have been introduced as an integral part of the IAEA's safeguards system. In this regard, the Conference notes that it is the sovereign decision of any State to conclude an additional protocol, but once in force, the additional protocol is a legal obligation.

19. The Conference recognizes additional protocols as an integral part of the IAEA's safeguards system and affirms that a comprehensive safeguards agreement, together with an additional protocol, represents the verification standard that best fulfils the objectives of article III of the Treaty, and urges all States parties which have not yet done so to conclude and to bring into force an additional protocol as soon as possible and to implement them provisionally pending their entry into force. The Conference also notes that the additional protocol represents an excellent confidence building measure.

20. The Conference notes that measures provided for under the comprehensive safeguards agreements and also the additional protocols increase the ability of IAEA to verify the peaceful use of all nuclear material in all non-nuclear-weapon States.

21. The Conference stresses the importance of maintaining and observing fully the principle of confidentiality regarding all information related to implementation of safeguards in accordance with safeguards agreements.

22. The Conference welcomes the important work being undertaken by IAEA in the conceptualization and development of State-level approaches to safeguards implementation and evaluation, and in the implementation of State-level integrated safeguards approaches by IAEA, which results in an information driven system of verification that is more comprehensive, as well as more flexible and effective. The Conference welcomes the implementation by IAEA of integrated safeguards in 47 States parties.

23. The Conference notes that bilateral and regional safeguards play a key role in the promotion of transparency and mutual confidence between States, and that they also provide assurances concerning nuclear non-proliferation.

24. The Conference expresses its concerns with cases of non-compliance of the Treaty by States parties, and calls on those States non-compliant to move promptly to full compliance with their obligations.

25. The Conference underscores the importance of the IAEA exercising fully its authority to verify the declared use of nuclear material and facilities and the absence of undeclared nuclear material and activities in States parties to comprehensive safeguards agreements; views the additional protocols as

an effective and efficient tool for the IAEA to obtain a much fuller picture of the existing and planned nuclear programs and material holdings of the non-nuclear-weapon States; and notes that the entry into force and implementation of additional protocols in non-nuclear-weapon States is of vital importance for IAEA to be able to provide credible assurances about the exclusively peaceful nature of non-nuclear-weapon States' nuclear programmes.

26. The Conference welcomes the efforts of the IAEA to assist the States parties in strengthening their national regulatory controls of nuclear material, including the establishment and maintenance of the State systems of accounting for and control of nuclear material.

27. The Conference acknowledges the important role of the national and international export control frameworks for nuclear material, equipment and technologies. The Conference underlines that effective and transparent export controls are central to cooperation in the peaceful uses of nuclear energy, which depends on the existence of a climate of confidence about non-proliferation.

28. The Conference notes the paramount importance of effective physical protection of all nuclear material and the need for strengthened international cooperation in physical protection. The Conference welcomes the adoption in 2005 of the amendment to the Convention on the Physical Protection of Nuclear Material.

29. The Conference emphasizes the important role of the IAEA in the global efforts to improve the global nuclear security framework and to promote its implementation and notes the work being undertaken by the IAEA in developing the Nuclear Security Series and assisting States in meeting appropriate security standards.

30. The Conference welcomes the work of the IAEA in support of the efforts of States parties to combat illicit trafficking in nuclear materials and other radioactive substances. The Conference welcomes the IAEA activities undertaken to provide for an enhanced exchange of information, including the continued maintenance of its illicit trafficking database. The Conference recognizes the need for enhanced coordination among States and among international organizations in preventing, detecting and responding to the illicit trafficking in nuclear and other radioactive materials.

31. The Conference notes the entry into force in 2007 of the International Convention for the Suppression of Acts of Nuclear Terrorism.

Article IV and sixth and seventh preambular paragraphs

32. The Conference reaffirms that nothing in the Treaty shall be interpreted as affecting the inalienable right of all the parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I, II and III of the Treaty. The Conference recognizes that this right constitutes one of the fundamental objectives of the Treaty. In this connection, the Conference confirms that each country's choices and decisions in the field of peaceful uses of nuclear energy should be respected without jeopardizing its policies or international cooperation agreements and arrangements for peaceful uses of nuclear energy and its fuel-cycle policies.

33. The Conference reaffirms that nothing in the Treaty should be interpreted as affecting the inalienable right of all States parties to the Treaty to develop research, production and the use of nuclear energy for peaceful purposes in conformity with the non-proliferation obligations under the Treaty.

34. The Conference reaffirms that all States 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 in a safe and secure manner. States parties to the Treaty in a position to do so should also cooperate in contributing alone or together with other States or international organizations to the further development of the applications of nuclear energy for peaceful purposes, especially in the territories of non-nuclear-weapon States, with due consideration for the needs of the developing areas of the world.

35. The Conference urges that in all activities designed to promote the peaceful uses of nuclear energy, preferential treatment be given to the non-nuclear weapons States parties to the Treaty, taking the needs of developing countries, in particular, into account.

36. The Conference calls upon all States parties, in acting in pursuance of the objectives of the Treaty, to observe the legitimate right of all States parties, in particular developing States, to full access to nuclear material, equipment and technological information for peaceful purposes. Transfers of nuclear technology and international cooperation among States parties in conformity with articles I, II and III of the Treaty are to be encouraged. They would be facilitated by eliminating undue constraints that might impede such cooperation.

37. The Conference underlines the role of the IAEA in assisting developing States parties in the peaceful uses of nuclear energy through the development of effective and efficient programmes aimed at improving their scientific, technological, and regulatory capabilities.

Peaceful uses of nuclear energy – Nuclear Energy and Technical Cooperation

38. The Conference emphasizes that cooperation, to accelerate and enlarge the contribution of atomic energy to peace, health, and prosperity throughout the world, in the peaceful uses of nuclear energy is one of the core objectives enshrined in the IAEA Statute.

39. The Conference positively notes and further encourages States parties' active cooperation, among themselves and through the IAEA, in the peaceful uses and applications of nuclear energy, including through international technical cooperation.

40. The Conference underlines that the IAEA's activities in the field of technical cooperation, nuclear power and non-power applications contribute in an important way to meet energy needs, improve health, combat poverty, protect the environment, develop agriculture, manage the use of water resources and optimize industrial processes, thus helping to achieve the Millennium Development Goals, and that these activities, as well as bilateral and other multilateral cooperation, contribute to achieving objectives set forth in article IV of the Treaty.

41. The Conference affirms the importance of public information in connection with peaceful nuclear activities in States parties to help build confidence in peaceful uses of nuclear energy.

42. The Conference emphasizes the importance of the technical cooperation activities of the IAEA, and stresses the importance of nuclear knowledge sharing and the transfer of nuclear technology to developing countries for the sustaining and further enhancement of their scientific and technological capabilities, thereby also contributing to their socio-economic development in areas such as electricity production, human health, including the application of nuclear technology in cancer therapy and the use of nuclear techniques in environmental protection, water resources management, industry, food, nutrition and agriculture.

43. The Conference stresses that the IAEA Technical Cooperation (TC) programme, as one of the main vehicles for the transfer of nuclear technology for peaceful purposes, is formulated in accordance with

the IAEA's Statute and guiding principles, as contained in INFCIRC/267, as well as the decisions of the IAEA policy making organs.

44. The Conference notes the continuous collaborative efforts by the IAEA and its Member States to enhance the effectiveness and efficiency of the IAEA's technical co-operation programme.

45. The Conference recognizes that regional cooperative arrangements for the promotion of the peaceful use of nuclear energy can be an effective means of providing assistance and facilitating technology transfer, complementing the Technical Cooperation activities of IAEA in individual countries. It notes the contributions of the African Regional Cooperative Agreement for Research, Development and Training Related to Nuclear Science and Technology (AFRA), the Regional Cooperative Agreement for the Advancement of Nuclear Science and Technology in Latin America and the Caribbean (ARCAL), the Regional Cooperative Agreement for Research, Development and Training Related to Nuclear Science and Technology for Asia and the Pacific (RCA), the Cooperative Agreement for Arab States in Asia for Research, Development and Training related to Nuclear Science and Technology (ARASIA), as well as the strategy for the Technical Cooperation Programme in European region.

46. The Conference calls on States parties to make every effort and take practical steps to ensure that the IAEA's resources for technical cooperation activities are sufficient, assured and predictable (SAP) to meet the objectives mandated in article II of the IAEA Statute, notes with appreciation the 94% Rate of Attainment level by the end of 2009, and looks forward to reaching the rate of 100%, which is central to reconfirming the commitment of IAEA Member States to the IAEA's TC programme, and thus recalls that the financing of TC should be in line with the concept of shared responsibility and that all members share a common responsibility towards financing and enhancing the TC activities of the IAEA.

47. The Conference welcomes the commitment of the IAEA Director General to ensuring that the IAEA's work continues to meet the basic needs of human beings in the fields of, inter alia, human health, including the application of nuclear technology in cancer therapy, water resources, industry, food, nutrition and agriculture and especially the IAEA Director General's initiative to highlight cancer control as a priority for the IAEA during 2010.

48. The Conference welcomes the contributions already pledged by countries and groups of countries in support of IAEA activities. Such additional resources can contribute to the achievement of Millennium Development Goals. The Conference also welcomes the initiative designed to raise 100 million dollars over the next five years as extra-budgetary contributions to IAEA activities and encourages all States in a position to do so to make additional contributions to this initiative.

49. The Conference supports national, bilateral and international efforts to train the skilled workforce necessary for developing peaceful uses of nuclear energy.

Nuclear Power

50. The Conference acknowledges that each State party has the right to define its national energy policy.

51. The Conference recognizes that a diverse portfolio of energy sources will be needed to allow access to sustainable energy and electricity resources in all regions of the world, and that States parties may pursue different ways to achieve their energy security and climate protection goals.

52. The Conference recognizes the safety and security issues associated with nuclear energy, as well as the important issue of managing spent fuel and radioactive waste in a sustainable manner, while also

recognizing the continuing international efforts to address those issues. Nuclear fuel suppliers should work with and assist recipient States, upon request, in the safe and secure management of spent fuel.

53. The Conference recognizes that the development of an appropriate infrastructure to support the safe, secure and efficient use of nuclear power, in line with relevant IAEA standards and guidelines, is an issue of central importance, especially for countries that are planning for the introduction of nuclear power.

54. The Conference confirms that, when developing nuclear energy, including nuclear power, the use of nuclear energy must be accompanied by commitments to and ongoing implementation of safeguards as well as appropriate and effective levels of safety and security, consistent with States' national legislation and respective international obligations.

55. The Conference affirms the importance, for countries developing their capacities in this field, of working to further develop and promote advanced nuclear technologies, nationally and through cooperation in all relevant international initiatives such as, inter alia, INPRO, ITER and the Generation IV International Forum.

56. The Conference notes the High Level African Regional Meeting on the Contribution of Nuclear Energy to Peace and Sustainable Development held in Algiers in January 2007, the International Ministerial Conference on Nuclear Energy in the 21st Century organized by the IAEA in Beijing, China, in April 2009 and the International Conference on Access to Civil Nuclear Energy held in Paris, France, in March 2010.

57. The Conference encourages States concerned to seek further development of a new generation of proliferation-resistant nuclear reactors and to consider the minimization of stockpiles of highly enriched uranium for peaceful purposes, where technically and economically feasible, through the IAEA and other international initiatives.

Multilateral Approaches to the Nuclear Fuel Cycle

58. The Conference notes the adoption by the IAEA Board of Governors in November 2009 of the Resolution on establishment in Russia of a reserve of low-enriched uranium for the use of IAEA Member States and the signature in March 2010 of the relevant Agreement between Russia and the IAEA. that, while some 60 countries are considering introducing nuclear power for the first time, that a number of other fuel cycle-related multilateral mechanisms, which would be under IAEA control and safeguards, are currently under consideration, including an IAEA low enriched uranium (LEU) bank, and encourages all efforts to further develop them in conformity with the Treaty and the IAEA Statute. The Conference also notes.

59. The Conference underlines the importance of continuing to discuss further, in a non-discriminatory and transparent manner under the auspices of the IAEA, or regional fora, the possibilities to create mechanisms for assurance of nuclear fuel supply, as well as possible schemes dealing with the back-end of the fuel cycle, without affecting rights under the Treaty, and while tackling the technical, legal and economic complexities surrounding these issues.

Nuclear safety and nuclear security

60. The Conference stresses the importance of nuclear safety and nuclear security for the peaceful uses of nuclear energy. While nuclear safety and nuclear security are national responsibilities, the IAEA

should play the key role in the development of safety standards, nuclear security-guidance and relevant conventions based on best practice.

61. The Conference notes that a demonstrated global record of safety is a key element for the peaceful uses of nuclear energy and that continuous efforts are required to ensure that the technical and human requirements of safety are maintained at the optimal level. Although safety is a national responsibility, international cooperation on all safety-related matters is important. The Conference encourages the efforts of IAEA, as well as of other relevant fora, in the promotion of safety in all its aspects, and encourages all States parties to take the appropriate national, regional and international steps to enhance and foster a safety culture. The Conference welcomes and underlines the intensification of national measures and international cooperation in order to strengthen nuclear safety, radiation protection, the safe transport of radioactive materials and radioactive waste management, including activities conducted in this area by the IAEA. In this regard, the Conference recalls that special efforts should be made and sustained to increase awareness in these fields, through participation of States parties, particularly those from developing countries in training, workshops, seminars and capacity building in a non-discriminatory manner.

62. The Conference acknowledges the primary responsibility of individual States for maintaining the safety of their nuclear installations, and the crucial importance of an adequate national technical, human and regulatory infrastructure in nuclear safety, radiological protection and spent fuel and radioactive waste management, as well as an independent and effective regulatory body.

63. The Conference encourages all States that have not yet done so to become party to the Convention on Nuclear Safety, the Convention on Early Notification of a Nuclear Accident and the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management.

64. The Conference endorses the principles and objectives of the non-legally-binding Code of Conduct on the Safety and Security of Radioactive Sources and Code of Conduct on the Safety of Research Reactors, and underlines the important role of the supplementary Guidance on the Import and Export of Radioactive Sources.

65. The Conference encourages all States that have not done so to become party to the Convention on the Physical Protection of Nuclear Material (CPPNM) and to ratify its amendment so that it may enter into force at an early date.

66. The Conference encourages upon all States that have not yet done so to become party to the International Convention for the Suppression of Acts of Nuclear Terrorism.

67. The Conference notes the Nuclear Security Summit held in Washington in April 2010.

68. The Conference welcomes the efforts by State parties on a voluntary basis to minimize the use of highly enriched uranium in the civilian sector.

69. The Conference recognizes the importance of applying best practice as basic principles, as developed by the IAEA, in mining and processing, including those related to environmental management of uranium mining.

70. The Conference underlines the fundamental importance of sustainable programmes, through international efforts, such as the IAEA, and regional and national efforts, for education and training in nuclear, radiation, transport, waste safety and nuclear security, while focusing on building institutional capacity and technical and managerial capabilities in States parties.

71. The Conference encourages State parties to promote the sharing of best practices in the area of nuclear safety and nuclear security, including through dialogue with the nuclear industry and the private sector, as appropriate.

72. The Conference welcomes the attention to problems of safety and contaimination related to the discontinuation of nuclear operations formerly associated with nuclear-weapons programmes, including where appropriate, safe resettlement of any displaced human populations and the restoration of economic productivity to affected areas.

73. The Conference encourages all governments and international organizations that have expertise in the field of cleanup and disposal of radioactive contaminants to consider giving appropriate assistance as may be requested for remedial purposes in these affected areas, while noting the efforts that have been made to date in this regard.

Safe transport of radioactive materials

74. The Conference recognizes that, historically, the safety record of civilian transport, including maritime transport, of radioactive materials has been excellent, and stresses the importance of international cooperation to maintain and enhance the safety of international transport.

75. The Conference reaffirms maritime and air navigation rights and freedoms, as provided for in international law and as reflected in relevant international instruments.

76. The Conference endorses the IAEA standards for the safe transport of radioactive material and affirms that it is in the interests of all States parties that the transportation of radioactive materials continue to be conducted consistent with international standards of safety, security and environmental protection standards and guidelines. The Conference takes note of the concerns of small island developing States and other coastal States with regard to the transportation of radioactive materials by sea and, in this regard, welcomes efforts to improve communication between shipping and coastal States for the purpose of addressing concerns regarding transport safety, security and emergency preparedness.

Armed attacks against nuclear installations devoted to peaceful purposes

77. The Conference considers that attacks or threats of attack on nuclear facilities devoted to peaceful purposes jeopardize nuclear safety, have dangerous political, economic and environmental implications and raise serious concerns regarding the application of international law on the use of force in such cases, which could warrant appropriate action in accordance with the provisions of the Charter of the United Nations.

Nuclear Liability

78. The Conference recalls the Paris Convention on Third Party Liability in the Field of Nuclear Energy, the Vienna Convention on Civil Liability for Nuclear Damage, the Brussels Convention supplementary to the Paris Convention, the Joint Protocol Related to the Application of the Vienna Convention and the Paris Convention and the protocols amending these conventions, and the objectives thereof, and noting also the intention of the Convention on Supplementary Compensation for Nuclear Damage to establish a worldwide nuclear liability regime based on the principles of nuclear liability law, without prejudice to other liability regimes.

79. The Conference calls upon States parties to put in force a civil nuclear liability regime by becoming party to relevant international instruments or adopting suitable national legislation, based upon the principles established by the main pertinent international instruments.

Article V

80. The Conference affirms that the provisions of article V of the Treaty as regards the peaceful applications of any nuclear explosions are to be interpreted in the light of the Comprehensive Nuclear-Test-Ban Treaty.

Article VI and eighth to twelfth preambular paragraphs

81. The Conference notes with concern that despite achievements in bilateral and unilateral reductions by some nuclear-weapon States the total estimated number of nuclear weapons deployed and stockpiled still amounts to several thousands. The Conference expresses its deep concern at the continued risk for humanity represented by the existence of nuclear weapons and the possibility that these weapons could be used and the catastrophic humanitarian consequences that would result from the use of nuclear weapons.

82. The Conference notes the new proposals and initiatives from Governments and civil society related to achieving a world free of nuclear weapons.

83. The Conference affirms that the final phase of the nuclear disarmament process and other related measures should be pursued within a legal framework with specified timelines.

84. The Conference reaffirms the essential role of the Comprehensive Nuclear-Test-Ban Treaty within the nuclear disarmament and non-proliferation regime and that, by constraining the development of nuclear weapons and their qualitative improvement, the Treaty combats both horizontal and vertical nuclear proliferation. The Conference notes concern that any development of new types of nuclear weapons may result in the resumption of nuclear test explosions and a lowering of the nuclear threshold. The Conference calls on all States to refrain from any action which would defeat the object and purpose of the Comprehensive Nuclear-Test-Ban Treaty pending its entry into force.

85. The Conference welcomes that 181 States have signed the Comprehensive Nuclear-Test-Ban Treaty and that 151 States, including 35 whose ratification is necessary for its entry into force, have deposited instruments of ratifications. The Conference welcomes the recent expressions by remaining States whose ratifications are necessary for the Treaty to enter into force of their intention to pursue and complete the ratification process, including by Indonesia and the United States of America. The Conference also welcomes the recent expression by Iraq, Papua New Guinea and Thailand of their intentions to pursue and complete the ratification process.

86. The Conference welcomes the high-level political support for the Treaty expressed during the Conference on Facilitating the Entry in Force of the Comprehensive Nuclear-Test-Ban Treaty, convened in New York in September 2009, in accordance with article XIV of the Treaty, where specific and practical measures to promote the entry into force of the Treaty were adopted. The Conference stresses the importance of the International Monitoring System and commends the progress made by the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization towards its completion.

87. The Conference expresses concern that after more than a decade the Conference on Disarmament has been unable to commence negotiations and substantive deliberations pursuant to an agreed programme of work.

88. The Conference notes the International Court of Justice advisory opinion on the Legality of the threat or use of nuclear weapons issued at The Hague on 8 July 1996.

89. The Conference welcomes the conclusion of negotiations on the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms as well as the unilateral reduction measures announced and implemented by other nuclear-weapon States.

90. The Conference recognises that reductions in the operational status of nuclear weapons and announced measures related to de-targeting contribute to the process of nuclear disarmament through the enhancement of confidence-building measures and a diminishing role for nuclear weapons in security policies.

91. The Conference welcomes the declared moratoria by some nuclear-weapon States on the production of fissile material for nuclear weapons.

92. The Conference notes the regular reports submitted by States parties within the framework of the strengthened review process on the implementation of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons and paragraph 4 (c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament", and recalling the advisory opinion of the International Court of Justice of 8 July 1996.

93. The Conference notes the increased transparency of some nuclear-weapon States with respect to the number of nuclear weapons in their national inventories.

94. The Conference notes the cooperation between Norway and the United Kingdom of Great Britain and Northern Ireland in establishing a system for nuclear disarmament verification, including development of information barrier systems and managed access inspections.

95. The Conference underscores the importance of disarmament and non-proliferation education as a useful and effective means to advance the goals of the Treaty in support of achieving a world without nuclear weapons.

Article VII and the security of non-nuclear-weapon States

96. The Conference reaffirms the conviction that the establishment of the internationally recognized nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned enhances global and regional peace and security, strengthens the nuclear non-proliferation regime and contributes towards the goals of the general and complete disarmament.

97. The Conference welcomes the steps that have been taken since 2005 to conclude nuclear-weapon-free-zone treaties and recognizes the continuing contributions that the Antarctic Treaty and the Treaties of Tlatelolco, Rarotonga, Bangkok, Pelindaba and the Central Asian Nuclear-Weapon-Free Zone Treaty are making towards attaining the objective of nuclear disarmament and nuclear non-proliferation.

98. The Conference recalls the declaration by Mongolia of its nuclear-weapon-free status.

99. The Conference welcomes the entry into force of the Pelindaba Treaty on 15 July 2009. The Conference also welcomes actions by different nuclear-weapon-free zones to pursue their objectives, in particular the plan of action for the period 2007-2012 endorsed by the South East Asia Nuclear-Weapon-Free Zone Commission to strengthen the implementation of the Bangkok Treaty and the ongoing consultations between ASEAN and nuclear-weapon States on the Protocol to the South East Asia Nuclear-Weapon-Free Zone Treaty.

100. The Conference welcomes the entry into force of the Central Asian Nuclear-Weapon-Free Zone Treaty on 21 March 2009. The Conference considers that the establishment of a Nuclear-Weapon-Free Zone in Central Asia constitutes an important step towards strengthening the nuclear non-proliferation regime, promoting cooperation in the peaceful uses of nuclear energy and in the environmental rehabilitation of the territories affected by radioactive contamination.

101. The Conference welcomes the announcement of the United States of America of its intention to start the process aimed at the ratification of the protocols to the African and South Pacific Nuclear-Weapon-Free Zones and the intention to conduct the consultations with the parties to the nuclear-weapons-free zones in Central and South East Asia, in an effort to sign and ratify relevant protocols.

102. The Conference welcomes the results of the First and Second Conference of States Parties and Signatories to Treaties that establish Nuclear-Weapon-Free Zones and Mongolia held on 28 April 2005 in Mexico City and on 30 April 2010 in New York, respectively as an important contribution to achieving a nuclear-weapon-free world. The Conference also welcomes the vigorous efforts made by States parties and signatories to those Treaties in order to promote their common objectives.

103. The Conference urges India and Pakistan to accede to the Non-Proliferation Treaty as non-nuclear-weapon States and to place all their nuclear facilities under comprehensive Agency safeguards without conditions and promptly. The Conference further urges both States to strengthen their non-proliferation export control measures over technologies, material and equipment that can be used for the production of nuclear weapons and their delivery systems.

104. The Conference condemns the nuclear tests announced by the DPRK in 2006 and 2009. These actions constitute a threat to the peace and security of Northeast Asia and the entire international community, and pose a critical challenge to the global non-proliferation regime.

105. [The Conference stresses the major proliferation challenge of the DPRK should be addressed resolutely and effectively, including through a call for its full, immediate and unconditional compliance with all relevant United Nations Security Council resolutions and for its return to the status of non-nuclear-weapon State in the NPT in good standing (SUBJECT TO THE OUTCOME OF THE ONGOING NEGOTIATIONS AMONG THE SIX PARTY-TALK MEMBERS)]

106. The Conference strongly urges the DPRK to fulfil the commitments under the Six-Party Talks, including the complete and verifiable abandonment of all nuclear weapons and existing nuclear programs in accordance with the September 2005 Joint Statement, and urges the DPRK to return, at an early date, to the NPT and IAEA safeguards. The Conference also calls on the DPRK and all States Parties to fully implement UNSCR 1718 (2006) and 1874 (2009).

107. The Conference reaffirms firm support for the Six-Party Talks and remains determined to achieve the satisfactory and comprehensive resolution to the issues involved through diplomatic means.

108. The Conference reaffirms that, in accordance with the Charter of the United Nations, States must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State or in any other manner inconsistent with the purposes of the United Nations.

109. The Conference welcomes the statements by some nuclear-weapon States regarding measures related to strengthening negative security assurances and notes the calls by non-nuclear-weapon States for unconditional legally binding negative security assurances.

110. The Conference stresses the importance of the signature and ratification by the nuclear-weapon States that have not yet done so of the relevant protocols to the treaties that establish nuclear-weapons-free zones in order to assure the total absence of nuclear weapons in the respective territories as envisaged in article VII of the Treaty.

111. The Conference calls on the nuclear-weapon States to bring into effect the security assurances provided by nuclear-weapon-free-zone treaties and their protocols.

112. The Conference encourages fostering cooperation and enhanced consultation mechanisms among the existing nuclear-weapon-free zones through the establishment of concrete measures in order to fully implement the principles and objectives of the relevant nuclear-weapon-free zone treaties and to contribute to the implementation of the Treaty regime.

113. The Conference underscores the importance of the establishment of nuclear-weapon-free zones where they do not exist, especially in the Middle East.

114. The Conference urges the States concerned to resolve any outstanding issues regarding functioning of the Central Asian Nuclear-Weapon-Free Zone in accordance with the 1999 United Nations Disarmament Commission Guidelines.

115. The Conference acknowledges the initiative to hold a meeting of States Parties and Signatories of Treaties establishing Nuclear-Weapon-Free Zones and States having declared their nuclear-weapon-free status within the framework of the forthcoming Review Conferences of the Treaty.

116. Implementation of the 1995 Resolution on the Middle East

1. The Conference reaffirms the importance of the Resolution on the Middle East by the 1995 Review and Extension Conference and recalls the affirmation of its goals and objectives by the 2000 Nuclear Non-Proliferation Treaty Review Conference. The Conference stresses that the Resolution remains valid until the goals and objectives are achieved. The Resolution, which was co-sponsored by the depositary States of the Treaty on the Non-Proliferation of Nuclear Weapons (Russian Federation, United Kingdom of Great Britain and Northern Ireland and the United States of America), is an essential element of the outcome of the 1995 Conference and of the basis on which the Treaty was indefinitely extended without a vote in 1995. States Parties renew their resolve to undertake, individually and collectively, all necessary measures aimed at its prompt and timely implementation.

2. The Conference reaffirms its endorsement of the aims and objectives of the Middle East Peace Process and recognises that efforts in this regard, as well as other efforts, simultaneously contribute to, *inter alia*, a Middle East zone free of nuclear weapons as well as other weapons of mass destruction.

3. The Conference takes note of the reaffirmation at the 2010 Review Conference by the five nuclear-weapon States of their commitment to a full implementation of the 1995 Resolution on the Middle East.

4. The Conference regrets that little progress has been achieved towards the implementation of the 1995 Resolution on the Middle East.

5. The Conference recalls the reaffirmation by the 2000 Review Conference of the importance of Israel's accession to the Treaty and the placement of all its nuclear facilities under comprehensive IAEA safeguards. The Conference reaffirms the urgency and importance of achieving universality of

the Treaty. The Conference calls on all States in the Middle East that have not yet done so to accede to the Treaty as non-nuclear weapon States so as to achieve its universality at an early date.

6. The Conference stresses the necessity of strict adherence by all States Parties to their obligations and commitments under the Treaty. The Conference encourages all States in the region to take voluntary steps and confidence building measures to contribute to the realisation of the objectives of the 1995 Resolution and calls upon all States to refrain from undertaking any measures that preclude the achievement of this objective.

7. The Conference emphasises the importance of a process leading to full implementation of the 1995 Resolution. To this end, the Conference endorses the following practical steps:

(a) The convening by the UN Secretary-General, of an initial Conference in 2012, to be attended by all States of the Middle East, leading to the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction, on the basis of arrangements freely arrived at by the States of the region, and with the full support and engagement of the nuclear-weapon States. The 2012 Conference shall take as its terms of reference the 1995 Resolution on the Middle East.

(b) Appointment by the UN Secretary-General of a Special Coordinator with a mandate to facilitate implementation of the 1995 Resolution, to conduct consultations with States of the region in that regard, and to undertake preparations for the convening of the 2012 Conference. The Special Coordinator will also assist in the facilitation of follow-on steps agreed by the participating regional countries at the 2012 Conference. The Special Coordinator will report to the Preparatory Committee meetings of the 2015 Review Conference in 2012, 2013 and 2014.

(c) Complementary steps aimed at supporting the implementation of the Resolution, including:

(i) the offer of the European Union to host a follow-up event to its seminar organised in June 2008.

(ii) that the IAEA, OPCW and other relevant international organisations be requested to prepare background documentation for the 2012 Conference regarding the modalities for verification of a zone free of nuclear weapons and other weapons of mass destruction and their delivery systems, taking into account work previously undertaken and experience gained.

8. The Conference emphasises the requirement of maintaining parallel progress, in substance and timing, in the process leading to achieving total and complete elimination of all WMD in the region, nuclear, chemical and biological.

9. The Conference reaffirms that all States Parties to the Treaty, particularly the nuclear-weapon States and the States in the region, should continue to report on steps taken to implement the Resolution, through the United Nations Secretariat, to the President of the 2015 Review Conference, as well as to the Chairperson of the Preparatory Committee meetings to be held in advance of that Conference.

10. The Conference further recognises the important role played by civil society in contributing to the implementation of the Resolution and encourages all efforts in this regard.

Article VIII

Further Strengthening the Review Process of the NPT

117. The States Parties reaffirmed the purpose of the Review Process as set out in the relevant decisions of the 2000 Review Conference and the 1995 Review and Extension Conference. In the context of the latter, mindful of the undertaking that "Review Conferences should also address specifically what might be done to strengthen the implementation of the Treaty and to achieve its universality", the Review Conference takes the following decisions and recommendations:

Informal "Chairs' Circle" of NPT meeting Chairs / MC Chairs / RevCon President

a. The Review Conference recommends that past, incumbent and incoming Chairs (or the President in the case of a review conference) of NPT meetings, as well as Main Committee Chairs of the previous Review Conference, meet as often as necessary and as circumstances allow, either in person or virtually, to ensure optimal coordination and continuity throughout the review cycle, by sharing best practices and providing advice to the incumbent and incoming Chairs / President. Participation at these meetings will be voluntary and the costs associated with these meetings will be the responsibility of the participants or third parties, and not of the States Parties.

Treaty support unit

b. The Review Conference decides that a Treaty support unit will be established, co-located within UN ODA and comprised initially of one Treaty officer. This individual would be responsible for assisting and facilitating Treaty meetings and intersessional work on a full-time basis, in order to provide inter alia substantive, administrative, logistical and representative support. The officer would support the incumbent Chair and the Chairs' Circle, providing advice, background documentation and analysis, as well as coordination with States parties, other non-governmental entities and United Nations agencies. The officer would also promote activities related to the Treaty and, along with the existing support of the Office for Disarmament Affairs of the Secretariat (UNODA) and IAEA, prepare for the Preparatory Committee meetings and the Review Conferences.

c. The costs associated with the Treaty support unit officer will be funded from within the existing assessed contributions by States Parties to the NPT and within existing resources of the NPT conferences, and additional voluntary contributions by States in a position to do so. Specifically, the Secretary General of the Review Conference is asked, in the context of other efficiencies in expenses, to find economies within the next Review Cycle budget of the Treaty to ensure that this position shall be funded without any additional assessed costs to States Parties.

Continued efforts toward improving the effectiveness of the strengthened Review Process

d. The Review Conference affirmed that improving the effectiveness of the strengthened review process is an ongoing responsibility of States Parties and therefore decides to put this issue on the agenda for consideration at the first meeting of the Treaty during the next review cycle. The States Parties also recommend that the 2015 Review Conference review the decisions and recommendations made in this context, and to consider whether further measures should be agreed.

Article IX

118. The Conference welcomes the accessions to the Treaty of Cuba in 2002 and Timor-Leste in 2003 as well as the succession of Serbia in 2001 and Montenegro in 2006, bringing the total number of States that have become parties to the Treaty to 190, and reaffirms the urgency and importance of achieving the universality of the Treaty.

119. The Conference reaffirms that the Treaty is vital in preventing the proliferation of nuclear weapons and in providing significant security benefits. The Conference remains convinced that universal adherence to the Treaty can achieve this goal, and it urges all States not parties to the Treaty, India, Israel and Pakistan, to accede to it without further delay and without any conditions, and to bring into force the required comprehensive safeguards agreements, and Additional Protocols consistent with the Model Additional Protocol (INFCIRC/540(Corrected)).

120. The Conference reaffirms that the preservation of the integrity of the treaty, achieving its universality, and its strict implementation is essential to regional and international peace and security.

121. The Conference reaffirms the commitment of parties to the treaty to achieve its universality. States parties express their concern regarding the lack of progress in the achievement of universality and in the implementation of the Resolution on the Middle East adopted at the 1995 Review and Extension Conference, which seriously undermines the treaty and represents a threat to international peace and security.

122. The Conference reaffirms that in accordance with article IX, States not party can only accede to the treaty as non-nuclear-weapon States and should do so promptly and without conditions.

123. The Conference calls upon India, Israel and Pakistan to accede to the treaty as non-nuclear-weapon States, promptly and without conditions, thereby accepting an internationally legally binding commitment not to acquire nuclear weapons or other nuclear explosive devices, and to apply IAEA full scope safeguards on all their nuclear activities, and to refrain from any action that could undermine regional and international peace and security and the international community's efforts to achieve nuclear disarmament and the prevention of nuclear weapons proliferation.

124. The Conference urges all States not yet party to the Treaty, namely India, Israel and Pakistan, all of which operate unsafeguarded nuclear facilities to accede to the Treaty as non-nuclear-weapon States, promptly and without condition.

125. The Conference reiterates the call on the three States that operate unsafeguarded nuclear facilities and that have not yet acceded to the Treaty on the Non-Proliferation of Nuclear Weapons to reverse clearly and urgently any policies to pursue any nuclear-weapon development or deployment and to refrain from any action which could undermine regional and international peace and security and the efforts of the international community towards nuclear disarmament and the prevention of nuclear weapons proliferation.

126. The Conference also calls upon India and Pakistan to maintain moratoriums on nuclear testing, and calls upon India, Israel and Pakistan to sign and ratify the Comprehensive Nuclear-Test-Ban Treaty without delay and without conditions.

127. [The Conference reaffirms that existing or new supply arrangements for the transfer of source or special fissionable material or equipment or material especially designed or prepared for the processing, use or production of special fissionable material should require, as a necessary

precondition, acceptance of IAEA full scope safeguards and international legally binding commitments not to acquire nuclear weapons or other nuclear explosive devices.]

Article X

128. The Conference reaffirms that 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 the Treaty have jeopardized its supreme interests. The Conference also reaffirms that pursuant to article X notice of such withdrawal shall be given to all other parties of the Treaty and to the United Nations Security Council three months in advance, and that such notice shall include a statement of the extraordinary events the State party regards as having jeopardized its supreme interests.

129. [The Conference reaffirms that the right of withdrawal is established in the provisions of the NPT and other relevant international law. It further underscores that under international law a withdrawing party is still responsible for violations of the NPT committed prior to its withdrawal, and that if done in accordance with the provisions of the treaty, such withdrawal would not affect any right, obligation or legal situation between the withdrawing State and each of the other States parties created through the execution of the treaty prior to withdrawal, including those related to the required IAEA safeguards.]

130. [Without prejudice to the legal consequences of the withdrawal and to the status of compliance by the withdrawing State, the Conference calls upon all States parties to undertake consultations immediately, as well as regional diplomatic initiatives. Given the particular circumstances envisaged in article X for the exercise of the right to withdraw, the Conference reaffirms the responsibility entrusted to the Security Council under the UN Charter.]

131. [The Conference acknowledges that nuclear supplying States can consider incorporating dismantling and/or return clauses in the event of the withdrawal, in arrangements or contracts concluded with other State Parties as appropriate in accordance with international law and national legislation.]

Conclusions and recommendations for follow-on actions

Action Plan for Nuclear Disarmament

1. In pursuit of the full, effective and urgent implementation of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons and paragraphs 3 and 4 (c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament", and building upon the practical steps agreed to in the Final Document of the 2000 NPT Review Conference, the Conference agrees on the following Action Plan on nuclear disarmament which includes concrete steps for the total elimination of nuclear weapons:

A. Principles and Objectives

i. The Conference resolves to seek a safer world for all and to achieve the peace and security of a world without nuclear weapons, in accordance with the objectives of the Treaty.

ii. The Conference reaffirms the unequivocal undertaking of the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, to which all States parties are committed under article VI.

iii. The Conference reaffirms the continued validity of the practical steps agreed to in the Final Document of the 2000 NPT Review Conference.

iv. The Conference reaffirms that steps by all the nuclear-weapon States leading to nuclear disarmament should promote international stability, peace and security, and be based on the principle of undiminished security for all.

v. The Conference expresses its deep concern at the catastrophic humanitarian consequences of any use of nuclear weapons, and reaffirms the need for all States to comply with international humanitarian law at all times.

vi. The Conference reaffirms that the ultimate objective of the efforts of States in the disarmament process is general and complete disarmament under strict and effective international control.

vii. The Conference affirms the vital importance of universality of the Treaty on the Non-Proliferation of Nuclear Weapons and calls on all States not party to the Treaty to accede as non-nuclear-weapon States to the Treaty promptly and without any conditions, and to commit to achieving the complete elimination of all nuclear weapons, and encourages States to promote universal adherence to the Treaty, and not to undertake any actions that can negatively affect prospects for the universality of the Treaty.

The Conference resolves that:

- Action 1: All States commit to pursue policies that are fully compatible with the Treaty and the objective of achieving a world without nuclear weapons.

- Action 2: All States commit to apply the principles of irreversibility, verifiability, accountability and transparency to nuclear disarmament, nuclear and other related arms control and reduction measures.

B. Disarmament of Nuclear Weapons

i. The Conference reaffirms the urgent need for the nuclear-weapon States to implement the steps leading to nuclear disarmament agreed to in the Final Document of the 2000 NPT Review Conference, in a way that promotes international stability, peace and security, and based on the principle of undiminished security for all.

ii. The Conference affirms the need for the nuclear-weapon States to reduce and eliminate all types of their nuclear weapons and encourages in particular those States with the largest nuclear arsenals to lead efforts in this regard, and recognises that nuclear disarmament is fundamental for international peace and security and that the enhancement of international peace and security and nuclear disarmament are mutually reinforcing.

iii. The Conference calls on all States possessing nuclear weapons to join concrete disarmament efforts and affirms that all States, and in particular all States possessing nuclear weapons, need to make special efforts to establish the necessary framework to achieve and maintain a world without nuclear weapons. The Five-Point Proposal for Nuclear Disarmament of the Secretary-General of the United Nations, which proposes inter alia consideration of negotiations on a nuclear weapons convention or agreement on a framework of separate mutually reinforcing instruments, backed by a strong system of verification, contributes toward this goal.

The Conference resolves that:

- Action 3: In implementing the unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals, the nuclear-weapon States commit to undertake further efforts to verifiably reduce all types of nuclear weapons, deployed and non-deployed, as well as their nuclear weapon-related materials, including through unilateral, bilateral, regional, and multilateral measures.

- Action 4: The Russian Federation and the United States of America commit to seek the early entry-into-force and full implementation of the Treaty on Measures for the Further Reduction and Limitation of Strategic Offensive Arms and are encouraged to continue discussions on follow-on measures in order to achieve deeper reductions in their nuclear arsenals.

- Action 5: The nuclear-weapon States commit to cease the development and qualitative improvement of nuclear weapons and to end the development of advanced new types of nuclear weapons.

- Action 6: The nuclear-weapon States commit to accelerate concrete progress on the steps leading to nuclear disarmament, contained in the Final Document of the 2000 NPT Review Conference, in a way that promotes international stability, peace and security, and is based on the principle of undiminished security for all. To this end, they are called upon to convene timely consultations, which should inter alia aim to:

  a. rapidly pursue an overall reduction in the global stockpile of all types of nuclear weapons, as identified in Action 3;
  b. address the question of all types of nuclear weapons and related infrastructure stationed on the territories of non-nuclear-weapon States;

c. further diminish the role and significance of nuclear weapons in all military and security concepts, doctrines and policies;
d. discuss declaratory policies, including pledges of mutual no-first-use of nuclear weapons, that could – as an interim measure pending the total elimination of nuclear weapons – minimise the use or threat of use of nuclear weapons, lessen the danger of nuclear war and contribute to the non-proliferation and disarmament of nuclear weapons;
e. consider further reducing the operational status of nuclear weapons systems in ways that promote international stability, peace and security;
f. reduce the risk of accidental or unauthorised use of nuclear weapons; and
g. further enhance transparency and increase mutual confidence.

The nuclear-weapon States are called upon to report back to States parties on their consultations, within the upcoming review cycle (2010–2015). Based *inter alia* on the outcome of these consultations, the Secretary-General of the United Nations is invited to convene an open-ended high-level meeting to take stock and agree on a roadmap for the complete elimination of nuclear weapons, including by means of a universal, legal instrument.

➢ Action 7: All States agree that the Conference on Disarmament should immediately establish an appropriate subsidiary body with a mandate to deal with nuclear disarmament, within the context of an agreed, comprehensive and balanced Programme of Work.

C. Security Assurances

i. The Conference reaffirms and recognises that the total elimination of nuclear weapons is the only absolute guarantee against the use or threat of use of nuclear weapons, and that unconditional and legally binding security assurances by the nuclear-weapon States to the non-nuclear-weapon States strengthen the nuclear non-proliferation regime.

ii. The Conference affirms the legitimate interest of non-nuclear-weapon States in receiving security assurances and recalls in this respect United Nations Security Council resolution 984 (1995), noting the unilateral statements by each of the nuclear-weapon States, in which they give conditional or unconditional security assurances against the use and the threat of use of nuclear weapons to non-nuclear-weapon States parties to the Treaty.

The Conference resolves that:

➢ Action 8: All States agree that the Conference on Disarmament should, within the context of an agreed, comprehensive and balanced Programme of Work, immediately begin discussion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, to discuss substantively, without limitation, with a view to elaborating recommendations dealing with all aspects of this issue, not excluding an internationally legally binding instrument. The Conference notes the intention of the Secretary-General of the United Nations to convene a high-level meeting in September 2010 in support of the work of the Conference on Disarmament. If the discussions in the Conference on Disarmament do not commence before the end of the 2011 session of the Conference on Disarmament, the 66th Session of the United Nations General Assembly is encouraged to examine how discussions should be pursued.

- Action 9: Pending the conclusion of multilaterally negotiated legally binding security assurances for all non-nuclear-weapon States, all nuclear-weapon States commit to fully respect their existing commitments with regard to security assurances, and those nuclear-weapon States that have not yet done so are encouraged to extend these to non-nuclear-weapon States parties to the Treaty.

- Action 10: The establishment of further nuclear-weapon-free zones, where appropriate, on the basis of arrangements freely arrived at among States of the region concerned, and in accordance with the 1999 Guidelines of the United Nations Disarmament Commission, is encouraged. All concerned States are encouraged to ratify the nuclear-weapon-free zone treaties and to constructively consult and cooperate to bring about the entry-into-force of the relevant legally binding protocols of all such nuclear-weapon-free zones treaties which include negative security assurances. The concerned States are encouraged to withdraw any related reservations or unilateral interpretative declarations that are incompatible with the object and purpose of such treaties.

D. Nuclear Testing

i. The Conference reaffirms the commitment of all States, in particular the nuclear-weapon States, to end all nuclear weapon test explosions or any other nuclear explosions and to constrain the development and qualitative improvement of nuclear weapons, and to end the development of advanced new types of nuclear weapons.

ii. The Conference reaffirms the vital importance and urgency of the entry-into-force and universalisation of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) as a core element of the international nuclear disarmament and non-proliferation regime, as well as the determination of the nuclear-weapon States to abide by their respective moratoria on nuclear test explosions pending the entry-into-force of the CTBT.

The Conference resolves that:

- Action 11: All States that have not yet done so are called upon to sign and ratify the CTBT without delay, bearing in mind the potential beneficial impact of ratification by nuclear-weapon States that have not yet done so in encouraging Annex 2 States to sign and ratify.

- Action 12: Pending the entry-into-force of the CTBT, all States commit to refrain from nuclear weapon test explosions or any other nuclear explosions and from any action that would defeat the object and purpose of the CTBT, and all existing moratoria on nuclear weapon test explosions should be maintained.

- Action 13: All States recognise the contribution of the Conferences on Facilitating the Entry-into-Force of the Comprehensive Nuclear-Test-Ban Treaty and of the measures adopted by consensus at the September 2009 Conference, and signatories to the CTBT commit to report at the 2011 Conference on progress made towards the urgent entry-into-force of the CTBT.

- Action 14: All States that are signatories to the CTBT are encouraged to promote the entry-into-force of, and implementation of, the CTBT at national, regional and global levels.

- Action 15: All States that are signatories to the CTBT are encouraged to fully develop the CTBT verification regime, including early completion and provisional operationalisation of the International Monitoring System in accordance with the mandate of the Preparatory Commission of the Comprehensive Nuclear-Test-Ban Treaty Organisation, which should, upon entry-into-force of the CTBT, serve as an effective, reliable, participatory and non-discriminatory verification system with global reach, and provide assurance of compliance with the CTBT.

- Action 16: All States that have not yet done so are encouraged to initiate a process towards the closing and dismantling, as soon as feasible and in an irreversible and verifiable manner, of any remaining sites for nuclear test explosions and their associated infrastructure.

E. Fissile Materials

i. The Conference reaffirms the urgent necessity of negotiating and bringing to a conclusion a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices.

The Conference resolves that:

- Action 17: All States agree that the Conference on Disarmament should, within the context of an agreed, comprehensive and balanced Programme of Work, immediately begin negotiation of a treaty banning the production of fissile material for use in nuclear weapons or other nuclear explosive devices in accordance with the Report of the Special Coordinator of 1995 (CD/1299) and the mandate contained therein. The Conference notes the intention of the Secretary-General of the United Nations to convene a high-level meeting in September 2010 in support of the work of the Conference on Disarmament. If negotiations do not commence before the end of the 2011 session of the Conference on Disarmament, the 66th Session of the United Nations General Assembly is encouraged to examine how negotiations should be pursued.

- Action 18: All States recognise that a global moratorium on the production of fissile material for use in nuclear weapons or other nuclear explosive devices constitutes an important contribution to achieving the goals of the Treaty, and all nuclear-weapon States should, therefore, uphold or consider declaring a moratorium, pending the conclusion and entry-into-force of a treaty banning the production of fissile material for use in nuclear weapons or other nuclear explosive devices.

- Action 19: The nuclear-weapon States commit to declare to the International Atomic Energy Agency (IAEA) all fissile material designated by each of them as no longer required for military purposes and to place such material as soon as practicable under IAEA or other relevant international verification and arrangements for the disposition of such material for peaceful purposes, to ensure that such material remains permanently outside military programmes.

- Action 20: All States are encouraged to support the development of appropriate legally binding verification arrangements, within the context of the IAEA, to ensure the irreversible removal of fissile material from nuclear weapons or other nuclear explosive devices worldwide.

- Action 21: All States that have not yet done so are encouraged to initiate a process towards the dismantling or conversion for peaceful uses of facilities for the production of fissile material for use in nuclear weapons or other nuclear explosive devices.

F. Other Measures in Support of Nuclear Disarmament

i. The Conference recognises that nuclear disarmament and achieving the peace and security of a world without nuclear weapons will require openness and co-operation, and affirms the importance of enhanced confidence through increased transparency and effective verification.

The Conference resolves that:

- Action 22: All States agree on the importance of supporting cooperation among governments, the United Nations, other international and regional organisations and civil society aimed at increasing confidence, improving transparency, and developing efficient verification capabilities related to nuclear disarmament.

- Action 23: States parties should submit regular reports, within the framework of the strengthened review process for the Treaty, on the implementation of this Action Plan, as well as of article VI, paragraph 4(c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament", and the practical steps agreed to in the Final Document of the 2000 NPT Review Conference, and recalling the Advisory Opinion of the International Court of Justice of 8 July 1996. In particular, nuclear-weapon States commit to regularly provide information, preferably in a standardised form, with regard to their nuclear arsenals, including information on the size and composition of their nuclear arsenals, as well as stocks of fissile material for use in nuclear weapons. The Secretary-General of the United Nations is invited to make this information publicly available.

- Action 24: All States are encouraged to implement the recommendations contained in the report of the Secretary-General of the United Nations (A/57/124) regarding the United Nations study on disarmament and non-proliferation education, as a useful and effective means to advance the goals of the Treaty in support of achieving a world without nuclear weapons.

Action Plan for Nuclear Non-Proliferation

2. The Conference calls upon all States parties to exert all efforts to promote universal adherence to the Treaty and not to undertake any actions that can negatively affect prospects for the universality of the Treaty.

3. The Conference re-endorses the call by previous Conferences of the States parties for the application of IAEA comprehensive safeguards to all source or special fissionable material in all peaceful nuclear activities in the States parties in accordance with the provisions of article III of the Treaty.

4. The Conference, noting that [18] States parties to the Treaty have yet to bring into force comprehensive safeguards agreements, urges them to do so as soon as possible and without further delay.

5. The Conference underscores the importance of addressing all compliance challenges. These challenges pose a significant test for the Treaty and need to be met firmly in order to uphold the Treaty's integrity and the authority of the IAEA safeguards system.

6. The Conference recognizes the threat posed to international peace and security by nuclear weapons and their proliferation and calls on all States parties to strictly comply with their nuclear disarmament and non-proliferation obligations, including with their IAEA safeguards agreements and relevant IAEA Board of Governors and United Nations Security Council resolutions. The Conference supports the IAEA's efforts to resolve safeguards implementation issues associated with States' safeguards agreements.

7. The Conference underscores the importance of the IAEA exercising fully its authority to verify the declared use of nuclear material and facilities and the absence of undeclared nuclear material and activities in States parties to comprehensive safeguards agreements; views the additional protocols as an effective and efficient tool for the IAEA to obtain a much fuller picture of the existing and planned nuclear programs and material holdings of the non-nuclear-weapon States; and notes that the entry into force and implementation of additional protocols in non-nuclear-weapon States is of vital importance for IAEA to be able to provide credible assurances about the exclusively peaceful nature of non-nuclear-weapon States' nuclear programmes.

8. The Conference recognizes additional protocols as an integral part of the IAEA's safeguards system and affirms that a comprehensive safeguards agreement, together with an additional protocol, represents the verification standard that best fulfils the objectives of article III of the Treaty, and urges all States parties which have not yet done so to conclude and to bring into force an additional protocol as soon as possible and to implement them provisionally pending their entry into force. The Conference also notes that the additional protocol represents an excellent confidence building measure.

9. The Conference encourages IAEA to further facilitate and assist the States parties in the conclusion and entry into force of comprehensive safeguards agreements and additional protocols. The Conference calls on IAEA and States parties to identify specific measures that would promote the universalization of the comprehensive safeguards agreements and additional protocols.

10. The Conference calls for the wider application of safeguards to peaceful nuclear facilities in the nuclear-weapon States, under the relevant voluntary offer safeguards agreements, in the most economic and practical way possible, taking into account the availability of the IAEA resources and stresses that comprehensive safeguards and additional protocols should be universally applied once the complete elimination of nuclear weapons has been achieved.

11. The Conference urges all States parties with small quantities protocols which have not yet done so to amend or rescind them, as appropriate, as soon as possible.

12. The Conference recommends that IAEA safeguards should be assessed and evaluated regularly. Decisions adopted by the IAEA Board of Governors aimed at further strengthening the effectiveness and improving the efficiency of IAEA's safeguards should be supported and implemented.

13. The Conference, noting the foreseen increase in the IAEA's safeguards responsibilities and the financial constraints under which the IAEA safeguards system is functioning, calls upon all States

parties to ensure that the IAEA continue to have all political, technical and financial support so that the IAEA is able to effectively meet its responsibility to apply safeguards as required by article III of the Treaty.

14. The Conference encourages the IAEA to further develop a robust, flexible, adaptive and cost-effective international technology base for advanced safeguards through cooperation among Member States and with the IAEA.

15. The Conference urges all States parties to ensure that their nuclear-related exports do not directly or indirectly assist the development of nuclear weapons or other nuclear explosive devises and that such exports are in full conformity with the objectives and purposes of the Treaty as stipulated, particularly, in articles I, II and III of the Treaty, as well as the decision on principles and objectives of nuclear non-proliferation and disarmament adopted in 1995 by the Review and Extension Conference.

16. The Conference invites all States parties to adopt the Understandings of the Zangger Committee in connection with any nuclear cooperation.

17. The Conference encourages States parties to consider whether a recipient State has brought into force an additional protocol based on the Model Additional Protocol in making nuclear export decisions.

18. The Conference calls upon all State parties, in acting in pursuance of the objectives of the Treaty, to observe the legitimate right of all State parties, in particular developing States, to full access to nuclear material, equipment and technological information for peaceful purposes. Transfers of nuclear technology and international cooperation in conformity with articles I, II and III of the Treaty are to be encouraged. They would be facilitated by eliminating undue constrains that might impede such cooperation.

19. The Conference calls on all States parties to apply, as appropriate, the IAEA recommendations on the physical protection of nuclear material and nuclear facilities (INFCIRC/225/Rev.4 (Corrected)) and other relevant international instruments at the earliest possible date.

20. The Conference welcomes the adoption in 2005 of the amendment to the Convention on the Physical Protection of Nuclear Material. The Conference calls on all States parties to the Convention to ratify the amendment as soon as possible and encourages them to act in accordance with the objectives and the purpose of the amendment until such time as it enters into force. The Conference also calls on all States that have not yet done so to adhere to the Convention and adopt the amendment as soon as possible.

21. The Conference urges all States parties to implement the principles of the revised IAEA Code of Conduct on the Safety and Security of Radioactive Sources, as well as the Guidelines on the Import and Export of Radioactive Sources approved by the IAEA Board of Governors in 2004.

22. The Conference calls upon all States to improve their national capabilities to detect, deter and disrupt illicit trafficking in nuclear materials throughout their territories and calls upon those States parties in a position to do so to work to enhance international partnerships and capacity-building in this regard. The Conference also calls upon States parties to establish and enforce effective domestic controls to prevent the proliferation of nuclear weapons as set out in United Nations Security Council resolutions 1540 (2004), 1673 (2006) and 1810 (2009).

23. The Conference notes the entry into force in 2007 of the International Convention for the Suppression of Acts of Nuclear Terrorism and urges all States that have not yet done so to become party to the Convention as soon as possible.

24. The Conference welcomes the efforts of the IAEA to assist the States parties in strengthening their national regulatory controls of radioactive materials, including the establishment and maintenance of the State systems of accounting for and control of nuclear material. The Conference calls upon IAEA Member States to broaden their support for the relevant IAEA programmes.

Future Oriented Actions: Peaceful Uses of Nuclear Energy

25. The Conference calls upon States parties to act in conformity with all the provisions of the Treaty and to:

1. respect each country's choices and decisions in the field of peaceful uses of nuclear energy without jeopardizing its policies or international cooperation agreements and arrangements for peaceful uses of nuclear energy and its fuel-cycle policies;

2. undertake to facilitate, and reaffirm their right to participate in, the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy;

3. cooperate with other States or international organisations in the further development of nuclear energy for peaceful purposes, with due consideration for the needs of the developing areas of the world;

4. give preferential treatment to the non-nuclear weapons States parties to the Treaty, taking the needs of developing countries, in particular, into account;

5. facilitate transfers of nuclear technology and international cooperation among States parties in conformity with articles I, II and III of the Treaty, and eliminate in this regard any undue constraints inconsistent with the Treaty;

6. continue efforts, in the IAEA, to enhance the effectiveness and efficiency of the IAEA's technical cooperation programme;

7. strengthen the IAEA technical cooperation programme in assisting developing States parties in the peaceful uses of nuclear energy;

8. make every effort to take practical steps to ensure that the IAEA's resources for technical cooperation activities are sufficient, assured and predictable;

9. encourage all States in a position to do so to make additional contributions to the initiative designed to raise 100 million dollars over the next five years as extra-budgetary contributions to IAEA activities, while welcoming the contributions already pledged by countries and groups of countries in support IAEA activities;

10. encourage national, bilateral and international efforts to train the necessary skilled workforce necessary for developing peaceful uses of nuclear energy;

11. Ensure that, when developing nuclear energy energy, including nuclear power, the use of nuclear energy ust be accompanied by commitments to end ongoing implementatio of safeguards as well as appropriate and effective levels of safety and security, consistent with States' national legislation and respective international obligations;

12. continue to discuss further, in a non-discriminatory and transparent manner under the auspices of IAEA or regional fora, the possibilities to create mecanisms for assurance of nuclear fuel supply, as well as

possible schemes dealing with the back-end of the fuel cycle without affecting rights under the Treaty, and while tackling the technical, legal and economic complexities surrounding these issues;

13. consider to become party, if not yet have done so, to the Convention on Nuclear Safety, the Convention on the Early Notification of a Nuclear Accident and the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, International Convention on the Suppression of Acts of Nuclear Terrorism, the Convention on the Physical Protection of Nuclear Material (CPPNM), and to ratify its amendment so that it may enter into force at an early date;

14. promote the sharing of best practices in the area of nuclear safety and security, including dialogue with the nuclear industry and the private sector, as appropriate;

15. encourage States concerned, on a voluntary basis, to further minimize highly enriched uranium in stocks and in civilian use, where technically and economically feasible;

16. transport radioactive materials consistent with relevant international standards of safety, security and environmental protection, and to continue communication between shipping and coastal states for the purpose of confidence building and addressing concerns regarding transport safety, security and emergency preparedness;

17. put in force a civil nuclear liability regime by becoming party to relevant international instruments or adopting a national legislation, based upon the principles established by the main pertinent international instruments.