

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

14 May 2010

English only

New York, 3-28 May 2010

Report of Main Committee I: Chairman's Draft on Substantive Elements

- I. 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
 - A. Articles I and II and first to third preambular paragraphs
 1. 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.
 2. 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.
 3. 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.
 4. The Conference reaffirms the commitment of States parties to the effective implementation of the objectives 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.

* Reissued for technical reasons

¹ NPT/CONF.2000/28.

5. The Conference reaffirms the need to maintain the full and non-selective application and to achieve the full and non-selective implementation of the three mutually reinforcing pillars of the Treaty: nuclear disarmament, nuclear non-proliferation, and the peaceful uses of nuclear energy.
6. 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.
7. The Conference reaffirms that the strict observance of all the provisions of the Treaty remains central to achieving the shared objectives of preventing, under any circumstances, the further proliferation of nuclear weapons and preserving the Treaty's vital contribution to peace and security.
8. The Conference emphasized that responses to concerns over compliance with any obligation under the Treaty should be pursued by diplomatic means, in accordance with the UN Charter.
9. The Conference recognizes the importance of consequences for breaches of all Treaty obligations, which undermine non-proliferation, disarmament and peaceful uses of nuclear energy.
10. The Conference deplores the nuclear test explosions carried out by the Democratic People's Republic of Korea in 2006 and 2009. The Conference declares that such actions do not in any way confer a nuclear-weapon-State status or any special status whatsoever.

B. Article VI and the eighth to twelfth preambular paragraphs

1. The Conference notes the reaffirmation by the nuclear-weapon States of their unequivocal undertaking to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, to which all States parties are committed under article VI.
2. The Conference reaffirms its commitment to vigorously pursue the implementation of the practical steps agreed to by the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons for the systematic and progressive efforts to implement 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".
3. The Conference notes with concern that despite achievements in bilateral and unilateral reductions by some nuclear-weapon States the total number of nuclear weapons deployed and stockpiled still amounts to thousands. The Conference

expresses its deep concern at the continued risk for humanity represented by the possibility that these nuclear weapons could be used.

4. The Conference welcomes the new proposals and initiatives from Governments and civil society aimed at achieving the vision of a world free of nuclear weapons.
5. The Conference agrees on the need to implement article VI within a timebound framework.
6. The Conference welcomes the proposals made by the Secretary-General of the United Nations, including his five-point proposal for nuclear disarmament and action plan for nuclear disarmament and non-proliferation.
7. 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 expresses concern that any development of new types of nuclear weapons may result in the resumption of tests 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 Treaty pending its entry into force.
8. 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.
9. 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, and the adoption of ten specific and practical measures to promote the entry into force of the Treaty. The Conference commends the progress made by the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization in establishing the international monitoring system.
10. The Conference recalls 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.

11. The Conference stresses the importance of the immediate commencement of negotiations on 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 urgent conclusion of such a treaty would benefit non-proliferation and disarmament. The Conference regrets that after fifteen years negotiations have not been pursued on this issue.
12. The Conference expresses concern that the Conference on Disarmament has been unable to commence negotiations and substantive deliberations pursuant to an agreed programme of work.
13. 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 by other nuclear-weapon States.
14. 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.
15. The Conference welcomes the increased transparency of some nuclear-weapon States with respect to the number of nuclear weapons in their national inventories and encourages all nuclear-weapon States to make similar declarations.
16. The Conference recognizes the interrelationship between strategic offensive arms and strategic defensive arms and that this interrelationship will become more important as strategic nuclear arms are reduced.
17. The Conference also recognizes that the development, deployment and stockpiling of intercontinental ballistic missiles and submarine-launched ballistic missiles with conventional warheads or the placement of weapons in outer space would adversely impact strategic stability and have negative consequences for nuclear disarmament and non-proliferation.
18. The Conference welcomes efforts toward developing adequate and efficient verification capabilities that will be required to provide assurance of compliance with nuclear disarmament agreements and for the achievement and maintenance of a nuclear-weapon-free world. The Conference welcomes in particular the cooperation between nuclear-weapon States and non-nuclear-weapon States in establishing a system for nuclear disarmament verification, including development of information barrier systems and managed access inspections.

C. Article VII and security assurances

1. 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.
2. The Conference reaffirms that the total elimination of nuclear weapons is the only absolute guarantee against the use or threat of use of nuclear weapons.
3. The Conference notes the statements by some nuclear-weapon States regarding measures related to strengthening negative security assurances.

II. Role of the Treaty in the promotion of non-proliferation of nuclear weapons and of nuclear disarmament in strengthening international peace and security and measures aimed at strengthening the implementation of the Treaty and achieving its universality, including disarmament and non-proliferation education

1. The Conference welcomes the succession of Montenegro to the Treaty in 2006, bringing the total number of States that have ratified the Treaty to 190, and reaffirms the urgency and importance of achieving the universality of the Treaty.
2. The Conference urges all States not yet party to the Treaty, namely India, Israel and Pakistan, to accede to the Treaty as non-nuclear-weapon States, promptly and without condition, particularly those States that operate unsafeguarded nuclear facilities.
3. The Conference reiterates the call on those 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.
4. 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.

Subsidiary Body I: Chairman's draft action plan

In pursuit of the full and effective 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:

I. Objectives and Principles

The Conference resolves to seek a safer world for all and to achieve the peace and security of a world without nuclear weapons.

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

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.

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

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.

The Conference affirms the importance of universality of the Treaty on the Non-Proliferation of Nuclear Weapons and urges all States not party to the Treaty to accede as non-nuclear-weapon States to the Treaty promptly and without any conditions, to endorse the objective of achieving the peace and security of a world without nuclear weapons and to commit to achieving the complete elimination of all nuclear weapons.

The Conference resolves that:

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

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

II. Disarmament of Nuclear Weapons

The Conference reaffirms the urgent need to implement the steps by all the nuclear-weapon States leading to nuclear disarmament in a way that promotes international stability and based on the principle of undiminished security for all, contained in the Final Document of the 2000 NPT Review Conference (Step 9).

The Conference affirms the need for the nuclear-weapon States and all other States possessing nuclear weapons to reduce all types of their nuclear weapons.

The Conference affirms that all States, and in particular all States possessing nuclear weapons, need to make special efforts to establish the legal framework required to achieve the final phase of nuclear disarmament 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* the consideration of a nuclear weapons convention or 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 shall undertake further efforts to achieve reductions of 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 undertake 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 undertake to cease the development of new nuclear weapons and the qualitative improvement

of existing nuclear weapon systems that support new military missions or provide for new military capabilities.

- Action 6: The nuclear-weapon States shall convene consultations not later than 2011 to accelerate concrete progress on nuclear disarmament in a way that promotes international stability and is based on the principle of undiminished security for all. These consultations should *inter alia* aim to:
 - a) lead to the rapid conclusion of negotiations on reductions of all types of nuclear weapons, as identified in Action 3;
 - b) address the question of weapons stationed on the territories of non-nuclear-weapon States;
 - c) further diminish the role and significance of nuclear weapons in all military and security doctrines and policies, and in strategic concepts of military and political alliances;
 - d) discuss declaratory policies that could minimize the use or threat of use of nuclear weapons, lessen the danger of nuclear war and contribute to the non-proliferation of nuclear weapons;
 - e) adopt concrete measures to further reduce the operational status of nuclear weapons systems, with a view to ensuring that all nuclear weapons are removed from high alert status;
 - f) reduce and eliminate the risk of accidental or unauthorised use of nuclear weapons; and
 - g) further enhance transparency and increase mutual confidence.

The nuclear-weapon States shall report back to States parties in 2012, in the framework of the strengthened review process of the Treaty, about their consultations.

- Action 7: Based on the outcome of these consultations, the Secretary-General of the United Nations is invited to convene an international conference in 2014 to consider ways and means to agree on a roadmap for the complete elimination of nuclear weapons within a specified timeframe, including by means of a universal, legal instrument.

III. Security Assurances

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

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 statements by each of the nuclear-weapon States, in which they give 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 parties 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. In support of the work of the Conference on Disarmament, the Secretary-General of the United Nations is invited to convene a high-level meeting of the Member States of the Conference on Disarmament in September 2010. If the discussions in the Conference on Disarmament fail to commence before the end of the 2011 session of the Conference on Disarmament, the 66th Session of the United Nations General Assembly should determine 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 shall fully respect their existing commitments with regard to security assurances and shall extend these to all non-nuclear-weapon States.
- Action 10: All States shall encourage the establishment of further nuclear-weapon-free zones where appropriate on the basis of arrangements freely arrived at among States of the region concerned. Furthermore, all concerned States shall constructively consult and cooperate to bring about the entry-into-force of the relevant legally binding protocols of all nuclear-weapon-free zones treaties.

IV. Nuclear Testing

The Conference affirms its commitment to ending all nuclear weapon test explosions or any other nuclear explosions and thereby constraining the development and qualitative improvement of nuclear weapons and ending the development of advanced new types of nuclear weapons.

The Conference reaffirms the vital importance and urgency of the entry-into-force and universalisation of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) as soon as possible.

The Conference resolves that:

- Action 11: All States that have not yet done so undertake to sign and ratify the CTBT without delay and without conditions.
- Action 12: Pending the entry-into-force of the CTBT, all States shall refrain from nuclear weapon test explosions or any other nuclear explosions and from any action which would defeat the object and purpose of the CTBT, and all existing nuclear weapon test moratoria shall 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 undertake to report at the 2011 Conference on progress made towards the urgent entry-into-force of the CTBT.
- Action 14: All States are encouraged to take initiatives to promote the entry-into-force of and implementation of the CTBT at national, regional and global levels.
- Action 15: All States undertake fully to develop the CTBT verification regime, including early completion and full operationalisation of the International Monitoring System, which should 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 shall close and dismantle as soon as feasible and in an irreversible and verifiable manner any remaining sites for nuclear test explosions and their associated infrastructure.

V. Fissile Materials

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 parties 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. In support of the work of the Conference on Disarmament, the Secretary-General of the United Nations is invited to convene a high-level meeting of the Member States of the Conference on Disarmament in September 2010. If negotiations fail to commence before the end of the 2011 session of the Conference on Disarmament, the 66th Session of the United Nations General Assembly should determine how negotiations should be pursued.
- Action 18: Pending the conclusion and entry-into-force of a treaty, all States undertake to seek a global moratorium on the production of fissile material for use in nuclear weapons or other nuclear explosive devices.
- Action 19: The nuclear-weapon States undertake to declare all weapons-usable fissile material stocks by 2012, and are encouraged also to provide information on past production.
- Action 20: The nuclear-weapon States shall 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 21: All States shall 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 22: All States that have not yet done so shall initiate a process towards the dismantlement or conversion for peaceful uses of facilities for the production of fissile material for use in nuclear weapons or other nuclear explosive devices.

VI. Confidence-building Measures

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

The Conference affirms the importance of promoting 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.

The Conference resolves that:

- Action 23: All States agree on the importance of supporting cooperation among governments, the United Nations, other international and regional organizations and civil society aimed at increasing confidence and improving transparency, and at the development of adequate and efficient verification capabilities that will be required to provide assurance of compliance with nuclear disarmament agreements for the achievement and maintenance of a nuclear-weapon-free world.
- Action 24: States parties shall submit regular reports within the framework of the strengthened review process for the Treaty on the Non-Proliferation of Nuclear Weapons 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, all nuclear-weapon States should provide information with regard to their nuclear weapons capabilities, including information on the types, numbers and deployment status of their nuclear weapons, and on their delivery systems.

- Action 25: The nuclear-weapon States undertake to agree, by 2012, on a standard reporting form and to determine appropriate reporting intervals for the purpose of providing standardised information.² The Secretary-General of the United Nations is invited to establish a publicly accessible repository, which shall include the information provided by nuclear-weapon States.
- Action 26: 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.

² Information should include: the types and total number of deployed nuclear weapons delivery systems; the total number of active and inactive warheads; the total number of dismantled nuclear weapons delivery systems and warheads; the total amount of fissile material declared excess to national security requirements, and plans for its disposition; the year in which the production of fissile material for nuclear weapons was ceased; the total expenditures and the physical extent of nuclear weapons research, development and production infrastructure, including reductions in the square footage and the number of personnel; and efforts to reduce the role of nuclear weapons in security doctrines, including the alert status of nuclear weapon systems.