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

Final Document

Volume II

Part III
Documents issued at the Conference

New York, 2010

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Note

The Final Document of the 2010 Review Conference of the Parties to the Treaty of the Non-Proliferation of Nuclear Weapons consists of four parts in three volumes:

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Symbol	*Title or description*
NPT/CONF.2010/MC.II/INF/2	Draft programme of work: 17-21 May 2010: Main Committee II and Subsidiary Body II
NPT/CONF.2010/MC.II/CRP.1/ Rev.2	Report of Main Committee II: revised Chairman's draft
NPT/CONF.2010/MC.II/CRP.2/ Rev.1	Draft report of Main Committee II
Subsidiary Body 2 of Main Committee II	
NPT/CONF.2010/MC.II/SB.2/ CRP.1	Report of Subsidiary Body 2: Chair's draft
Main Committee III	
NPT/CONF.2010/MC.III/INF/1	Draft programme of work: 10-28 May 2010: Main Committee III and Subsidiary Body III
NPT/CONF.2010/MC.III/CRP.1	Draft indicative timetable: Main Committee III and Subsidiary Body III
NPT/CONF.2010/MC.III/CRP.2	Report of Main Committee III: Chairman's draft on substantive elements
NPT/CONF.2010/MC.III/CRP.3	Report of Main Committee III: revised Chairman's draft on substantive elements
NPT/CONF.2010/MC.III/CRP.4	Chairman's revised draft report of Main Committee III
NPT/CONF.2010/MC.III/CRP.5	Draft report of Main Committee III
Subsidiary Body 3 of Main Committee III	
NPT/CONF.2010/MC.III/SB.3/ CRP.1 and Rev.1	Revised draft report of the Subsidiary Body III: Conclusions and recommendations

NPT/CONF.2010/1

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

20 May 2009

Original: English

Final report of the Preparatory Committee for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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I. Terms of reference and organization of work

1. At its sixty-first session, the General Assembly, in its resolution 61/70 of 6 December 2006, took note of the decision of the parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), following appropriate consultations, to hold the first session of the Preparatory Committee in Vienna from 30 April to 11 May 2007.

2. Accordingly, the Committee held its first session in Vienna from 30 April to 11 May 2007. Following the decisions taken at the first session, the Committee held its second session at Geneva from 28 April to 9 May 2008 and its third session in New York from 4 to 15 May 2009. Reports covering the first two sessions of the Committee were issued, respectively, as documents NPT/CONF.2010/PC.I/22 and NPT/CONF.2010/PC.II/13.

3. At the first session of the Preparatory Committee, an understanding had been reached among delegations, according to which a representative of the Western Group should be proposed to chair the first session, a representative of the Group of Eastern European States should be proposed to chair the second session, a representative of the Group of Non-Aligned and other States parties to the Treaty on the Non-Proliferation of Nuclear Weapons should be proposed to chair the third session and a representative of the Group of Non-Aligned and other States parties to the Treaty should be proposed for the presidency of the 2010 Review Conference.

4. Pursuant to that understanding, at its first session, the Preparatory Committee elected Yukiya Amano (Japan) to serve as Chairman of the first session. It also decided that Volodymyr Yelchenko (Ukraine) would be the Chairman of the second session. It was further decided that, when not serving as Chairmen, the Chairmen of the sessions of the Preparatory Committee would serve as Vice-Chairmen of the Committee.

5. At its second session, the Committee decided to elect Boniface Guwa Chidyausiku (Zimbabwe) as Chairman of the third session.

6. At the third session, the Committee authorized its Bureau and the President-elect to handle technical and other organizational matters, as well as to carry out consultations with States parties in the period before the Conference. It also decided that the Chairman of the third session should open the Conference.

7. At its first session, the Committee adopted its agenda as contained in document NPT/CONF.2010/PC.I/15, as follows:

1. Opening of the session.
2. Election of the Chairman.
3. Adoption of the agenda.
4. General debate on issues related to all aspects of the work of the Preparatory Committee.
5. Statements by non-governmental organizations.
6. Preparatory work for the review of the operation of the Treaty in accordance with article VIII, paragraph 3, of the Treaty, in particular, consideration of principles, objectives and ways to promote the full implementation of the

Treaty, as well as its universality, including specific matters of substance related to the implementation of the Treaty and decisions 1 and 2, as well as the resolution on the Middle East, adopted in 1995, and the outcomes of the 1975, 1985, 2000, and 2005 Review Conferences, including developments affecting the operation and purpose of the Treaty, and thereby considering approaches and measures to realize its purpose, reaffirming the need for full compliance with the Treaty.[1]

7. Organization of work of the Preparatory Committee:

   (a) Election of officers;

   (b) Dates and venue for further sessions;

   (c) Methods of work:

      (i) Decision-making;

      (ii) Participation;

      (iii) Working languages;

      (iv) Records and documents.

8. Report on the results of the session to the next session of the Preparatory Committee.

9. Organization of the 2010 Review Conference:

   (a) Dates and venue;

   (b) Draft rules of procedure;

   (c) Election of the President and other officers;

   (d) Appointment of the Secretary-General of the Review Conference;

   (e) Provisional agenda;

   (f) Financing of the Review Conference, including its Preparatory Committee;

   (g) Background documentation;

   (h) Final document(s).

10. Adoption of the final report and recommendations of the Preparatory Committee to the Review Conference.

11. Any other matters.

8. In connection with the adoption of the agenda, the Committee adopted the following decision: “The Committee decides that it understands the reference in the agenda to ‘reaffirming the need for full compliance with the Treaty’ to mean that it will consider compliance with all the provisions of the Treaty”. The Committee also decided that the text of the above decision would be included as the footnote to item 6 of the agenda.

[1] The Committee decides that it understands the reference in the agenda to “reaffirming the need for full compliance with the Treaty” to mean that it will consider compliance with all the provisions of the Treaty.

9. Thomas Markram, Senior Political Affairs Officer, Weapons of Mass Destruction Branch, Office for Disarmament Affairs, served as Secretary of the Preparatory Committee. Tariq Rauf, Head, Verification and Security Policy Coordination, Office of External Relations and Policy Coordination, International Atomic Energy Agency represented the Agency at all sessions.

10. Delegations of the following 135 States parties participated in one or more sessions of the Preparatory Committee:

Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Cambodia, Canada, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Haiti, Holy See, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Malta, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia and Zimbabwe.

11. At its first session, the Committee decided that:

(a) Representatives of States not parties to the Treaty on the Non-Proliferation of Nuclear Weapons should be allowed, upon request, to attend as observers the meetings of the Committee other than those designated closed meetings, to be seated in the Committee behind their countries' nameplates and to receive documents of the Committee. They should also be entitled to submit documents to the participants in the Committee. Palestine participated in the work of the meetings of the Committee as an observer;

(b) Representatives of specialized agencies and international and regional intergovernmental organizations should be allowed, upon request, to attend as observers the meetings of the Committee other than those designated closed meetings, to be seated in the Committee behind their organizations' nameplates and to receive documents of the Committee. They should also be entitled to submit, in writing, their views and comments on questions within their competence, which may be circulated as documents of the Committee. Furthermore, the Committee decided, based on the agreement at the third session of the Preparatory Committee for the 2005 NPT Review Conference, which would be applied mutatis mutandis, that specialized agencies and international and regional intergovernmental organizations be invited to make oral presentations to the Committee upon the decision of the Committee, on a case-by-case

basis. Accordingly, the following specialized agencies and international and regional intergovernmental organizations were represented as observers at the meetings of the Committee: Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, the Brazilian-Argentine Agency for Accounting and Control of Nuclear Materials, European Commission, League of Arab States, Organization for the Prohibition of Chemical Weapons and Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization;

(c) Representatives of non-governmental organizations should be allowed, upon request, to attend the meetings of the Committee other than those designated closed, to be seated in the designated area, to receive documents of the Committee and, at their own expense, to make written material available to the participants in the Committee. The Committee shall also allocate a meeting to non-governmental organizations to address each session of the Committee. Representatives of 114 non-governmental organizations attended one or more sessions of the Committee.

12. At its first session, the Committee decided to make every effort to adopt its decisions by consensus. In the event that consensus could not be reached, the Committee would then take decisions in accordance with the rules of procedure of the 2005 Review Conference, which would be applied mutatis mutandis.

13. Also at its first session, the Committee decided to use Arabic, Chinese, English, French, Russian and Spanish as its working languages.

14. In accordance with the Committee's decision at its first session, summary records were provided, at each session, for the Committee's opening meetings, the general debate and the closing meetings. The summary records of the first session were issued as documents NPT/CONF.2010/PC.I/SR.1-4, 6 and 19. The summary records of the second session were issued as documents NPT/CONF.2010/PC.II/SR.1-3, 5 and 14. The summary records of the third session (NPT/CONF.2010/PC.III/SR.1-3, 5 and 16) are issued separately as annex I to the present report.

15. Also at each session, the Committee set aside one meeting for presentations by representatives of non-governmental organizations.

II. Substantive work of the Committee

16. The Committee held 25 meetings devoted to substantive discussions under agenda item 6.

17. The discussion at each session of the Preparatory Committee was structured according to indicative timetables, which provided equal time for the consideration of three clusters of issues and three specific blocs of issues.

18. The Committee considered the following three clusters of issues based on the allocation of items to the Main Committees of the 2005 Review Conference (NPT/CONF.2005/DEC.1):

(a) Implementation of the provisions of the Treaty relating to Non-Proliferation of nuclear weapons, disarmament and international peace and security;

(b) Implementation of the provisions of the Treaty relating to Non-Proliferation of nuclear weapons, safeguards and nuclear-weapon-free zones;

(c) Implementation of the provisions of the Treaty relating to the inalienable right of all States parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes, without discrimination and in conformity with articles I and II.

19. The Committee considered the following three specific blocs of issues:

(a) Nuclear disarmament and security assurances;

(b) Regional issues, including with respect to the Middle East and the implementation of the 1995 resolution on the Middle East;

(c) Other provisions of the Treaty, including article X.

20. The Committee had before it a number of documents submitted by delegations. The list of the documents submitted during the Committee's sessions is contained in annex II to the present report.

III. Organization of work of the Review Conference

21. In the course of its sessions, the Committee considered the following questions relating to the organization and work of the 2010 Review Conference:

(a) Dates and venue;

(b) Draft rules of procedure;

(c) Election of the President and other officers;

(d) Appointment of the Secretary-General;

(e) Provisional agenda;

(f) Financing of the Review Conference, including its Preparatory Committee;

(g) Background documentation;

(h) Final document(s).

Dates and venue of the Conference

22. At its first session, the Committee decided to hold the Review Conference in New York from 26 April to 21 May 2010.

23. At its third session, the Committee adopted the following decision: "Taking into account the developments resulting from the Capital Master Plan (CMP) regarding the availability of conference services and facilities, the Committee decides to hold the Review Conference in New York from 3 to 28 May 2010".

Draft rules of procedure

24. At its third session, the Committee considered the draft rules of procedure for the Conference and agreed to recommend to the Conference the draft rules of procedure as contained in annex III to the present report.

25. At the same session, the Committee agreed to recommend to the Conference that, notwithstanding rule 44.3 of the draft rules of procedure recommended to the Conference, specialized agencies and international and regional intergovernmental organizations be invited to make oral presentations to the Conference upon the decision of the Conference, on a case-by-case basis.

26. Also at its third session, the Committee agreed to recommend to the Conference that, in accordance with the draft rules of procedure, representatives of non-governmental organizations be allowed to attend meetings, other than those designated as closed, and to receive documents of the Conference; that, in accordance with past practice, non-governmental organizations be allowed to make written material available, at their own expense, to the participants of the Conference; and that non-governmental organizations be allowed to address the Conference, consistent with the Final Document of the 2000 Review Conference.

Election of the President and other officers

27. At its third session, the Committee unanimously endorsed the candidacy of Libran N. Cabactulan of the Philippines for the presidency of the 2010 Review Conference.

28. At the same session, the Committee agreed to recommend that: Main Committee I should be chaired by a representative of the Group of Non-Aligned and Other States, namely, the Chairman of the third session of the Preparatory Committee (Zimbabwe); Main Committee II should be chaired by a representative of the Group of Eastern European States, namely, the Chairman of the second session of the Preparatory Committee (Ukraine); and that Main Committee III should be chaired by a representative of the Western Group, namely, the Chairman of the first session of the Preparatory Committee (Japan).

29. The Committee also agreed to recommend that the post of Chairman of the Drafting Committee be assumed by a representative of the Group of Eastern European States, and the post of Chairman of the Credentials Committee by a representative of the Group of Non-Aligned and Other States.

Appointment of the Secretary-General

30. At its second session, the Committee decided to invite the Secretary-General of the United Nations, in consultation with the members of the Preparatory Committee, to nominate an official to act as provisional Secretary-General of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, a nomination to be confirmed by the Conference itself. At its third session, the Committee was informed of the decision of the Secretary-General, taken after consultations with the members of the Preparatory Committee, to nominate Thomas Markram, Senior Political Affairs Officer, Weapons of Mass Destruction Branch, Office for Disarmament Affairs of the United Nations Secretariat, to serve as provisional Secretary-General of the Conference. The Committee took note of that nomination.

Provisional agenda

31. At its third session, the Committee adopted the draft provisional agenda of the 2010 Review Conference as contained in annex IV to the present report.

32. At the same session, the Committee adopted the draft decision on the allocation of items to the Main Committees of the Conference as contained in annex V to the present report.

Financing of the Review Conference, including its Preparatory Committee

33. At its second session, the Committee took note of the estimated costs of the Conference, including its Preparatory Committee (NPT/CONF.2010/PC.II/1). In order to promote greater financial transparency and accountability and taking into account the practice of multilateral and other organizations, the Committee, at its second session, decided to request the Secretary-General of the United Nations to provide a financial report to the Review Conference and each session of its Preparatory Committee to be circulated as an official document. Pursuant to this decision, the financial report was submitted to the third session of the Preparatory Committee (NPT/CONF.2010/PC.III/1).

34. At its third session, the Committee agreed to the schedule for the division of costs. The schedule for the division of costs is contained in the appendix to the draft rules of procedure, as reflected in annex III to the present report.

Background documentation

35. At its third session, the Preparatory Committee decided to invite the Secretary-General to prepare documentation, taking into account the decisions and the resolution adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and the Final Document of the 2000 Review Conference. The decision on background documentation is contained in annex VI of the present report.

Final document(s)

36. At its third session, the Committee decided to defer the consideration of this matter to the 2010 Review Conference.

IV. Participation at the Review Conference

37. At the third session, the Committee decided that invitations to States which, in accordance with the decision on participation, were entitled to participate in the Conference, as well as invitations to the Secretary-General of the United Nations and the Director-General of the International Atomic Energy Agency, should be issued by the Chairman of the third session of the Preparatory Committee.

V. Adoption of the final report

38. The Preparatory Committee adopted its final report at its last meeting, on 15 May 2009.

Annex I

Summary records

The summary records of the meetings of the third session of the Preparatory Committee will be issued separately in documents NPT/CONF.2010/PC.III/SR.1-3, 5 and 16.

Annex II

List of documents

First session

NPT/CONF.2010/PC.I/1	Provisional agenda
NPT/CONF.2010/PC.I/2	Note verbale dated 27 April 2007 from the Permanent Mission of Cuba, Chair of the Vienna Chapter of the Non-Aligned Movement
NPT/CONF.2010/PC.I/3	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": report submitted by Australia
NPT/CONF.2010/PC.I/4	Steps to promote the achievement of a nuclear-weapon-free zone in the Middle East and the realization of the goals and objectives of the 1995 resolution on the Middle East: report submitted by Australia
NPT/CONF.2010/PC.I/5	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": national report of Mexico
NPT/CONF.2010/PC.I/6	Steps taken to implement the United Nations study on disarmament and non-proliferation education: national report of Mexico
NPT/CONF.2010/PC.I/7	Multilateralization of the nuclear fuel cycle: Food-for-thought paper submitted by Austria
NPT/CONF.2010/PC.I/8	Steps to promote the achievement of a nuclear-weapon-free zone in the Middle East and the realization of the goals and objectives of the 1995 resolution on the Middle East: report submitted by Canada
NPT/CONF.2010/PC.I/9	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Canada
NPT/CONF.2010/PC.I/10	United Kingdom report on implementation of the 1995 resolution on the Middle East

NPT/CONF.2010/PC.I/11	Implementation of article VI and paragraph 4 (c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament": report submitted by the Republic of Korea
NPT/CONF.2010/PC.I/12	Steps to advance the Middle East peace process and to promote the establishment of a nuclear-weapon-free zone in the Middle East: report submitted by China
NPT/CONF.2010/PC.I/13	Implementation of article VI: report submitted by the Islamic Republic of Iran
NPT/CONF.2010/PC.I/14	Establishment of a nuclear-weapon-free zone in the Middle East: report submitted by the Islamic Republic of Iran
NPT/CONF.2010/PC.I/15	Agenda
NPT/CONF.2010/PC.I/16	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": report submitted by Malaysia
NPT/CONF.2010/PC.I/17	Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by New Zealand
NPT/CONF.2010/PC.I/18	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": report submitted by Norway
NPT/CONF.2010/PC.I/19	Note verbale dated 10 May 2007 from the Permanent Mission of Cuba, on behalf of the Group of States Parties to the NPT that are members of the Non-Aligned Movement
NPT/CONF.2010/PC.I/20	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": report submitted by Ireland
NPT/CONF.2010/PC.I/21	Partnerships for peaceful nuclear cooperation: United States support for article IV of the Treaty on the Non-Proliferation of Nuclear Weapons, submitted by the United States of America

NPT/CONF.2010/PC.I/22	Report of the Preparatory Committee on its first session
NPT/CONF.2010/PC.I/WP.1	Working paper submitted by the Syrian Arab Republic on substantive questions to be considered at the first meeting of the Preparatory Committee for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.2010/PC.I/WP.2	Working paper submitted by Japan
NPT/CONF.2010/PC.I/WP.3	Japan's efforts in disarmament and non-proliferation education: working paper submitted by Japan
NPT/CONF.2010/PC.I/WP.4	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: report submitted by Japan
NPT/CONF.2010/PC.I/WP.5	Verification: working paper presented by the members of the Group of Non-Aligned States parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.2010/PC.I/WP.6	Procedural and other arrangements for the effective and successful outcome of the Preparatory Committee and 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons: working paper presented by the members of the Group of Non-Aligned States parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.2010/PC.I/WP.7	Regional issues: Middle East: working paper presented by the members of the Group of Non-Aligned States parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.2010/PC.I/WP.8	Nuclear disarmament: working paper presented by the members of the Group of Non-Aligned States parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.2010/PC.I/WP.9	Nuclear testing: working paper presented by the members of the Group of Non-Aligned States parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.2010/PC.I/WP.10	Security assurances: working paper presented by the members of the Group of Non-Aligned States parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.2010/PC.I/WP.11	Nuclear-weapon-free zones: working paper presented by the members of the Group of Non-Aligned States parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.2010/PC.I/WP.12	Safeguards: working paper presented by the members of the Group of Non-Aligned States parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.2010/PC.I/WP.13	Implementation of the 1995 resolution and 2000 outcome on the Middle East: working paper submitted by Egypt
NPT/CONF.2010/PC.I/WP.14	Some principal and substantive issues relating to the effectiveness of the Treaty and its review process: working paper submitted by Egypt
NPT/CONF.2010/PC.I/WP.15	Working paper submitted by Ireland on behalf of Brazil, Egypt, Ireland, Mexico, New Zealand, South Africa and Sweden as members of the New Agenda Coalition
NPT/CONF.2010/PC.I/WP.16	Peaceful uses of nuclear energy: working paper submitted by the members of the Group of Non-Aligned States parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.2010/PC.I/WP.17	Model Nuclear Weapons Convention: working paper submitted by Costa Rica
NPT/CONF.2010/PC.I/WP.18	Challenges of non-proliferation non-compliance: working paper submitted by the United States of America
NPT/CONF.2010/PC.I/WP.19	Disarmament, the United States and the Treaty on the Non-Proliferation of Nuclear Weapons: working paper submitted by the United States of America
NPT/CONF.2010/PC.I/WP.20	Facilitating disarmament: working paper submitted by the United States of America
NPT/CONF.2010/PC.I/WP.21	Achieving and sustaining nuclear weapons elimination: working paper submitted by the United States of America
NPT/CONF.2010/PC.I/WP.22	Article X of the Treaty on the Non-Proliferation of Nuclear Weapons: deterring and responding to withdrawal by Treaty violators: working paper submitted by the United States of America

NPT/CONF.2010/PC.I/WP.23	Promoting expanded and responsible peaceful uses of nuclear energy: working paper submitted by the United States of America
NPT/CONF.2010/PC.I/WP.24	Safeguards and nuclear security: working paper submitted by the United States of America
NPT/CONF.2010/PC.I/WP.25	Withdrawal from the Treaty on the Non-Proliferation of Nuclear Weapons: European Union common approach: working paper submitted by the European Union
NPT/CONF.2010/PC.I/WP.26	Fissile Material Cut-off Treaty as the next logical multilateral instrument to be negotiated for the cessation of the nuclear arms race and nuclear disarmament in accordance with article VI of the NPT: working paper submitted by the European Union
NPT/CONF.2010/PC.I/WP.27	Security assurances: working paper submitted by Italy
NPT/CONF.2010/PC.I/WP.28	Implementation of the resolution on the Middle East adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons: working paper submitted by Oman on behalf of the States members of the League of Arab States
NPT/CONF.2010/PC.I/WP.29	Cluster one: nuclear disarmament and negative security assurances: working paper submitted by Canada
NPT/CONF.2010/PC.I/WP.30	Preparing for a successful Review Conference 2010: working paper submitted by the European Union
NPT/CONF.2010/PC.I/WP.31	Perspectives on issues related to cluster 1: working paper submitted by Australia
NPT/CONF.2010/PC.I/WP.32	Perspectives on issues related to cluster 2: working paper submitted by Australia
NPT/CONF.2010/PC.I/WP.33	Perspectives on issues related to cluster three: working paper submitted by Australia
NPT/CONF.2010/PC.I/WP.34	Perspectives on issues related to article X of the Treaty on the Non-Proliferation of Nuclear Weapons: working paper submitted by Australia
NPT/CONF.2010/PC.I/WP.35	Australia's commitment to article IV of the NPT: paper submitted by Australia
NPT/CONF.2010/PC.I/WP.36	Perspectives on issues related to nuclear terrorism: working paper submitted by Australia

NPT/CONF.2010/PC.I/WP.37	Nuclear security: working paper submitted by the European Union
NPT/CONF.2010/PC.I/WP.38	Export controls: working paper submitted by the European Union
NPT/CONF.2010/PC.I/WP.39	Verification and safeguards: Working paper submitted by the European Union
NPT/CONF.2010/PC.I/WP.40	Cluster two: non-proliferation and safeguards: working paper submitted by Canada
NPT/CONF.2010/PC.I/WP.41	Cluster three: peaceful uses of nuclear energy: working paper submitted by Canada
NPT/CONF.2010/PC.I/WP.42	Other provisions: institutional reform, article X and withdrawal: working paper submitted by Canada
NPT/CONF.2010/PC.I/WP.43	Security assurances: working paper submitted by China
NPT/CONF.2010/PC.I/WP.44	Peaceful uses of nuclear energy: working paper submitted by China
NPT/CONF.2010/PC.I/WP.45	Nuclear-weapon-free zone: working paper submitted by China
NPT/CONF.2010/PC.I/WP.46	Nuclear disarmament and reduction of the danger of nuclear war: working paper submitted by China
NPT/CONF.2010/PC.I/WP.47	Non-proliferation of nuclear weapons: working paper submitted by China
NPT/CONF.2010/PC.I/WP.48	Nuclear issues in the Middle East: working paper submitted by China
NPT/CONF.2010/PC.I/WP.49	International Atomic Energy Agency: Fiftieth anniversary and ongoing contribution to the NPT: working paper by Australia, Austria, Canada, Denmark, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden
NPT/CONF.2010/PC.I/WP.50	Article III and preambular paragraphs 4 and 5, especially in their relationship to article IV and preambular paragraphs 6 and 7: compliance and verification: working paper by Australia, Austria, Canada, Denmark, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden
NPT/CONF.2010/PC.I/WP.51	Article III and preambular paragraphs 4 and 5, especially in their relationship to article IV and preambular paragraphs 6 and 7: physical protection and illicit trafficking: working paper by Australia, Austria, Canada, Denmark, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden

NPT/CONF.2010/PC.I/WP.52	Article III and preambular paragraphs 4 and 5, especially in their relationship to article IV and preambular paragraphs 6 and 7: export controls: working paper submitted by Australia, Austria, Canada, Denmark, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden
NPT/CONF.2010/PC.I/WP.53	Article III (3) and article IV, preambular paragraphs 6 and 7, especially in their relationship to article III (1), (2) and (4) and preambular paragraphs 4 and 5: nuclear safety: working paper by Australia, Austria, Canada, Denmark, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden
NPT/CONF.2010/PC.I/WP.54	Article V and article VI and preambular paragraphs 8 to 12: Comprehensive Nuclear-Test-Ban Treaty: working paper by Australia, Austria, Canada, Denmark, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden
NPT/CONF.2010/PC.I/WP.55	Article III (3) and article IV, preambular paragraphs 6 and 7, especially in their relationship to article III (1), (2) and (4) and preambular paragraphs 4 and 5: approaches to the nuclear fuel cycle: working paper by Australia, Austria, Canada, Denmark, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden
NPT/CONF.2010/PC.I/WP.56	Article III (3) and article IV, preambular paragraphs 6 and 7, especially in their relationship to article III (1), (2) and (4) and preambular paragraphs 4 and 5: cooperation in the peaceful uses of nuclear energy: working paper by Australia, Austria, Canada, Denmark, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden
NPT/CONF.2010/PC.I/WP.57	Cluster one: article VII: working paper submitted by Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan
NPT/CONF.2010/PC.I/WP.58	Establishment of a nuclear-weapon-free zone in the Middle East: working paper submitted by the Islamic Republic of Iran
NPT/CONF.2010/PC.I/WP.59	Working paper on disarmament submitted by the United Kingdom of Great Britain and Northern Ireland
NPT/CONF.2010/PC.I/WP.60	Working paper on cluster 2 issues submitted by the United Kingdom of Great Britain and Northern Ireland

NPT/CONF.2010/PC.I/WP.61	Multilateralization of the nuclear fuel cycle/ guarantees of access to the peaceful uses of nuclear energy: working paper submitted by the European Union
NPT/CONF.2010/PC.I/WP.62	Environmental consequences of uranium mining: working paper submitted by Kyrgyzstan, on behalf of Kyrgyzstan, Kazakhstan, Tajikistan, Turkmenistan and Uzbekistan
NPT/CONF.2010/PC.I/WP.63	Cluster I: working paper submitted by Norway
NPT/CONF.2010/PC.I/WP.64	Cluster II: working paper submitted by Norway
NPT/CONF.2010/PC.I/WP.65	Cluster III: working paper submitted by Norway
NPT/CONF.2010/PC.I/WP.66	Nuclear power development: meeting the world's energy needs and fulfilling article IV: working paper submitted by Canada, France and the Republic of Korea
NPT/CONF.2010/PC.I/WP.67	The question of the agenda of the first session of the Preparatory Committee for the 2010 NPT Review Conference: working paper submitted by the Islamic Republic of Iran
NPT/CONF.2010/PC.I/WP.68	Regional issues and security assurances: working paper submitted by the Islamic Republic of Iran
NPT/CONF.2010/PC.I/WP.69	Working paper submitted by the Islamic Republic of Iran
NPT/CONF.2010/PC.I/WP.70	Nuclear disarmament: working paper submitted by the Islamic Republic of Iran
NPT/CONF.2010/PC.I/WP.71	Nuclear-weapon-free zones: working paper submitted by Peru, as Chairman of the Latin American and Caribbean Group, on behalf of the States parties to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) represented at the first session of the Preparatory Committee for the 2010 NPT Review Conference
NPT/CONF.2010/PC.I/WP.72	Nuclear disarmament and security assurances: working paper submitted by the Republic of Korea
NPT/CONF.2010/PC.I/WP.73	Nuclear non-proliferation and non-compliance: working paper submitted by the Republic of Korea
NPT/CONF.2010/PC.I/WP.74	Working paper submitted by Palestine
NPT/CONF.2010/PC.I/WP.75	Peaceful uses of nuclear energy: working paper submitted by the Islamic Republic of Iran
NPT/CONF.2010/PC.I/WP.76	New Zealand perspective on issues under cluster III

NPT/CONF.2010/PC.I/WP.77	Non-proliferation and the Middle East: working paper submitted by the United States of America
NPT/CONF.2010/PC.I/WP.78	Chairman's working paper
NPT/CONF.2010/PC.I/CRP.1	Dates and venues for further sessions of the Preparatory Committee and for the 2010 Review Conference: draft proposal by the Chairman
NPT/CONF.2010/PC.I/CRP.2	Financing of the Review Conference, including its Preparatory Committee (draft decision)
NPT/CONF.2010/PC.I/CRP.3	Draft report of the Preparatory Committee on its first session
NPT/CONF.2010/PC.I/INF.1	Information note
NPT/CONF.2010/PC.I/INF.2*	List of non-governmental organizations
NPT/CONF.2010/PC.I/INF.3 and Rev.1, 2 and 3	Indicative timetable
NPT/CONF.2010/PC.I/INF.4 and Rev.1	Proposed indicative timetable
NPT/CONF.2010/PC.I/INF.5	List of officers and telephone numbers
NPT/CONF.2010/PC.I/INF.6 and Add.1 and Corr.1	List of participants
NPT/CONF.2010/PC.I/INF.7	Proposed indicative timetable (week 2)
NPT/CONF.2010/PC.I/MISC.1	Provisional list of participants

Second session

NPT/CONF.2010/PC.II/1	Estimated cost of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.2010/PC.II/2	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Canada
NPT/CONF.2010/PC.II/3	Steps to promote the achievement of a nuclear-weapon-free zone in the Middle East and the realization of the goals and objectives of the 1995 resolution on the Middle East: report submitted by Canada
NPT/CONF.2010/PC.II/4	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": report submitted by Japan

NPT/CONF.2010/PC.II/5	Steps to promote the achievement of a nuclear-weapon-free zone in the Middle East and the realization of the goals and objectives of the 1995 resolution on the Middle East: report submitted by Japan
NPT/CONF.2010/PC.II/6	Establishment of a nuclear-weapon-free zone in the Middle East: report submitted by the Islamic Republic of Iran
NPT/CONF.2010/PC.II/7	Implementation of article VI: report submitted by the Islamic Republic of Iran
NPT/CONF.2010/PC.II/8	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": report submitted by Australia
NPT/CONF.2010/PC.II/9	Steps to promote the achievement of a nuclear-weapon-free zone in the Middle East and the realization of the goals and objectives of the 1995 resolution on the Middle East: report submitted by Australia
NPT/CONF.2010/PC.II/10	Implementation of article VI and paragraph 4 (c) of the 1995 decision on principles and objectives for nuclear non-proliferation and disarmament: report submitted by Romania
NPT/CONF.2010/PC.II/11 and Corr.1	Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by New Zealand
NPT/CONF.2010/PC.II/12	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": report submitted by Norway
NPT/CONF.2010/PC.II/13	Report of the Preparatory Committee on its second session
NPT/CONF.2010/PC.II/WP.1	Nuclear-weapon-free zones: working paper submitted by Mongolia
NPT/CONF.2010/PC.II/WP.2	Implementation of the resolution on the Middle East adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons: working paper submitted by the Syrian Arab Republic on behalf of the States members of the League of Arab States

NPT/CONF.2010/PC.II/WP.3	Establishment of a nuclear-weapon-free zone in the Middle East: working paper submitted by the Islamic Republic of Iran
NPT/CONF.2010/PC.II/WP.4	The issue of non-compliance with articles I, III, IV and VI: working paper submitted by the Islamic Republic of Iran
NPT/CONF.2010/PC.II/WP.5	Nuclear disarmament: working paper submitted by the Islamic Republic of Iran
NPT/CONF.2010/PC.II/WP.6	Peaceful uses of nuclear energy: working paper submitted by the Islamic Republic of Iran
NPT/CONF.2010/PC.II/WP.7	Cluster 2: Non-Proliferation and Safeguards "towards the strengthening of the IAEA safeguards system and the universal application of the Additional Protocol": working paper submitted by Japan
NPT/CONF.2010/PC.II/WP.8	Cluster 3: peaceful uses of nuclear energy and Japan's experience: working paper submitted by Japan
NPT/CONF.2010/PC.II/WP.9	Disarmament and non-proliferation education: working paper submitted by Japan
NPT/CONF.2010/PC.II/WP.10	Cluster 1: nuclear disarmament: working paper submitted by Japan
NPT/CONF.2010/PC.II/WP.11	Perspectives on issues related to withdrawal from the Treaty on the Non-Proliferation of Nuclear Weapons: bolstering the benefits of the Treaty regime to prevent withdrawal: working paper submitted by Japan
NPT/CONF.2010/PC.II/WP.12	Article III and preambular paragraphs 4 and 5, especially in their relationship to article IV and preambular paragraphs 6 and 7 (compliance and verification): working paper submitted by Australia, Austria, Canada, Denmark, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden (Vienna Group of 10)
NPT/CONF.2010/PC.II/WP.13	Article III and preambular paragraphs 4 and 5, especially in their relationship to article IV and preambular paragraphs 6 and 7, physical protection and illicit trafficking: working paper submitted by Australia, Austria, Canada, Denmark, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden (Vienna Group of 10)

NPT/CONF.2010/PC.II/WP.14	Article V, article VI and preambular paragraphs 8 to 12: comprehensive Nuclear-Test Ban Treaty: working paper submitted by Australia, Austria, Canada, Denmark, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden (Vienna Group of 10)
NPT/CONF.2010/PC.II/WP.15	Article III and preambular paragraphs 4 and 5, especially in their relationship to article IV and preambular paragraphs 6 and 7, export controls: working paper submitted by Australia, Austria, Canada, Denmark, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden (Vienna Group of 10)
NPT/CONF.2010/PC.II/WP.16	Article III (3) and IV, preambular paragraphs 6 and 7, especially in their relationship to article III (1), (2) and (4) and preambular paragraphs 4 and 5, approaches to the nuclear fuel cycle: working paper submitted by Australia, Austria, Canada, Denmark, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden (Vienna Group of 10)
NPT/CONF.2010/PC.II/WP.17	Article III (3) and IV, preambular paragraphs 6 and 7, especially in their relationship to article III (1), (2) and (4) and preambular paragraphs 4 and 5, nuclear safety: working paper submitted by Australia, Austria, Canada, Denmark, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden (Vienna Group of 10)
NPT/CONF.2010/PC.II/WP.18	Article III (3) and IV, preambular paragraphs 6 and 7, especially in their relationship to article III (1), (2) and (4) and preambular paragraphs 4 and 5, cooperation in the peaceful uses of nuclear energy: working paper submitted by Australia, Austria, Canada, Denmark, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden (Vienna Group of 10)
NPT/CONF.2010/PC.II/WP.19	Substantive issues on the implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: working paper submitted by the Syrian Arab Republic
NPT/CONF.2010/PC.II/WP.20	Establishing a nuclear-weapon-free zone in the Middle East: working paper submitted by Egypt
NPT/CONF.2010/PC.II/WP.21	Creating a new momentum for a fissile material cut-off treaty: working paper submitted by Germany

NPT/CONF.2010/PC.II/WP.22	Working towards a successful 2010 Review Conference: working paper submitted by Germany
NPT/CONF.2010/PC.II/WP.23	Nuclear-weapon-free zone treaties: working paper submitted by Slovenia on behalf of the European Union
NPT/CONF.2010/PC.II/WP.24	Other provisions of the Treaty, including article X: working paper submitted by the Islamic Republic of Iran
NPT/CONF.2010/PC.II/WP.25	Negative security assurances: working paper submitted by the Islamic Republic of Iran
NPT/CONF.2010/PC.II/WP.26	New Agenda Coalition paper: submitted by New Zealand on behalf of Brazil, Egypt, Ireland, Mexico, New Zealand, South Africa and Sweden as members of the New Agenda Coalition
NPT/CONF.2010/PC.II/WP.27	Compliance and the Treaty on the Non-Proliferation of Nuclear Weapons: working paper submitted by the United States of America
NPT/CONF.2010/PC.II/WP.28	Non-proliferation: working paper submitted by the Islamic Republic of Iran
NPT/CONF.2010/PC.II/WP.29	Article X: withdrawal: working paper submitted by the Republic of Korea
NPT/CONF.2010/PC.II/WP.30	Challenges to the Treaty on the Non-Proliferation of Nuclear Weapons: working paper submitted by Egypt
NPT/CONF.2010/PC.II/WP.31	Cluster I: Article VII: working paper submitted by Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan
NPT/CONF.2010/PC.II/WP.32	“To ensure access to nuclear fuel supply and enrichment services” — Multilateral Enrichment Sanctuary Project: working paper submitted by Germany
NPT/CONF.2010/PC.II/WP.33	Non-proliferation and the Middle East: working paper submitted by the United States of America
NPT/CONF.2010/PC.II/WP.34	Compliance with the provisions of the Treaty: working paper submitted by the Syrian Arab Republic
NPT/CONF.2010/PC.II/WP.35	Commitment of the United States of America to the Treaty: international cooperation on nuclear power: working paper submitted by the United States of America
NPT/CONF.2010/PC.II/WP.36	Preparing for a successful Review Conference 2010: working paper submitted by Ukraine

NPT/CONF.2010/PC.II/WP.37	Procedures in relation to exports of nuclear materials and certain categories of equipment and material in relation to article III (2) of the Treaty: working paper submitted by Argentina, Australia, Austria, Belgium, Bulgaria, Canada, China, Croatia, the Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Luxembourg, the Netherlands, Norway, Poland, Portugal, the Republic of Korea, Romania, the Russian Federation, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Turkey, Ukraine, the United Kingdom of Great Britain and Northern Ireland and the United States of America as members of the Zangger Committee and Costa Rica, Cyprus, Estonia, Kyrgyzstan, Latvia, Lithuania, Malta and New Zealand as additional co-sponsors
NPT/CONF.2010/PC.II/WP.38	Improving the effectiveness of the methods of work of the Treaty review process: working paper submitted by the United States of America
NPT/CONF.2010/PC.II/WP.39	Financing the Treaty review process: working paper submitted by the United States of America
NPT/CONF.2010/PC.II/WP.40	Nuclear power development: meeting the world's energy needs and fulfilling article IV: working paper submitted by Canada, Estonia, France, the Republic of Korea, Poland, Romania, Ukraine and the United Kingdom of Great Britain and Northern Ireland
NPT/CONF.2010/PC.II/WP.41	Expanding international civil nuclear cooperation: working paper presented by France, Thailand, the United Kingdom of Great Britain and Northern Ireland and the United States of America
NPT/CONF.2010/PC.II/WP.42	Deterring and responding to withdrawal from the Treaty on the Non-Proliferation of Nuclear Weapons by Treaty violators: working paper presented by the Republic of Korea and the United States of America
NPT/CONF.2010/PC.II/WP.43	Chairman's working paper
NPT/CONF.2010/PC.II/DEC.1	Decisions adopted by the Committee
NPT/CONF.2010/PC.II/CRP.1	Draft decisions on the organization of work of the Preparatory Committee and the 2010 Review Conference (decisions 1 to 3)

NPT/CONF.2010/PC.II/CRP.2	Draft decisions on the organization of work of the Preparatory Committee and the 2010 Review Conference (decisions 4 to 6)
NPT/CONF.2010/PC.II/CRP.3	Revised draft decisions on the organization of work of the Preparatory Committee and the 2010 Review Conference (revised draft decisions 2 and 3)
NPT/CONF.2010/PC.II/CRP.4	Draft report of the Preparatory Committee on its second session
NPT/CONF.2010/PC.II/INF.1	Dates and venue: Information note
NPT/CONF.2010/PC.II/INF.2	Indicative timetable: Information note
NPT/CONF.2010/PC.II/INF.3 and Rev.1	Indicative timetable: Information note
NPT/CONF.2010/PC.II/INF.3 and Rev.2	Indicative timetable — Information for week 2
NPT/CONF.2010/PC.II/INF.4 and Rev.1	List of non-governmental organizations
NPT/CONF.2010/PC.II/INF.5	List of Secretariat officers and telephone numbers
NPT/CONF.2010/PC.II/INF.6	List of participants
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Third session

NPT/CONF.2010/PC.III/1 and Add.1	Financial report
NPT/CONF.2010/PC.III/2	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”: report submitted by Japan
NPT/CONF.2010/PC.III/3	Steps to promote the achievement of a nuclear-weapon-free zone in the Middle East and the realization of the goals and objectives of the 1995 resolution on the Middle East: report submitted by Australia
NPT/CONF.2010/PC.III/4	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Canada

NPT/CONF.2010/PC.III/5	Steps to promote the achievement of a nuclear-weapon-free zone in the Middle East and the realization of the goals and objectives of the 1995 resolution on the Middle East: report submitted by Canada
NPT/CONF.2010/PC.III/6	Implementation of article VI: report submitted by the Islamic Republic of Iran
NPT/CONF.2010/PC.III/7	Establishment of a nuclear-weapon-free zone in the Middle East: report submitted by the Islamic Republic of Iran
NPT/CONF.2010/PC.III/8	Chairman's statement at the conclusion of the meeting of focal points of nuclear-weapon-free zones and Mongolia
NPT/CONF.2010/PC.III/9	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": report submitted by Australia
NPT/CONF.2010/PC.III/10	Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by the Government of New Zealand
NPT/CONF.2010/PC.III/WP.1	Establishment of a nuclear-weapon-free zone in the Middle East: working paper submitted by the Islamic Republic of Iran
NPT/CONF.2010/PC.III/WP.2	The issue of negative security assurances: working paper submitted by the Islamic Republic of Iran
NPT/CONF.2010/PC.III/WP.3	The issue of non-compliance with articles I, III, IV and VI: working paper submitted by the Islamic Republic of Iran
NPT/CONF.2010/PC.III/WP.4	Other provisions of the Treaty, including article X: working paper submitted by the Islamic Republic of Iran
NPT/CONF.2010/PC.III/WP.5	Nuclear disarmament: working paper submitted by the Islamic Republic of Iran
NPT/CONF.2010/PC.III/WP.6	Non-proliferation: working paper submitted by the Islamic Republic of Iran
NPT/CONF.2010/PC.III/WP.7	Peaceful research, production and use of nuclear energy: working paper submitted by the Islamic Republic of Iran

NPT/CONF.2010/PC.III/WP.8	Strengthening the Review Process of the Treaty on the Non-Proliferation of Nuclear Weapons: working paper submitted by Canada
NPT/CONF.2010/PC.III/WP.9	Working paper submitted by the Syrian Arab Republic to the Preparatory Committee for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons: Substantive issues in the implementation of the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.2010/PC.III/WP.10	Working paper submitted by the Libyan Arab Jamahiriya to the Preparatory Committee for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.2010/PC.III/WP.11	Working paper submitted by Sweden on behalf of Brazil, Egypt, Ireland, Mexico, New Zealand, South Africa and Sweden as members of the New Agenda Coalition
NPT/CONF.2010/PC.III/WP.12	Cluster two: Article VII: working paper submitted by Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan
NPT/CONF.2010/PC.III/WP.13	Eleven benchmarks for global nuclear disarmament: working paper submitted by Japan
NPT/CONF.2010/PC.III/WP.14	Article III and preambular paragraphs 4 and 5, especially in their relationship to article IV and preambular paragraphs 6 and 7 (compliance and verification): working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden (“the Vienna Group of Ten”)
NPT/CONF.2010/PC.III/WP.15	Article V, article VI and preambular paragraphs 8 to 12 of the Comprehensive Nuclear-Test-Ban Treaty: working paper by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden (“the Vienna Group of Ten”)
NPT/CONF.2010/PC.III/WP.16	Article III and preambular paragraphs 4 and 5, especially in their relationship to article IV and preambular paragraphs 6 and 7 (export controls): working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden (“the Vienna Group of Ten”)

NPT/CONF.2010/PC.III/WP.17	Article III (3) and article IV, preambular paragraphs 6 and 7, especially in their relationship to article III (1), (2) and (4) and preambular paragraphs 4 and 5 (nuclear safety): working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden (Vienna Group of 10)
NPT/CONF.2010/PC.III/WP.18	Article III, paragraph 3, article IV and preambular paragraphs 6 and 7, especially in their relationship to article III, paragraphs 1, 2 and 4, and preambular paragraphs 4 and 5 (Cooperation in the peaceful uses of nuclear energy): working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden ("the Vienna Group of Ten")
NPT/CONF.2010/PC.III/WP.19	Article III and preambular paragraphs 4 and 5, especially in their relationship to article IV and preambular paragraphs 6 and 7 (physical protection and illicit trafficking): working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden ("the Vienna Group of Ten")
NPT/CONF.2010/PC.III/WP.20	Implementation of the 1995 resolution and 2000 outcome on the Middle East: the final outcome of the last session of the Preparatory Committee: working paper submitted by Egypt
NPT/CONF.2010/PC.III/WP.21	Implementation of the 1995 resolution and 2000 outcome on the Middle East: working paper submitted by Palestine
NPT/CONF.2010/PC.III/WP.22	Principles of fuel supply guarantees and the multilateralization of fuel cycle activities: working paper submitted by Germany and the Russian Federation
NPT/CONF.2010/PC.III/WP.23	Arab working paper submitted by the United Arab Emirates on behalf of the Group of Arab States, which are States members of the League of Arab States to the third session of the Preparatory Committee for the 2010 Non-Proliferation Treaty Review Conference, New York, 4-15 May 2009: Implementation of the resolution on the Middle East adopted by the 1995 Review and Extension Conference of the NPT

NPT/CONF.2010/PC.III/WP.24	The future of the Treaty on the Non-Proliferation of Nuclear Weapons: effectiveness and future challenges: working paper submitted by the United Arab Emirates on behalf of the States members of the League of Arab States
NPT/CONF.2010/PC.III/WP.25	Development of the initiative of the Russian Federation to establish a reserve of low enriched uranium (LEU) for the supply of LEU to the International Atomic Energy Agency for its member States: working paper submitted by the Russian Federation
NPT/CONF.2010/PC.III/WP.26	Working paper on forward-looking proposals of the European Union on all three pillars of the Treaty on the Non-Proliferation of Nuclear Weapons to be part of an action plan adopted by the 2010 Review Conference
NPT/CONF.2010/PC.III/WP.27	The European Union and the Comprehensive Nuclear-Test-Ban Treaty working paper
NPT/CONF.2010/PC.III/WP.28	Multilateral approaches to the nuclear fuel cycle: working paper submitted by the Republic of Korea
NPT/CONF.2010/PC.III/WP.29	Environmental consequences of uranium mining: working paper submitted by Kyrgyzstan on behalf of Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan
NPT/CONF.2010/PC.III/WP.30	Substantive recommendations to the third session of the Preparatory Committee and the 2010 Review Conference: working paper submitted by the Group of Non-Aligned States parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.2010/PC.III/WP.31	Progress towards nuclear disarmament by the United States of America: working paper submitted by the United States of America
NPT/CONF.2010/PC.III/WP.32	Contributions of the Latin American and Caribbean States parties to the Treaty of Tlatelolco: working paper submitted by the States parties to the Treaty of Tlatelolco
NPT/CONF.2010/PC.III/WP.33	Working paper submitted by Belgium, Lithuania, the Netherlands, Norway, Poland, Spain and Turkey for consideration at the third session of the Preparatory Committee for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.2010/PC.III/WP.34	Multilateralization of the nuclear fuel cycle: increasing transparency and sustainable security: working paper submitted by Austria
NPT/CONF.2010/PC.III/WP.35	A treaty banning the production of fissile material for nuclear weapons or other nuclear-explosive devices as the next logical multilateral instrument to be negotiated for the cessation of the nuclear arms race and nuclear disarmament in accordance with article VI of the Treaty on the Non-Proliferation of Nuclear Weapons: working paper submitted by the European Union
NPT/CONF.2010/PC.III/WP.36	Nuclear disarmament: France's practical commitment: working paper submitted by France
NPT/CONF.2010/PC.III/WP.37	Nuclear disarmament: a concrete step by France — Visit to France's former fissile material production facilities for nuclear weapons: working paper submitted by France
NPT/CONF.2010/PC.III/WP.38	Japan's activities in technical cooperation related to the peaceful uses of nuclear energy: working paper submitted by Japan
NPT/CONF.2010/PC.III/WP.39	Nuclear power development: meeting the world's energy needs and fulfilling article IV: working paper submitted by Canada, Estonia, France, Poland, the Republic of Korea, Romania, Ukraine and the United Kingdom of Great Britain and Northern Ireland
NPT/CONF.2010/PC.III/WP.40	Working paper on procedures in relation to exports of nuclear materials and certain categories of equipment and material in relation to article III (2) of the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.2010/PC.III/DEC.1	Record of decisions
NPT/CONF.2010/PC.III/CRP.1	Draft rules of procedure for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.2010/PC.III/CRP.2	Draft decision on adjustment to the dates of the Review Conference
NPT/CONF.2010/PC.III/CRP.3	Draft provisional agenda
NPT/CONF.2010/PC.III/CRP.4 and Rev.1 and 2	Draft Recommendations to the Review Conference
NPT/CONF.2010/PC.III/CRP.5	Draft decision on background documentation
NPT/CONF.2010/PC.III/CRP.6	Draft decision on the allocation of items to the Main Committees of the Review Conference

NPT/CONF.2010/PC.III/CRP.7	Draft final report of the Preparatory Committee for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.2010/PC.III/INF.1	Information note
NPT/CONF.2010/PC.III/INF.2	Programme of Work
NPT/CONF.2010/PC.III/INF.3	Indicative timetable
NPT/CONF.2010/PC.III/INF.4	List of non-governmental organizations
NPT/CONF.2010/PC.III/INF.5	List of Secretariat Officers and telephone numbers
NPT/CONF.2010/PC.III/INF.6 and Add.1	List of participants
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Annex III

Draft rules of procedure

I. Representation and credentials

Delegations of Parties to the Treaty
Rule 1

1. Each State Party to the Treaty on the Non-Proliferation of Nuclear Weapons (hereinafter "the Treaty") may be represented at the Conference of the Parties to the Treaty (hereinafter the "Conference") by a head of delegation and such other representatives, alternate representatives and advisers as may be required.

2. The head of delegation may designate an alternate representative or an adviser to act as a representative.

Credentials
Rule 2

The credentials of representatives and the names of alternate representatives and advisers shall be submitted to the Secretary-General of the Conference, if possible not less than one week before the date fixed for the opening of the Conference. Credentials shall be issued either by the head of the State or Government or by the Minister for Foreign Affairs.

Credentials Committee
Rule 3

The Conference shall establish a Credentials Committee composed of the Chairman and two Vice-Chairmen elected in accordance with rule 5, and six members appointed by the Conference on the proposal of the President. The Committee shall examine the credentials of representatives and report to the Conference without delay.

Provisional participation
Rule 4

Pending a decision of the Conference upon their credentials, representatives shall be entitled to participate provisionally in the Conference.

II. Officers

Election
Rule 5

The Conference shall elect the following officers: a President and thirty-four Vice-Presidents, as well as a Chairman and two Vice-Chairmen for each of the three Main Committees, the Drafting Committee and the Credentials Committee. The officers shall be elected so as to ensure a representative distribution of posts.

Acting President
Rule 6

1. If the President is absent from a meeting or any part thereof, he shall designate a Vice-President to take his place.

2. A Vice-President acting as President shall have the same powers and duties as the President.

Voting rights of the President
Rule 7

The President, or a Vice-President acting as President, shall not vote, but shall appoint another member of his delegation to vote in his place.

III. General Committee

Composition
Rule 8

1. The General Committee shall be composed of the President of the Conference, who shall preside, the thirty-four Vice-Presidents, the Chairmen of the three Main Committees, the Chairman of the Drafting Committee and the Chairman of the Credentials Committee. No two members of the General Committee shall be members of the same delegation and it shall be so constituted as to ensure its representative character.

2. If the President is unable to attend a meeting of the General Committee, he may designate a Vice-President to preside at such meeting and a member of his delegation to take his place. If a Vice-President is unable to attend, he may designate a member of his delegation to take his place. If the Chairman of a Main Committee, the Drafting Committee or the Credentials Committee is unable to attend, he may designate one of the Vice-Chairmen to take his place, with the right to vote unless he is of the same delegation as another member of the General Committee.

Functions
Rule 9

The General Committee shall assist the President in the general conduct of the business of the Conference and, subject to the decisions of the Conference, shall ensure the coordination of its work.

IV. Conference Secretariat

Duties of the Secretary-General of the Conference
Rule 10

1. There shall be a Secretary-General of the Conference. He shall act in that capacity in all meetings of the Conference, its committees and subsidiary bodies, and may designate a member of the Secretariat to act in his place at these meetings.

2. The Secretary-General of the Conference shall direct the staff required by the Conference.

Duties of the Secretariat
Rule 11

The Secretariat of the Conference shall, in accordance with these rules:

(a) Interpret speeches made at meetings;

(b) Receive, translate and circulate the documents of the Conference;

(c) Publish and circulate any report of the Conference;

(d) Make and arrange for the keeping of sound recordings and summary records of meetings;

(e) Arrange for the custody of documents of the Conference in the archives of the United Nations and provide authentic copies of these documents to each of the depository Governments; and

(f) Generally perform all other work that the Conference may require.

Costs
Rule 12[2]

The costs of the Conference, including the sessions of the Preparatory Committee, will be met by the States Parties to the Treaty participating in the Conference in accordance with the schedule for the division of costs as shown in the appendix to these Rules.

V. Conduct of business

Quorum
Rule 13

1. A majority of the States Parties to the Treaty participating in the Conference shall constitute a quorum.

2. To determine whether the Conference is quorate, any State Party may call for a roll-call at any time.

General powers of the President
Rule 14

1. In addition to exercising the powers conferred upon him elsewhere by these Rules, the President shall preside at the plenary meetings of the Conference; he shall declare the opening and closing of each meeting, direct the discussion, ensure observance of these Rules, accord the right to speak, ascertain consensus, put questions to the vote and announce decisions. He shall rule on points of order. The President, subject to these Rules, shall have complete control of the proceedings and over the maintenance of order thereat. The President may propose to the Conference

[2] It is understood that the financial arrangements provided by rule 12 do not constitute a precedent.

the closure of the list of speakers, a limitation on the time to be allowed to speakers and on the number of times the representative of each State may speak on the question, the adjournment or the closure of the debate and the suspension or the adjournment of a meeting.

2. The President, in the exercise of his functions, remains under the authority of the Conference.

Points of order
Rule 15

A representative may at any time raise a point of order, which shall be immediately decided by the President in accordance with these Rules. A representative may appeal against the ruling of the President. The appeal shall be immediately put to the vote, and the President's ruling shall stand unless overruled by a majority of the representatives present and voting. A representative may not, in raising a point of order, speak on the substance of the matter under discussion.

Speeches
Rule 16

1. No one may address the Conference without having previously obtained the permission of the President. Subject to rules 15, 17 and 19 to 22, the President shall call upon speakers in the order in which they signify their desire to speak.

2. Debate shall be confined to the subject under discussion and the President may call a speaker to order if his remarks are not relevant thereto.

3. The Conference may limit the time allowed to speakers and the number of times the representative of each State may speak on a question; permission to speak on a motion to set such limits shall be accorded only to two representatives in favour of and to two opposing such limits, after which the motion shall be immediately put to the vote. In any event, the President shall limit interventions on procedural questions to a maximum of five minutes. When the debate is limited and a speaker exceeds the allotted time, the President shall call him to order without delay.

Precedence
Rule 17

The Chairman of a committee may be accorded precedence for the purpose of explaining the conclusion arrived at by his committee.

Closing of list of speakers
Rule 18

During the course of a debate the President may announce the list of speakers and, with the consent of the Conference, declare the list closed. When the debate on an item is concluded because there are no more speakers, the President shall declare the debate closed. Such closure shall have the same effect as closure pursuant to rule 22.

Right of reply
Rule 19

Notwithstanding rule 18, the President may accord the right of reply to a representative of any State participating in the Conference. Such statements shall be as brief as possible and shall, as a general rule, be delivered at the end of the last meeting of the day.

Suspension or adjournment of the meeting
Rule 20

A representative may at any time move the suspension or the adjournment of the meeting. No discussion on such motions shall be permitted and they shall, subject to rule 23, be immediately put to the vote.

Adjournment of debate
Rule 21

A representative may at any time move the adjournment of the debate on the question under discussion. Permission to speak on the motion shall be accorded only to two representatives in favour of and to two opposing the adjournment, after which the motion shall, subject to rule 23, be immediately put to the vote.

Closure of debate
Rule 22

A representative may at any time move the closure of the debate on the question under discussion, whether or not any other representative has signified his wish to speak. Permission to speak on the motion shall be accorded only to two representatives opposing the closure, after which the motion shall, subject to rule 23, be immediately put to the vote.

Order of motions
Rule 23

The motions indicated below shall have precedence in the following order over all proposals or other motions before the meeting:

(a) To suspend the meeting;

(b) To adjourn the meeting;

(c) To adjourn the debate on the question under discussion;

(d) To close the debate on the question under discussion.

Submission of proposals and substantive amendments
Rule 24

Proposals and substantive amendments shall normally be submitted in writing to the Secretary-General of the Conference, who shall circulate copies to all delegations. Unless the Conference decides otherwise, proposals and substantive amendments shall be discussed or decided on no earlier than twenty-four hours after copies have been circulated in all languages of the Conference to all delegations.

Withdrawal of proposals and motions
Rule 25

A proposal or a motion may be withdrawn by its sponsor at any time before a decision on it has been taken, provided that it has not been amended. A proposal or a motion thus withdrawn may be reintroduced by any representative.

Decision on competence
Rule 26

Any motion calling for a decision on the competence of the Conference to adopt a proposal submitted to it shall be decided upon before a decision is taken on the proposal in question.

Reconsideration of proposals
Rule 27

Proposals adopted by consensus may not be reconsidered unless the Conference reaches a consensus on such reconsideration. A proposal that has been adopted or rejected by a majority or two-thirds vote may be reconsidered if the Conference, by a two-thirds majority, so decides. Permission to speak on a motion to reconsider shall be accorded only to two speakers opposing the motion, after which it shall be immediately put to the vote.

VI. Voting and elections

Adoption of decisions
Rule 28

1. The task of the Conference being to review, pursuant to paragraph 3 of article VIII of the Treaty, the operation of the Treaty with a view to ensuring that the purposes of the preamble and the provisions of the Treaty are being realized, and thus to strengthen its effectiveness, every effort should be made to reach agreement on substantive matters by means of consensus. There should be no voting on such matters until all efforts to achieve consensus have been exhausted.

2. Decisions on matters of procedure and in elections shall be taken by a majority of representatives present and voting.

3. If, notwithstanding the best efforts of delegates to achieve a consensus, a matter of substance comes up for voting, the President shall defer the vote for forty-eight hours and during this period of deferment shall make every effort, with the assistance of the General Committee, to facilitate the achievement of general agreement, and shall report to the Conference prior to the end of the period.

4. If by the end of the period of deferment the Conference has not reached agreement, voting shall take place and decisions shall be taken by a two-thirds majority of the representatives present and voting, provided that such majority shall include at least a majority of the States participating in the Conference.

5. If the question arises whether a matter is one of procedure or of substance, the President of the Conference shall rule on the question. An appeal against this ruling shall immediately be put to the vote and the President's ruling shall stand unless the appeal is approved by a majority of the representatives present and voting.

6. In cases where a vote is taken, the relevant rules of procedure relating to voting of the General Assembly of the United Nations shall apply, except as otherwise specifically provided herein.

Voting rights
Rule 29

Every State party to the Treaty shall have one vote.

Meaning of the phrase "representatives present and voting"
Rule 30

For the purposes of these Rules, the phrase "representatives present and voting" means representatives casting an affirmative or negative vote. Representatives who abstain from voting are considered as not voting.

Elections
Rule 31

All elections shall be held by secret ballot, unless the Conference decides otherwise in an election where the number of candidates does not exceed the number of elective places to be filled.

Rule 32

1. If, when only one elective place is to be filled, no candidate obtains in the first ballot the majority required, a second ballot shall be taken, confined to the two candidates having obtained the largest number of votes. If in the second ballot the votes are equally divided, the President shall decide between the candidates by drawing lots.

2. In the case of a tie in the first ballot among the candidates obtaining the second largest number of votes, a special ballot shall be held among such candidates for the purpose of reducing their number to two; similarly, in the case of a tie among three or more candidates obtaining the largest number of votes, a special ballot shall be held; if a tie again results in this special ballot, the President shall eliminate one candidate by drawing lots and thereafter another ballot shall be held in accordance with paragraph 1.

Rule 33

1. When two or more elective places are to be filled at one time under the same conditions, those candidates, in a number not exceeding the number of such places, obtaining in the first ballot the majority required and the largest number of votes shall be elected.

2. If the number of candidates obtaining such majority is less than the number of places to be filled, additional ballots shall be held to fill the remaining places, provided that if only one place remains to be filled the procedures in rule 32 shall be applied. The ballot shall be restricted to the unsuccessful candidates having obtained the largest number of votes in the previous ballot, but not exceeding twice the numbers of places remaining to be filled. However, in the case of a tie between a greater number of unsuccessful candidates, a special ballot shall be held for the purpose of reducing the number of candidates to the required number; if a tie again

results among more than the required number of candidates, the President shall reduce their number to that required by drawing lots.

3. If such a restricted ballot (not counting a special ballot held under the conditions specified in the last sentence of paragraph 2) is inconclusive, the President shall decide among the candidates by drawing lots.

VII. Committees

Main Committees and subsidiary bodies
Rule 34

The Conference shall establish three Main Committees for the performance of its functions. Each such Committee may establish subsidiary bodies so as to provide for a focused consideration of specific issues relevant to the Treaty. As a general rule each State Party to the Treaty participating in the Conference may be represented in the subsidiary bodies unless otherwise decided by consensus.

Representation on the Main Committees
Rule 35

Each State Party to the Treaty participating in the Conference may be represented by one representative on each Main Committee. It may assign to these Committees such alternate representatives and advisers as may be required.

Drafting Committee
Rule 36

1. The Conference shall establish a Drafting Committee composed of representatives of the same States that are represented on the General Committee. It shall coordinate the drafting of and edit all texts referred to it by the Conference or by a Main Committee, without altering the substance of the texts, and report to the Conference or to the Main Committee as appropriate. It shall also, without reopening the substantive discussion on any matter, formulate drafts and give advice on drafting as requested by the Conference or a Main Committee.

2. Representatives of other delegations may also attend the meetings of the Drafting Committee and may participate in its deliberations when matters of particular concern to them are under discussion.

Officers and procedures
Rule 37

The rules relating to officers, the Conference secretariat, conduct of business and voting of the Conference (contained in chaps. II (rules 5-7), IV (rules 10-11), V (rules 13-27) and VI (rules 28-33) above) shall be applicable, mutatis mutandis, to the proceedings of committees and subsidiary bodies, except that:

(a) Unless otherwise decided, any subsidiary body shall elect a chairman and such other officers as it may require;

(b) The Chairmen of the General, the Drafting and the Credentials Committees and the Chairmen of subsidiary bodies may vote in their capacity as representatives of their States;

(c) A majority of the representatives on the General, Drafting and Credentials Committees or on any subsidiary body shall constitute a quorum; the Chairman of a Main Committee may declare a meeting open and permit the debate to proceed when at least one quarter of the representatives of the States participating in the Conference are present.

VIII. Languages and records

Languages of the Conference
Rule 38

Arabic, Chinese, English, French, Russian and Spanish shall be the official languages of the Conference.

Interpretation
Rule 39

1. Speeches made in a language of the Conference shall be interpreted into the other languages.

2. A representative may make a speech in a language other than a language of the Conference if he provides for interpretation into one such language. Interpretation into the other languages of the Conference by interpreters of the Secretariat may be based on the interpretation given in the first such language.

Language of official documents
Rule 40

Official documents shall be made available in the languages of the Conference.

Sound recordings of meetings
Rule 41

Sound recordings of meetings of the Conference and of all committees shall be made and kept in accordance with the practice of the United Nations. Unless otherwise decided by the Main Committee concerned, no such recordings shall be made of the meetings of a subsidiary body thereof.

Summary records
Rule 42

1. Summary records of the plenary meetings of the Conference and of the meetings of the Main Committees shall be prepared by the Secretariat in the languages of the Conference. They shall be distributed in provisional form as soon as possible to all participants in the Conference. Participants in the debate may, within three working days of receipt of provisional summary records, submit to the Secretariat corrections on summaries of their own interventions, in special circumstances, the presiding officer may, in consultation with the Secretary-General of the Conference, extend the time for submitting corrections. Any disagreement concerning such corrections shall be decided by the presiding officer of the body to which the record relates, after consulting, where necessary, the sound recordings of the proceedings. Separate corrigenda to provisional records shall not normally be issued.

2. The summary records, with any corrections incorporated, shall be distributed promptly to participants in the Conference.

IX. Public and private meetings

Rule 43

1. The plenary meetings of the Conference and the meetings of the Main Committees shall be held in public unless the body concerned decides otherwise.

2. Meetings of other organs of the Conference shall be held in private.

X. Participation and attendance

Rule 44

1. Observers

(a) Any other State which, in accordance with article IX of the Treaty, has the right to become a Party thereto but which has neither acceded to it nor ratified it may apply to the Secretary-General of the Conference for observer status, which will be accorded on the decision of the Conference.[3] Such a State shall be entitled to appoint officials to attend meetings of the plenary and of the Main Committees other than those designated closed meetings and to receive documents of the Conference. An observer State shall also be entitled to submit documents for the participants in the Conference.

(b) Any national liberation organization entitled by the General Assembly of the United Nations[4] to participate as an observer in the sessions and the work of the General Assembly, all international conferences convened under the auspices of the General Assembly and all international conferences convened under the auspices of other organs of the United Nations may apply to the Secretary-General of the Conference for observer status, which will be accorded on the decision of the Conference. Such a liberation organization shall be entitled to appoint officials to attend meetings of the plenary and of the Main Committees other than those designated closed meetings and to receive documents of the Conference. An observer organization shall also be entitled to submit documents to the participants in the Conference.

2. The United Nations and the International Atomic Energy Agency

The Secretary-General of the United Nations and the Director General of the International Atomic Energy Agency, or their representatives, shall be entitled to attend meetings of the plenary and of the Main Committees and to receive the Conference documents. They shall also be entitled to submit material, both orally and in writing.

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[3] It is understood that any such decision will be in accordance with the practice of the General Assembly.

[4] Pursuant to General Assembly resolutions 3237 (XXIX) of 22 November 1974, 3280 (XXIX) of 10 December 1974 and 31/152 of 20 December 1976.

3. Specialized agencies and international and regional intergovernmental organizations

The Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, the South Pacific Forum, other international and regional intergovernmental organizations, the Preparatory Commission for the Comprehensive Nuclear Test-Ban Treaty Organization and any specialized agency of the United Nations may apply to the Secretary-General of the Conference for observer agency status, which will be accorded on the decision of the Conference. An observer agency shall be entitled to appoint officials to attend meetings of the plenary and of the Main Committees, other than those designated closed meetings, and to receive the documents of the Conference. The Conference may also invite them to submit, in writing, their views and comments on questions within their competence, which may be circulated as Conference documents.

4. Non-governmental organizations

Representatives of non-governmental organizations who attend meetings of the plenary or of the Main Committees will be entitled upon request to receive the documents of the Conference.

Appendix

(to rule 12)

Schedule for the division of costs

1. The attached schedule shows the allocation of costs between States Parties.

2. The shares designated in the schedule with an asterisk will remain as shown in the schedule. The balance of costs will be divided among the other States Parties in accordance with the United Nations assessment scale prorated to take into account differences between the United Nations membership and the number of States Parties. For States Parties that are not members of the United Nations, the share will be determined on the basis of the similarly prorated scale in force for determining their share.

Schedule

Parties	*Share of total estimated costs (percentage)*
Afghanistan	0.001
Albania	0.004
Algeria	0.063
Andorra	0.006
Angola	0.002
Antigua and Barbuda	0.001
Argentina	0.243
Armenia	0.001
Australia	1.334
Austria	0.662
Azerbaijan	0.004
Bahamas	0.012
Bahrain	0.025
Bangladesh	0.007
Barbados	0.007
Belarus	0.015
Belgium	0.823
Belize	0.001
Benin	0.001
Bhutan	0.001
Bolivia (Plurinational State of)	0.004
Bosnia and Herzegovina	0.004
Botswana	0.010
Brazil	0.654
Brunei Darussalam	0.019

Parties	*Share of total estimated costs (percentage)*
Bulgaria	0.015
Burkina Faso	0.001
Burundi	0.001
Cambodia	0.001
Cameroon	0.007
Canada	2.223
Cape Verde	0.001
Central African Republic	0.001
Chad	0.001
Chile	0.120
China[a]	0.910
Colombia	0.078
Comoros	0.001
Congo	0.001
Costa Rica	0.024
Côte d'Ivoire	0.007
Croatia	0.037
Cuba	0.040
Cyprus	0.033
Czech Republic	0.210
Democratic People's Republic of Korea[b]	0.005
Democratic Republic of the Congo	0.002
Denmark	0.552
Djibouti	0.001
Dominica	0.001
Dominican Republic	0.018
Ecuador	0.016
Egypt	0.066
El Salvador	0.015
Equatorial Guinea	0.001
Eritrea	0.001
Estonia	0.012
Ethiopia	0.002
Fiji	0.002
Finland	0.421
France[a]	7.140
Gabon	0.006
Gambia	0.001
Georgia	0.002
Germany	6.405

Parties	*Share of total estimated costs (percentage)*
Ghana	0.003
Greece	0.445
Grenada	0.001
Guatemala	0.024
Guinea	0.001
Guinea-Bissau	0.001
Guyana	0.001
Haiti	0.001
Holy See	0.001
Honduras	0.004
Hungary	0.182
Iceland	0.028
Indonesia	0.120
Iran (Islamic Republic of)	0.134
Iraq	0.011
Ireland	0.332
Italy	3.793
Jamaica	0.007
Japan	12.414
Jordan	0.009
Kazakhstan	0.022
Kenya	0.007
Kiribati	0.001
Kuwait	0.136
Kyrgyzstan	0.001
Lao People’s Democratic Republic	0.001
Latvia	0.013
Lebanon	0.025
Lesotho	0.001
Liberia	0.001
Libyan Arab Jamahiriya	0.046
Liechtenstein	0.007
Lithuania	0.023
Luxembourg	0.063
Madagascar	0.001
Malawi	0.001
Malaysia	0.142
Maldives	0.001
Mali	0.001
Malta	0.013

Parties	*Share of total estimated costs (percentage)*
Marshall Islands	0.001
Mauritania	0.001
Mauritius	0.008
Mexico	1.685
Micronesia (Federated States of)	0.001
Monaco	0.002
Mongolia	0.001
Montenegro	0.001
Morocco	0.031
Mozambique	0.001
Myanmar	0.004
Namibia	0.004
Nauru	0.001
Nepal	0.002
Netherlands	1.399
New Zealand	0.191
Nicaragua	0.001
Niger	0.001
Nigeria	0.036
Norway	0.584
Oman	0.055
Palau	0.001
Panama	0.017
Papua New Guinea	0.001
Paraguay	0.004
Peru	0.058
Philippines	0.058
Poland	0.374
Portugal	0.394
Qatar	0.063
Republic of Korea	1.623
Republic of Moldova	0.001
Romania	0.052
Russian Federation[a]	8.000
Rwanda	0.001
Saint Kitts and Nevis	0.001
Saint Lucia	0.001
Saint Vincent and the Grenadines	0.001
Samoa	0.001
San Marino	0.002

Parties	*Share of total estimated costs (percentage)*
Sao Tome and Principe	0.001
Saudi Arabia	0.559
Senegal	0.003
Serbia	0.016
Seychelles	0.001
Sierra Leone	0.001
Singapore	0.259
Slovak Republic	0.047
Slovenia	0.072
Solomon Islands	0.001
Somalia	0.001
South Africa	0.217
Spain	2.216
Sri Lanka	0.012
Sudan	0.007
Suriname	0.001
Swaziland	0.001
Sweden	0.800
Switzerland	0.908
Syrian Arab Republic	0.012
Tajikistan	0.001
Thailand	0.139
The former Yugoslav Republic of Macedonia	0.004
Timor-Leste	0.001
Togo	0.001
Tonga	0.001
Trinidad and Tobago	0.020
Tunisia	0.023
Turkey	0.285
Turkmenistan	0.004
Tuvalu	0.001
Uganda	0.002
Ukraine	0.034
United Arab Emirates	0.226
United Kingdom of Great Britain and Northern Ireland[a]	6.130
United Republic of Tanzania	0.004
United States of America[a]	32.820
Uruguay	0.020
Uzbekistan	0.006
Vanuatu	0.001

Parties	*Share of total estimated costs (percentage)*
Venezuela	0.149
Viet Nam	0.018
Yemen	0.005
Zambia	0.001
Zimbabwe	0.006

[a] In accordance with rule 12 of the rules of procedure, these shares remain unchanged.
[b] The status of the membership of the Democratic People's Republic of Korea is uncertain.

Annex IV

Provisional agenda

1. Opening of the Conference by the Chairman of the third session of the Preparatory Committee.
2. Election of the President of the Conference.
3. Statement by the President of the Conference.
4. Address by the Secretary-General of the United Nations.
5. Address by the Director-General of the International Atomic Energy Agency.
6. Submission of the final report of the Preparatory Committee.
7. Adoption of the rules of procedure.
8. Election of Chairmen and Vice-Chairmen of the Main Committees, the Drafting Committee and the Credentials Committee.
9. Election of Vice-Presidents.
10. Credentials of representatives to the Conference:
    (a) Appointment of the Credentials Committee;
    (b) Report of the Credentials Committee.
11. Confirmation of the nomination of the Secretary-General.
12. Adoption of the agenda.
13. Programme of work.
14. Adoption of arrangements for meeting the costs of the Conference.
15. General debate.
16. 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) Implementation of the provisions of the Treaty relating to Non-Proliferation of nuclear weapons, disarmament and international peace and security:
        (i) Articles I and II, and preambular paragraphs 1 to 3;
        (ii) Article VI and preambular paragraphs 8 to 12;
        (iii) Article VII, with specific reference to the main issues in (a) and (b);
    (b) Security assurances:
        (i) United Nations Security Council resolutions 255 (1968) and 984 (1995);
        (ii) Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons;

(c) Implementation of the provisions of the Treaty relating to Non-Proliferation of nuclear weapons, safeguards and nuclear-weapon-free zones:

(i) Article III and preambular paragraphs 4 and 5, especially in their relationship to article IV and preambular paragraphs 6 and 7;

(ii) Articles I and II and preambular paragraphs 1 to 3 in their relationship to articles III and IV;

(iii) Article VII;

(d) Implementation of the provisions of the Treaty relating to the inalienable right of all parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II:

(i) Articles III (3) and IV, preambular paragraphs 6 and 7, especially in their relationship to article III (1), (2) and (4) and preambular paragraphs 4 and 5;

(ii) Article V;

(e) Other provisions of the Treaty.

17. 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.

18. Reports of the Main Committees.

19. Consideration and adoption of Final Document(s).

20. Any other business.

Annex V

Allocation of items to the Main Committees of the Review Conference

The Preparatory Committee decides to allocate the following items to the Main Committees at the Review Conference.

1. Main Committee I

Item 16. 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) Implementation of the provisions of the Treaty relating to Non-Proliferation of nuclear weapons, disarmament and international peace and security:

(i) Articles I and II and preambular paragraphs 1 to 3;

(ii) Article VI and preambular paragraphs 8 to 12;

(iii) Article VII, with specific reference to the main issues considered in this Committee;

(b) Security assurances:

(i) United Nations Security Council resolutions 255 (1968) and 984 (1995);

(ii) Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons;

Item 17. 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.

2. Main Committee II

Item 16. 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:

(c) Implementation of the provisions of the Treaty relating to Non-Proliferation of nuclear weapons, safeguards and nuclear-weapon-free zones:

(i) Article III and preambular paragraphs 4 and 5, especially in their relationship to article IV and preambular paragraphs 6 and 7;

(ii) Articles I and II and preambular paragraphs 1 to 3 in their relationship to articles III and IV;

(iii) Article VII;

Item 17. 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.

3. Main Committee III

Item 16. 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:

(d) Implementation of the provisions of the Treaty relating to the inalienable right of all Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II:

(i) Articles III (3) and IV, preambular paragraphs 6 and 7, especially in their relationship to article III (1), (2) and (4) and preambular paragraphs 4 and 5;

(ii) Article V;

(e) Other provisions of the Treaty.

Item 17. 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.

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Additionally, the issues of disarmament and Non-Proliferation education, and institutional issues will be dealt with under agenda item 17, respectively, in Main Committee I and in Main Committee II.

Annex VI

Background documentation

1. The Preparatory Committee decides to invite the Secretary-General to prepare documentation, taking into account the decisions and the resolution adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and the Final Document of the 2000 Review Conference.

2. The following general approach should apply to the proposed documentation and papers (similar to the approach applied for the preparation of background documentation for the 1995 Review and Extension Conference and the 2000 Review Conference): all papers must give balanced, objective and factual descriptions of the relevant developments, be as short as possible and be easily readable. They must refrain from presenting value judgments. Rather than presenting collections of statements, they should reflect agreements reached, actual unilateral and multilateral measures taken, understandings adopted, formal proposals for agreements made and important political developments directly related to any of the foregoing. The papers should focus on the period since the 2005 Review Conference, including implementation of the decisions and the resolution adopted by the 1995 Review and Extension Conference and the Final Document of the 2000 Review Conference.

3. The Preparatory Committee requests that the following be made available to the 2010 Review Conference:

(a) Documentation prepared by the Secretariat on the implementation of the resolution on the Middle East adopted by the 1995 Review and Extension Conference, with a view to realizing the objectives of the resolution;

(b) Documentation prepared by the International Atomic Energy Agency (IAEA) regarding its activities relevant to the implementation of the Treaty;

(c) A memorandum from the General Secretariat of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL) regarding its activities;

(d) A memorandum from the secretariat of the South Pacific Forum regarding its activities related to the South Pacific Nuclear-Free Zone Treaty;

(e) A memorandum from the secretariat of the African Union regarding its activities related to the African Nuclear Weapon-Free Zone Treaty;

(f) A memorandum from the depositary of the Treaty on the South-East Asia Nuclear-Weapon-Free Zone regarding its activities related to the Treaty;

(g) A memorandum from the depositary of the Treaty on a Nuclear-Weapon-Free Zone in Central Asia regarding its activities related to the Treaty;

(h) A memorandum from Mongolia regarding the consolidation of its international security and nuclear-weapon-free status.

NPT/CONF.2010/2

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

9 February 2010
English
Original: Spanish

New York, 3-28 May 2010

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

Report submitted by Chile

Article I

Chile considers the implementation of article I to be essential and imperative in order to halt the proliferation of such weapons of mass destruction. The threat of nuclear terrorism confirms the need to ensure that nuclear weapons are not transferred.

Article II

As a non-nuclear-weapon State, Chile reiterates its firm commitment not to manufacture or acquire nuclear weapons or other nuclear explosive devices.

In keeping with articles I and II, our country is a State party to all the regional and universal instruments prohibiting nuclear arms and their proliferation, including the Antarctic Treaty, the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) and the Comprehensive Nuclear-Test-Ban Treaty.

Chile has traditionally promoted and will continue to promote this objective in all forums and regimes for disarmament, non-proliferation and arms control, including the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, the Conference on Disarmament, the Disarmament Commission, the First Committee of the General Assembly and the Comprehensive Nuclear-Test-Ban Treaty Organization.

Article III

As a non-nuclear-weapon State, Chile has agreed to accept the safeguards system of the International Atomic Energy Agency (IAEA). Our country is a State party to a Comprehensive Safeguards Agreement with IAEA and its Additional Protocol. Chile strongly supports the Agency's global verification regime. Chile does not have any reactors that produce nuclear power, but it does have research

reactors that are subject to IAEA safeguard measures. Consequently, all dual-use material is subject to the Agency's safeguard measures.

Article IV

Chile supports the inalienable right of all Parties to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II of the Treaty on the Non-Proliferation of Nuclear Weapons.

Chile considers that, in exercising this right, special care must be taken to maintain the security of nuclear facilities, material and technology. In that connection, Chile appreciates the initiative of the President of the United States of America to convene a nuclear security summit.

Our country is particularly concerned about the safe transport of radioactive waste and materials. As a coastal State, Chile considers it necessary to receive early notification about this form of cargo and about the liability conventions that cover this type of transport in the event of an accident.

Article V

As indicated earlier, Chile is a State party to the Comprehensive Nuclear-Test-Ban Treaty. This instrument, in our opinion, represents the international community's desire to prohibit nuclear tests for all time. The Treaty is making a unique contribution to curbing the arms race.

The current international monitoring system makes it possible to monitor this type of activity properly on a global scale. The system contributes significantly to international non-proliferation and security. Chile participates in the system through seven stations located in its mainland territory and on offshore islands, and is prepared to assume responsibilities in Antarctica using station S154. We also appreciate the fact that the technology used by the monitoring system can be applied to the analysis of natural phenomena in order to prevent natural disasters caused by seismic or volcanic activity or tsunamis.

Article VI

As stated earlier, Chile promotes nuclear disarmament and the non-proliferation of nuclear weapons in every appropriate forum.

We strongly supported General Assembly resolution 58/51 on this subject and the advisory opinion of the International Court of Justice on the illegality of using nuclear weapons.

Furthermore, our country supports those programmes that promote nuclear disarmament, negative security measures and the prevention of an arms race in outer space.

In that connection, it should be noted that Chile coordinated the work of the Conference on Disarmament at its 2008 and 2009 sessions with respect to agenda item 1, "Cessation of the nuclear arms race and nuclear disarmament", and has consistently favoured an early start to negotiations for a ban on the production of fissionable materials for hostile purposes; in the First Committee of the General Assembly, together with a group of countries from Africa, Asia and Europe, it led

the initiative on "decreasing the operational readiness of nuclear weapons systems"; last year (2009), it became the coordinator of focal points of States parties to the instruments that establish nuclear-weapon-free zones, and this year, in that capacity, it will convene the Second Conference of States Parties and Signatories of Treaties that Establish Nuclear-Weapon-Free Zones on 30 April, just prior to the Eighth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

Chile supports the United Nations Secretary-General's five-point plan for nuclear disarmament.

Article VII

Chile is firmly committed to the objectives and purposes of the Treaty of Tlatelolco, establishing the denuclearization of Latin America and the Caribbean, and we promote the expansion of the nuclear-weapon-free zone established by the Treaty. We are convinced that nuclear-weapon-free zones play a fundamental role in achieving the objectives of the Treaty on the Non-Proliferation of Nuclear Weapons by ensuring peace and stability in the regions concerned. They constitute an effective measure for both disarmament and non-proliferation.

In view of the foregoing, and as indicated earlier, we are currently involved in organizing the Second Conference of States Parties and Signatories of Treaties that Establish Nuclear-Weapon-Free Zones. The goal of the Conference will be to increase collaboration between the different zones; to encourage nuclear-weapon States to fully respect the zones, including through the ratification of the relevant protocols; and to support the establishment of new zones, including the establishment in the near future of a zone free of all weapons of mass destruction in the Middle East.

Article VIII

Chile participates regularly in the review conferences on the Treaty on the Non-Proliferation of Nuclear Weapons and will certainly attend the Eighth Review Conference, cooperating in the proper conduct of its work and the preservation and development of this fundamental instrument for disarmament, non-proliferation and the peaceful use of nuclear energy.

Article IX

Chile hopes that India, Israel and Pakistan will accede to the Treaty, and that the People's Democratic Republic of Korea will return to it, as non-nuclear States.

Article X

Chile considers that the right to withdraw from the Treaty should be exercised in a manner that does not involve a departure from its principles and objectives, particularly as set out in paragraph 17 of Security Council resolution 1887 (2009).

We maintain our position that the indefinite extension of the Treaty does not entail the indefinite possession of nuclear arms.

Chile firmly supports the 13 practical steps adopted at the Sixth Review Conference (2000), which constitute a systematic and progressive effort to achieve the implementation of article VI of the Treaty.

NPT/CONF.2010/3

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

23 February 2010

Original: English

New York, 3-28 May 2010

Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons

Report submitted by Austria

Article I

1. Austria regards the Treaty on the Non-Proliferation of Nuclear Weapons as the cornerstone of the global non-proliferation regime and the essential foundation for the pursuit of nuclear disarmament. Compliance with the undertaking by nuclear-weapon States Parties to the Treaty under article I is therefore of primary importance.

Article II

2. Austria continues to abide by its undertaking not to receive the transfer of, receive control over, manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices. This commitment is implemented through corresponding laws and regulations and has been enshrined in the constitutional law on a nuclear-free Austria since 1999.

Article III

Safeguards

3. Before Austria's accession to the European Union (EU), the requirement of article III, paragraph 1 was fulfilled by the safeguards agreement of 1972 between Austria and the International Atomic Energy Agency (IAEA). Upon accession to the EU in 1995, the safeguards agreement between the European Atomic Energy Community (EURATOM), the EU non-nuclear-weapon States and IAEA entered into force for Austria and the 1972 safeguards agreement was suspended.

4. Austria has always been, at all times, actively engaged in the process of strengthening the IAEA safeguards system, to which it attaches utmost importance.

5. With regard to the Additional Protocol between EURATOM, the EU non-nuclear-weapon States and IAEA signed in September 1998, Austria concluded all necessary steps at the national level for its entry into force in 2001. The Additional Protocols for the EU member States entered into force simultaneously on 30 April 2004.

6. Starting with the safeguards implementation report for 2006, the IAEA secretariat has consistently concluded that in the case of Austria, all nuclear material continues to be used for peaceful purposes. Austria has implemented a State-level integrated safeguards approach since the beginning of 2008, which has led to a reduction in the frequency and activities of safeguards inspections.

7. Austria considers the Additional Protocol to be an integral part of the IAEA NPT safeguards system and holds the legal position that the conclusion of an additional protocol is mandatory under article III of the Treaty.

Export controls

8. Austria implements its obligation under article III, paragraph 2 of the Treaty, namely not to provide source or special fissionable material, or equipment or material especially designed or prepared for the processing, use or production of special fissionable material, to any non-nuclear-weapon State for peaceful purposes, unless the source or special fissionable material shall be subject to the safeguards required by this article, by controlling its exports in accordance with EU Council regulation 428/2009.

9. Austria is a member of both the Zangger Committee and the Nuclear Suppliers Group. From 1993 to 2005, the Zangger Committee was chaired by Fritz W. Schmidt of Austria. Under his chairmanship, the Committee launched an outreach programme and a website (www.zanggercommittee.org) to enhance transparency and foster dialogue with non-members.

10. In Austria's view, an effective export control system facilitates cooperation for peaceful purposes in the nuclear field.

Physical protection

11. Austria attaches great importance to a high level of physical protection of nuclear material and nuclear facilities. It actively participated in the Open-ended Group of Legal and Technical Experts convened by the Director General of IAEA to prepare a well-defined amendment to the Convention on the Physical Protection of Nuclear Material. In September 2003, the Austrian Foreign Minister took the initiative of submitting an amendment proposal based on the outcome of the Group of Experts to the IAEA Director General with a request to convene a diplomatic conference for its adoption. This amendment proposal was submitted to the IAEA Director General by Austria on behalf of 24 States parties in May 2004. Austria subsequently played a leading role in the consultations to convince the required half of all States Parties to the Convention to support the convening of a diplomatic conference, which finally took place from 4 to 8 July 2005. The diplomatic conference adopted the amendment to the Convention by consensus and Austria

ratified the amendment on 18 September 2006. As at 1 February 2010, IAEA records showed that the amendment had 33 contracting States.

12. In Austria's view, physical protection is an integral part of the national nuclear security system that must be required as a condition for nuclear supplies.

Article IV

13. Following a referendum in 1978, Austria renounced the use of nuclear fission for power generation and does not operate nuclear power plants. In view of the high risks emanating from nuclear installations, Austria attaches utmost importance to international efforts to harmonize and steadily increase all aspects of nuclear safety and security. Austria is party to both the Convention on Nuclear Safety and the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management and has actively participated in the review meetings of those Conventions. Austria is also party to the Convention on the Physical Protection of Nuclear Material and the amendment thereto.

14. Regarding the undertakings in article IV, paragraph 2, Austria is an active member of IAEA, collaborating on research and offering training opportunities in nuclear science and technology. Austria has consistently paid its full target share to the IAEA Technical Cooperation Fund and has cooperated on IAEA projects in developing countries. As a member of the European Union, Austria also contributes to a range of IAEA activities under EU joint actions.

Article V

15. The Final Document of the 2000 Review Conference affirms that the provisions of Article V are to be interpreted in the light of the Comprehensive Nuclear-Test-Ban Treaty (CTBT). Austria signed the CTBT on 24 September 1996, when it was opened for signature and deposited its instrument of ratification on 13 March 1998. From 2007 to 2009, Austria held the co-chairmanship, with Costa Rica, of the Article XIV Conference on Facilitating the Entry into Force of the CTBT. In that function, Austria organized and supported outreach activities, mainly in Latin America and the Caribbean, which led to further signatures and ratifications of the Treaty. Austria fully supports the work of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization and its Provisional Technical Secretariat and attaches particular importance to the swift establishment of the Treaty's international verification system. Austria has one radionuclide laboratory (ATL03) at the Austrian Institute of Technology at Seibersdorf, which was certified as the first of 16 radionuclide laboratories worldwide in November 2001.

Article VI

16. Austria's objective has been, and remains, the complete elimination of nuclear weapons. Consequently, Austria continues to call upon all nuclear-weapon States to comply fully with their obligations under article VI. Austria accords high priority to the 13 practical steps towards nuclear disarmament agreed to at the 2000 Review Conference. While acknowledging and welcoming progress in the reduction of

nuclear weapons, Austria urges nuclear-weapon States to fully implement all 13 practical steps, which serve as an important yardstick for measuring progress in the fulfilment of article VI.

17. In view of the obligations of all NPT parties to strive for general and complete disarmament, Austria is also a State party to the Biological and Toxin Weapons Convention, the Chemical Weapons Convention, the Anti-Personnel Mine Ban Convention, the Convention on Certain Conventional Weapons and the Outer Space Treaty, and spares no efforts to fully implement them. Austria ratified the Convention on Cluster Munitions on 2 April 2009, as the sixth Contracting Party, and looks forward to its entry into force on 1 August 2010.

18. In 2009, Austria was among the six States chairing the Conference on Disarmament in Geneva, which agreed to include negotiations on a fissile material cut-off treaty in its programme of work. Furthermore, Austria contributes to general disarmament efforts through its function as Immediate Central Contact for the Hague Code of Conduct against Ballistic Missile Proliferation and its participation in the Missile Technology Control Regime.

Article VII

19. Austria welcomes and encourages progress to develop and implement nuclear-weapon-free zone agreements consistent with international law and internationally agreed criteria.

Article VIII

20. The indefinite extension of the NPT and accompanying decisions in 1995 included a commitment to a strengthened review process. In that regard, Austria attaches particular importance to enhancing the performance of and accountability under the Treaty, in particular by submitting reports on the implementation of the Treaty to meetings of the Preparatory Committee and to Review Conferences.

Article IX

21. Austria attaches high importance to the universalization of the Treaty and continues to urge India, Israel and Pakistan to accede unconditionally to the NPT as non-nuclear-weapon States, in accordance with article IX.

Article X

22. Austria deplored the announcement of the Democratic People's Republic of Korea, on 10 January 2003, of its intention to withdraw from the NPT. Austria continues to urge the Democratic People's Republic of Korea to reverse its decision and to comply fully with all nuclear non-proliferation norms, in particular with its obligations under the NPT safeguards agreement with IAEA, and to dismantle its nuclear weapons programme in a complete, verifiable and irreversible manner.

NPT/CONF.2010/4

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

15 March 2010

Original: English

New York, 3-28 May 2010

Memorandum from the General Secretariat of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean prepared for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons*

1. Pursuant to the request of the Preparatory Committee for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, the General Secretariat of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL) presents a description of the most relevant political developments that have taken place since the Review Conference of 2005.

States acceding to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)

2. The universality of the Treaty of Tlatelolco in the region has been achieved.

3. To date, all 33 States in the Latin American and the Caribbean region have signed and ratified the Treaty of Tlatelolco and are now full parties to the Treaty.

4. There are two Additional Protocols to the Treaty of Tlatelolco:

– Additional Protocol I establishes the status of military denuclearization of territories within the treaty's zone of application that are under the administration of States that, de jure or de facto, are responsible for them. This protocol has been signed and ratified by France, the Netherlands, the United Kingdom of Great Britain and Northern Ireland and the United States.

* Official documents of OPANAL are available at http://www.opanal.org.

– Additional Protocol II requires the nuclear powers to commit to not using nuclear weapons against any of the States parties to the treaty. It is directed at the nuclear weapon States officially recognized by the international community and has been signed and ratified by China, France, the Russian Federation, the United Kingdom and the United States.

5. At its twenty-first regular session, held in Mexico City in November 2009, the General Conference of OPANAL adopted resolution CG/Res.515, entitled "Interpretative declarations of the nuclear powers to Protocols I and II of the Treaty of Tlatelolco", in which the Conference urged the States possessing nuclear weapons which, having ratified Protocols I and II to the Treaty of Tlatelolco, have done so with unilateral interpretations that affect the status of denuclearization established by the Treaty, to modify or withdraw those unilateral interpretations.

Amendments to the Treaty of Tlatelolco

6. First amendment (resolution 267 (E-V)), which adds to the official title of the Treaty the words "and the Caribbean":

– Signed by Bahamas, Bolivia (Plurinational State of), Dominican Republic, Haiti, Honduras, Nicaragua and Saint Kitts and Nevis;

– Ratified by Argentina, Barbados, Belize, Brazil, Chile, Colombia, Costa Rica, Cuba, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Jamaica, Mexico, Panama, Paraguay, Peru, Suriname, Uruguay and Venezuela (Bolivarian Republic of).

7. Second amendment (resolution 268 (XII)), which replaces paragraph 2 of former article 25 of the Treaty:

– Signed by Bolivia (Plurinational State of), Dominican Republic, Grenada, Haiti, Honduras, Nicaragua and Saint Kitts and Nevis;

– Ratified by Argentina, Barbados, Brazil, Chile, Colombia, Costa Rica, Cuba, Ecuador, El Salvador, Guatemala, Guyana, Jamaica, Mexico, Panama, Paraguay, Peru, Suriname, Uruguay and Venezuela (Bolivarian Republic of).

8. Third amendment (resolution 290 (E-VII)), which amends articles 14, 15, 16, 19 and 20 of the Treaty:

– Signed by Bolivia (Plurinational State of), Haiti, Honduras and Saint Kitts and Nevis;

– Ratified by Argentina, Barbados, Belize, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Guatemala, Guyana, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Suriname, Uruguay and Venezuela (Bolivarian Republic of).

International Atomic Energy Agency (IAEA) international nuclear safeguards

9. Article 13 of the Treaty of Tlatelolco states that "Each Contracting Party shall negotiate multilateral or bilateral agreements with the International Atomic Energy

Agency for the application of its safeguards to its nuclear activities". In fulfilment of that mandate, the following States have concluded agreements with IAEA:

– Haiti in March 2006.

10. To date, all 33 States members of OPANAL have signed safeguards agreements with IAEA.

11. Chile, Colombia, Cuba, Ecuador, El Salvador, Guatemala, Haiti, Jamaica, Nicaragua, Panama, Paraguay, Peru and Uruguay have ratified the Additional Protocol to the IAEA Safeguards Agreements. Costa Rica, Dominican Republic, Honduras and Mexico have signed the Additional Protocol to the IAEA Safeguards Agreements.

12. In April 2006, the Secretary-General participated in the IAEA regional seminar on the theme "Verifying compliance with nuclear non-proliferation commitments: strengthened safeguards, small quantities protocols and additional protocols", held in Quito.

13. The Deputy Secretary-General participated in the IAEA regional seminar on the theme "About the application of the IAEA safeguards system in the States of Central America and the Caribbean with limited nuclear material and activities", which was held in Santo Domingo in July 2008.

Strengthening of OPANAL

14. The topic of the strengthening of OPANAL has been under continuous review by the General Secretariat, the Council, the General Conference and member States of OPANAL.

15. At its nineteenth regular session, held in Santiago in November 2005, the General Conference adopted resolution CG/Res.478 on the strengthening of OPANAL, which clearly defines the future activities of OPANAL and of the General Secretariat and establishes the need to increase the participation of OPANAL in international forums and organizations and its cooperation with other regional and international agencies.

16. **Santiago de Chile Declaration**. At its nineteenth regular session, the General Conference adopted resolution CG/Res.487, approving the Santiago de Chile Declaration, in which it reaffirmed the importance of strengthening OPANAL as an appropriate political and legal forum for ensuring complete respect for the Treaty of Tlatelolco in its zone of application, and encouraged cooperation with international organizations responsible for disarmament and non-proliferation, as well as with other nuclear-weapon-free zones. In a similar vein, resolution CG/Res.513 entitled "Strengthening of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean" was adopted at the twenty-first regular session of the General Conference, held on 26 November 2009.

17. In December 2006, the Council of OPANAL adopted resolution C/Res.42 on the strengthening of OPANAL, in which it called upon member States to establish campaigns for the dissemination of information about the Treaty of Tlatelolco and OPANAL.

18. Taking into account the issue of the strengthening of OPANAL, the General Conference designated by acclamation Ambassador Perla Carvalho Soto as Deputy Secretary-General for the period from 1 January 2008 to 30 November 2009 (see CG/Res.496).

19. At its twenty-first regular session, held in Mexico City in November 2009, the General Conference elected by acclamation Ambassador Gioconda Úbeda Rivera from Costa Rica as Secretary-General for the period from 1 February 2010 to 31 December 2013 (see CG/Res.524).

20. Also at that session, the General Conference elected Costa Rica and Guatemala to replace Argentina and Mexico as members of the Council for the 2010-2013 term. With these new members from Central America, OPANAL searches to increase the participation of countries from all parts of the continent (see CG/Res.519).

21. Taking into account the issue of the strengthening of OPANAL, and in compliance with resolution CG/Res.479 (XIX/05) entitled "Education for peace, disarmament and nuclear non-proliferation", adopted in Santiago, the General Secretariat of OPANAL organized, in March 2009, a course entitled "Nuclear Issues", with the objective of providing an overview of the nuclear issue, for representatives of member States. The course was offered online in September 2009 for the first time, and was designed especially for civil servants, political advisers, legislators and members of the armed forces of all member States.

22. At its twenty-first regular session, the General Conference adopted resolution CG/Res.518, entitled "Education for peace, disarmament and nuclear non-proliferation", in which it reiterated the importance of continuing the dissemination of the Treaty of Tlatelolco among civil society and academic institutions, by promoting activities that contribute to education for peace, nuclear disarmament and non-proliferation. As part of that effort, the General Secretariat has programmed two additional courses online entitled "Nuclear Issues", for the personnel of the member States. The first course will be offered in English so that it can reach a wider audience in the Caribbean States.

23. The General Secretariat coordinated the production of a documentary on nuclear disarmament, especially created for use in primary and secondary schools in member States. The objective of the documentary is to create an awareness in children between 10 and 14 years of age of the importance of nuclear disarmament.

Treaty of Tlatelolco and Treaty on the Non-Proliferation of Nuclear Weapons

24. To date, all 33 Members of OPANAL are parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

25. The States parties to the Treaty of Tlatelolco, represented at the first session of the Preparatory Committee for the 2010 Review Conference, which was held in Vienna from 30 April to 11 May 2007, submitted a working paper (NPT/CONF.2010/PC.I/WP.71). The document contained eight concrete proposals aimed at promoting closer cooperation among the various nuclear-weapon-free zones.

26. OPANAL submitted a working paper on the contributions of the Latin American and Caribbean States parties to the Treaty of Tlatelolco for the third session of the Preparatory Committee for the 2010 Review Conference, which was held in New York, from 4 to 15 May 2009 (NPT/CONF.2010/PC.III/WP.32).

27 At its twenty-first regular session, the General Conference adopted resolution CG/Res.516, entitled "2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons", in which it stated that the only real guarantee against the use or threat of use of nuclear weapons is their total elimination and absolute prohibition. It urged the States possessing nuclear weapons to comply immediately with the obligations set forth in article VI of the Treaty on the Non-Proliferation of Nuclear Weapons and to implement without delay the measures on nuclear disarmament adopted by the 1995 and 2000 Review Conferences, in particular the 13 practical measures, which constitute an effective means of advancing nuclear disarmament. It requested the States possessing nuclear weapons to provide negative security guarantees to the States parties to the Treaty that do not possess nuclear weapons, in addition to the commitments entered into within the framework of the Security Council, by means of a universal, unconditional and legally binding treaty.

Nuclear testing and the Comprehensive Nuclear-Test-Ban Treaty

28. Article 18 of the Treaty of Tlatelolco permits, under very strict conditions, nuclear explosions for peaceful purposes. Nevertheless, the fact that the Latin American and Caribbean States have signed and ratified the Treaty of Tlatelolco and are therefore full parties to that Treaty, which definitively prohibits the parties from developing or possessing nuclear weapons, may be interpreted as a prohibition of nuclear testing.

29. The General Secretariat of OPANAL has promoted the signature and ratification of the Comprehensive Nuclear-Test-Ban Treaty among the member States. The Secretary-General participated in the seminar on the theme "Promotion of the ratification of the Comprehensive Nuclear-Test-Ban Treaty in the Caribbean region", held in Mexico City, and organized by Canada, Mexico and the Comprehensive Nuclear-Test-Ban Treaty Organization, in October 2006.

30. To date, the following Latin American and Caribbean States have signed and ratified the Comprehensive Nuclear-Test-Ban Treaty: Antigua and Barbuda, Argentina, Bahamas, Barbados, Belize, Bolivia (Plurinational State of), Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Grenada, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Uruguay and Venezuela (Bolivarian Republic of).

31. The General Secretariat of OPANAL condemned the nuclear test conducted by the Democratic People's Republic of Korea in 2006 (see Declaration on the nuclear explosion conducted by the Democratic People's Republic of Korea, S/Inf.961).

32. The Council of OPANAL, as the political organ of the Agency, condemned the nuclear test conducted in May 2009 by the Democratic People's Republic of Korea. The Council also reaffirmed its firmest disapproval of the conducting of all kinds of nuclear weapon testing in any part of the world (see C/Res.50).

Nuclear-weapon-free zones

33. Since 2005, the General Secretariat of OPANAL has maintained regular contact with other nuclear-weapon-free zones to increase cooperation and exchange information in the subject of nuclear disarmament.

34. The General Secretariat of OPANAL participated in the Conference of States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones and Mongolia, which was held from 26 to 28 April 2005 and was chaired by Mexico, with the participation of the States parties and signatories to the treaties of Tlatelolco (1967), Rarotonga (1985), Bangkok (1995) and Pelindaba (1996), which established nuclear-weapon-free zones, and Mongolia, for the purpose of strengthening the nuclear-weapon-free zone regime and contributing to the disarmament and nuclear non-proliferation processes. The meeting concluded with the Declaration of Tlatelolco (CZLAN/CONF/5).

35. The Council of OPANAL adopted resolution C/Res.41 entitled “Central Asia Nuclear-Weapon-Free Zone”, in which it welcomed the establishment of the Nuclear-Weapon-Free Zone in Central Asia and congratulated the Governments of Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan for entering into the commitment.

36. The Deputy Secretary-General of OPANAL convened an informal meeting of the States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones, which was held on 8 October 2008 in New York, to consolidate a coordination mechanism for the preparation of the Second Conference of the States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones and Mongolia prior to the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

37. The Council of OPANAL adopted resolution C/Res.47, entitled “Treaty on a Nuclear-Weapon-Free Zone in Central Asia”, in which it welcomed the entry into force of the Treaty on a Nuclear-Weapon-Free Zone in Central Asia.

38. OPANAL was represented by the Deputy Permanent Representative of Brazil to the Conference on Disarmament at the meeting of focal points of Nuclear-Weapon-Free Zones and Mongolia, which was held on 27 and 28 April 2009 in Ulaanbaatar. It discussed the issues of the implementation of the Tlatelolco Declaration of 2005 as well as preparations for the Second Conference of the States Parties and Signatories of Treaties that Establish Nuclear-Weapon-Free Zones and Mongolia.

39. The Council of OPANAL adopted resolution C/Res.52, entitled “Treaty on a Nuclear-Weapon-Free Zone in Africa”, in which it welcomed the entry into force of the Treaty on a Nuclear-Weapon-Free Zone in Africa.

40. At its twenty-first regular session, the General Conference adopted resolution CG/Res.514, entitled “Second Conference of the States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones”, in which it recognized the work of the Government of Chile in the coordination of the Second Conference of the States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones and Mongolia, to be held in April 2010 in New York, and requested the General Secretariat of OPANAL to be aware and to inform all member States of the preparations and results of the meeting.

41. At its twenty-first regular session, the General Conference also adopted resolution CG/Res.517, entitled "Coordination with other nuclear-weapon-free zones", in which it established that the General Secretariat must continue with the coordination efforts with the different nuclear-weapon-free zones and Mongolia, and strengthen the bonds with the focal points.

Relations and activities with institutions and international organizations

42. OPANAL signed a cooperation agreement with Malaga University in October 2005, which provides for the development of cooperation programmes and joint studies, the exchange of information, cooperation in teaching and research in the area of nuclear disarmament and the proscription of weapons of mass destruction (S/Inf.930).

43. OPANAL signed a cooperation agreement with the Latin American Parliament in November 2005, which provides for the exchange of information, in order to increase cooperation, the formulation and execution of plans, programmes, projects and specific activities in fields of common interest and the contribution of both bodies to the development and integration of Latin America (S/Inf.950).

44. OPANAL signed a cooperation agreement with the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean establishing that both agencies would work together on the promotion of academic and non-academic activities to foster education for nuclear disarmament and non-proliferation.

45. On the occasion of the fortieth anniversary of the opening for signature of the Treaty of Tlatelolco and under the co-sponsorship of the Government of Mexico, the General Secretariat of OPANAL convened an academic seminar, which was held on 14 and 15 February 2007, in Mexico, with the participation of renowned international speakers, who emphasized the importance of the Treaty of Tlatelolco.

46. On the occasion of the forty-first anniversary of the opening for signature of the Treaty of Tlatelolco, the General Secretariat of OPANAL organized a seminar on the subject "The Treaty of Tlatelolco", which was held on 14 February 2008, with the participation of renowned experts in the field of nuclear disarmament and the peaceful uses of nuclear technology.

47. The Deputy Secretary-General participated in the regional seminar on the theme "Towards the year 2010: the role of the African Nuclear-Weapon-Free Zone Treaty in the strengthening of NPT disarmament objectives", which was held on 31 March and 1 April 2008, in Pretoria.

48. On 4 and 5 September, the international seminar on "The nuclear challenge", organized by the Latin American Faculty for the Social Sciences, in collaboration with the Norwegian Ministry of Foreign Affairs and the Chilean Ministry of Foreign Affairs was held in Santiago. The Deputy Secretary-General participated in the panel discussion on the theme "Promoting non-proliferation and disarmament of nuclear weapons: the role of international regimes and organizations" (see S/Inf.981).

49. The Deputy Secretary-General participated in the regional seminar on the strengthening of the IAEA safeguards system in the States of the Greater Caribbean with limited nuclear material and activities, sponsored by IAEA, which was held from 21 to 24 July 2008 in the Dominican Republic.

50. The General Secretariat of OPANAL was represented by Brazil in its capacity as the current Chair of the Council at the meeting of the Committee on Hemispheric Security of the Organization of American States, on the topics "Inter-American support for the Comprehensive Nuclear-Test-Ban Treaty" and "Disarmament and Non-proliferation Education", which was held in Washington, D.C., on 28 January 2010.

51. The General Secretariat participated in 2006, 2007, 2008 and 2009 in the special session of the Committee on Hemispheric Security on the subject "Consolidation of the regime established in the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)", in fulfilment of the commitments entered into by the States of the region in resolution AG/2245 (XXXVI-0/06) and in the Declaration on Security in the Americas, relative to the non-proliferation of nuclear weapons.

52. The Council of OPANAL adopted resolution C/Res.51 entitled "Programme of work of the Conference on Disarmament for the 2009 session", in which it welcomed the adoption of the programme of work of the Conference on Disarmament for the 2009 session on 29 May. The programme of work enabled the only multilateral disarmament negotiating forum to begin its work on all items of its agenda.

53. On 4 August 2008, the General Secretariat and the Council of OPANAL held an extraordinary session in the Ministry of Foreign Affairs of Mexico for the purpose of welcoming the Secretary-General of the United Nations. During his visit, the Secretary-General spoke about the importance of the Treaty of Tlatelolco as the pioneer in the establishment of a nuclear-weapon-free zone.

54. On 10 September 2009, the General Secretariat and the Council held an extraordinary session for the purpose of welcoming the United Nations High Representative for Disarmament, Sergio de Queiroz Duarte, and the Mayor of Hiroshima, Tadatoshi Akiba, to OPANAL headquarters. In their statements, both officials made reference to the encouraging moment the world is experiencing with respect to the issue of nuclear disarmament, and spoke of the need to redouble efforts and work diligently to achieve nuclear disarmament.

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

15 March 2010

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New York, 3-28 May 2010

African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba)

Memorandum of the secretariat of the African Union

The Treaty of Pelindaba is a key component of the overall peace and security architecture of the African Union. It can be regarded as one of the building blocks of the Common African Defence and Security Policy, as articulated in the Solemn Declaration adopted by the African Union at its second extraordinary session of the Assembly of Heads of State and Government, held in Sirte, Libyan Arab Jamahiriya, on 28 February 2004. Indeed, in the area of nuclear disarmament, the African Union was focused on promoting the ratification and entry into force of the Treaty. The Treaty, which calls for an African nuclear-weapons-free zone, was adopted by the thirty-first ordinary session of the Organization of African Unity summit, held in Addis Ababa in June 1995, and signed in Cairo on 11 April 1996. This was seen as an important step towards the strengthening of the non-proliferation regime, the promotion of cooperation in the peaceful uses of nuclear energy, complete disarmament and the enhancement of regional peace and security. On 22 June 2009, Burundi ratified the Treaty of Pelindaba and deposited its instrument of ratification with the African Union Commission. With this ratification, on 15 July 2009, the Treaty finally entered into force, 13 years after it had been signed.

In accordance with article 12 of the Treaty (mechanism for compliance), States parties to the Treaty agree to establish the African Commission on Nuclear Energy. This is in conformity with article 14 of the Treaty, which states that as soon as the Treaty has entered into force, a Conference should be convened to elect the members of the Commission and determine its headquarters.

In this context, the African Union Commission is planning to convene the first Conference of States Parties (see list below) to the Treaty of Pelindaba, to be held in Addis Ababa from 15 to 17 April 2010, to establish the African Commission on Nuclear Energy and discuss other related issues, including the peaceful uses of nuclear energy.

States parties to the Treaty of Pelindaba

Algeria

Benin

Botswana

Burkina Faso

Burundi

Côte d'Ivoire

Equatorial Guinea

Ethiopia

Gabon

Gambia

Guinea

Kenya

Libyan Arab Jamahiriya

Lesotho

Madagascar

Mali

Malawi

Mozambique

Mauritania

Mauritius

Nigeria

Rwanda

South Africa

Senegal

Swaziland

Togo

Tunisia

United Republic of Tanzania

Zimbabwe

NPT/CONF.2010/6

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

17 March 2010

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New York, 3-28 May 2010

Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons

Report submitted by Finland

1. Finland is strongly committed to the non-proliferation of nuclear weapons, to the pursuit of nuclear disarmament and to peaceful uses of nuclear energy. Finland strongly supports the Treaty on the Non-Proliferation of Nuclear Weapons as a cornerstone of securing international peace and security. The increase in the number of countries utilizing nuclear energy underlines the importance of the Treaty.

2. Finland considers the Comprehensive Nuclear-Test-Ban Treaty essential to contain the proliferation of nuclear arms in all its aspects. Finland signed the Treaty on the first day it was opened for signature and completed the ratification process in 1999. A primary seismological station and a radionuclide laboratory are located in Finnish territory as part of the International Monitoring System. Finland is fully committed to the obligations of the Comprehensive Nuclear-Test-Ban Treaty and makes every effort to promote its entry into force at the earliest possible date. Finland has participated actively in the work of the Preparatory Commission and its subsidiary working groups, as well as with "the Friends of the CTBT". Finland has continued its capacity-building efforts. Finnish software has been distributed free of charge and is now in use in several national data centres and Comprehensive Nuclear-Test-Ban Treaty laboratories around the world.

3. Finland has been a member of the Conference on Disarmament since 1996 and calls for the immediate commencement of negotiations on a fissile material cut-off treaty, without preconditions.

4. The international safeguards system of the International Atomic Energy Agency (IAEA) is a fundamental pillar of the nuclear non-proliferation regime. Finland considers that the Comprehensive Safeguards Agreement, together with the Additional Protocol, represents the verification standard pursuant to article III (1) of the Treaty. Finland calls upon all States that have not yet done so to sign and to

ratify the Additional Protocol without delay. Finland has concluded a comprehensive safeguards agreement with IAEA and has signed and ratified the Additional Protocol, which entered into force on 30 April 2004, at the same time as the other States members of the European Union. The integrated safeguards have been applied in Finland since 15 October 2008. Also, the specific safeguards approaches are ready for implementation. The safeguards implementation for the final disposal of spent nuclear fuel has started in Finland.

5. Finland is a member of all relevant export control regimes, such as the Nuclear Supplier Group and the Zangger Committee, and supports the strengthening of their guidelines and understandings, respectively.

6. Finland supports Security Council resolution 1540 (2004) and is committed to its effective implementation. In this regard Finland is implementing the new European Union export control regulation 428/2009 at the national level. It covers also the control of transit, trans-shipment and brokering as provided by the Council resolution 1540 (2004). Finland has also enhanced coordination between national authorities and raised awareness about proliferation risks and about the resolution among State authorities and the public. It has provided assistance to other States, for example, through contributions to the Group of Eight Global Partnership Programme and through voluntary contributions to IAEA.

7. Finland welcomes Security Council resolution 1887 (2009).

8. Finland will do its utmost to achieve a substantial and balanced outcome of the 2010 Review Conference.

9. Finland reaffirms its commitment to the Treaty on the Non-Proliferation of Nuclear Weapons in all its aspects and the ultimate goal of eliminating all nuclear weapons. The universalization of the Treaty and full compliance with the Treaty's provisions are of utmost importance.

NPT/CONF.2010/7

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

19 March 2010

Original: English

New York, 3-28 May 2010

Memorandum on activities relating to the South Pacific Nuclear Free Zone Treaty (Treaty of Rarotonga)

Submitted by the Pacific Islands Forum secretariat

Introduction

1. The South Pacific Nuclear Free Zone Treaty (Treaty of Rarotonga) was signed at Rarotonga, Cook Islands, on 6 August 1985, and entered into force on 11 December 1986.

2. The Treaty is based on broad principles for Pacific countries to:

(a) Be free to live in peace and independence and to run their own affairs, in accordance with the wishes and traditions of their people;

(b) Enjoy peaceful, social and economic development free from the threat of environmental pollution;

(c) Acknowledge existing international treaties, organizations and regional arrangements, such as the Charter of the United Nations, the Treaty on the Non-Proliferation of Nuclear Weapons and the United Nations Convention on the Law of the Sea, which contribute to these principles;

(d) Act in accordance with applicable international principles and treaties, notably the Non-Proliferation Treaty, with respect to nuclear activities;

(e) Take account of other regional arrangements;

(f) Retain their unqualified sovereign rights to decide their security arrangements for themselves, consistent with their support for these principles.

3. The Treaty of Rarotonga has been signed and ratified by 13 Forum members within the original geographical boundaries of the Treaty, namely Australia, Cook Islands, Fiji, Kiribati, Nauru, New Zealand, Niue, Papua New Guinea, Samoa,

Solomon Islands, Tonga, Tuvalu and Vanuatu. The States parties to the Treaty and the Pacific Islands Forum secretariat maintain close working relations with the Federated States of Micronesia, the Marshall Islands and Palau, which joined the Pacific Islands Forum after the establishment of the Treaty of Rarotonga. Although currently not parties to the Treaty, it is expected that, in time, these countries will also become parties to the Treaty of Rarotonga.

4. The Treaty of Rarotonga represents a unified approach by the States members of the Forum in fulfilling their commitments under article VII of the Non-Proliferation Treaty. It also represents a significant achievement and contribution of the Pacific Islands Forum to ongoing efforts to strengthen global security and the international non-proliferation regime. Regional treaties such as the Treaty of Rarotonga provide valuable support and strength to the Non-Proliferation Treaty, as well as opportunities to enhance coordination and cooperation among nuclear-weapon-free zones, in support of the process of nuclear disarmament, with the ultimate goal of eliminating all nuclear weapons.

5. The States members of the Forum are deeply committed to world peace and security, and have renounced the manufacture, acquisition and possession of nuclear explosive devices. They are determined to keep the Pacific region free of environmental pollution from radioactive waste and other radioactive matter, and seek, from the nuclear-weapon States, a commitment not to conduct nuclear tests in the South Pacific.

The Treaty of Rarotonga

6. The South Pacific Nuclear Free Zone Treaty (Treaty of Rarotonga) was the second such treaty in the world. Its area of application ranges from the west coast of Australia to the Latin American nuclear free zone in the east and from just north of the equator to the Antarctic Treaty area. Together with the Treaty of Tlatelolco, which covers Latin America, and the Antarctic Treaty, the Treaty of Rarotonga covers contiguously a very significant portion of the globe. This coverage was greatly increased by the Treaty of Bangkok of December 1995, which created a nuclear free zone for South-East Asia, and by the Treaty of Pelindaba of April 1996, which created a similar zone for Africa.

7. The Treaty contains a preamble, 16 articles and 4 annexes. Under its terms, the parties undertake:

(a) Not to manufacture or otherwise acquire, possess or have control over any nuclear explosive device by any means anywhere inside or outside the South Pacific Nuclear Free Zone; the term “nuclear explosive device” is used rather than “nuclear weapon” to emphasize that the parties do not draw a distinction between devices that have military purposes and those for which a peaceful purpose is claimed;

(b) To prevent the testing of nuclear explosive devices and to prevent the stationing of nuclear explosive devices in their territory;

(c) To take measures, including the application of full-scope International Atomic Energy Agency safeguards, to all peaceful nuclear activities in their territory and to prevent the diversion of fissionable material to non-peaceful purposes;

(d) Not to dump radioactive waste and other radioactive matter at sea in the Zone, to prevent the dumping of such waste or matter by anyone, and to take no action to assist or encourage dumping.

8. The Treaty of Raratonga does not interfere with the right of each State party to decide for itself whether to allow visits by foreign ships and aircraft to its ports and airfields. It also explicitly upholds the freedom of navigation on the high seas and territorial waters guaranteed by international law.

9. The Treaty also provides for a comprehensive control system to verify parties' compliance with the Treaty, including procedures for the investigation of any complaints that may be made regarding the breach of Treaty obligations. There are also provisions for review, amendment and withdrawal, and for the boundaries of the Zone to be extended as further countries join the Forum and become parties to the Treaty.

The Protocols

10. The implementation of the South Pacific Nuclear Free Zone Treaty is enhanced by three Protocols that were opened for signature in 1986. Through these Protocols, nuclear-weapon States have undertaken to apply the Treaty of Rarotonga to their territories in the Pacific region (Protocol 1); to refrain from the use or threat of use of nuclear explosive devices against any party (Protocol 2); and not to test any nuclear explosive devices within the Zone (Protocol 3).

11. The Union of Soviet Socialist Republics and China signed Protocols 2 and 3 in 1986 and 1987 respectively, and ratified both in 1988. Neither the Union of Soviet Socialist Republics nor China has territories in the Zone that would require adherence to Protocol 1. France, the United Kingdom of Great Britain and Northern Ireland and the United States of America signed Protocols 1, 2 and 3 on 25 March 1996. France ratified the Protocols in 1996 and the United Kingdom in 1997. The United States has yet to ratify the Protocols.

Forum secretariat activities

12. The Forum secretariat continues to promote the Treaty of Rarotonga and to monitor national, regional and global developments relevant to the non-proliferation of nuclear weapons. It also remains in contact with the secretariats of other nuclear free zones in relation to relevant developments and joint activities.

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

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Steps to promote the achievement of a nuclear-weapon-free zone in the Middle East and the realization of the goals and objectives of the 1995 resolution on the Middle East

Report submitted by Canada

1. At the sixty-fourth session of the General Assembly, Canada supported a resolution calling for the establishment of a nuclear-weapon-free zone in the region of the Middle East (resolution 64/26). In addition, Canada co-sponsored the resolution entitled "Renewed determination towards the total elimination of nuclear weapons" (resolution 64/47) and voted in favour of the resolution entitled "Towards a nuclear-weapon-free world" (resolution 64/57). Canada encourages further consultations between the Director General of the International Atomic Energy Agency (IAEA) and Member States in the Middle East with a view to convening a forum on the experience of other regions with existing nuclear-weapon-free zones, and on the relevance of this for the Middle East.

2. Canada has called for the universal and full adherence and compliance with the Treaty on the Non-Proliferation of Nuclear Weapons by States in the Middle East. At IAEA, Canada actively supported the adoption of a resolution on the application of safeguards in the Middle East by the General Conferences of the Agency in 2005 and 2006. Canada regrets that it was unable to support that resolution in 2007, 2008 and 2009, given that changes presented by the drafters were not the result of a consensual approach. Canada welcomes the fact that signatory States of the Treaty on the Non-Proliferation of Nuclear Weapons in the region have ratified a comprehensive safeguards agreement with IAEA. Canada has appealed to all States in the region to contribute further to regional stability and security by concluding additional protocols to their respective safeguards agreements, thereby demonstrating greater openness and transparency. With regard to the Comprehensive Nuclear-Test-Ban Treaty, Canada co-sponsored the resolution on that Treaty (resolution 64/69) at the sixty-fourth session of the General Assembly, and has also encouraged the three Annex 2 signatories in the region (Egypt, Islamic Republic of

Iran and Israel) to ratify the Treaty in a coordinated manner as a confidence- and security-building measure. Such a measure was included in the Final Declaration at the September 2009 Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty that took place in New York.

3. Canada shares the serious international concerns about the scope and nature of Iran's past and ongoing nuclear programme. Although Canada recognizes that Iran has a right to the use of nuclear energy for peaceful purposes, that right also comes with responsibilities. Canada is deeply disturbed by Iran's decision to further enrich its nuclear material in defiance of Security Council resolutions. These latest moves bring Iran considerably closer to possessing weapons-grade material. Canada also notes with concern that Iran continues to take actions inconsistent with its safeguards obligations, including failure to inform the Agency in a timely manner about construction of the Fordow Fuel Enrichment Plant and proceeding to feed low-enriched uranium into the Pilot Fuel Enrichment Plant without allowing sufficient time for the Agency to adjust the existing safeguards procedures. Most troubling of all is the assessment in the latest IAEA report that "Iran has not provided the necessary cooperation to permit the Agency to confirm that all nuclear material in Iran is in peaceful activities". We note that Iran has lost the confidence of the Board of Governors of IAEA and the Security Council through its two-decade history of concealing nuclear activities. In the light of this history, as well as Iran's failure to provide any plausible justification for its efforts to acquire the full nuclear fuel cycle, Canada fully supports Security Council resolutions 1696 (2006), 1737 (2006), 1747 (2007), 1803 (2008) and 1835 (2008) and the resolution adopted by the Board of Governors of IAEA in November 2009 (GOV/2009/82). Those resolutions clearly state the international community's desire for a negotiated diplomatic solution which respects Iran's right to peaceful uses of nuclear energy while ensuring the exclusively peaceful nature of Iran's nuclear programme. We welcome efforts of the P5+1 in this regard and encourage Iran to engage constructively. Canada also urges Iran to cooperate fully and comply with the international obligations set out by the Security Council, provide "all requested information, clarifications and access" identified by IAEA as deficient, and fully implement the Additional Protocol. Only through cooperation, transparency and renewed implementation of its Additional Protocol can Iran begin to restore international confidence in the peaceful nature of its nuclear programme. We continue to encourage Iran to avail itself of the opportunity to conclude an agreement regarding the supply of fuel for the Tehran Research Reactor, which would provide an important confidence-building opportunity as well as address humanitarian concerns.

4. Canada remains deeply concerned about findings that point to possible undeclared nuclear material, facilities and activities in the Syrian Arab Republic, and also about possible nuclear cooperation between Syria and the Democratic People's Republic of Korea. While we recognize the difficulties that the Agency has faced conducting its investigations in view of the physical circumstances it found at the Dair Alzour site, we also note the very serious potential proliferation threat that would be posed by an undeclared nuclear reactor of the kind that appears to have existed at the site. With this in view, we urge Syria to cooperate immediately and fully with the IAEA investigation by providing all additional information and access as requested by IAEA in order for the Agency to complete its assessment. The finding of particles of anthropogenic nature uranium at both the Dair Alzour and

Miniature Neutron Source Reactor sites is another matter of concern. Canada notes that since Syria has no reported inventory of natural uranium, the presence of such particles calls into question the completeness and correctness of Syria's declarations concerning nuclear material and facilities. These are very serious findings and it is only through full, transparent and proactive cooperation with IAEA that Syria can restore confidence with respect to the scope and nature of its nuclear programme.

5. Canada has called on all remaining States not parties to the Non-Proliferation Treaty to join as non-nuclear-weapon States. As a confidence-building measure in advance of this ultimate goal, Canada has also called on these same States to separate civilian and military fuel cycles and to place all civilian nuclear activities under IAEA safeguards. These statements are in conformity with both the policies and actions of the Canadian Government, which include Canada's voting record on the resolutions referred to above in paragraph 1 at the sixty-fourth session of the General Assembly. It also conforms with Security Council resolution 1540 (2004) on the non-proliferation of weapons of mass destruction, which requires States to take steps to ensure that non-State actors cannot manufacture, acquire, possess, develop, transport, transfer or use weapons of mass destruction or their delivery systems. These steps include, inter alia: adopting robust national legislation to prohibit the possession, manufacture or trafficking of weapons of mass destruction, in particular for terrorist purposes; developing appropriate, effective export, trans-shipment and border controls on weapons-of-mass-destruction materials if these do not exist; and maintaining effective physical protection and accountancy of such materials.

6. Canada recognizes the growing interest in nuclear energy among States parties in the Middle East and welcomes the announcements made by a number of such States concerning new initiatives in this field. In welcoming these initiatives, we note that all nuclear power programmes should be accompanied by the strongest commitments to nuclear non-proliferation, nuclear safety and nuclear security.

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

18 March 2010

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Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons

Report submitted by Canada

1. Step 12 of the 13 practical steps agreed to by all Governments at the 2000 Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons calls for "regular reports, within the framework of the NPT strengthened review process, by all States Parties on the implementation of Article VI 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". In line with this commitment, and with a view to enhancing transparency and building confidence, Canada submits the present report on the implementation of the Non-Proliferation Treaty on an article-by-article basis and on the 13 practical steps. Such comprehensive reporting is not intended to expand the scope of the commitments made but is a reflection of the linkages that exist among the articles of the Treaty as well as the 13 practical steps. Canada would like to draw the attention of States parties to the decline in reporting experienced during this review cycle and has included as an annex to the present report the summary of a paper by Project Ploughshares on the Non-Proliferation Treaty reporting during 2002-2009. We encourage States parties to read the full paper and to consider how best to fulfil national reporting commitments in the future.

Article I

2. Canada continues to call upon nuclear-weapon States not to assist, encourage or induce any non-nuclear-weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices. In this respect, Canada views reductions by the nuclear-weapon States of their nuclear weapons inventories and the diminishment of the political and military value ascribed to nuclear weapons as playing an important role in discouraging further nuclear weapons proliferation. Nuclear proliferation continues to pose a threat to the world. Canada maintains that members of the United Nations must work together to ensure that Security Council

resolutions are fully implemented and that States work together to halt activities that have no reasonable purpose other than the acquisition of nuclear weapons. For our part, Canada has fully implemented Security Council resolutions 1540 (2004), 1718 (2006), 1737 (2006), 1747 (2007), 1803 (2008) and 1874 (2009). Canada welcomes the unanimous adoption of Security Council resolution 1887 (2009), which clearly reflects the renewed emphasis being placed on strengthening non-proliferation and disarmament efforts by the international community.

3. Canada is a member of the Group of Eight-led Global Partnership against the Spread of Weapons and Materials of Mass Destruction (hereinafter, Global Partnership), an initiative launched under Canadian leadership at the Group of Eight summit, held in Kananaskis, Canada, in 2002. Leaders committed US$ 20 billion over 10 years to address the threats posed by weapons or materials of mass destruction (including nuclear) and related knowledge. The Global Partnership, with 23 members, is a concrete international cooperative threat reduction mechanism implementing the non-proliferation, disarmament and counter-terrorism goals and objectives of the Non-Proliferation Treaty. In 2009-2010 alone, Canada spent over Can$ 23 million securing nuclear and other radiological materials. Canada is an active participant in the Proliferation Security Initiative, which seeks to enhance practical cooperation to impede and stop shipments of, inter alia, nuclear weapons material and technology flowing illegally to and from States and non-State actors, consistent with national legal authorities and international law. Canada is also an initial partner nation of the Global Initiative to Combat Nuclear Terrorism, and in 2008 Canada hosted a conference on security of radioactive sources, which involved more than 100 participants from over 20 partner States of the Initiative and the International Atomic Energy Agency (IAEA). Canada is also an active participant in the Nuclear Suppliers Group and the Group of Eight Non-Proliferation Directors Group. Canada will host the 2010 Group of Eight summit, and has chosen to make non-proliferation and the Review Conference one focus of our Group of Eight presidency.

Article II

4. Canada continues to abide by its NPT commitment not to receive the transfer of, receive control over, manufacture or acquire nuclear weapons or a nuclear explosive capability. This commitment is implemented domestically primarily through Canada's Nuclear Safety and Control Act of 2000 and the Export and Import Permits Act of 1985.

5. Canada calls on other non-nuclear-weapon States not to receive the transfer of, receive control over, manufacture, acquire or seek to receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices or their delivery vehicles. In this context, Canada remains very concerned by the nuclear test of the Democratic People's Republic of Korea on 25 May 2009. This ill-advised action undermines confidence in the commitment of the Democratic People's Republic of Korea to peace and security and contravenes the global norm against nuclear testing. The Democratic People's Republic of Korea's provocative actions are alarming and run contrary to its stated desire to engage constructively with the community of nations. Canada calls upon the Democratic People's Republic of Korea to immediately resume cooperation with IAEA inspectors, to comply fully with Security Council resolution 1874 (2009) requiring the suspension of all activities related to nuclear testing and its ballistic missile programme, and to fulfil all

commitments it made as part of previous Six-Party agreements. We urge the Democratic People's Republic of Korea to return immediately to the Six-Party Talks, which remain the best means to achieve a permanent, peaceful resolution of the Korean peninsula's long-standing security issues.

6. In a statement delivered on 4 February 2009, Canada's Foreign Minister urged the Islamic Republic of Iran to comply with the international obligations set out by the Security Council. On 10 February 2010, Canada's Prime Minister Harper further called on the Islamic Republic of Iran to end its defiance of the international community, suspend its enrichment activity and take immediate steps towards transparency and compliance by halting the construction of new enrichment sites and fully cooperating with IAEA. Canada also emphasizes that the Islamic Republic of Iran must also take steps to build confidence that its nuclear programme is exclusively for peaceful purposes, primarily by fully implementing the Additional Protocol to the Comprehensive Safeguards Agreement and providing IAEA with the necessary information to draw a positive conclusion. Canada has fully implemented in Canadian law the requirements of the most recent Security Council sanctions resolution on the Islamic Republic of Iran (1803 (2008)), and encourages the Islamic Republic of Iran to accept the P5+1 offer to exchange its illegally enriched nuclear material for fuel for the Tehran Research Reactor. Canada's national export control system is consistent with the lists of those multilateral nuclear export control mechanisms in which it participates. These measures serve to facilitate peaceful nuclear commerce and international cooperation while ensuring that non-proliferation policies are met. As part of our commitment to continuous improvement, Canada hosted an IAEA International Regulatory Review Service mission in June 2009. The review team has determined that Canada has a mature and well-established nuclear regulatory framework. Canada continues to cooperate actively with other like-minded States in a variety of international forums to develop new measures aimed at further strengthening the non-proliferation regime, particularly with regard to the transfer of enrichment and reprocessing technologies associated with the production of special fissionable material suitable for nuclear weapons purposes, and the suspension of nuclear cooperation in cases of non-compliance with nuclear non-proliferation commitments.

Article III

7. Pursuant to article III, Canada has in place a comprehensive safeguards agreement with IAEA. In support of IAEA efforts to strengthen safeguards, Canada concluded a protocol additional to its safeguards agreement, which entered into force on 8 September 2000. With both a comprehensive safeguards agreement and an additional protocol in place, IAEA is in a position to draw an annual conclusion regarding the non-diversion of declared nuclear material and the absence of undeclared nuclear material and activities for Canada as a whole. This broad conclusion, first achieved in 2005 and subsequently maintained on an annual basis, provides the highest level of confidence that Canada is in compliance with its peaceful use commitments under the Non-Proliferation Treaty. Furthermore, the attainment and maintenance of the broad conclusion has allowed IAEA to fundamentally change the way safeguards are undertaken in Canada, by implementing a State-level integrated safeguards approach. These developments are a direct result of Canada's strong support for the IAEA safeguards system and of the high level of cooperation between IAEA and Canada in the implementation of the

comprehensive safeguards agreement and the additional protocol. In addition, through the Canadian Safeguards Support Programme, Canada contributes to the research and development of state-of-the-art safeguards equipment and techniques aimed at strengthening the effectiveness and efficiency of the Agency's safeguards. This effort resulted in a contribution of approximately Can$ 1.5 million over the 2009/10 fiscal year. At IAEA and at the General Assembly, Canada continues to urge States that have yet to bring into force a comprehensive safeguards agreement and an additional protocol to do so as soon as possible. Canada is of the view that a comprehensive safeguards agreement together with an additional protocol constitutes the safeguards standard required under article III.

8. Consistent with its obligation not to provide source or special fissionable material, or equipment or material especially designed or prepared for the processing, use or production of special fissionable material to any non-nuclear-weapon State for peaceful purposes unless the source or special fissionable material is subject to IAEA safeguards, and with decision 2, paragraph 12, of the 1995 Non-Proliferation Treaty Review and Extension Conference, with the exception of India, Canada will only authorize nuclear cooperation involving proliferation-significant items with those non-nuclear-weapon States that have made an internationally legally binding commitment not to acquire nuclear weapons or other nuclear explosive devices and that have accepted IAEA safeguards on the full scope of their nuclear activities. All of Canada's nuclear partners have accepted, through a bilateral nuclear cooperation agreement with Canada, a number of additional measures designed to ensure that nuclear items supplied by Canada do not contribute to the proliferation of nuclear weapons. Canada maintains a national system for controlling the export of all items especially designed or prepared for nuclear use and certain nuclear-related dual-use items, including, with respect to the specific requirements of article III, paragraph 2, of the Treaty, source or special fissionable material and equipment or material especially designed or prepared for the processing, use or production of special fissionable material. It ensures that exports of nuclear and nuclear dual-use items are not authorized where there is found to be an unacceptable risk of diversion to a weapons of mass destruction programme or an unsafeguarded facility, or when an export would be otherwise contrary to Canada's non-proliferation policy and international commitments and obligations. Canada's export control legislation includes a catch-all provision.

Article IV

9. Canada strongly supports the peaceful uses of nuclear energy. Canada maintains a robust nuclear power programme and believes that nuclear energy can make an important contribution to prosperity and sustainable development, while also addressing concerns about climate change. To this end, Canada has 27 nuclear cooperation agreements in force, covering 44 States parties to the Non-Proliferation Treaty, both developed and developing, to provide a framework for the fullest possible exchange of nuclear and other material, equipment and technology. Since the 2005 Review Conference, Canada has held eight official bilateral consultations with nuclear cooperation agreement partner States, as well as formal administrative arrangement consultations with 14 nuclear cooperation agreement partner country authorities. Canada has been a strong supporter of the IAEA Technical Cooperation Programme and has often met or exceeded the rate of attainment for voluntary contributions to the IAEA Technical Cooperation Fund. Canada has also actively

supported efforts to strengthen the Technical Cooperation Programme to make it more transparent and accountable in a results-based framework. The 2009 statement by the Group of Eight Nuclear Safety and Security Group reaffirmed the commitment by Canada and a number of other States to the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, and welcomed the entry into force of the International Convention for the Suppression of Acts of Nuclear Terrorism.

10. In view of the inherent relationship between the inalienable rights of States to the peaceful uses of nuclear energy and the obligations contained elsewhere in the Treaty, cooperation by Canada with other countries in the peaceful uses of nuclear energy takes fully into account the non-proliferation credentials of the recipient country. Canada is committed to working with other States and relevant international organizations on new arrangements for the supply of nuclear items, consistent with the balance of rights and obligations agreed to in the Treaty, in particular in articles II, III and IV. Canada welcomes efforts to develop new mechanisms to help assure reliable access to nuclear fuel, given the increased confidence such mechanisms could provide to those seeking to develop or expand nuclear power capabilities. With this in view, Canada welcomed the Russian Federation initiative to establish a reserve of low enriched uranium as a practical step forward and supported its approval by the IAEA Board of Governors. Canada also notes that many questions and concerns still exist about such initiatives and will assess each proposal on its individual merits.

11. Canada has also been involved in efforts to assist in the harmonized implementation of the IAEA Code of Conduct on the Safety and Security of Radioactive Sources and has provided extrabudgetary funding to IAEA on three occasions to support technical meetings for review of the implementation of the Code, specifically the IAEA Guidance on the Import and Export of Radioactive Sources. This funding facilitates participation by delegates from developing countries. As one of the world's leading suppliers and exporters of radioactive sources, Canada has a strong interest in the establishment and maintenance of an effective, efficient and harmonized international regime for ensuring their safety and security, including measures to prevent their use in malicious or terrorist acts. As such, Canada has implemented an enhanced export and import control programme for risk-significant radioactive sources in accordance with the IAEA Code and the Guidance. Canadian implementation encompasses full export controls, notifications and establishment of bilateral arrangements with foreign regulatory counterparts for the harmonized implementation of the IAEA Guidance. Since the establishment of the enhanced import and export control programme, the Canadian Nuclear Safety Commission has interacted with 82 countries and issued 615 licences to export risk-significant radioactive sources.

Article V

12. The Final Document of the 2000 Review Conference affirms that provisions of article V are to be interpreted in the light of the Comprehensive Nuclear-Test-Ban Treaty. Canada signed that Treaty on 24 September 1996, when it opened for signature, and deposited its instrument of ratification on 18 December 1998. Canada was the first State signatory to the Treaty to sign a facility agreement with the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization on 19 October 1998. Canada has played an active role in encouraging

further signatures and ratification of the Treaty, with a view to achieving its universality. In September 2009, Canada joined the consensus among Treaty ratifiers in support of the Final Declaration of the Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty, held at United Nations Headquarters in New York. As a part of its Group of Eight presidency in 2010, Canada took a démarche to urge the Governments of all States that had yet to sign or ratify the Treaty to do so in advance of the 2010 Review Conference.

13. Canada co-sponsored the resolution on the Comprehensive Nuclear-Test-Ban Treaty (resolution 64/69) at the sixty-fourth session of the General Assembly. The resolution calls for the earliest entry into force of the Treaty and urges all States to maintain their moratoriums on nuclear-weapon test explosions until entry into force is achieved. Canada places a priority on the establishment of the Treaty's verification system and, as such, is a leader among State signatories in contributing resources and expertise to the development of the international monitoring system. Canada hosts 15 international monitoring systems stations and one laboratory. As announced by Canada's Minister for Foreign Affairs in his address at the 2009 Conference on the entry into force of the Treaty, Canada was finalizing the certification of its final monitoring station that forms part of the Comprehensive Nuclear-Test-Ban Treaty international monitoring system. Certification of this final station was achieved in November 2009.

Article VI

14. Canada continues to take very seriously the obligation of article VI and the commitments agreed upon in the 1995 Principles and Objectives and in the 13 practical steps at the 2000 Review Conference. These have been at the forefront of a number of activities and statements.

Steps 1 and 2

15. Canada's action in support of the Comprehensive Nuclear-Test-Ban Treaty and the moratorium on nuclear testing is described above, under article V implementation.

Steps 3 and 4

16. Canada supported decision CD/1864 that was adopted by consensus in the Conference on Disarmament in May 2009, the first programme of work adopted in the Conference on Disarmament in over a decade. Canada attaches priority in the Conference on Disarmament to the start of negotiations on a verifiable fissile material cut-off treaty. In the 2009 session of the First Committee of the General Assembly, Canada sponsored a resolution entitled "Treaty banning the production of fissile materials for nuclear weapons and other nuclear explosive devices" that, inter alia, called for the Conference on Disarmament to begin fissile material cut-off treaty negotiations early in its 2010 session. This resolution was adopted by consensus.

Step 5

17. Canada emphasizes the importance of transparency, irreversibility and verifiability in the reduction and elimination of nuclear weapons arsenals and facilities. At the sixty-fourth session of the General Assembly, Canada co-sponsored

the resolution entitled "Renewed determination towards the total elimination of nuclear weapons" (resolution 64/47), which emphasized the importance of applying irreversibility and verifiability, as well as increased transparency in the process of working towards nuclear disarmament.

Step 6

18. Canada reiterated its call on nuclear-weapon States to securely reduce and dismantle their nuclear-weapon arsenals in an irreversible and verifiable manner at the sixty-fourth session of the First Committee of the General Assembly. At that session, Canada voted in favour of resolutions 64/57, entitled "Towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments", and 64/47, entitled "Renewed determination towards the total elimination of nuclear weapons". Canada welcomes recent statements by several of the recognized nuclear-weapon States to work towards a step-by-step approach to reaching "global zero".

19. Canada supports the reduced salience of nuclear weapons and the significant reduction of NATO nuclear forces that has taken place since the end of the cold war. As a member of NATO, Canada continues to advocate that the Alliance play a positive role in advancing disarmament objectives through a continuous step-by-step approach in a manner that increases international peace and stability. Canada was one of the strongest and most vocal proponents of the NATO decision to endorse the 13 practical steps towards disarmament. The fact that NATO has reduced the number of weapons available for its substrategic forces in Europe by 90 per cent since 1991, and by more than 95 per cent since the height of the cold war is evidence of the Allies' commitment to disarmament.

Step 7

20. Canada firmly supports the nuclear disarmament talks that have been held between the United States and the Russian Federation. We welcomed the Joint Understanding issued by United States President Obama and Russian President Medvedev at their summit in July 2009, in which they outlined their goals for a successor agreement to START I. As noted above, Canada co-sponsored resolution 64/47, "Renewed determination towards the total elimination of nuclear weapons", at the sixty-fourth session of the General Assembly, which encouraged the Russian Federation and the United States to implement fully the Treaty on Strategic Offensive Reductions, which would serve as a step for further nuclear disarmament, and to undertake nuclear arms reductions beyond those provided for by the Treaty. It also welcomed the progress made by nuclear-weapon States, including the Russian Federation and the United States, on nuclear arms reductions to date.

Step 8

21. Canada has encouraged the Russian Federation and the United States to implement the Trilateral Initiative by submitting surplus stocks of fissile material to IAEA control.

Step 9

22. Canada's support for further reductions of nuclear weapons as an important step towards the elimination of nuclear weapons was expressed by our vote in

favour of the resolution entitled "Towards a nuclear-weapons-free world: accelerating the implementation of nuclear disarmament commitments" (resolution 64/57) at the sixty-fourth session of the General Assembly. Canada also supports measures to reduce the operational readiness of nuclear weapons systems in ways that promote international stability and security, as called for in the resolution entitled "Renewed determination towards the total elimination of nuclear weapons" (resolution 64/47).

23. In 2002, Canada pledged Can$ 1 billion over 10 years to the Group of Eight-led Global Partnership. To date, through the DFAIT's Global Partnership Programme, Canada has spent more than Can$ 530 million to address these risks through concrete projects including more than Can$ 122 million in nuclear security and is scheduled to meet its commitment by 2012. Through the Global Partnership Programme, Canada has provided more than Can$ 61 million towards critical security upgrades at 10 nuclear facilities in the Russian Federation, and is also developing joint nuclear security projects with the United States in third countries beyond the former Soviet Union. The Global Partnership Programme has also funded multiple projects to secure highly radioactive sources. Canada is the third largest State donor to the IAEA Nuclear Security Fund, established to strengthen nuclear and radiological security worldwide. On 28 March 2009, Foreign Minister Cannon announced that Canada would contribute a further Can$ 4 million to the IAEA Nuclear Security Fund in order to complement the nuclear security improvements made previously. Working with the United States Department of Energy, Canada contributed to enhancing border security in order to prevent the illicit trafficking of nuclear materials. Canada also cooperated with the United States Department of Energy to recover and secure vulnerable, highly radioactive sources powering navigational devices, such as lighthouses. Canada has fully dismantled 13 decommissioned nuclear submarines and defuelled 30 reactors in the north-west region of the Russian Federation. In the far eastern region of the Russian Federation, Canada started projects for the safe transport of spent nuclear fuel from the region and has defuelled four reactors. Canada has contributed to the European Bank for Reconstruction and Development's Northern Dimension Environmental Partnership to manage safely and securely spent fuel (including highly enriched uranium) from submarines in the northern region of the Russian Federation. As a member of the International Science and Technology Center in Moscow and the Science and Technology Center in the Ukraine, Canada has funded over 180 individual research projects engaging over 2,600 former weapons scientists in civilian employment through various research projects and other programmes and activities, including in the area of nuclear and radiological security.

Step 10

24. Through the Global Partnership Programme, Canada is contributing to the elimination and disposition of fissile material, ensuring that it cannot be acquired by terrorists or countries of proliferation concern. Canada has also pledged funds towards the plutonium disposition programme of the Russian Federation, which will convert 34 tons of weapons-grade plutonium into forms not usable for weapons. In addition, Canada contributed to a United States-led project to shut down the last Russian weapons-grade plutonium producing reactor in Zheleznogorsk. The United States views nuclear terrorism as the most immediate threat to global security, and President Obama has stated his goal of securing all vulnerable nuclear materials

around the world within four years. Consonant with this, President Obama is hosting the first Nuclear Security Summit in April 2010, inviting 44 Heads of State and three international organizations to strengthen domestic and international commitments to enhance nuclear security and combat the illicit trafficking of nuclear materials. Canada strongly supports the Nuclear Security Summit and welcomes the United States goal of securing all vulnerable nuclear materials around the world over the next four years. Through the Group of Eight Global Partnership, Canada will continue to work with the United States in developing joint nuclear security projects around the world to address those risks.

Step 11

25. In the interests of general and complete disarmament, Canada is a State party to the Biological and Toxin Weapons Convention (for which Canada's Ambassador Marius Grinius chaired the 2009 meetings), the Chemical Weapons Convention, the Ottawa Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction, the Treaty on Conventional Forces in Europe, the Treaty on Open Skies, the Convention on Certain Conventional Weapons and the Outer Space Treaty. During the fiscal year 2009-2010, Canada continued to support mine action in Asia, Africa, the Middle East and South America. Canada has signed the Convention on Cluster Munitions and is working on its early ratification.

Step 12

26. At the 2005 Review Conference, Canada submitted a working paper (NPT/CONF.2005/WP.39) on the concept of "permanence with accountability" for the Non-Proliferation Treaty, which among other proposals, supported the practice of submitting annual reports on treaty implementation prior to such meetings. This followed up a number of previous papers submitted by Canada at earlier Preparatory Committee meetings on the topic. Canada commends States for the information they have provided to date but notes that the number of reports by State parties continues to decline with only five reports submitted to the 2009 Preparatory Committee. Canada continues to encourage States to submit information about their efforts and activities as official reports prior to Preparatory Committee meetings as well as Review Conferences.

Step 13

27. In early 2005, Canada submitted a major study on weapons of mass destruction verification and compliance to the Weapons of Mass Destruction Commission, which has been published as part of the Commission's series of papers and studies and is available at http://www.wmdcommission.org. Canada also tabled a resolution entitled "Verification in all its aspects, including the role of the United Nations in the field of verification" (resolution 62/21) at the sixty-second session of the General Assembly, which was adopted by consensus. Canada will again table a resolution on verification at the sixty-fifth session of the General Assembly.

Article VII

28. Canada continues to underline the need to preserve and respect the negative security assurances provided by nuclear-weapon States to non-nuclear-weapon

States parties to the Non-Proliferation Treaty. While not itself a member of a nuclear-weapon-free zone, Canada welcomes and encourages progress to develop and implement nuclear-weapon-free zone agreements consistent with international law and internationally agreed criteria. At the sixty-fourth session of the General Assembly, Canada supported resolutions calling for the establishment or consolidation of nuclear-weapon-free zones.

Article VIII

29. The indefinite extension of the Non-Proliferation Treaty and accompanying decisions adopted in 1995 enshrined the concept of permanence with accountability. In accordance with the commitments arising from the Final Document of the 2000 Review Conference, Canada delivered at the 2005 Review Conference its fourth report on its implementation of the Treaty, followed by reports at the 2007, 2008 and 2009 preparatory committees. Canada also reported on the steps taken to promote the achievement of a nuclear-weapon-free zone in the Middle East and the realization of the goals and objectives of the 1995 resolution on the Middle East.

30. Canada has been active in promoting measures to reinforce the authority and integrity of the Treaty and ensure the implementation of its obligations. At the 2005 Review Conference, Canada presented a working paper (NPT/CONF.2005/WP.39) with recommendations for a revamped Non-Proliferation Treaty process, making suggestions on meeting frequency and structure (including possibility for extraordinary meetings), reporting, the participation of civil society and the creation of a standing bureau. This was followed up with another working paper submitted at the 2007 Preparatory Committee. Canada reaffirmed and elaborated upon these proposals in a working paper submitted at the 2009 Preparatory Committee session on the same subject. Canada, working with a group of States in Geneva, has further refined these proposals and will advocate for a series of decisions to further strengthen the Non-Proliferation Treaty review process at the 2010 Review Conference.

Article IX

31. Canada has consistently worked for the universalization of the Non-Proliferation Treaty. At the sixty-fourth session of the General Assembly, Canada co-sponsored the resolution entitled “Renewed determination towards the total elimination of nuclear weapons” (resolution 64/47), which reaffirms the importance of the universality of the Non-Proliferation Treaty and calls upon States not party to the Treaty to accede to it as non-nuclear-weapon States without delay and without conditions. Canada views its position in this regard as consistent with Security Council resolution 1540 (2004) (as well as resolutions 1673 (2006) and 1810 (2008)) on the non-proliferation of weapons of mass destruction, which calls on all States to promote the universal adoption and full implementation of multilateral treaties, the aims of which are to prevent the proliferation of nuclear, biological and chemical weapons.

Article X

32. Canada has continued to coordinate a core group of countries at the IAEA General Conference responsible for a resolution on the Democratic People’s Republic of Korea. As in past years, since 2006 the Canadian-led core group has

annually facilitated the adoption by consensus of a resolution to promote the resumption of that country's obligations under the Non-Proliferation Treaty, including the implementation of its comprehensive safeguards agreement.

33. Canada welcomed the indefinite extension of the Non-Proliferation Treaty, adopted without a vote in 1995. Negative security assurances provided in 1995 by the five nuclear-weapon States parties to the Treaty in Security Council resolution 984 (1995) furnished part of the basis for this indefinite extension, as paragraph 8 of the "principles and objectives for nuclear non-proliferation and disarmament".

Article XI

34. Not applicable.

Annex

"Transparency and accountability: NPT reporting 2002-2009" by Project Ploughshares

Summary[1]

1. The indefinite extension of the Non-Proliferation Treaty (NPT) in 1995 was agreed in the context of a collective commitment by States parties to strengthening the Treaty's review process and, in particular, with a heightened sense of the need for mutual accountability in the implementation and furtherance of the aims of the Treaty. In 2000, States agreed (in step 12 of the 13 practical steps) that such accountability would be advanced by a more formalized approach to reporting by each State party to its Treaty partners, providing regular information on the actions taken and policies followed to meet the requirements of the Treaty and to implement additional measures agreed in the review process.

2. States parties to NPT have now had seven specific occasions to submit the "regular reports" that were agreed in the Final Document of the 2000 Review Conference. Some 48 States have used at least one of those opportunities and have together submitted 123 reports. Only four have reported to each Preparatory Committee and Review Conference since 2000.

3. This summary provides an overview of the paper entitled "Transparency and accountability: NPT reporting 2002-2009", which compiles the reporting to date, provides background to the reporting commitment, reviews the continuing discussion of the appropriate scope and format of reports, broadly surveys the content of reports submitted and recommends ways in which reporting can be strengthened and thus better meet the principle of accountability that was emphasized as part of the 1995 indefinite extension of the Treaty.

4. As shown in figure 1, just over one quarter of the 189 States parties to NPT have reported at least once since 2000, and 1 in 6 submitted reports to the 2005 Review Conference. At the 2007 Preparatory Committee, 1 in 20 reported. But in 2009, only five reported — less than 1 in 30.

Figure 1

48	States have submitted at least one report
11	States reported in 2002
28	States reported in 2003 (20 for the first time)
29	States reported in 2004 (8 for the first time)
35	States reported in 2005 (9 for the first time)
9	States reported in 2007 (none for the first time)
7	States reported in 2008 (none for the first time)
5	States reported in 2009 (none for the first time)

[1] The full document can be accessed at: http://www.ploughshares.ca/abolish/NPTReporting.html.

4 States have submitted reports all seven years

16 States have submitted only once

4 States have reported to every Preparatory Committee and Review Conference since 2000

5. It is noteworthy that a relatively high proportion, almost two thirds, of the 44 States in annex 2 of the Comprehensive Test Ban Treaty have reported at some point since 2000 (see figure 2, which identifies reporting by States within various groupings). Annex 2 lists States with some nuclear technology capability, all of which must ratify the Comprehensive Test Ban Treaty before it can enter into force, and three of which (India, Israel and Pakistan) are not parties to the Non-Proliferation Treaty. Only two nuclear-weapon States are included among the 48 States reporting. The Russian Federation and China each submitted formal reports in 2005. The three non-NPT States in possession of nuclear weapons are not under any formal reporting requirement because they are not NPT signatories. All of the nuclear-weapon States that are party to NPT have reported informally through a variety of statements and background materials. For the most part, however, the nuclear-weapon States have chosen not to provide formal reports, in defiance of the promise made when they agreed to the 2000 reporting provision.

Figure 2

6 **New Agenda Coalition** States reported:
Brazil, Ireland, Mexico, New Zealand, South Africa, Sweden
(*Egypt, also a member, has not reported*)

12 **Non-Aligned Movement** States reported:
Cuba, Guatemala, Indonesia, Iran (Islamic Republic of), Malaysia, Mongolia, Morocco, Nigeria, Peru, South Africa, Sri Lanka, Thailand
(*Non-Aligned Movement membership is now at 118,106 of which have not reported*)

19 **North Atlantic Treaty Organization** States reported:
Belgium, Bulgaria, Canada, Czech Republic, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Spain, Turkey
(*of the 26 members of the North Atlantic Treaty Organization, the following seven did not report: Denmark, Estonia, France, Iceland, Slovenia, United Kingdom, United States*)

19 **European Union** States reported:
Austria, Belgium, Czech Republic, Finland, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Poland, Portugal, Romania, Slovakia, Spain, Sweden
(*the following European Union States did not report: Bulgaria, Cyprus, Denmark, Estonia, France, Malta, Slovenia, United Kingdom*)

30 **Comprehensive Nuclear-Test-Ban Treaty annex 2** States reported:
Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Canada, China, Finland, Germany, Hungary, Indonesia, Iran (Islamic Republic of), Italy, Japan, Mexico, Netherlands, Norway, Peru, Poland, Republic of Korea, Romania, Russian Federation, Slovakia, South Africa, Spain, Sweden, Switzerland, Turkey, Ukraine
(*of the 44 annex 2 States, 3 — India, Israel and Pakistan — are not signatories to NPT, and 11 others that are parties to NPT have not reported — Algeria, Bangladesh, Chile, Colombia, Democratic People's Republic of Korea, Democratic Republic of the Congo, Egypt, France, United Kingdom, United States, Viet Nam*)

2 **nuclear-weapon** States formally reported:
Russian Federation, China
(*France, United Kingdom, United States have not submitted formal reports*)

6. A decline in attention to reporting is reflected in the fact that 2007 was the first year since the 2000 agreement on reporting in which no new States were added to the list of reporting States. In other words, the first year in which no State submitted a report for the first time. This trend continued and no new States reported in 2008 or 2009. Indeed, 2009 saw the lowest level of reporting since the obligation to report was undertaken, when only five States submitted a report. A decline from the level of reporting to the 2005 Review Conference was perhaps to be expected, but a 75 per cent drop should be taken as a worrying sign about the level of commitment to transparency and accountability. To date the greatest increase in levels of reporting occurred in 2003, when 20 States submitted reports for the first time. The highest level of reporting occurred at the 2005 Review Conference, when 34 States reported, 11 for the first time. Of the 48 States that have submitted a report to date, 34 have reported more than once, and of these, only Australia, Canada, Japan and New Zealand have reported at all meetings of the review process since 2000.

7. There is not yet wide agreement on the format of reporting. There are many variations, but they can be divided into three basic categories, as shown in figure 3. The "general" format refers to reports that tend to focus on article VI issues and describe broadly the reporting State's activities in support of disarmament. The "articles" format refers to submissions that report on activities related to each article of the Treaty, generally on the grounds that the Treaty is an integrated whole and that all its articles are relevant to the implementation of nuclear disarmament. The "13 steps" approach reports on each element of the widely agreed disarmament agenda outlined in the 2000 Review Conference 13 practical steps.

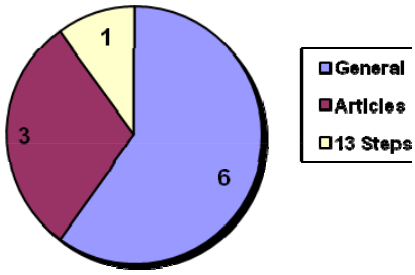
8. Some States, notably Canada and New Zealand, have reported in two formats: article-by-article and the 13 steps. Most States still prefer the general format of reporting on their disarmament activities, responding to the particular language of the 2000 Final Document, entitling their reports "Implementation of article VI and paragraph 4 (c) of the 1995 Decision on Principles and Objectives for Nuclear Non-Proliferation and Disarmament". Some States refer simply to reporting on the implementation of article VI, without mentioning the 1995 Decision. Others use the title, "Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons", broadening the reporting mandate to the entire Treaty.

9. The charts in figure 3 examine the breakdown of the various reporting formats since 2002: the article-by-article (articles) and 13 steps formats, as well as the general narrative of activities relevant to article VI reports. In the period from 2003

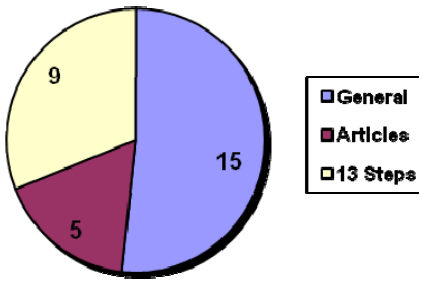
to 2009, New Zealand is counted twice, while Canada is counted twice in the period from 2007 to 2009, due to the fact that these States used two formats in the years listed. The general narrative format consistent with the 1995 Principles and Objectives and article VI continues to be the most widely used, although States are increasingly exploring other formats.

Figure 3

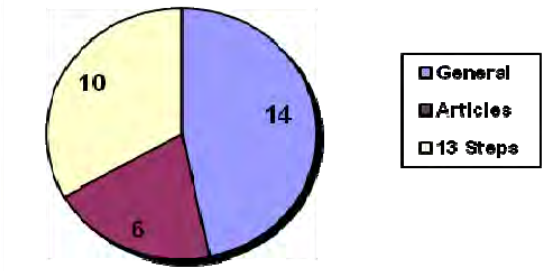
Report formats 2002
Total: 10



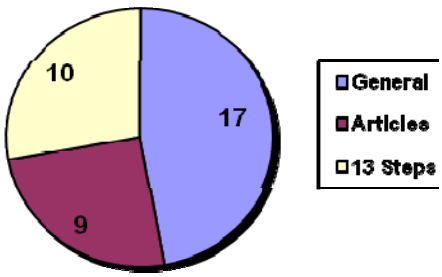
Report formats 2003
Total: 29



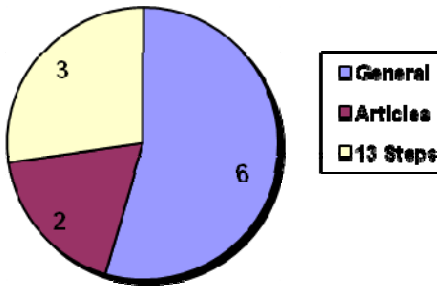
Report formats 2004
Total: 30



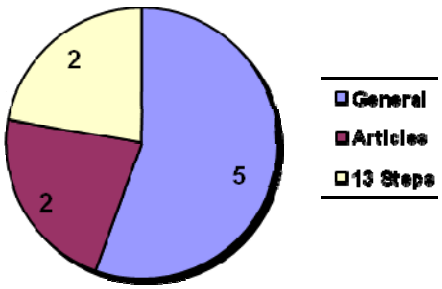
Report formats 2005
Total: 36



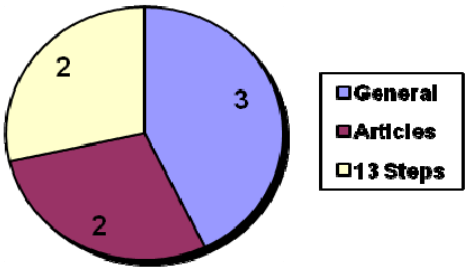
Report formats 2007
Total: 11



Report formats 2008
Total: 9



Report formats 2009
Total: 7



10. The full report, which can be accessed at http://www.ploughshares.ca/abolish/NPTReporting.html, includes a detailed table that summarizes the contents of the formal reports that have been submitted until 2009, as well as a section that documents the informal reports of nuclear-weapon States.

11. The present annex was authored by Ernie Regehr, Senior Policy Adviser and Cesar Jaramillo, Programme Associate, of Project Ploughshares, and contains a range of information that may be of interest to States parties. The views and positions expressed in the paper are solely those of the authors: the paper is contributed purely to stimulate informal discussion among States parties in preparation for the Review Conference.

NPT/CONF.2010/10

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

19 March 2010

Original: English

New York, 3-28 May 2010

Implementation of article VI and paragraph 4 (c) of the 1995 decision on principles and objectives for nuclear non-proliferation and disarmament

Report submitted by Sweden

Introduction

1. As stated in the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, in the section entitled "Article VI and eighth to twelfth preambular paragraphs", in paragraph 15, subparagraph 12, the Conference agreed on "regular reports, within the framework of the strengthened review process for the Non-Proliferation Treaty, by all States parties on the implementation of article VI 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". Sweden would hereby like to submit its report to the 2010 Review Conference.

2. Since the first session of the Preparatory Committee in 2007, Sweden has actively participated in the work on nuclear disarmament and non-proliferation. This has been done, for example, through the European Union, together with the States in the New Agenda Coalition, with the States in the Vienna Group of 10 and with other like-minded States. Disarmament and the non-proliferation of nuclear weapons is a cornerstone of Swedish foreign policy, and Sweden is a staunch supporter of efforts aimed at advancing progress in this field.

3. In the annual statement of Government policy in the parliamentary debate on foreign affairs, the Swedish Minister for Foreign Affairs, Carl Bildt, stated on 17 February 2010 that "Our goal remains a world without nuclear weapons".

4. In an address given at the Global Zero summit on 2 February 2010, Foreign Minister Bildt stated, inter alia, that the international community had arrived at a critical point, where it could either take decisive steps forward in further reducing

nuclear arsenals and preventing a further spread of nuclear weapons, eventually taking the world closer to the goal of a world free of those weapons, or face the very serious risk of the non-proliferation regime eroding and paving the way for a development that would significantly increase the risk of those weapons being used, with catastrophic and unforeseeable effects.

5. An agreement on further limits on strategic arms should be followed by talks aimed at reductions also in substrategic nuclear weapons. Pending the eventual elimination of the substrategic weapons, it would make sense for the remaining weapons to be withdrawn to central storage facilities. Strategic postures and military doctrines should make clear that the sole purpose of the remaining nuclear weapons should be strategic deterrence, and that under no circumstances would nuclear-armed States contemplate their first use. The United States of America and the Russian Federation should be prepared to take the lead in issuing such declarations. The importance of ratification of the Comprehensive Nuclear-Test-Ban Treaty was also stressed.

6. In a op-ed article in the *International Herald Tribune* on 2 February 2010, Foreign Minister Bildt, together with the Foreign Minister of Poland, Radek Sikorski, stated that they were looking forward to welcoming an agreement between the United States and the Russian Federation on further reductions of strategic nuclear weapons. Simultaneously, they called for early progress on steep reductions in substrategic nuclear weapons. They called on the leaders of the United States and the Russian Federation to commit themselves to early measures to greatly reduce substrategic nuclear weapons in Europe as steps towards the total elimination of these types of weapons.

7. At the sixty-fourth session of the General Assembly, Sweden, together with the other States in the New Agenda Coalition, sponsored resolution 64/57, entitled "Towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments". In that resolution, the Assembly noted with satisfaction the renewed interest in nuclear disarmament on the part of international leaders expressed, inter alia, during the Security Council summit on nuclear non-proliferation and nuclear disarmament held on 24 September 2009, reaffirmed that nuclear disarmament and nuclear non-proliferation were mutually reinforcing processes requiring urgent irreversible progress on both fronts, and recalled the unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals, leading to nuclear disarmament, in accordance with commitments made under article VI of the Non-Proliferation Treaty. The resolution was supported by more than 169 countries, demonstrating broad support among regions for the nuclear disarmament pillar of the Treaty.

8. At the sixty-fourth session of the General Assembly, Sweden supported a number of resolutions on nuclear disarmament and non-proliferation, such as the resolutions on the establishment of a nuclear-weapon-free zone in the region of the Middle East (64/26), a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices (64/29), a nuclear-weapon-free southern hemisphere and adjacent areas (64/44), renewed determination towards the total elimination of nuclear weapons (64/47), the follow-up to the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons* (64/55), towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments (64/57), the risk of nuclear

proliferation in the Middle East (64/66) and the Comprehensive Nuclear-Test-Ban Treaty (64/69).

9. Sweden is also committed to the effective implementation of the European Union strategy against the proliferation of weapons of mass destruction, adopted by the Heads of State and Government of the European Union in December 2003. Building further on this strategy, the Heads of State and Government of the European Union agreed in December 2008 on an action plan against the proliferation of weapons of mass destruction and their means of delivery. Furthermore, in December 2008 the Heads of State and Government of the European Union endorsed a declaration on international security, with a focus on issues related to disarmament and the non-proliferation of weapons of mass destruction, as well as the prevention of terrorism.

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Implementation of the 13 practical steps for the systematic and progressive efforts to implement article VI of the Non-Proliferation Treaty and paragraphs 3 and 4 (c) of the 1995 decision on principles and objectives for nuclear non-proliferation and disarmament included in the Final Document adopted by consensus at the 2000 Review Conference

10. Step 1: The importance and urgency of signatures and ratifications, without delay and without conditions and in accordance with constitutional processes, to achieve the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty.

11. Sweden ratified the Comprehensive Nuclear-Test-Ban Treaty on 2 December 1998. Sweden has worked for the early entry into force of the Treaty bilaterally and through the European Union. Sweden has continuously supported the work of the Provisional Technical Secretariat in Vienna and its efforts to establish the international monitoring system for the verification of the Treaty. Sweden has promoted signatures and ratifications of the Treaty through démarches made by the European Union to a number of States. Sweden supported General Assembly resolution 64/69, entitled “Comprehensive Nuclear-Test-Ban Treaty”, in which the Assembly called for measures to enable the Treaty to enter into force. Sweden supports the article XIV conferences as important instruments contributing to the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty and the holding of a seventh article XIV conference. Sweden supported the adoption at the sixth article XIV conference in 2009 of the Final Declaration and Measures to Promote the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty.

12. Step 2: A moratorium on nuclear weapon test explosions or any other nuclear explosions pending the entry into force of that Treaty.

13. Sweden has continuously supported the upholding of a moratorium on nuclear weapon test explosions or any other nuclear explosions by the nuclear-weapon States pending the entry into force of the Comprehensive Nuclear-Test-Ban Treaty.

14. Step 3: The necessity of negotiations in the Conference on Disarmament 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 in accordance with the statement of the Special Coordinator in 1995 and the mandate contained therein, taking into consideration both nuclear disarmament and nuclear non-proliferation objectives. The Conference on

Disarmament is urged to agree on a programme of work that includes the immediate commencement of negotiations on such a treaty with a view to their conclusion within five years.

15. Sweden welcomes the adoption of the programme of work by the Conference on Disarmament in 2009, but regrets that the Conference has not been able to agree on a programme of work in 2010, and that, as a consequence, negotiations have unfortunately not yet commenced on a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear devices. Sweden believes that it is of paramount importance that the members of the Conference on Disarmament agree on a new programme of work as soon as possible. Sweden supported General Assembly resolution 64/29 on a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices. Within the European Union and together with the other States in the New Agenda Coalition, Sweden calls for the declaration, and the upholding, of existing moratoriums on the production of fissile material for military purposes pending the conclusion of a legally binding treaty.

16. Step 4: The necessity of establishing in the Conference on Disarmament an appropriate subsidiary body with a mandate to deal with nuclear disarmament. The Conference on Disarmament is urged to agree on a programme of work that includes the immediate establishment of such a body.

17. Sweden supports the establishment of a subsidiary body in the Conference on Disarmament to deal with nuclear disarmament. Sweden has proposed that discussions on nuclear disarmament take as their point of departure security policy doctrines and information exchange on current nuclear weapons capabilities and nuclear disarmament measures.

18. Step 5: The principle of irreversibility to apply to nuclear disarmament, nuclear and other related arms control and reduction measures.

19. Irreversibility is a fundamental principle for nuclear disarmament. Only irreversible reductions can assure that redeployment of nuclear weapons does not occur. Sweden continues to stress that the principle of irreversibility should be applicable to all disarmament and arms control measures, unilateral, bilateral or multilateral.

20. Step 6: An unequivocal undertaking by 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.

21. Sweden continues to emphasize the importance of States living up to their commitments regarding the total elimination of nuclear arsenals. The unequivocal undertaking to which the nuclear-weapon States committed themselves at the 2000 Review Conference is yet to be fulfilled.

22. Step 7: The early entry into force and full implementation of START II and the conclusion of START III as soon as possible while preserving and strengthening the Treaty on the Limitation of Anti-Ballistic Missile Systems as a cornerstone of strategic stability and as a basis for further reductions of strategic offensive weapons, in accordance with its provisions.

23. Sweden welcomes the joint understanding by the President of the Russian Federation and the President of the United States in July 2009, reaffirming their

commitment to further reductions and limitations of their nations' strategic offensive arms and to concluding at an early date a new, legally binding, post-START agreement. At the same time, Sweden calls upon the Russian Federation and the United States to make steep reductions in their substrategic nuclear weapons, and also to address non-deployed warheads, to make reductions irreversible, transparent and verifiable.

24. Step 8: The completion and implementation of the Trilateral Initiative between the United States, the Russian Federation and the International Atomic Energy Agency (IAEA).

25. Step 9: Steps by all nuclear-weapon States leading to nuclear disarmament in a way that promotes international stability and based on the principle of undiminished security for all; further efforts by the nuclear-weapon States to reduce their arsenals unilaterally; increased transparency by the nuclear-weapon States with regard to the nuclear weapons capabilities and the implementation of agreements pursuant to article VI and as a voluntary confidence-building measure to support further progress on nuclear disarmament; the further reduction of non-strategic nuclear weapons, based on unilateral initiatives and as an integral part of the nuclear arms reduction and disarmament process; concrete agreed measures to further reduce the operational status of nuclear weapons systems; a diminishing role for nuclear weapons in security policies to minimize the risk of these weapons ever being used and to facilitate the process of their total elimination; the engagement as soon as appropriate of all the nuclear-weapon States in the process leading to the total elimination of their nuclear weapons.

26. Sweden fully supports these steps and continues to promote advancements in their implementation. In particular, Sweden continues to press for progress regarding reductions of non-strategic nuclear weapons. Sweden believes that it is essential that non-strategic nuclear weapons be included in international arms control and disarmament efforts. Non-strategic weapons are a global concern. Sweden will continue to work on this issue at the 2010 Review Conference. Sweden also continues to stress the importance of a diminishing role for nuclear weapons in security policies and increased transparency by the nuclear-weapon States with regard to nuclear weapons capabilities and the implementation of agreements pursuant to article VI. At the first session of the Preparatory Committee for the 2010 Review Conference, Sweden, together with the other States in the New Agenda Coalition, submitted a working paper (NPT/CONF.2010/PC.I/WP.15) expressing concern about the emergence in recent years of new military doctrines emphasizing the importance of nuclear weapons, not only to defence but also to the offensive capabilities of States. At the second session, the New Agenda Coalition presented a working paper on transparency and confidence-building (NPT/CONF.2010/PC.II/WP.26).

27. Furthermore, steps to increase transparency regarding nuclear weapons capabilities and the implementation of agreements pursuant to article VI serve as a confidence-building measure and should be strongly supported. The principle of transparency should be applicable to all disarmament and arms control efforts, unilateral, bilateral or multilateral. It is also of particular importance that nuclear-weapon States diminish the role of nuclear weapons in their security policies, do not increase the number or types of nuclear weapons deployed and do not develop new types of nuclear weapons or rationalizations for their use.

28. Step 10: Arrangements by all nuclear-weapon States to place, as soon as practicable, fissile material designated by each of them as no longer required for military purposes 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.

29. Sweden encourages those nuclear-weapon States that have not yet done so to conclude such arrangements.

30. Step 11: Reaffirmation that the ultimate objective of the efforts of States in the disarmament process is general and complete disarmament under effective international control.

31. Sweden takes an active part in the work on disarmament of nuclear, biological and chemical weapons, as well as conventional weapons. Reference is made here to the relevant treaties and instruments that deal with these types of weapons.

32. Step 12: Regular reports, within the framework of the strengthened review process for the Non-Proliferation Treaty by all States parties on the implementation of article VI 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.

33. Sweden believes that reports on the implementation of the article and paragraph mentioned above enhance transparency and accountability and build confidence, and should therefore be encouraged.

34. Step 13: The further development of the 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.

35. Sweden continues to give strong support to IAEA and to a system of strengthened safeguards. The Additional Protocol to comprehensive safeguards agreements represents the verification standard for Non-Proliferation Treaty safeguards. Sweden therefore continues to urge all States to conclude and bring into force Additional Protocols. Such a Protocol entered into force for Sweden, together with other European Union member States and Euratom, on 30 April 2004. Sweden is of the view that the Review Conference should take the decision that the Additional Protocol, together with a Comprehensive Safeguards Agreement, represents the verification standard under article III of the Non-Proliferation Treaty.

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

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Steps taken to promote the achievement of an effectively verifiable Middle East zone free of nuclear weapons and other weapons of mass destruction, and the realization of the goals and objectives of the 1995 resolution on the Middle East

Report submitted by Sweden

1. In part I of the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (see the section entitled "Article VII and the security of non-nuclear-weapon States", para. 16, subpara. 7), it is stated that:

> "The Conference requests all States parties, particularly the nuclear-weapon States, the States of the Middle East and other interested States, to report through the United Nations Secretariat to the President of the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, as well as to the Chairperson of the Preparatory Committee meetings to be held in advance of that Conference, on the steps that they have taken to promote the achievement of such a zone [i.e., a Middle East zone free of nuclear weapons as well as other weapons of mass destruction]* and the realization of the goals and objectives of the 1995 resolution on the Middle East."

2. Sweden would hereby like to communicate the following information regarding the realization of the goals and objectives of the 1995 resolution on the Middle East.

> "1. *Endorses* the aims and objectives of the Middle East peace process and recognizes that efforts in this regard, as well as other efforts, contribute to, inter alia, a Middle East zone free of nuclear weapons as well as other weapons of mass destruction."

* Remark of Sweden.

3. Sweden supports negotiations for a just, enduring and comprehensive peace settlement in the Middle East, based on Security Council resolutions 242 and 338 and the principles derived from successive agreements between the parties. Sweden is strongly committed to the need for a zone free of weapons of mass destruction in the Middle East. This goal could be promoted in several ways, for example, by making full use of the confidence-building measures that exist within the framework of European Union-Mediterranean cooperation (the Barcelona Process/Union for the Mediterranean) and by establishing mechanisms for transparent and reliable verification in order to destroy weapons of mass destruction in the region.

> "2. ... call on those remaining States not parties to the Treaty to accede to it, thereby accepting an international legally binding commitment not to acquire nuclear weapons or nuclear explosive devices and to accept International Atomic Energy Agency safeguards ..."

4. Sweden continues to emphasize the importance of universal accession and adherence to the Treaty. It calls upon Israel to sign and ratify the Treaty and to place all its nuclear facilities under comprehensive International Atomic Energy Agency (IAEA) safeguards.

> "3. *Notes with concern* the continued existence in the Middle East of unsafeguarded facilities ... urging those non-parties to the Treaty ... that operate unsafeguarded nuclear facilities to accept full-scope International Atomic Energy Agency safeguards."

5. Sweden remains concerned about the existence of unsafeguarded nuclear facilities in the region. It urges all States in the Middle East that have not yet done so to conclude and bring into force comprehensive safeguards agreements and additional protocols with IAEA.

> "4. *Reaffirms* the importance of the early realization of universal adherence to the Treaty, and calls upon all States in the Middle East that have not yet done so, without exception, to accede to the Treaty as soon as possible and to place their nuclear facilities under full-scope International Atomic Energy Agency safeguards."

6. See answer under paragraphs 4 and 5 of the present document.

> "5. *Calls* upon all States in the Middle East to take practical steps in appropriate forums aimed at making progress towards, inter alia, the establishment of an effectively verifiable Middle East zone free of weapons of mass destruction, nuclear, chemical and biological, and their delivery systems, and to refrain from measures that preclude the achievement of this objective."

7. Sweden is strongly committed to the establishment of zones free of weapons of mass destruction, including nuclear weapons. Sweden supported General Assembly resolution 64/26, entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East", which was adopted without a vote by the Assembly at its sixty-fourth session.

8. The Islamic Republic of Iran's nuclear programme presents a major challenge to the global non-proliferation regime. The Islamic Republic of Iran must fulfil the requirements of the relevant resolutions of the Security Council and the IAEA Board of Governors. The Islamic Republic of Iran should cooperate fully with IAEA for the purpose of clarifying all outstanding issues, in particular any military

dimensions, and ratify and implement the additional protocol. Sweden supports the dual-track policy and efforts to achieve a negotiated solution with the Islamic Republic of Iran on its nuclear programme.

9. Sweden regrets that the Syrian Arab Republic has not yet responded in a satisfactory manner to the requests by IAEA, and calls for an early clarification of remaining questions in relation to the ongoing IAEA inquiry. The Syrian Arab Republic should cooperate fully with IAEA and show the necessary transparency in order to allow the completion of the Agency's assessment. The Syrian Arab Republic should sign and ratify the additional protocol.

> "6. *Calls* upon all States party to the Treaty on the Non-Proliferation of Nuclear Weapons, and in particular the nuclear-weapon States, to extend their cooperation and to exert their utmost efforts with a view to ensuring the early establishment by regional parties of a Middle East zone free of nuclear and all other weapons of mass destruction and their delivery systems."

10. Sweden continues to support the establishment of a regional zone free of nuclear and all other weapons of mass destruction.

NPT/CONF.2010/12

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

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Memorandum of the Government of Mongolia regarding the consolidation of its international security and nuclear-weapon-free status

A brief history of the issue

1. In the second half of the twentieth century, Mongolia maintained an alliance with the Soviet Union and was host to a number of Soviet military bases containing tens of thousands of troops and substantial military hardware, including weapons of mass destruction.

2. In the aftermath of the Cold War and the withdrawal of the troops of the Soviet Union/Russian Federation from its territory, Mongolia undertook a major reassessment of its security environment. As a result, a ban was imposed on the deployment of foreign troops and weapons of mass destruction, including nuclear weapons, on Mongolian territory and on their transit through Mongolia. In September 1992, President P. Ochirbat of Mongolia addressed the United Nations General Assembly and declared Mongolia a nuclear-weapon-free zone. He proposed to have this status internationally guaranteed.[1] This policy was subsequently reflected in the country's national security concept.[2]

3. Mongolia's declaration of its territory as a single-State nuclear-weapon-free zone was a novel move. Nevertheless, it was rooted in the 1975 special report of the Conference of the Committee on Disarmament entitled "Comprehensive study of the question of nuclear-weapon-free zones in all its aspects" (A/10027/Add.1), in which it was pointed out that nuclear-weapon-free zones might be established not only on entire continents or in large geographical regions, but also by smaller groups of States and even individual countries. Furthermore, in 1976 the General Assembly expressed the hope that the study would be of assistance to States interested in the

[1] See the statement of the President of Mongolia on 25 September 1992 at the general debate of the forty-seventh session of the General Assembly.

[2] See para. 23 (5) of the national security concept of Mongolia of June 1994.

establishment of such zones (see resolution 31/70, para. 5). During the Cold War, no attempts were made by any State to establish a single-State nuclear-weapon-free zone, since endeavouring to establish such zones even in regions free of conflict constituted a challenge.

4. When advocating a single-State nuclear-weapon-free zone for itself, Mongolia proceeded from the view that traditional nuclear-weapon-free zones left out what could be termed "blind spots", i.e., territories of States, particularly Mongolia, that, owing to accidents of geography, were not physically contiguous with the territories of States constituting a nuclear-weapon-free zone. Mongolia was thus prevented from joining the efforts aimed at creating a Central Asian nuclear-weapon-free zone, hence Mongolia's belief that individual States ought to be able to promote their security through declaring their territories nuclear-weapon-free zones. Such an approach not only is consistent with international law, which proclaims the sovereign equality of States, but also contributes to ensuring stability in the regions involved.

5. Mongolia's initiative was welcomed by nuclear-weapon and non-nuclear-weapon States alike. In 1993 and 1994, the former made unilateral statements in support of the initiative. In the Treaty of Friendship and Cooperation between Mongolia and the Russian Federation, concluded in January 1993, the Russian Federation pledged to "respect Mongolia's policy of not admitting the deployment on and transit through its territory of foreign troops, nuclear weapons and other weapons of mass destruction" (see art. 4). China declared that its pledge not to use or threaten to use nuclear weapons against nuclear-weapon-free zones or States applied to Mongolia. The United States of America and the United Kingdom of Great Britain and Northern Ireland stated that Mongolia would benefit from their positive and negative security assurances. France declared that its negative security assurances applied to Mongolia. The Government of Mongolia welcomed those statements of support as a sign of the political support of those Governments for the policy. That support was not meant, however, to recognize Mongolia's single-State nuclear-weapon-free zone status as an international norm, nor was it meant to extend to Mongolia the legally binding security assurances extended to traditional nuclear-weapon-free zones. Therefore, Mongolia has persevered in its efforts to have its nuclear-weapon-free status institutionalized as a single-State nuclear-weapon-free zone.

6. As for non-nuclear-weapon States, they have all expressed full support for Mongolia's policy in general, and for its efforts to institutionalize Mongolia's nuclear-weapon-free status in particular.[3]

Steps taken to institutionalize Mongolia's nuclear-weapon-free status as a single-State nuclear-weapon-free zone

7. In 1997, the United Nations Disarmament Commission took up the issue of guidelines for establishing nuclear-weapon-free zones. Mongolia proposed that the issue of establishing single-State nuclear-weapon-free zones should be considered simultaneously, and presented a working paper for the Commission's consideration. That working paper (A/CN.10/195) contained draft principles for establishing such

[3] See the documents of the summits and ministerial meetings of the Non-Aligned Movement of 1995, 1997, 1998, 2001-2003, 2008 and 2009.

zones, elements of a model agreement regarding such zones and possible stages of consideration of guidelines for establishing single-State nuclear-weapon-free zones. The Commission was in general receptive to Mongolia's proposals, but the five permanent members of the Security Council deemed that a parallel consideration of Mongolia's proposal would be a distraction from considering the issue of the establishment of additional traditional zones. Given the novelty of the concept of a single-State nuclear-weapon-free zone, Mongolia took a flexible position and opted for pursuing the matter by raising it with the permanent five States individually.[4]

8. In the course of the consultations held with individual permanent five members, it became evident that they were reluctant to accept the idea of a single State declaring itself a nuclear-weapon-free zone. Their argument was that, despite the fact that final negotiations were being held at that time regarding the establishment of nuclear-weapon-free zones in Africa and South-East Asia, such an approach would detract from or undermine the incentives for establishing traditional nuclear-weapon-free zones. Mongolia once again showed flexibility and agreed for its nuclear-free policy to be referred to as "nuclear-weapon-free status" until such time as the permanent five were comfortable with the concept of a single-State nuclear-weapon-free zone.

9. In 1998, after a series of consultations, a political understanding was reached between the five permanent members of the Security Council and Mongolia to the effect that, until Mongolia's status was clearly defined, the permanent five would be supportive of Mongolia's nuclear-weapon-free status and would address Mongolia's security issues in a broader context. This political understanding was embodied in General Assembly resolution 53/77 D, entitled "Mongolia's international security and nuclear-weapon-free status", which was adopted on 4 December 1998.

10. Following up on its commitment to a nuclear-weapon-free Mongolia, the State Great Hural (Parliament) of Mongolia adopted, in February 2000, a law that defines the country's nuclear-weapon-free status at the national level (see A/55/56-S/2000/160, annex I). The law addresses such issues as the prohibition of the stationing on or transit through Mongolian territory of nuclear weapons or parts thereof; the prohibition of dumping or disposing of nuclear-weapons-grade radioactive material or nuclear waste; peaceful uses of nuclear energy and technology; national and international verification; and liability for violation of the legislation. The Parliament also adopted a special resolution on implementation measures (see A/55/56-S/2000/160, annex II). The law mandates that the Government cooperate actively with neighbouring and other relevant States, the International Atomic Energy Agency (IAEA) and other international organizations on implementation matters.

11. The first review of the implementation was undertaken in 2006 by an ad hoc inter-agency group, which reported its findings to the Government and the Parliament. Both the General Assembly and IAEA were informed of the review (see A/61/293, annex).

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[4] The guidelines adopted by the Commission in 1999 specifically mention Mongolia's case in a footnote that states "Owing to its unique geographical circumstances, Mongolia has declared its nuclear-weapon-free status in order to promote its security. This status was welcomed by the General Assembly in its consensus resolution 53/77 D of 4 December 1998" (see A/54/42, annex I).

12. In October 2000, the permanent five issued a joint statement (see A/55/530-S/2000/1052, annex) providing security assurances to Mongolia in connection with its nuclear-weapon-free status. The Government of Mongolia welcomed the joint statement as "an important step towards institutionalizing Mongolia's nuclear-weapon-free status at the international level" (see A/55/491-S/2000/994).

13. In September 2001, bearing in mind that Mongolia's nuclear-weapon-free status still lacked clear definition, representatives of Mongolia, the permanent five and the United Nations met in Sapporo, Japan, to consider the ways and means of defining and strengthening Mongolia's status (see A/57/59). The recommendation that emerged from the meeting was that Mongolia should either conclude a trilateral treaty with its two neighbours, the Russian Federation and China, or seek a more ambitious multilateral treaty involving the permanent five as a whole. In January 2002, in a follow-up to the Sapporo recommendations, Mongolia presented to both the Russian Federation and China the draft basic elements of a possible trilateral treaty regarding Mongolia's status. The draft basic elements were generally based on the international practice of establishing nuclear-weapon-free zones, but also reflected the specific situation of Mongolia as a landlocked country with no borders with any other non-nuclear-weapon State.

14. By mid-2002, the Russian Federation and China had responded positively, in principle, to the proposal to conclude a trilateral treaty and offered their concrete suggestions as to its substance. In April 2004, China announced that it had "responded positively to the Mongolian proposal to conclude a treaty" among China, Mongolia and the Russian Federation.[5]

15. In September 2007, Mongolia presented the draft trilateral treaty to the Russian Federation and China and expressed the hope that negotiations could be commenced in the near future. In the most important political development with regard to Mongolia's nuclear-weapon-free status since the joint statement of the permanent five, the Russian Federation and China both expressed a readiness to address the issue of institutionalizing Mongolia's status.

16. In March and September 2009, the three sides held preliminary meetings in Geneva to exchange views on the draft trilateral treaty. Mongolia explained the treaty's purpose and provisions; this was followed by a candid exchange of views on the draft text and its specific provisions. At the end of the second meeting, the Russian Federation and China presented a joint paper containing questions and comments on some provisions of the draft. Mongolia is now carefully studying this joint nine-page inquiry. At the Geneva meetings, both the Russian Federation and China expressed the desire to see the other three nuclear-weapon States — the United States, the United Kingdom and France — also join the talks at some point, since they believed that the security assurances to Mongolia needed to be extended by all permanent five States.

17. The date for the next meeting is yet to be set. Mongolia believes that the preliminary meetings have set the stage for the commencement of actual negotiations.

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[5] See the documents of the third session of the Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

18. Mongolia's nuclear-weapon-free status enjoys broad support within the international community, as reflected in a number of international and bilateral documents.[6] This support is first and foremost evidenced by the consideration by the General Assembly every two years of the item entitled "Mongolia's international security and nuclear-weapon-free status" and the adoption of relevant resolutions.

19. The Non-Aligned Movement has, from the very outset, been strongly supportive of Mongolia's nuclear-weapon-free initiative. In 1995, at the Non-Aligned Movement Cartagena summit, Mongolia's policy was welcomed as a commendable contribution to regional stability and confidence-building. At the 2003 Kuala Lumpur summit, it was declared that institutionalization of the status would be an important measure towards strengthening the non-proliferation regime in the region. At the 2009 Sharm el-Sheikh summit, the start of talks by Mongolia with its two neighbours to conclude the required legal instrument was welcomed, and hope was expressed that the talks would soon result in the conclusion of an international instrument institutionalizing Mongolia's status. In Asia, the Association of Southeast Asian Nations Regional Forum has, on a number of occasions, expressed support for Mongolia's policy and the status.

20. The first Conference of States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones, held in Tlatelolco, Mexico, from 26 to 28 April 2005, invited Mongolia to participate as a full-fledged participant. In its final declaration, the Conference expressed recognition of and full support for Mongolia's nuclear-weapon-free status (see A/60/121, annex III, para. 17). To implement the decisions of the Mexico conference, a nuclear-weapon-free zone focal point was appointed within Mongolia's Ministry of Foreign Affairs and Trade. The focal point has established formal relations with the treaty agencies of nuclear-weapon-free zones and is engaged in exchanges of information and consultations as needed.

21. In April 2009, Mongolia's focal point hosted the first meeting of nuclear-weapon-free zone focal points in Ulaanbaatar, to exchange views on the preparations for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, as well as for the second Conference of States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones, to be held on 30 April 2010 in New York. At the meeting, issues of better coordination and cooperation among nuclear-weapon-free zones were discussed. A joint statement regarding some aspects of the preparations for the above-mentioned conferences was adopted. In May 2009, the document was circulated as a working document of the third session of the Preparatory Committee for the 2010 Review Conference (see NPT/CONF.2010/PC.III/8).

22. Mongolia's initiative also enjoys growing support among international non-governmental organizations. Thus, in 2007 at the North-East Asian regional meeting of the Global Partnership for the Prevention of Armed Conflict, it was noted that institutionalization of Mongolia's nuclear-weapon-free status as a single-State nuclear-weapon-free zone "would be an important measure of preventive diplomacy and would enhance predictability in the region", and support was expressed for Mongolia's policy of neutrality. At the meeting, it was also noted that such a nuclear-weapon-free zone would eliminate a possible blind spot in the emerging network of nuclear-weapon-free zones. In 2007, similar support was

[6] Some of the endorsements can be found in A/61/293, annex.

expressed at the North Asia regional meeting of International Physicians for the Prevention of Nuclear War.

23. In 2004, pursuant to the General Assembly resolution on "Mongolia's international security and nuclear-weapon free status", the United Nations Development Programme and the Department of Economic and Social Affairs of the United Nations Secretariat commissioned a study of Mongolia's economic security and ecological vulnerability, and presented its findings and recommendations to the Government of Mongolia.

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

24. In 2000, Mongolia's nuclear-weapon-free status was mentioned, for the first time, in a document of a Review Conference. In that document, Mongolia's declaration of its status was welcomed by and received the support of the participants at the Review Conference, who took note of the adoption of the national legislation.[7] The draft final document of the 2005 Review Conference also made reference to Mongolia's nuclear-weapon-free status, but the final document was never adopted. The Non-Aligned Movement's joint working paper on nuclear-weapon-free zones presented to the first session of the Preparatory Committee for the 2010 Review Conference noted that "… the further institutionalization of Mongolia's nuclear-weapon-free status would be an important measure towards strengthening the non-proliferation regime in that region" (see NPT/CONF.2010/PC.I/WP.11). As part of preparations for the 2010 Review Conference, Mongolia submitted to the second session of the Preparatory Committee a working paper outlining its position on nuclear-weapon-free zones (NPT/CONF.2010/PC.II/WP.1). In that document, the importance of promoting closer cooperation between various nuclear-weapon-free zones was underlined, and a comprehensive study was called for on the issue of nuclear-weapon-free zones in all its aspects, highlighting the experience of establishing such zones, their strengths and weaknesses, their comparative advantages and their role in promoting the goals of non-proliferation and nuclear disarmament in the twenty-first century.

25. On 16 February 2010, Mongolia convened a round-table discussion in Vienna on the theme "Reinforcing the Non-Proliferation Treaty: challenges and opportunities", which was attended by representatives of United Nations Member States and the United Nations community in Vienna. The round table provided an occasion to freely exchange information and share views on some of the issues of the 2010 Review Conference. Among other things, participants in the round table discussed the importance of passing national legislation to complement regional and international efforts to promote the objectives of nuclear disarmament and non-proliferation.

The way forward

26. The purpose of the present memorandum is to demonstrate that Mongolia's nuclear-weapon-free status enjoys the broad support and recognition of the international community. It is the policy of the Government of Mongolia to continue its efforts aimed at institutionalizing this status by concluding an international treaty

[7] See the Final Document of the 2000 Review Conference, part I, section entitled "Article VII and the security of non-nuclear-weapon States", para. 8.

clearly defining that status. In the years ahead, the Government of Mongolia will strengthen its relations and cooperation with nuclear-weapon-free zones. It is the belief of the Government of Mongolia that nuclear-weapon-free zones play an important role in strengthening the non-proliferation regime and promoting nuclear disarmament, and that they are a valuable contribution to the efforts aimed at achieving a world free of nuclear weapons.

NPT/CONF.2010/13

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

5 April 2010

Original: English

New York, 3-28 May 2010

Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons

Report submitted by Poland

1. Pursuant to the request of the 2000 Review Conference, the Republic of Poland is submitting the present report, which contains the overview of steps and measures undertaken to implement all the provisions of the Treaty. The scope of the report covers the time frame since the conclusion of the seventh Review Conference held in 2005.

Article I

2. As a part of its official foreign policy, Poland consistently calls upon nuclear-weapon States not to assist, encourage or induce any non-nuclear-weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices. Furthermore, Poland welcomes reductions of the arsenals by nuclear-weapon States and encourages them to continue the policy of diminishing the role of nuclear weapons in military doctrines and security strategies since such steps could discourage other States from acquiring weapons of mass destruction.

3. Poland is seriously concerned with the cases of proliferation of nuclear weapons and the possibility of their acquisition by non-State actors. That is why Poland, in May 2007, became a member of the Global Initiative to Combat Nuclear Terrorism and actively supports implementation of the Proliferation Security Initiative, also known as the Cracow Initiative. The Government of Poland hosted the high-level political meeting of the Proliferation Security Initiative in June 2006, as well as the regional operational experts group meeting in June 2009 and a field exercise in September 2006. In December 2009, Poland ratified the International Convention for the Suppression of Acts of Nuclear Terrorism, which entered into force in January 2010.

Article II

4. Poland remains unequivocally committed to its obligation under article II of the Treaty not to transfer, manufacture or receive control over nuclear weapons. The trade, import, export, acquisition, brokering or transport of weapons of mass destruction, whether nuclear, chemical or biological weapons or their components, through the territory of the Republic of Poland, are explicitly prohibited under Polish law. In this respect, the Atomic Law of November 2000, as amended in April 2004, and the Law of 29 November 2000 on foreign trade in goods, technologies and services of strategic importance to the security of the State and to maintaining international peace and security, as amended in July 2004, must be mentioned. In addition, the Polish Penal Code incorporates penal sanctions against any person who, in violation of international law, produces, stockpiles, acquires, sells or transports weapons of mass destruction (including nuclear weapons) or other means of combat or conducts research aimed at producing or using such weapons.

5. Poland is also strongly engaged in the implementation of the 2003 European Union Strategy against Proliferation of Weapons of Mass Destruction and New Lines for Action by the European Union in Combating the Proliferation of weapons of mass destruction and their Delivery Systems, adopted in December 2008.

Article III

Safeguards

6. The agreement between Poland and the International Atomic Energy Agency (IAEA) for the application of safeguards in connection with the Treaty entered into force on 11 October 1972. The requirements of article III, paragraph 1, were therefore fulfilled with regard to Poland. Moreover to ensure the highest possible level of transparency, on 5 May 2000 Poland ratified the Additional Protocol to the Agreement on Safeguards between Poland and IAEA.

7. In the same spirit, Poland initiated cooperation with the Integrated Regulatory Review Service of IAEA. In this regard, the aim of the mission of IAEA is to undertake a review of the preparedness of the Polish National Atomic Energy Agency (the central organ of governmental administration responsible for the issues of nuclear safety and radiological protection) to carry out its regulatory duties, taking into account the decision to develop a nuclear power programme in Poland. The first visit of the mission was held in 2009 and the second one in February 2010. The third is planned for the end of 2010.

8. Poland continuously supports strengthening the IAEA safeguards system and considers that the IAEA comprehensive safeguards agreements and additional protocols constitute the current verification standard.

Export control

9. As a member of both the Zangger Committee and the Nuclear Suppliers Group, Poland implements its obligations under article III, paragraph 2, of the treaty by controlling its exports in accordance with the provisions of the article, including not to provide: (a) source or special fissionable material; or (b) equipment or material especially designed or prepared for the processing, use or production of special fissionable material, to any non-nuclear-weapon State for peaceful purposes, unless the source or special fissionable material shall be subject to the safeguards

required by the article. Poland also cooperates in the framework of the exchange of information systems aimed at providing the States members of the Nuclear Suppliers Group with national control system refusals regarding dual-use products. Polish responsibilities under article III, paragraph 2, are also fulfilled through participation in the European Community regime for the control of exports, transfer, brokering and transit of dual-use items.

10. Poland participates in the Missile Technology Control Regime and implements its guidelines, which restrict the proliferation of the means of delivery of weapons of mass destruction, including nuclear weapons.

11. Poland continues to strengthen its borders against possible illicit transfers of vulnerable nuclear and radiological materials. Part of this effort is carried out in the framework of the United States Second Line of Defense Programme.

Article IV

12. Poland strongly supports the peaceful uses of nuclear energy. Resolution No. 4/2009 of the Council of the Ministers of 13 January 2009 on nuclear power development activities and the Ordinance of the Council of Ministers of 12 May 2009 on establishing the Government Commissioner for Nuclear Power in Poland launched preparations to develop the Polish nuclear power programme. Its content should be ready by the end of 2010. The document will:

- Determine the desirable scope of nuclear power development
- Determine all necessary tasks for the State and the time schedule leading to the implementation of the nuclear power programme for Poland
- Estimate the development costs of the nuclear power programme for Poland and provide financing sources
- Assess the economic, social and environmental impact of the development of the nuclear power programme for Poland

The time schedule for nuclear power development comprises the following stages:

I. Until 31 December 2010: preparation and approval by the Council of the Ministers of the Polish nuclear power programme

II. From 2011 to 2013: nuclear power programme site selection and conclusion of a contract for construction of the first nuclear power plant

III. From 2014 to 2015: preparation of technical design, making all required decisions and obtaining permits

IV. From 2016 to 2020: construction of the first nuclear power plant in Poland

According to the Polish energy policy, in order to secure its energy demand, Poland should construct three nuclear power plants, with a total capacity of approximately 10,000 MWs by 2030.

13. Poland continues to operate one nuclear research reactor “MARIA” with a nominal power output of 20 MWs. It was converted from using 80 per cent enriched uranium fuel to burning, currently, 36 per cent. The 20 per cent enriched uranium fuel is currently being tested. There is a plan to convert the reactor to burning this

low enriched fuel after 2015. Spent fuel is systematically sent for utilization to the Russian Federation, under a United States financed initiative within the framework of the Global Threat Reduction Initiative of 2004.

Nuclear safety and security

14. Nuclear safety and security questions are of utmost importance for Poland, which is a party to all the multilateral legal instruments created under the auspices of IAEA. Poland considers the aforementioned conversion of the "MARIA" reactor as a crucial project, which will enormously contribute to the further strengthening of nuclear security.

15. Poland has also actively participated in the process aimed at amending the Convention on the Physical Protection of Nuclear Material, and ratified the amendment on 1 June 2007.

16. As a visible symbol of Polish engagement in the issues of nuclear safety and security, Poland took an active part in the nuclear security summit organized in April in Washington, D.C. The Summit reiterated the commitment of the international community to working jointly towards improving the security of sensitive nuclear materials.

Article V

17. Since the ratification of the Comprehensive Nuclear-Test-Ban Treaty in 1999, Poland has constantly reiterated its firm commitment to the Treaty.

18. Poland took part in all the conferences pursuant to article XIV of the Treaty, with a view to facilitating its entry into force, and fully supported the Final Declaration of the 2009 Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty. Poland's proactive approach to the promotion of the Comprehensive Nuclear-Test-Ban Treaty was reaffirmed at the above-mentioned forums and during the respective sessions of the First Committee of the General Assembly.

19. Poland considers the role of the Preparatory Commission of the Comprehensive Nuclear-Test-Ban Treaty Organization and its provisional technical secretariat to be of key importance to the successful establishment of an effective verification regime.

Article VI

20. Poland strongly encourages all nuclear-weapon States to continue in good faith their efforts aimed at achieving the long-term objective of eliminating nuclear weapons. In this respect, Poland supports also the inclusion of tactical nuclear weapons in general arms control and disarmament processes, with a view to their gradual reduction and elimination. Disarmament efforts should be reinforced by a responsible policy of reducing the posture of nuclear weapons in military doctrines and security strategies.

21. Poland welcomes the progress achieved by the United States of America and the Russian Federation on a new treaty, which would further reduce the number of strategically deployed warheads on both sides.

22. As a contribution to the reopened international debate on the nuclear-weapon-free world, in November 2008 Poland hosted the International Conference on Non-proliferation and Denuclearization. The report of that Conference was distributed at the Conference on Disarmament, the Disarmament Commission and at the third session of the Preparatory Committee for the 2010 Review Conference. In addition, in April 2009, three former Polish statesmen published an article entitled "The unthinkable becomes thinkable: towards elimination of nuclear weapons".

23. Poland applauded the decision made by the Conference on Disarmament in May 2009 to adopt a workplan. In this context, Poland supports, as a matter of the highest priority, the commencement of the negotiations on a verifiable treaty banning the production of fissile material for nuclear weapons and other nuclear explosive devices and its conclusion.

24. Poland welcomed the adoption of Security Council resolution 1887 (2009) and attaches great importance to the exchange of views and the decisions adopted by the General Assembly regarding nuclear disarmament. During the sixty-fourth session of the Assembly, Poland supported the following resolutions and decisions dealing with nuclear non-proliferation and disarmament:

Resolutions

64/24 – African Nuclear-Weapon-Free Zone Treaty (Pelindaba)

64/26 – Establishment of a nuclear-weapon-free zone in the region of the Middle East

64/28 – Prevention of an arms race in outer space

64/29 – Treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices

64/35 – International Day against Nuclear Tests

64/38 – Measures to prevent terrorists from acquiring weapons of mass destruction

64/39 – Treaty on the South-East Asia Nuclear-Weapon-Free Zone (Bangkok Treaty)

64/44 – Nuclear-weapon-free southern hemisphere and adjacent areas

64/47 – Renewed determination towards the total elimination of nuclear weapons

64/52 – Second Conference of States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones and Mongolia

64/57 – Towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments

64/64 – Report of the Conference on Disarmament

64/65 – Report of the Disarmament Commission

64/66 – The risk of nuclear proliferation in the Middle East

64/69 – Comprehensive Nuclear-Test-Ban Treaty

Decisions

64/512 – Verification in all its aspects, including the role of the United Nations in the field of verification (decision)

64/516 – Preventing the acquisition by terrorists of radioactive materials and sources (decision)

25. In 2009, Poland chaired the United Nations Disarmament Commission session, which launched the new three-year cycle.

26. At the fifty-third session of the General Conference of IAEA, Poland supported the following resolutions dealing with nuclear non-proliferation and disarmament:

GC(53)/RES/11 — Nuclear security, including measures to protect against nuclear and radiological terrorism

GC(53)/RES/14 — Strengthening the effectiveness and improving the efficiency of the safeguards system and application of the Model Additional Protocol

GC(53)/RES/15 — Implementation of the Non-Proliferation Treaty safeguards agreement between the Agency and the Democratic People's Republic of Korea

GC(53)/RES/16 — Application of IAEA safeguards in the Middle East

Article VII

27. Poland welcomes the progress in arriving at and implementing nuclear-weapon-free zone agreements, in particular the entry into force of the Central Asian nuclear-weapon-free zone on 21 March 2009 and the African Nuclear-Weapon-Free Zone Treaty on 15 July 2009.

28. At the same time, Poland remains of the opinion that the process of developing and establishing nuclear-weapon-free zones should be strictly consistent with international law and the universally agreed principles set out in the United Nations Disarmament Commission guidelines.

Article VIII

29. Poland supports the strengthened review process of the Treaty as adopted during the 1995 Non-Proliferation Treaty review and extension conference. In this context, Poland follows the practice of reporting on the implementation of the Treaty as an important element of the review process.

Article IX

30. Poland continues to emphasize the importance of the universalization of the Treaty and calls on countries that have not yet done so to accede to the Treaty without preconditions and without unnecessary delay.

NPT/CONF.2010/14

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

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Implementation of the resolution on the Middle East adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

Background paper prepared by the United Nations Secretariat

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I. Introduction

1. At its third session (May 2009), the Preparatory Committee for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons invited the Secretary-General to prepare for the Conference a background paper on the implementation of the resolution on the Middle East adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, with a view to realizing the aims and objectives of the resolution.

2. The Preparatory Committee stated that the following general approach should apply to the proposed paper (similar to the approach applied for the preparation of background documentation for the previous review conferences): the paper must present balanced, objective and factual descriptions of the relevant developments, be as short as possible and be easily readable. It should reflect agreements reached, actual unilateral and multilateral measures taken, understandings adopted, formal proposals for agreements made and important political developments directly related to any of the foregoing. The paper should focus on the period since the 2005 Review Conference, including implementation of the decisions and the resolution adopted by the 1995 Review and Extension Conference and the Final Document of the 2000 Review Conference.

3. The present paper is submitted pursuant to that request. Attention is also drawn to the background paper prepared by the International Atomic Energy Agency (IAEA) regarding its activities relevant to the implementation of the Treaty.[1]

II. Resolution on the Middle East adopted by the 1995 Review and Extension Conference

4. On 11 May 1995, the Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons adopted the resolution on the Middle East, sponsored by the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America as depositaries of the Treaty on the Non-Proliferation of Nuclear Weapons. In the resolution the Conference inter alia endorsed the aims and objectives of the peace process and recognized that efforts in this regard, as well as other efforts, contribute to a Middle East free of nuclear weapons as well as other weapons of mass destruction. Furthermore, it called on States in the region not parties to the Treaty to accede to the Treaty and accept full-scope IAEA safeguards, and urged nuclear- and non-nuclear-weapon States to fully cooperate with regional efforts to create a zone in the Middle East free of nuclear and all other weapons of mass destruction. The text of the resolution is contained in the annex to this paper.

[1] NPT/CONF.2010/16.

III. Review of the implementation of the resolution on the Middle East

A. Efforts contributing to the achievement of the aims and objectives of the Middle East peace process

5. By paragraph 1 of the resolution on the Middle East, the Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons endorsed the aims and objectives of the Middle East peace process and recognized that efforts in this regard, as well as other efforts, contribute to, inter alia, a Middle East zone free of nuclear weapons as well as other weapons of mass destruction. This was reaffirmed in the Final Document of the 2000 Review Conference.[2]

6. Observations on the current state of the Israeli-Palestinian conflict and on international efforts to move the peace process forward with a view to achieving a peaceful settlement can be found in the reports of the Secretary-General on the peaceful settlement of the question of Palestine, contained in documents A/60/539-S/2005/701, which covers the period from September 2004 to September 2005; A/61/355-S/2006/748, which covers the period from September 2005 to September 2006; A/62/344-S/2007/553, which covers the period from September 2006 to September 2007; A/63/368-S/2008/612, which covers the period from September 2007 to August 2008; and A/64/351-S/2009/464, which covers the period from September 2008 to August 2009.

B. Acceptance of full-scope International Atomic Energy Agency safeguards on all nuclear activities

7. As stipulated in paragraphs 3 and 4 of the resolution on the Middle East and in the decision on principles and objectives for nuclear non-proliferation and disarmament,[3] all States of the Middle East that have not yet done so should place their nuclear facilities under comprehensive IAEA safeguards.

8. The United Nations General Assembly, in numerous resolutions on the subject of the establishment of a nuclear-weapon-free zone in the Middle East[4] as well as on the subject of the risk of nuclear proliferation in the Middle East,[5] has called upon all States in the Middle East that have not yet done so to place all their nuclear activities under full-scope IAEA safeguards.

9. In the consensus document adopted by the 2000 Review Conference,[2] all parties directly concerned were urged to consider seriously taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East in accordance with the relevant resolutions of the General Assembly and, as a means of promoting this objective, the States concerned were invited to adhere to the Non-Proliferation Treaty and, pending the establishment of such a zone, to agree to place all their nuclear activities under IAEA safeguards.

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[2] NPT/CONF.2000/28 (Parts I and II).

[3] NPT/CONF.1995/32 (Part I), annex, decision 2.

[4] For example, resolution 3263 (XXIX).

[5] For example, resolution 49/78.

10. The General Conference of IAEA in a series of resolutions on the application of IAEA safeguards in the Middle East[6] has reaffirmed the urgent need for all States in the Middle East forthwith to accept the application of full-scope Agency safeguards on all their nuclear activities as an important confidence-building measure among all States in the region and as a step in enhancing peace and security in the context of the establishment of a nuclear-weapon-free zone. The General Conference has also called upon all parties directly concerned to consider seriously taking the practical and appropriate steps required for the implementation of the proposal to establish a mutually and effectively verifiable nuclear-weapon-free zone in the region. The General Conference has also invited the States concerned to adhere to international non-proliferation regimes, including the Non-Proliferation Treaty, as a means of complementing participation in a zone free of all weapons of mass destruction in the Middle East and of strengthening peace and security in the region. Details of the steps taken towards the implementation of the General Conference resolutions are given in the IAEA background paper on the Agency's activities relevant to implementation of the Treaty.[1]

11. Since the 2005 Review Conference, all States of the Middle East region (as defined by IAEA)[7] except Djibouti, Israel and Somalia have accepted comprehensive Agency safeguards. Six States have brought into force comprehensive Agency safeguards since 2005. Djibouti has had its comprehensive safeguards agreement approved by the Board of Governors but has not yet signed. Somalia has yet to submit a comprehensive safeguards agreement to the Board of Governors for its consideration.

12. Since 2005 three States in the region have brought into force the Additional Protocol. Thus Additional Protocols are in force in five States of the region (the Comoros, Jordan, Kuwait, the Libyan Arab Jamahiriya and Mauritania). Six States (the Islamic Republic of Iran, Iraq, Morocco, Tunisia and the United Arab Emirates) have signed but not yet brought their Additional Protocol into force. As at 17 February 2010, the Additional Protocol is being applied provisionally in Iraq, pending its entry into force. The Board of Governors has approved Additional Protocols for three States (Algeria, Bahrain and Djibouti), which have not yet signed.

13. Of the States with comprehensive safeguards agreements in force, 10 States (Bahrain, the Comoros, Kuwait, Lebanon, Mauritania, Oman, Qatar, Saudi Arabia, the Sudan and the United Arab Emirates) implement the Small Quantities Protocol with the Agency. Of these, four States (Bahrain, the Comoros, Lebanon and Qatar) implement the modified standard Protocol, which was approved by the Board of Governors on 20 September 2005. Morocco rescinded its Small Quantities Protocol on 15 November 2007.

14. Israel has an IAEA INFCIRC/66/Rev.2 safeguards agreement in force for one of its two research reactors but does not have a comprehensive safeguards agreement with IAEA. In September 2009 the IAEA General Conference adopted

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[6] For example, resolution GC(XXXV)/RES/571.

[7] IAEA considers the Middle East to include Algeria, Bahrain, the Comoros, Djibouti, Egypt, Iran (Islamic Republic of), Iraq, Israel, Jordan, Kuwait, Lebanon, the Libyan Arab Jamahiriya, Mauritania, Morocco, Oman, Qatar, Saudi Arabia, Somalia, the Sudan, the Syrian Arab Republic, Tunisia, the United Arab Emirates and Yemen (IAEA document GC(XXXIII)/887, para. 3).

resolution GC(53)/RES/17 on Israeli nuclear capabilities. In the resolution, which was adopted by 49 votes to 45, with 16 abstentions, the General Conference expressed concern about the Israeli nuclear capabilities, and called upon Israel to accede to the Non-Proliferation Treaty and place all its nuclear facilities under comprehensive IAEA safeguards.

C. Realization of universal adherence to the Treaty

15. Under the resolution on the Middle East and the decision on principles and objectives for nuclear non-proliferation and disarmament[3] all States not yet parties to the Non-Proliferation Treaty are called upon to accede to the Treaty at the earliest date, particularly those States that operate unsafeguarded nuclear facilities. Every effort should be made by all States parties to achieve this objective.[8] All States of the region of the Middle East, with the exception of Israel, are States parties to the Non-Proliferation Treaty. A total of 190 States have joined the Treaty, including the succession of one additional State since the 2005 Review Conference.

D. Efforts contributing to a Middle East zone free of nuclear weapons as well as other weapons of mass destruction, nuclear, chemical and biological, and their delivery systems

16. The idea of establishing a nuclear-weapon-free zone in the Middle East dates back to the 1970s and was first formally raised by the Islamic Republic of Iran and Egypt. Since then, all the States of the region have expressed support for such a zone, including in the United Nations where a resolution on the subject has been adopted annually by consensus in the General Assembly since 1980. The IAEA General Conference resolution on the application of IAEA safeguards in the Middle East was also adopted annually by consensus for 14 years. Despite the widespread support for the concept little progress has been achieved towards the establishment and implementation of such a zone.

17. Discussions within and outside the United Nations have revealed differences of view regarding how best to advance the concept of a Middle East nuclear-weapon-free zone and on preferred approaches to its establishment. Israel and the Arab States emphasize differently the importance of undergoing the negotiating process versus achieving a political end result. Israel believes that the main objective is regional peace and security and that political realities in the Middle East mandate a gradual negotiation process based on a step-by-step approach, with the establishment of peaceful relations, reconciliation, mutual recognition and good neighbourliness and complemented by conventional and non-conventional arms control measures.[9] Arab States have focused on achieving the end result of establishing such a zone through Israel's immediate signing of the Non-Proliferation Treaty and submitting its nuclear activities to full-scope IAEA safeguards. The Arab States and the Islamic Republic of Iran believe that there should not be a linkage

[8] NPT/CONF.1995/32 (Part I), annex, decision 2, para. 1.

[9] Statement by Shaul Chorev, Director General of the Israel Atomic Energy Commission, to the 53rd General Conference of the International Atomic Energy Agency, September 2009.

between the peace process and the establishment of a nuclear-weapon-free zone and that the negotiations for each should be pursued in parallel.[10]

18. There are also different opinions on the role of international versus regional organizations on verification of such a zone. For example, Israel envisions an intrusive and comprehensive verification regime, with a dedicated regional organization, that goes much further than is currently mandated under the Additional Protocol agreed with IAEA.[11] The Arab States and the Islamic Republic of Iran see IAEA as the appropriate body to verify a zone.[12] Both sides nevertheless support the expansion of a zone to include all weapons of mass destruction — nuclear, biological and chemical — as well as their delivery systems.[13]

19. In October 2005, on the tenth anniversary of the declaration of the Barcelona Process, the participating States adopted a text in which they welcomed the inclusion of non-proliferation of weapons of mass destruction clauses in its latest agreements and action plans, and pointed out that such measures must be implemented by all the partner countries without exception with a view to declaring the Mediterranean a weapons of mass destruction-free area.[14]

20. In December 2005, the Secretary-General of the Gulf Cooperation Council publicly announced an initiative to declare the Persian Gulf a weapons of mass destruction-free zone. In its initial stages, the agreement would include only the nine States situated in the subregion — the six States of the Gulf Cooperation Council (Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates) and the Islamic Republic of Iran, Iraq and Yemen. Once established, the regime would eventually be opened for other States in the region to join and would therefore complement a future weapons of mass destruction-free zone in the Middle East.

21. In February 2006, the IAEA Board of Governors recognized that a solution to the Iranian issue would contribute to global non-proliferation efforts and to realizing the objective of a Middle East free of weapons of mass destruction, including their means of delivery.[15] The Security Council recalled this in resolutions 1747 (2007) and 1803 (2008).

22. For the first time in 14 years, in September 2006, the General Conference resolution on the application of IAEA safeguards in the Middle East was adopted by a vote, rather than by consensus, receiving 89 votes in favour to 2 against (Israel and the United States), with 3 abstentions.[16] Israel stated that it will continue to support the idea of a Middle East free of weapons of mass destruction.[17] Under this agenda item the IAEA General Conference had in 2000 adopted a decision in which the Director General was requested to convene a forum in which participants from the Middle East and other interested parties could learn from the experience of other regions, including in the area of confidence-building relevant to the establishment of

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[10] See A/64/124 (Part I).
[11] See IAEA document GOV/2000/38-GC(44)/14.
[12] Ibid.
[13] Ibid.; and A/64/124 (Part I)/Add.1.
[14] European Union document INI/2005/2058, para. 59.
[15] Resolution GOV/2006/14.
[16] Resolution GC(50)RES/16.
[17] Statement by Shaul Chorev, Director General of the Israel Atomic Energy Commission, to the 52nd General Conference of the International Atomic Energy Agency, September 2008.

a nuclear-weapon-free zone.[18] Although terms of reference for the forum were agreed in 2004, so far IAEA has been unable to convene the forum. According to a report of the Agency in 2009, "it is evident that a convergence of views is developing on convening the forum, but consensus still remains elusive regarding the agenda that a forum would need to address".[19]

23. In March 2007, during the ministerial meeting of the Arab League in Riyadh, Arab leaders adopted a resolution to convene an extraordinary ministerial-level meeting of the Council of the League of Arab States, preceded by a meeting of a committee of senior Arab officials, to recommend a relevant policy and practical mechanism to rid the Middle East of weapons of mass destruction. In November 2007, the Minister for Foreign Affairs of Saudi Arabia put forward an initiative of the Gulf Cooperation Council to establish a joint enrichment centre based in a country outside the region to supply nuclear fuel to civilian reactors in the Middle East. The initiative included a proposal to establish a regional fuel bank for all States in the Middle East that are interested in nuclear energy.

24. In 2007, the Regional Network of Strategic Studies Centers formed a working group focusing on arms control, non-proliferation, border security and the establishment of a Middle East free of weapons of mass destruction. On 19 June 2008 the European Union Institute for Security Studies organized in Paris a seminar on the theme "Middle East Security and Weapons of Mass Destruction Non-Proliferation/Disarmament". On 13 July 2008 France hosted a high-level summit meeting to revive the Barcelona Process.[20] The Joint Declaration issued at the close of the meeting included a commitment to pursue a weapons of mass destruction-free zone in the Middle East. The declaration included a clause noting that "The parties shall pursue a mutually and effectively verifiable Middle East zone free of weapons of mass destruction, nuclear, chemical and biological, and their delivery systems".[21]

25. On the basis of its 2007 decisions, the League of Arab States submitted working papers to the Preparatory Committee for the 2010 Review Conference at its second[22] and third[23] sessions, in which it called for the adoption of measures to promote the implementation of the 1995 resolution on the Middle East. Suggested measures included the allocation of a specific period of time during the meetings of the Preparatory Committee to consider the implementation of the resolution; the establishment of a subsidiary body of Committee II of the 2010 Review Conference to consider proposals relating to the implementation of the resolution; and the establishment of a standing committee to follow up the implementation of the recommendations, in particular the prompt accession by Israel to the Non-Proliferation Treaty and the placement of all its nuclear facilities under comprehensive IAEA safeguards. The working papers called also for a number of interim steps to implement the resolution on the Middle East, such as an international meeting convened by the United Nations, and a call for nuclear-weapon and non-nuclear-weapon States not to transfer nuclear-weapon-related equipment, information, material, facilities, resources or devices, or extend any

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[18] Decision GC(44)/DEC/12.

[19] IAEA document GOV/2009/44-GC(53)/12, para. 17.

[20] States of the Middle East and North Africa participating: Algeria, Egypt, Israel, Jordan, Lebanon, Morocco, Syrian Arab Republic, Tunisia and Turkey. The Palestinian Authority also participated.

[21] Joint Declaration of the Paris Summit for the Meditteranean, 13 July 2008.

[22] NPT/CONF.2010/PC.II/WP.2.

[23] NPT/CONF.2010/PC.III/WP.23.

assistance to Israel in the nuclear field, whether for peaceful or for military purposes. The League of Arab States at its Summit in Doha in 2009 adopted a resolution urging Ministers for Foreign Affairs of Arab States to define common positions and policies, including possible actions by the Arab States. The resolution also proposed addressing the outcome of the 2010 Review Conference and other international developments towards a weapons of mass destruction-free zone in follow-on submissions to the 2011 Summit.

26. At the third session of the Preparatory Committee for the 2010 Review Conference the Russian Federation proposed holding an international conference involving all parties concerned to consider the prospects for implementation of the 1995 resolution on the Middle East and the appointment of a special coordinator authorized to hold consultations and report to the States parties to the Non-Proliferation Treaty.

27. Recognizing the growing interest in nuclear energy among States parties in the Middle East, Bahrain, Saudi Arabia and the United Arab Emirates have indicated their intention to renounce the acquisition of sensitive nuclear fuel-cycle technologies such as uranium enrichment and plutonium separation.[24] Specifically, the United Arab Emirates adopted a decree that includes a prohibition on the development, construction or operation of uranium enrichment or spent fuel reprocessing facilities within its borders.[25]

28. In addition, since 2005 two high-level independent international commissions have addressed the issue of a nuclear-weapon-free zone in the Middle East — the Weapons of Mass Destruction Commission chaired by Hans Blix and the International Commission on Nuclear Non-Proliferation and Disarmament chaired by Gareth Evans and Yoriko Kawaguchi. The Weapons of Mass Destruction Commission recommended that all States should support continued efforts to establish a zone free of weapons of mass destruction in the Middle East as a part of the overall peace process.[26] The Commission proposed that, as a confidence-building measure, all States in the region should commit themselves to a verified arrangement not to have any enrichment, reprocessing or other sensitive fuel-cycle activities on their territories for a prolonged period of time. It was envisaged that such a commitment would be coupled with reliable assurances about fuel-cycle services required for peaceful nuclear activities. In its report of December 2009,[27] the International Commission on Nuclear Non-Proliferation and Disarmament recommended the Secretary-General's convening of a conference to address ways and means to implement the 1995 resolution on the Middle East, including the identification of confidence-building measures that all key States in the region could embrace, with early consultations — drawing explicitly on the experience of other nuclear-weapon-free zones — to facilitate that. The International Commission also proposed that a Special Representative should be appointed to guide these efforts.

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[24] United States Department of State, "U.S.-Bahraini Memorandum of Understanding on Nuclear Energy Cooperation", 24 March 2008; "U.S.-United Arab Emirates Memorandum of Understanding on Nuclear Energy Cooperation", 21 April 2008; and "U.S.-Saudi Arabia Memorandum of Understanding on Nuclear Energy Cooperation", 16 May 2008.

[25] Federal Law No. 6 of 2009 regarding the Peaceful Uses of Nuclear Energy.

[26] Weapons of Mass Destruction Commission, *Weapons of Terror: Freeing the World of Nuclear, Biological and Chemical Arms* (Stockholm, 2006).

[27] International Commission on Nuclear Non-Proliferation and Disarmament, *Eliminating Nuclear Threats: A Practical Agenda for Global Policymakers* (Canberra and Tokyo, 2009).

Annex

Resolution on the Middle East

The Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,

Reaffirming the purpose and provisions of the Treaty on the Non-Proliferation of Nuclear Weapons,

Recognizing that, pursuant to article VII of the Treaty, the establishment of nuclear-weapon-free zones contributes to strengthening the international non-proliferation regime,

Recalling that the Security Council, in its statement of 31 January 1992,[a] affirmed that the proliferation of nuclear and all other weapons of mass destruction constituted a threat to international peace and security,

Recalling also General Assembly resolutions adopted by consensus supporting the establishment of a nuclear-weapon-free zone in the Middle East, the latest of which is resolution 49/71 of 15 December 1994,

Recalling further the relevant resolutions adopted by the General Conference of the International Atomic Energy Agency concerning the application of Agency safeguards in the Middle East, the latest of which is GC(XXXVIII)/RES/21 of 23 September 1994, and noting the danger of nuclear proliferation, especially in areas of tension,

Bearing in mind Security Council resolution 687 (1991) and in particular paragraph 14 thereof,

Noting Security Council resolution 984 (1995) and paragraph 8 of the decision on principles and objectives for nuclear non-proliferation and disarmament adopted by the Conference on 11 May 1995,

Bearing in mind the other decisions adopted by the Conference on 11 May 1995,

1. *Endorses* the aims and objectives of the Middle East peace process and recognizes that efforts in this regard, as well as other efforts, contribute to, inter alia, a Middle East zone free of nuclear weapons as well as other weapons of mass destruction;

2. *Notes with satisfaction* that, in its report (NPT/CONF.1995/MC.III/1), Main Committee III of the Conference recommended that the Conference "call on those remaining States not parties to the Treaty to accede to it, thereby accepting an international legally binding commitment not to acquire nuclear weapons or nuclear explosive devices and to accept International Atomic Energy Agency safeguards on all their nuclear activities";

3. *Notes with concern* the continued existence in the Middle East of unsafeguarded nuclear facilities, and reaffirms in this connection the recommendation contained in section VI, paragraph 3, of the report of Main Committee III urging those non-parties to the Treaty on the Non-Proliferation of

[a] S/23500.

Nuclear Weapons that operate unsafeguarded nuclear facilities to accept full-scope International Atomic Energy Agency safeguards;

4. *Reaffirms* the importance of the early realization of universal adherence to the Treaty, and calls upon all States of the Middle East that have not yet done so, without exception, to accede to the Treaty as soon as possible and to place their nuclear facilities under full-scope International Atomic Energy Agency safeguards;

5. *Calls upon* all States in the Middle East to take practical steps in appropriate forums aimed at making progress towards, inter alia, the establishment of an effectively verifiable Middle East zone free of weapons of mass destruction, nuclear, chemical and biological, and their delivery systems, and to refrain from taking any measures that preclude the achievement of this objective;

6. *Calls upon* all States parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and in particular the nuclear-weapon States, to extend their cooperation and to exert their utmost efforts with a view to ensuring the early establishment by regional parties of a Middle East zone free of nuclear and all other weapons of mass destruction and their delivery systems.

NPT/CONF.2010/15

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

5 April 2010
English
Original: Russian

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Memorandum on activities of the Kyrgyz Republic in its capacity as the depositary of the Treaty on a Nuclear-Weapon-Free Zone in Central Asia

1. The Republic of Kazakhstan, the Kyrgyz Republic, the Republic of Tajikistan, Turkmenistan and the Republic of Uzbekistan signed the Treaty on a Nuclear-Weapon-Free Zone in Central Asia on 8 September 2006 in order to strengthen the nuclear non-proliferation regime and in the interests of regional security.

2. The designation of the Kyrgyz Republic as the depositary of the Treaty demonstrated the high level of confidence in Kyrgyzstan and the recognition of its significant contribution to the implementation of the initiative to establish a nuclear-free zone in the region (article 18).

3. Since the very inception of the idea to establish a nuclear-free zone in Central Asia, and later in its capacity as depositary, Kyrgyzstan has been actively promoting the interests of the States Parties to the Treaty at various international forums, including meetings of the United Nations General Assembly, the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and its Preparatory Committee, the Conference on Disarmament and the United Nations Disarmament Commission. It will be recalled that the working paper on establishing a nuclear-weapon-free zone in Central Asia was first adopted at the historic 1995 Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

4. Following the signing of the Treaty on a Nuclear-Weapon-Free Zone in Central Asia, Kyrgyzstan, in accordance with article 18, transmitted certified copies of the Treaty and its accompanying Protocol to all the States of Central Asia and to the permanent members of the United Nations Security Council.

5. In February 2009, the Republic of Kazakhstan deposited its instrument of ratification of the Treaty, which became the fifth domestic procedure implementation document. The Kyrgyz Republic notified the States Parties to the

Treaty and the Parties to the Protocol to the Treaty that, in accordance with article 15, the Treaty would enter into force on 21 March 2009.

6. On 20 March 2009, on the eve of the official entry into force of the Treaty, United Nations Secretary-General Ban Ki-moon welcomed the entry into force of the Treaty in a statement circulated to the delegations of United Nations Member States as an official document.

7. Working jointly with the Kyrgyz delegation to the United Nations in New York, the United Nations Office for Disarmament Affairs published an official United Nations map showing the zone in Central Asia.

8. On 28 May 2009, the Kyrgyz delegation submitted the Treaty to the United Nations Secretariat for registration and legal formalization as an official United Nations document, in accordance with Article 102 of the Charter of the United Nations. The official date of confirmation of registration of the Treaty on a Nuclear-Weapon-Free Zone in Central Asia is 22 July 2009.

9. Important events for the Kyrgyz Republic in its capacity as depositary include the participation of Kyrgyz delegations at the first meeting of focal points of nuclear-weapon-free zones, held in Ulaanbaatar (Mongolia) on 27-28 April 2009, and at a meeting of States members of nuclear-weapon-free zones, held within the framework of the third session of the Preparatory Committee for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (4-15 May 2009, in New York).

10. At their last meeting, stakeholders supported the initiative to hold the second international conference of States Parties to treaties establishing nuclear-weapon-free zones. This is scheduled for 30 April 2010, immediately prior to the 2010 Review Conference of the Parties to the Treaty.

11. Pursuant to the implementation of rule 2 of the rules of procedure to implement article 10 of the Treaty on a Nuclear-Weapon-Free Zone in Central Asia, the Kyrgyz Republic organized a series of meetings of Permanent Representatives to the United Nations and experts in order to decide on the venue of the first consultative meeting, to hold discussions and to draft documents for the meeting.

12. As a result of those discussions, the proposal of the Government of Turkmenistan to hold the consultative meeting in Ashgabat was unanimously supported by all parties concerned.

13. The first annual consultative meeting of States Parties to the Treaty on a Nuclear-Weapon-Free Zone in Central Asia was held in Ashgabat on 15 October 2009. Turkmenistan was designated the functions of focal point for the Treaty, which it will perform in close cooperation with the depositary.

14. The second consultative meeting of States Parties to the Treaty is scheduled to be held in Tashkent in 2010.

NPT/CONF.2010/16*

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

20 April 2010

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New York, 3-28 May 2010

Activities of the International Atomic Energy Agency relevant to article IV of the Treaty on the Non-Proliferation of Nuclear Weapons

Background paper prepared by the Secretariat of the International Atomic Energy Agency

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Executive summary

Since its establishment in 1957 as an independent organization within the United Nations system, the International Atomic Energy Agency (IAEA) has functioned as a global intergovernmental organization for international cooperation in the peaceful uses of nuclear energy. Starting from 68 Member States in 1957, the IAEA's membership had risen to 138 at the time of the 2005 Review Conference for the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), and today stands at 151.

The paper describes how, in line with its Statute and the decisions of its policy making organs, the IAEA has endeavoured to fulfil its functions related to fostering international cooperation in the peaceful uses of nuclear energy, especially, since the last NPT Review Conference in 2005.

Although the adoption of the Statute of the IAEA preceded the negotiation of the NPT by more than a decade, a wide array of the IAEA's activities are relevant to Article IV of the NPT. These areas of congruence are explained in Section 1.

The Agency's major goals and objectives relevant to Article IV of the NPT are highlighted in Section 2.

The technical cooperation (TC) programme is the single largest framework through which the IAEA responds to the Statute's call to make more widely available the benefits of nuclear science and technology for peaceful purposes, with particular emphasis on the needs of developing countries. Currently, 125 Member States/Territories avail the benefits of the IAEA's TC programme. The programme is described in Section 3.

Global demographic and economic trends, by creating rising demand for energy, food, water, health care and industrial output, are placing increasing pressure on the natural, human and economic resources of many countries. They are also drivers of climate change, a global phenomenon that is further intensifying these pressures. Since nuclear science and technology offer many unique and cost-effective tools, and have the potential for positive socioeconomic impact, the growing number, variety and sophistication of activities carried out through a number of scientific, technical and legal services of the IAEA is outlined in Section 4.

Finally, in Section 5, the paper concludes by noting the need for continuing support and commitment to the IAEA's activities relevant to Article IV of the NPT.

1. International cooperation for the peaceful uses of nuclear energy: the International Atomic Energy Agency and the Non-Proliferation Treaty

Article II of the IAEA's Statute stipulates that *"The Agency shall seek to accelerate and enlarge the contribution of atomic energy to peace, health and prosperity throughout the world."* To fulfil this objective, the IAEA, by Article III of its Statute, is authorized:

> "1. To encourage and assist research on, and development and practical application of, atomic energy for peaceful uses throughout the world; and, if requested to do so, to act as an intermediary for the purposes of securing the performance of services or the supplying of materials, equipment, or facilities...;"
>
> "2. To make provision, in accordance with this Statute, for materials, services, equipment, and facilities to meet the needs of research on, and development and practical application of, atomic energy for peaceful purposes, including the production of electric power, with due consideration for the needs of the underdeveloped areas of the world;"
>
> "3. To foster the exchange of scientific and technical information on peaceful uses of atomic energy;"
>
> "4. To encourage the exchange of training of scientists and experts in the field of peaceful uses of atomic energy."

Article IV of the NPT states:

> "1. Nothing in this 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 and II of this Treaty."
>
> "2. All the 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. Parties to the Treaty in a position to do so shall also co-operate 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 Party to the Treaty, with due consideration for the needs of the developing areas of the world."

It can be seen from the above that the functions of the IAEA presage Article IV of the NPT, in which the rights of all parties to peaceful nuclear cooperation are confirmed, and there is an obligation on the parties to facilitate the fullest exchange of equipment, materials, scientific

and technological information; and cooperate in contributing to the further development of the peaceful uses of nuclear energy.

While the IAEA is not specifically referred to in Article IV of the NPT, it is widely considered to be the principal means of transfer of technology by international organizations referred to in Article IV.2 of the NPT. The importance of the IAEA's work in the promotion of peaceful uses of nuclear science and technologies has been acknowledged in the final documents of several NPT Review Conferences[1].

[1] See *Principles and Objectives of the 1995 NPT Review and Extension Conference* (NPT/Conf.1995/32/DEC.2 and Final Document (Volume I) of the 2000 NPT Review Conference (NPT/CONF.2000/28(Parts I and II), United Nations, New York (2000).

2. International Atomic Energy Agency framework for peaceful nuclear cooperation

2.1. International Atomic Energy Agency strategic goals

The IAEA's goals are guided by the 2006–2011 Medium Term Strategy (MTS). The goals relevant to Article IV of the NPT emphasize a number of core activities.

For example, it is important that the IAEA continues to be an authoritative, independent source of information, knowledge, capacity building and expertise in support of the peaceful uses of nuclear energy. In this regard, the effective transfer of nuclear technologies and knowledge for sustainable development is achieved through the assessment of relevant technologies, and the improvement of existing nuclear technologies through the expansion of their scope and applicability. Efforts will continue to be required for the development of innovative nuclear technologies and for the formulation of new safety, security, verification, economic and environmental approaches.

In light of growing global demands, Member State interests and concerns regarding nuclear power must be addressed, and innovation fostered in nuclear science, technology and applications. The IAEA's goal is to act as a catalyst to encourage collaboration in international research and development efforts, and expand partnerships to promote innovation.

Safety and security considerations are important for the full utilization and further expansion of the peaceful uses of nuclear technologies and the international transport of nuclear and radioactive material. A nuclear safety culture must continue to be strengthened and a nuclear security culture fostered. The outstanding safety record achieved in the past several years in the nuclear power industry needs to be maintained in a sustainable manner. Minimizing the likelihood of nuclear and radiological accidents that could endanger life, property and the environment and could increase public concern regarding nuclear safety continues to be essential to the wider use of nuclear technology in the future. All aspects of the protection of people and the environment against the effects of ionizing radiation under conditions of increasing power and non-power applications and the related amounts of radioactive waste and spent fuel generated worldwide will continue to require attention.

Potential malicious acts and terrorist threats need urgent and effective responses. The need to work towards a comprehensive and effective international framework for strengthening nuclear security, and to exploit the potential for synergy between aspects of nuclear security and aspects of nuclear safety, remain a matter of high priority.

2.2. Mechanisms for implementation

The IAEA endeavours to meet the goals of the MTS through the provision of a body of scientific, technical, legal, advisory, and support services to its Member States. The services underpin collective efforts for the safe, secure and peaceful promotion of nuclear science and technology. The principal delivery mechanism is the IAEA's technical cooperation (TC) programme. This programme is developed and managed jointly by the Member States and the Secretariat. All parts of the IAEA play a role in the programme, whether in its development, implementation, monitoring or evaluation. In addition, as part of the IAEA's regular programme of activities, there are other channels for provision of services to Member States.

3. International Atomic Energy Agency Technical Cooperation Programme

3.1. Overview

The IAEA's TC programme is unique in the UN system in that it combines significant technical and developmental competencies. It seeks to forge human and institutional capacities in Member States, so that they can safely and securely maximize the utilization of nuclear technologies to address the array of challenges they face in promoting sustainable socioeconomic development. In this way it contributes to national, regional and international development.

The TC programme contributes to the achievement of the United Nations Millennium Development Goals and the Plan of Implementation of the World Summit on Sustainable Development. All Member States are eligible for support, although in practice TC activities tend to largely focus on the needs and priorities of developing countries.
The strategic goal of the TC programme is to promote tangible socioeconomic impact in an area where nuclear technology holds a comparative advantage. The programme seeks to promote sustainability and self-reliance, and projects address an area of real need in which there is a national programme and government commitment. The guiding vision of the programme is that Member States achieve the human and institutional capacities they need in order to address local needs and global issues through the safe utilization of nuclear technologies.

The TC programme is based on five decades of dialogue and interaction with Member States, and a track record of achievements in the field. The programme focuses on improving human health, supporting agriculture and rural development, helping water resource management, advancing sustainable energy development, including the option of nuclear power for electricity, addressing environmental challenges, and promoting nuclear safety and security.
The TC programme aims to build partnerships at every level, from local counterparts up to other international organizations, in order to leverage all available support. Increasing emphasis is being placed on alignment with activities of other UN system organizations and concerted efforts are being made to participate, wherever possible, in the United Nations Development Assistance Framework process.

3.2. Resources for the Technical Cooperation Programme

The administrative costs of the TC programme and its in-house technical support are borne by the Regular Budget. The cost of TC project components and their delivery is funded by voluntary contributions from Member States. The annual target for contributions to the Technical Cooperation Fund (TCF) is set two years in advance, following consultations among Member States. Since 2000, the TCF target has increased from $73 million, to $85 million in 2009. The total resources available to the TC programme during the same period have increased from $68 million to $112.2 million. (Fig. 1).

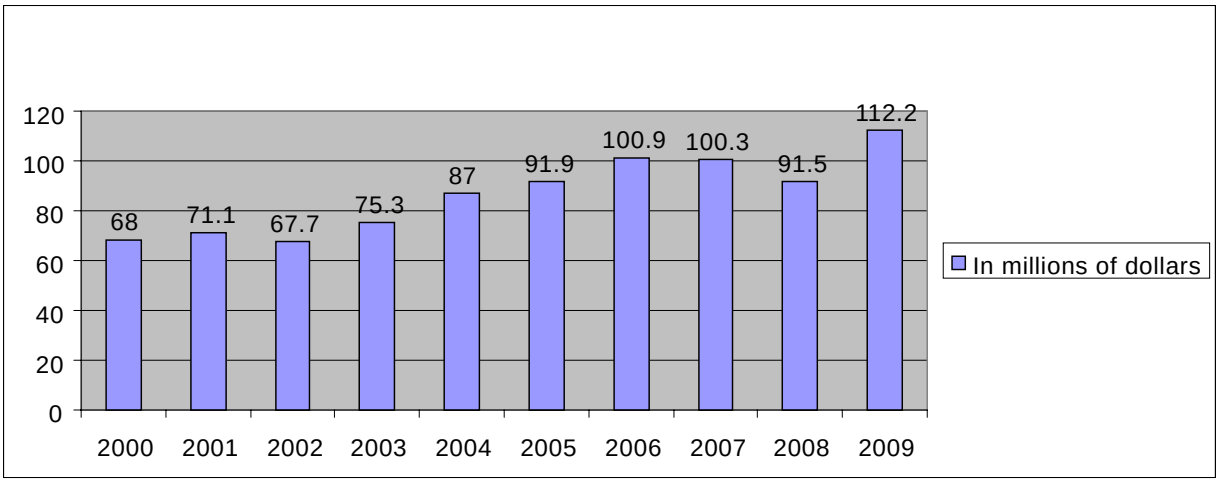

FIG. 1. Total resources for the TC programme: 2000–2009.

3.3. Technical Cooperation Programme in 2009

In 2009, the first year of the 2009–2011 TC programme cycle, 453 new national projects, 124 new regional projects and 6 new interregional projects were initiated. At the same time, 351 projects were closed. Active projects now total 1082, with an additional 256 currently in closure.

Total TCF resources (including TCF payments for previous years, and income) amounted to $86.1 million. Total resources and net new obligations for the 2009 TC programme were high, showing a substantial increase from 2008. However, resources remain insufficient for keeping pace with the requests for support. For example, project components totalling $72.6 million remained unfunded in 2009.

3.4. Recent indicators of programme delivery

The TC programme as a whole, disbursed a total of $85.4 million, and achieved an implementation rate of 77.2%. Non-financial indicators show that in 2009 the programme delivered support to 125 countries and territories; 3698 expert and lecturer assignments were carried out, 5096 participants attended meetings, 2496 people took part in 188 training courses and 1532 benefited from fellowships and scientific visits.

The largest single sector of the TC programme in 2009 was human health, accounting for 20.7% of the programme. The second largest sector was nuclear safety with 15%, followed by food and agriculture at 14.3% (Fig. 2).

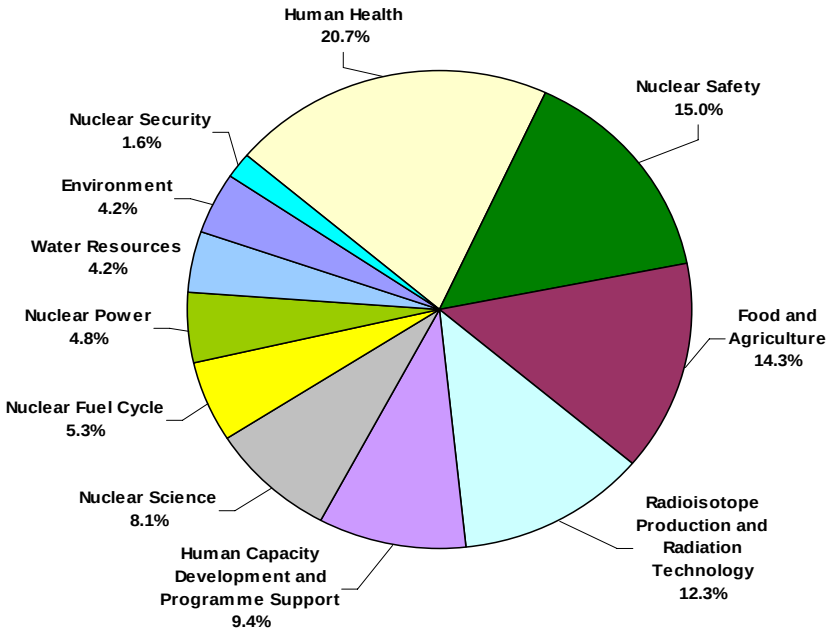

FIG. 2. Overall disbursements by technical field for 2009.

3.5. Regional programming and profiles

The differing regional priorities are reflected in the diverging emphases of different regions in their choice of sectors for national and regional projects. For example, human health accounted for 29% in Africa, 19% in Europe and Latin America and remained at 16% in Asia and Pacific. Food and agriculture shows a greater degree of differentiation, with 26% in Africa, 17% in Asia and the Pacific, 11.3% in Latin America, and just 2.8% in Europe.

The IAEA has developed the TC programme over the last five years to take into account the support that can be garnered through strategic frameworks for regional cooperative planning in Africa, Asia, Europe, and Latin America and the Caribbean. Regional centres of expertise play an important role in sharing the benefits of nuclear science and technology. Through their participation in regional projects, Member States with more developed nuclear sectors share their knowledge and facilities with other countries in the region with a lesser degree of development.

The 2009–2011 technical cooperation programme is the first to be formulated with the support of strategic frameworks for regional cooperative planning for Africa, Europe and Latin America and the Caribbean, developed by the Member States themselves. These frameworks, established over the course of 2007, have served as the basis for the regional components of the 2009–2011 programme, and are important planning tools for setting regional cooperation activities. The frameworks enhance horizontal collaboration among

Member States and cooperation with other partners, and have considerably strengthened a strategic approach to technical cooperation in the regions while also enhancing technical cooperation among developing countries (TCDC).

3.5.1. Africa

Over the last five years the TC programme disbursed $122 million to 38 African States, of which 20 are least developed countries. A total of 3327 participants from Africa attended training courses and there were 2588 fellowship and scientific visitor assignments. As of 31 December 2009, new obligations amounted to $26.4 million. The major areas of focus are shown in Fig. 3.

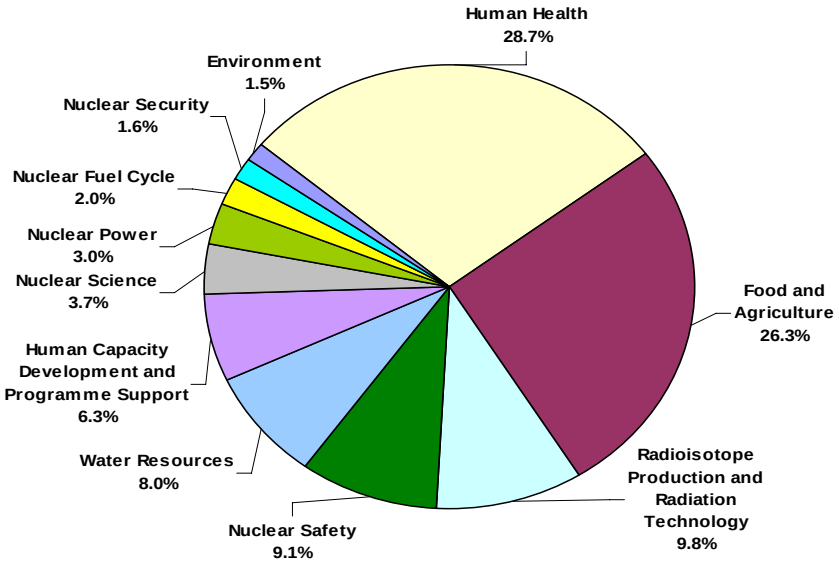

FIG. 3. Disbursements by technical field for 2009 —Africa.

In Africa, human health is the top sectoral priority, with significant activity in support of cancer treatment facilities and the establishment or upgrade of nuclear medicine facilities in several African Member States. Agricultural productivity and food security is also high on the agenda in the region, with crop improvement, water resource management and soil fertility, and livestock breeding all being significant areas of IAEA activities.

In the last few years, building human resource capacity is the single most important area of activity of the TC programme in Africa, in every sector. To address this need for skilled staff and well trained human resources, an increasing number of fellowships, scientific visits, and training courses are being offered to African Member States. In addition, innovative mechanisms, for example, distance learning, offering opportunities for continuous professional development, support for curriculum development in Member

States, and a proactive approach to educational partnerships have ensured the participation of a wide spectrum of specialized organizations and networks.

Also, in partnership with the United Nations Development Programme/Global Environment Facility (UNDP/GEF), the IAEA is supporting the management of the Nubian Aquifer and the Nile River Basin covering nine Member States.

3.5.2. Asia and the Pacific

During the last five years, a total of $96 million was disbursed through the TC programme to 30 States from the Asia and the Pacific region of which 4 are least developed countries. The IAEA trained 3404 participants from the region, and there were 2037 fellowship and scientific visitor assignments. As of 31 December 2009, new obligations amounted to $24 million. The major areas of focus are indicated in Fig. 4.

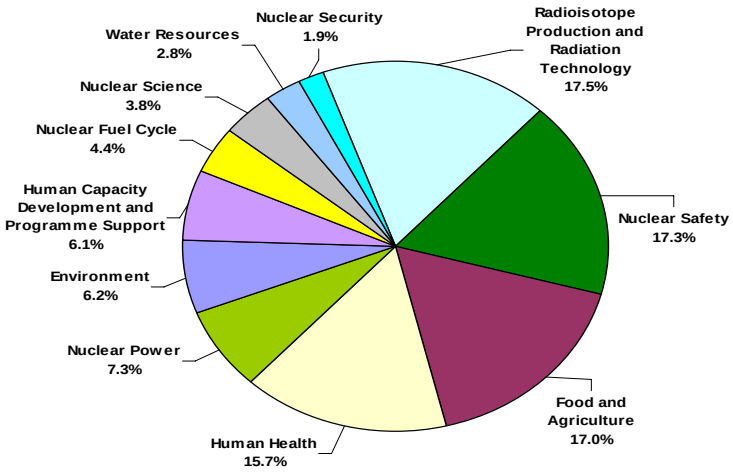

FIG. 4. Disbursements by technical field for 2009 —Asia and the Pacific.

In Asia and the Pacific, there is growing interest among States in making nuclear power part of their energy mix strategy for electricity and heat generation as well as for water desalination. The three States that invited the IAEA's recently introduced Integrated Nuclear Infrastructure Review (INIR) missions to review the status of infrastructural preparedness for nuclear power were from this region. Also, seven countries received assistance in carrying out a comparative assessment of electricity generation options.

Major areas for disbursement in the region are split evenly between human health, food and agriculture, nuclear safety, and radioisotope production and radiation technology. The emphasis has been on establishing cyclotron and positron emission tomography (PET) centres to strengthen nuclear medicine and diagnostic techniques for the management of cancer.

3.5.3. Europe

Over the last five years, the TC programme disbursed a total of $141 million to 32 States from Europe. The IAEA trained 2754 participants from the region, and there were 1723 fellowship and scientific visitor assignments. As of 31 December 2009, new obligations amounted to $30.7 million. The major areas of focus are shown in Fig. 5.

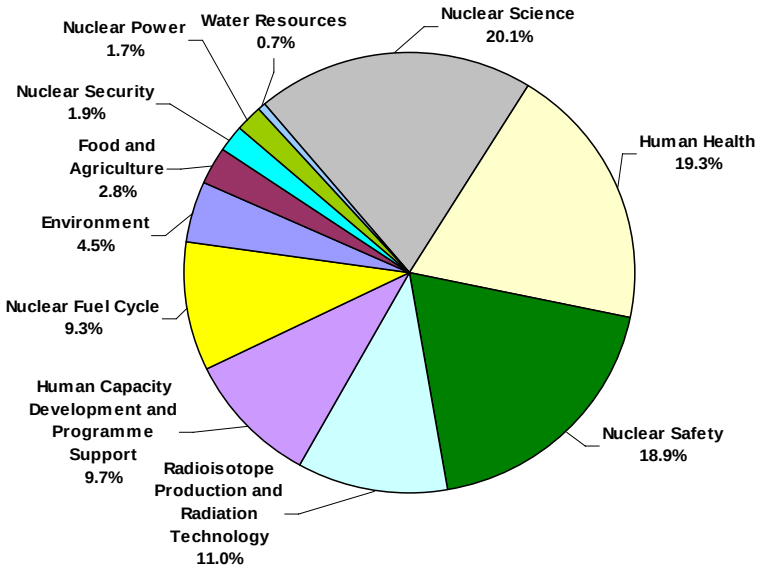

FIG. 5. Disbursements by technical field for 2009 — Europe.

In Europe, reinforcing nuclear and radiation safety infrastructure in accordance with IAEA safety standards is a key priority for Member States. Emphasis is on nuclear installation safety and on the control of radiation sources. Particular attention is provided to radioactive waste management and decommissioning using the modalities of training and exchange of experience.

Success stories, since 2005, in the region relate to assistance provided in the safe repatriation of high enriched uranium (HEU) fuel to the countries of origin from research reactors in as many as ten Member States in the region. This also includes the ongoing

activities at the Vinča research reactor in Serbia, which is the single largest national project in TC history with a total cost of more than $50 million.

In the Europe region, the European Union (EU) is a key partner. The European Commission has provided extrabudgetary contributions on behalf of the EU to several projects in the region, financed by the former Technical Assistance to the Commonwealth of Independent States (TACIS) programme and more recently by the Instrument of Pre-Accession Assistance (IPA).

3.5.4. Latin America and the Caribbean

Over the last five years, the TC programme disbursed $75 million to 22 States in the Latin America and Caribbean region. The IAEA trained 2093 participants from the region and there were 1599 fellowship and scientific visitor assignments. As of 31 December 2009, new obligations amounted to $17.2 million. The major areas of focus are shown in Fig. 6.

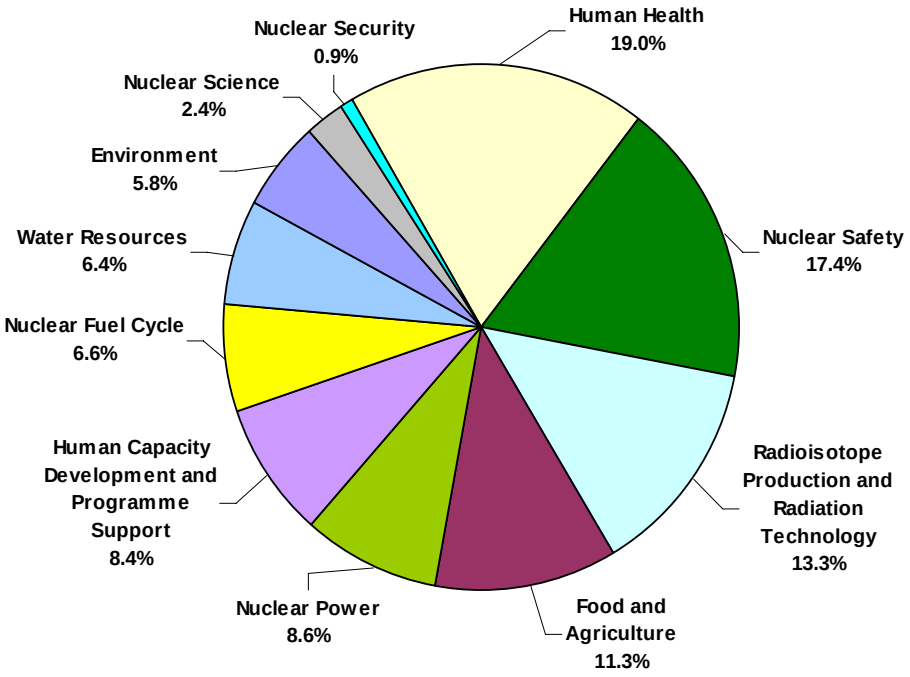

FIG. 6. Disbursements by technical field for 2009 —Latin America.

In recent years, an upswing in activity related to the food and agriculture sector is reflective of how the food security crisis is affecting the region. The sterile insect technique is being widely applied in support of the fruit and horticultural sectors, and nuclear techniques are

helping Member States deal with the incidence of harmful algal blooms, a major problem for areas with an economic dependence on fisheries.

Childhood obesity in Latin America has reached epidemic proportions, and a five year regional project has raised public awareness of the importance of appropriate nutrition and established baseline data for intervention programmes.

Also, in cooperation with the Latin American Energy Organization (OLADE), the IAEA is providing advice and training on energy planning for sustainable development to 18 Member States.

3.6. Challenges facing the Technical Cooperation Programme

The contribution that nuclear science and technology can make to national development is not always well recognized and nuclear development issues are frequently considered separately from mainstream development issues, resulting in limited integration of TC projects in national development plans The IAEA is helping this issue to be addressed by moving away from a focus on individual projects towards an integrated programme at the country level that includes all relevant services, thus achieving a more cohesive and efficient delivery of assistance to Member States.

The TC programme also lacks international recognition for its contributions, in part due to a widespread perception of the IAEA as an organization with only a verification role. The IAEA is working to raise public awareness of its technical cooperation activities, and is placing considerable emphasis on outreach to appropriate partners in the UN system. Closer partnerships and linkages at the national level with other partners from the UN system would be effective in leveraging nuclear technology to address development issues. In light of the increasing relevance of nuclear science and technology for development, and the increase in the numbers of Member States and their requirements for TC support, there remains the need for considering means and mechanisms to ensure that resources for TC are stable, assured and predictable.

4. Promotion of peaceful nuclear cooperation

4.1. Nuclear energy

The principal peaceful benefit that the founders of the IAEA had in mind was nuclear power, which remains the most prominent peaceful application of nuclear energy and the one with the greatest quantifiable economic benefit. In accordance with priorities of Member States, as reflected in the MTS of 2006-2011, activities in this area can be summarized as follows:

- Helping interested Member States build their **capacity for comprehensive energy system planning**.
- Offering a **roadmap for exploring or introducing nuclear power** by assessing readiness and progress, and providing training, technical advice and peer reviews.
- Helping to **improve the performance of operating reactors or fuel cycle facilities** by: disseminating experience, new knowledge and best practices; providing training; establishing authoritative guidelines; and conducting peer reviews.
- Working to **catalyse innovation** in nuclear technologies.
- Assisting in **research reactor** planning, operation and utilization.

4.1.1. Capacity-building for energy analysis and planning

Reducing poverty and promoting sustainable development require clean and affordable energy services and supplies. Expanding access to such services requires careful planning. Interested Member States are helped to build their energy planning capabilities. The IAEA develops and transfers planning models and data; it trains local experts; and it helps establish local expertise to chart national paths to sustainable development.

Comprehensive training customized to reflect the country's current situation and development priorities is offered, with the aim of putting the right tools into the hands of local experts. To date, more than 115 Member States have received assistance in using the IAEA's energy models. In 2009, over 500 energy analysts from 74 countries were trained in 28 courses, mostly organized through TC projects.

The models and training cover energy demand, supply, environmental impacts, finance, system optimization, and indicators for sustainable development. They are 'technology neutral', i.e. there is no special focus on nuclear power. For many of the Member States that use the models, nuclear power is likely not to be a cost effective near-term option, and it is

essential that the models help those countries, as well as others, to identify their effective energy strategies.

The IAEA prepares annually two projections of future nuclear power developments, one 'low' and one 'high'. Recently, these have been revised upwards each year as the experts assembled by the IAEA to make the projections have shared the rising expectations for nuclear power expressed by many political and industry leaders (Fig. 7). It also contributes to international studies, negotiations and deliberations that set the global context for the use of nuclear power. These include the studies and deliberations of, among others, the Intergovernmental Panel on Climate Change (IPCC), the Conference of the Parties (COP) to the United Nations Framework Convention on Climate Change (UNFCCC) and the Commission on Sustainable Development (CSD).

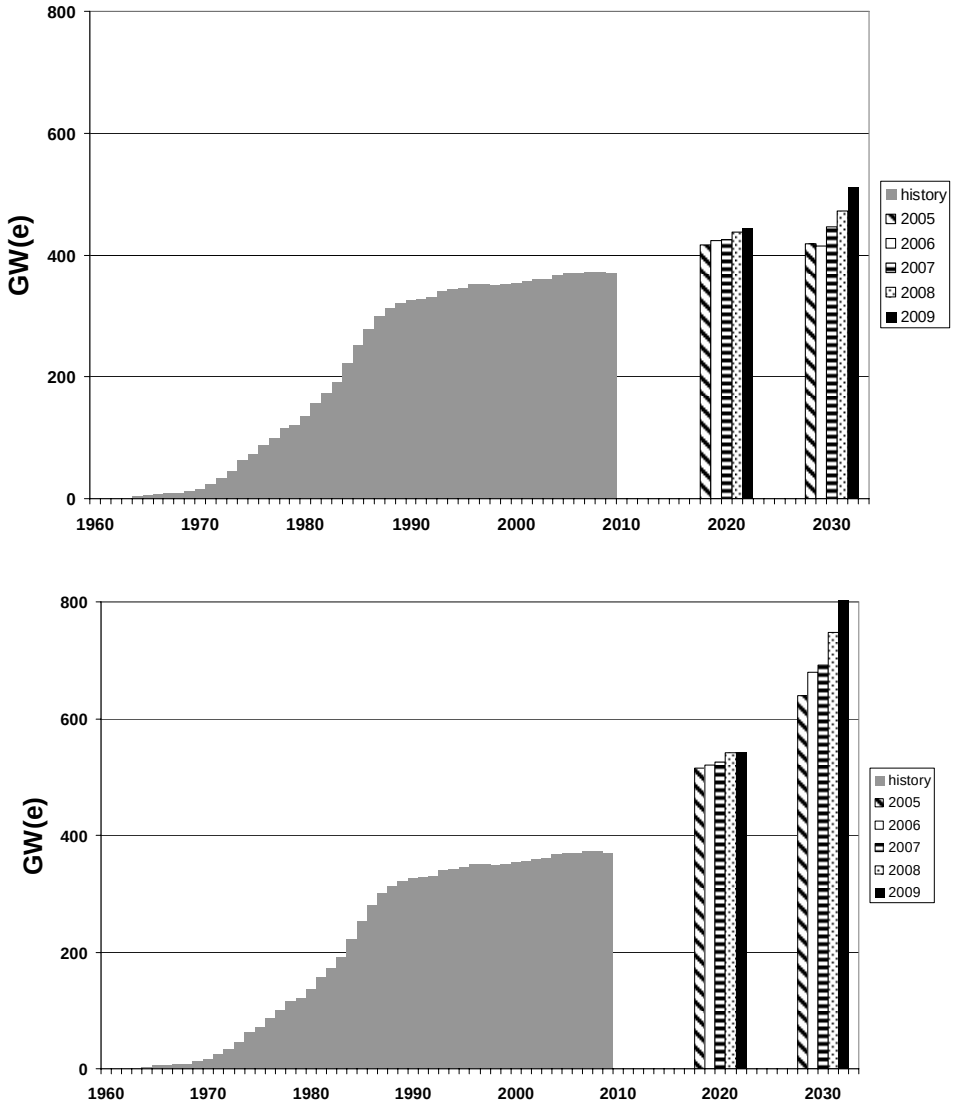

FIG. 7. Historical growth in the world's installed nuclear power capacity (grey) and projections for 2020 and 2030 made in 2005 (diagonal stripes), 2006 (white), 2007 (horizontal stripes), 2008 (dots) and 2009 (black). The top panel shows the IAEA's low projection and the bottom panel the high projection. The increase in the projections from year to year reflects rising expectations for nuclear power. (GW(e): gigawatts (electric).)

4.1.2. Assisting countries considering or introducing nuclear power

Historically, interest in nuclear power has fluctuated considerably. Recently, there has been a surge of interest in nuclear energy, as States endeavour to satisfy growing energy demands and mitigate the threat of climate change.

Currently there are 437 nuclear power plants in 29 countries — mostly in developed countries — providing 14% of the world's electricity. However, more than 60 countries — mostly in the developing world — have expressed interest in launching nuclear power programmes. Seventeen of these are actively preparing national nuclear power programmes, two had active bidding processes in 2009 on their first nuclear power plants, and one is constructing its first nuclear power plant. The increased interest has led to a three-fold increase in TC projects related to nuclear power in the current 2009–2011 TC cycle in comparison with the 2007–2008 cycle. Fifty-eight Member States are participating in regional or national technical cooperation projects related to the introduction of nuclear power.

The time horizons for the introduction of nuclear power are long, and the requirements for the regulatory and industrial infrastructure are challenging. The process of building nuclear infrastructure can take ten years or longer. To support Member States exploring or introducing nuclear power, the IAEA offers the following assistance or services:

- A set of milestones[2] and 19 associated issues[3] for planning such an introduction;
- Assessment methods for evaluating progress relative to the milestones;
- Training;
- Integrated Nuclear Infrastructure Review (INIR) missions, offered since 2009, to follow up self-assessments;
- Supplementary documents, as well as conferences and technical meetings, on such topics as workforce planning, bid evaluation, nuclear safety, nuclear law, technology assessment, and site selection activities.

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[2] The milestones reflect the stages of preparation — what should have been accomplished to make a commitment to a nuclear power programme; what should have been accomplished to invite bids for the first nuclear power plant; and what should have been accomplished to commission and operate the first nuclear power plant.

[3] The 19 issues are: national position; nuclear safety; management; funding and financing; legislative framework; safeguards; regulatory framework; radiation protection; electrical grid; human resources development; stakeholder involvement; site and supporting facilities; environmental protection; emergency planning; security and physical protection; nuclear fuel cycle; radioactive waste; industrial involvement; and procurement.

Proposals on assurance of supply of nuclear fuel continued to be discussed under the IAEA's auspices during 2005–2009. In November 2009, the IAEA Board of Governors authorized the IAEA Director General to conclude and subsequently implement the Agreement with the Russian Federation to establish a reserve of 120 metric tons of LEU, sufficient for two full cores of fuel for a 1000 MWe power reactor. In this regard, the Director General of the IAEA signed the Agreement with the Russian Federation on 29 March 2010. Discussions and consultations on other proposals, including an IAEA LEU Fuel Bank, continued.

4.1.3. Support for existing nuclear power programmes

Continuously improving the performance, safety and security of nuclear power plants and fuel cycle facilities throughout their life cycles is essential. For nuclear power plants, activities target improvements in quality management, maintenance, on-line monitoring, instrumentation and control, modernization programmes, plant life extension, outage management, corrosion control, structural integrity, staff training, and knowledge management.

The IAEA develops and publishes standards and guidelines. On request, expert teams are assembled to conduct peer reviews of facilities to identify potential improvements. Databanks on technologies and operating experience are maintained and training courses are offered for sharing operating experience, new knowledge and best practices.

For the front end of the nuclear fuel cycle, information on uranium resources, exploration, mining and production is assembled and disseminated in order to promote best practices in uranium mining and production to minimize environmental impacts.

Regarding the back end of the fuel cycle, spent fuel inventories continue to grow due to limited reprocessing and delays in disposal. The IAEA facilitates the development of guidance and exchange of information on methods to increase the capacity of existing facilities and to accommodate extended interim storage durations.

To improve the flow of knowledge and experience among those engaged in waste management and disposal and to encourage organizations in developed Member States to contribute to the activities of Member States requiring decommissioning and waste management assistance, the IAEA has established a number of networks. These include the Underground Research Facilities Network (URF Network) for research on deep geological final repositories, the International Decommissioning Network (IDN), the International Low Level Waste Disposal Network (DISPONET) and the IAEA Network on Environmental Management and Remediation (ENVIRONET).

4.1.4. Innovation

The future expansion of nuclear power will require continued design advances and technological innovation. The IAEA serves as a catalyst, coordinating research and promoting the exchange of information for current reactor lines and for innovative nuclear energy systems. It also seeks to stimulate innovation through activities in four areas:

- Encouraging technological progress for light water, heavy water, fast and gas cooled reactors;
- Conducting the International Project on Innovative Nuclear Reactors and Fuel Cycles (INPRO), which provides a forum for experts and policy makers from industrialized and developing countries to discuss the development and deployment of innovative nuclear energy systems;
- Organizing research projects on small and medium sized reactors[4];
- Investigating non-electric applications such as hydrogen generation and desalination using nuclear energy.

4.1.5. Research reactors

Fifty per cent of all operating research reactors are now over 40 years old. The IAEA provides assistance related to research reactor ageing, modernization and refurbishment, and maintains a database to share experience related to research reactor ageing. As older research reactors are retired and replaced by fewer, more multipurpose reactors, greater international cooperation will be required to ensure broad access to these facilities and their efficient use. Progress is being made on the development of cooperative networks in the Mediterranean, Eastern European, Caribbean and Central Asian regions.

The IAEA supports Member States participating in international programmes to return research reactor fuel to its country of origin and to reduce the use of HEU. It arranges contracts for repatriating fuel, publishes guidance, and provides training and advice. In connection with the Russian Research Reactor Fuel Return (RRRFR) Programme and the US Foreign Research Reactor Spent Nuclear Fuel Acceptance Programme, the IAEA has assisted, since 2005, in repatriating Russian and US origin fuel from 13 Member States. The Reduced Enrichment for Research and Test Reactors (RERTR) Programme, under the Global Threat Reduction Initiative, is the major effort in converting research reactor fuel and targets used in the production of molybdenum-99 from HEU to Low Enriched Uranium (LEU). In 2009, the programme's scope was expanded from 129 research reactors to 200. By the end 2009, 67 research reactors around the world that had been operating with HEU fuel were shut down or converted to LEU fuel, and another 36 were planned for conversion with existing qualified LEU fuels.

4.2. Nuclear applications

Nuclear science and technology offer many unique and cost effective tools, and have the potential for positive socioeconomic impact in responding to development challenges in key areas such as food and agriculture and human health, as well as water resource and

[4] Thirty per cent of the power reactors now in operation are small (300 MW(e) or less) or medium sized (300–700 MW(e)). Of the 56 power reactors under construction, 20% are small or medium sized.

environmental management. This has led to increased demands for science and technology based capacity building assistance from Member States that do not have a nuclear power programme.

The IAEA has its own scientific laboratories located in Austria and Monaco. They play a fundamental role in supporting the aforementioned activities by providing the necessary scientific and technical expertise, equipment and resources.

4.2.1. Human health

The focus of the IAEA's Human Health programme is on enhancing capabilities for the prevention, diagnosis and treatment of disease through the safe and effective application of nuclear techniques. The programme now accounts for more than 20% of all TC projects. Since 2005, the Human Health programme has supported approximately 220 training courses covering all areas of its work that have been attended by more than 3000 trainees.

The rising prevalence in recent years of chronic and non-communicable diseases has led to an equally rapid rise in demand for technical assistance in the use of nuclear and radiation technologies to combat them. At the same time, the prevalence of malnutrition and hunger is still unacceptably high, in particular in infants and children. Nuclear and isotopic techniques offer uniquely effective means to help manage many major groups of chronic diseases, which account for more than half of all deaths worldwide, and to develop and monitor interventions to combat malnutrition in all its forms.

Cancer kills more people every year than tuberculosis, malaria and HIV/AIDS combined, affecting most severely low and middle income countries and poses a significant risk to the health and development goals of many Member States. During the last decade, cancer has become the principal focus of the IAEA's human health activities. In 2004, it established the Programme of Action for Cancer Therapy (PACT) to enable developing countries to introduce, expand or improve their cancer care capacity and services by integrating radiotherapy into a sustainable, comprehensive cancer control programme.

PACT brings together all of the IAEA's cancer related expertise and services under a single organizational umbrella to support the building and strengthening of a global coalition of partners that implements cancer control projects and mobilizes funds in a coordinated manner. It has established formal partnerships with 16 other organizations in the public, private and non-governmental sectors. Working with its partners, PACT builds capacity and long term support for continuous education and training of cancer care professionals, as well as for community based action by civil society to combat cancer. PACT has conducted 28 comprehensive needs assessment missions in 21 Member States and since its inception has raised the equivalent in funds and gifts of nearly $28 million.

In 2009, the IAEA and the World Health Organization (WHO) launched a Joint Programme on Cancer Control, thereby strengthening their contributions to cancer control and formally linking the responses of the two organizations to the cancer crisis in developing countries. The IAEA also has a dosimetry laboratory at its facilities in Seibersdorf, Austria, that provides calibration and dosimetry verification services, aligned with international safety standards and measurement systems, for radiotherapy machines that are used to treat cancer. In recent years, between 450 and 500 radiation beams have been audited each year to ensure appropriate calibration of equipment and delivery of correct radiation doses in Member States, many of which have no other access to such services. This laboratory also maintains a global Secondary Standards Dosimetry Laboratory network, which has grown significantly since 2005 and now consists of 80 laboratories in 67 Member States. They participate in calibration and verification exercises and help to disseminate best practices.

4.2.2. Food and agriculture

The IAEA and the Food and Agriculture Organization of the United Nations (FAO) operate the oldest partnership in the UN system, the Joint FAO/IAEA Programme on Nuclear Techniques in Food and Agriculture. This programme assists in the safe and appropriate use of nuclear techniques and related biotechnologies to increase and sustain food and agricultural production as well as food safety. It includes plant breeding to develop crop varieties able to grow under harsh environmental conditions, support for sustainable land management and water use efficiency in agriculture, control of insect pests and animal diseases, conservation of natural resources, and the promotion of food quality and safety through irradiation and other techniques.

In 2009, the IAEA implemented nearly 250 TC projects and 24 active coordinated research projects (CRPs) in food and agriculture. Over the past five years, an average of 25 training courses and 20 workshops and seminars with more than 500 trainees were held annually.

The socioeconomic impact of such activities is noteworthy. It includes: savings in fertilizer use made possible through the use of nuclear techniques to more effectively determine optimal application and timing; higher yielding, disease and drought resistant food and industrial crops through mutation assisted plant breeding techniques; use of nuclear techniques to assess land degradation and soil erosion in support of soil conservation strategies; widespread use of technologies to monitor the effectiveness of national livestock vaccination programmes, and; the creation of fruit fly free areas that have brought benefits of increased food production, access to exports markets and better employment opportunities.

There has also been a substantial increase in the use of radiation as a replacement for chemical and other methods to treat foodstuffs for safety and phytosanitary purposes, which also generates access to export markets as well as employment.

The FAO/IAEA Agriculture and Biotechnology Laboratory (ABL), in Seibersdorf, provides scientific and technical support in the conception, adaptation and improvement of nuclear and related techniques and technologies, and strengthens capacity in the use of these applications through international cooperation in research and training. The laboratory also provides guidance on the introduction of analytical quality control and quality assurance measures in Member State laboratories, and training in the maintenance of equipment and instruments. During the past five years, more than 500 trainees from 84 Member States were trained.

4.2.3. Water resources

Concern about the vulnerability of water resources is increasing worldwide, and water supplies and quality conditions are already critical in many areas. The use of nuclear techniques is an efficient and cost effective way to provide key information that water managers and policy makers can use to sustainably manage their water resources. Responding to the needs identified by the World Water Forum and the UN World Water Development Report, the IAEA works in partnership with organizations such as the United Nations Environment Programme (UNEP) and FAO and with institutes and national authorities responsible for the study and management of water.

More than 110 TC projects dealing with transboundary aquifers, groundwater and surface water resource management involving 64 Member States have been implemented since 2005, with nearly 200 scientists trained in isotope hydrology techniques.

Archiving and distributing isotope data from precipitation, rivers, and groundwaters is another important activity. An example is the Global Network of Isotopes in Precipitation database established in 1961 as a joint service of the IAEA and the World Meteorological Organization, which has now expanded to consist of over 920 reporting stations worldwide that generate 120 000 isotope records each month. The database is valuable for a number of scientific purposes, including the development of global assessments of climate variability and change.

Isotope hydrology atlases for Africa, the Americas and the Asia–Pacific region have been published during the last five years. These, for the first time, have brought together tens of thousands of isotope records from across these regions and dating back several decades. They are unique archives and references that are helping water managers in these regions to better understand the complexity of the problems.

The IAEA has an Isotope Hydrology Laboratory in Vienna. The laboratory develops and improves analytical and sampling methods for the application of nuclear techniques and provides training and technical support to other laboratories. It also plays a role in assuring the quality of stable and radioisotope analyses through its coordination of intercomparison tests with laboratories around the world.

4.2.4. Environment

To promote sound environmental management and protection, the IAEA provides assistance in developing a greater understanding of, and better analytical capacities regarding, key phenomena in the marine and terrestrial environments. These phenomena include the movement and fate of various pollutants in the oceans, with a particular focus on coastal zones and effects on marine organisms; the impacts of climate change and rising atmospheric concentrations of carbon on marine ecosystems and resources; and the movement, fate and environmental effects of pollutants released into the atmosphere by industrial and mining activities. The IAEA conducts these activities at its environmental laboratories in Monaco and Seibersdorf.

The establishment, strengthening and coordination of worldwide networks of environmental laboratories to address these issues are important areas of work. For example, the Analytical Laboratories for the Measurement of Environmental Radioactivity (ALMERA) network, which monitors environmental radioactivity worldwide, has expanded from 40 Member State laboratories in 2006 to 120 at the end of 2009.

The environmental laboratories play a crucial role in assuring the quality of radionuclide analyses through the coordination of intercomparison tests with laboratories around the world. They also develop, maintain and distribute international reference materials that serve as global benchmarks for the accurate analysis of radionuclides and stable isotopes in environmental samples.

4.2.5. Radioisotope production and radiation technologies

The IAEA supports the production of radioisotopes and related products for health care and industry, and for industrial applications of radiation technologies. Assistance in building the necessary scientific and technical capacities and infrastructure improves the availability of quality radiopharmaceuticals that are essential in the diagnosis and treatment of diseases such as cancer. Such assistance also helps to improve the use of radiation and radioisotopes that increase the safety, quality and environmental friendliness of industrial processes and products.

The IAEA's Nuclear Spectrometry and Applications Laboratory in Seibersdorf provides training facilities for Member States as well as quality assurance methods and tools for the study of materials used for nuclear power generation systems and other applications. The use of these techniques to help study and preserve cultural heritage objects has been an area of great interest to a number of developing Member States.

Since 2006, more than 200 TC projects have been implemented involving more than 300 fellowships and scientific visits. Over 100 participants in radiation processing technology and operations have also been trained. Coordinated research activities during this period involved teams from over 150 institutions, resulting in new technical methodologies and products for use in health care and industry, as well as R&D capacity building in the participating teams.

4.3. Nuclear safety

The growing use of nuclear technology brings significant benefits, but also entails potential risks. Maintaining a high level of nuclear safety and security is crucial in using nuclear technology to meet the essential needs of Member States. Ensuring safety and security is primarily the responsibility of each State. However, the recognition of far reaching and transboundary consequences of any accident has strengthened global arrangements to address these risks.

The IAEA continues to help develop and strengthen the global nuclear safety and security regime, which is based on strong national infrastructures, international instruments, safety standards and security guidelines, and is implemented through peer reviews, advisory services, knowledge networks and capacity building activities.

4.3.1. Safety standards

By its Statute, the IAEA is authorized to establish safety standards and provide for their application. A new standard, the *Fundamental Safety Principles*, was published by the IAEA in 2006 jointly with a number of other international organizations. These principles constitute the conceptual basis for the body of the IAEA's safety standards and provide the rationale for a wider safety and security programme.

In 2007, the revision of the International Basic Safety Standards for Protection against Ionizing Radiation and for the Safety of Radiation Sources (the BSS) was initiated to bring it up to date. The process of developing and updating other safety standards continues. From 2006 to 2009, more than 30 standards were published.

4.3.2. Emergency preparedness and response

The IAEA responds to an increasing number of requests from Member States to assist in minimizing the impact of nuclear or radiological incidents and emergencies. In 2006, the IAEA Incident and Emergency Centre (IEC) was established, providing a 24/7 capacity to provide timely response to requests for assistance in cases of nuclear emergencies.

In 2007, to help Member States strengthen their preparedness arrangements in the event of a nuclear or radiological emergency, the IAEA published a safety guide entitled Arrangements for Preparedness for a Nuclear or Radiological Emergency jointly with other international organizations. The IAEA also conducted training courses, workshops and exercises at the national and regional levels to assist in the application of this publication. Furthermore, to test and evaluate the exchange of information and coordination of emergency assistance on an international scale, small and large scale exercises were conducted in 2007 and 2008.

The Response Assistance Network (RANET), comprising specialized professionals capable of rapidly and effectively responding with expert assistance in the event of a radiation incident or emergency was launched in 2006. By the end of 2009, 16 countries registered their national assistance capabilities with RANET. Furthermore, almost half of all RANET registered Member States participated in ShipEx-1 (2009), which tested current and existing capabilities for safe and expeditious international transport of blood samples subjected to biological dosimetry assessment.

4.3.3. Safety of nuclear power installations

As a result of the increased interest in and demand for nuclear power installation services, a new Integrated Regulatory Review Service (IRRS) was launched in 2006. It was designed to: facilitate the exchange of experience and mutual learning among senior regulators; promote high quality self-assessments; and strengthen Member State legislative and regulatory infrastructures. To date, 30 IRRS missions have been conducted in 28 countries.

After an earthquake in Japan in 2007, an International Seismic Safety Centre (ISSC) was established in October 2008 to address safety concerns. The ISSC has aided in the analysis of the impacts of earthquakes on nuclear installations.

Assistance is also provided to enhance self-assessment capabilities, to improve the exchange of information on operating experience and to address general operational safety aspects through a range of services, including the: Incident Reporting System for Research Reactors (IRSRR); the Research Reactor Information Network (RRIN); and the Integrated Safety Assessment of Research Reactors (INSARR) Service. In 2007, the International Decommissioning Network was launched to provide a forum for sharing of practical decommissioning experience.

From 2006 to 2009, the IAEA's OSART (Operational Safety Review Team) missions visited 20 nuclear power plants in 14 countries. The missions reported that the managements of most of the plants and utilities visited were committed to improving and maintaining a high level of operational safety.

4.3.4. Radiation and transport safety

Every year, radioactive sources that are not under regulatory control ('orphan' sources) are discovered at ports of entry and metal recycling facilities around the world. Many Member States do not have sufficient expertise, or resources, to characterize such radioactive material or to reestablish regulatory control over orphaned sources. This challenge is addressed by promoting the wider application of the Code of Conduct on the Safety and Security of Radioactive Sources. Agreement to use the Code has continued to grow (97 States as of February 2010), and the IAEA has continued to assist Member States in its implementation.

To support regulatory control and inventory of radiation sources, the IAEA offers the Regulatory Authority Information System (RAIS). Its latest version, the 'RAIS Web Portal', released in 2008, can be used by field offices of regulatory bodies and by authorized representatives of facilities to access facility data.

One of the major issues in transport safety is denial or delay of shipment of radioactive substances, such as radioisotopes used in nuclear medicine, industry and research. Due to the short half-life (on the order of hours or days), these expensive and often scarce radioisotopes lose their usefulness every hour they are delayed. The IAEA has been working with transportation companies to sensitize them about the safe handling of radioactive material, and supports development of a database on denials of shipments. The IAEA also periodically has facilitated informal discussions with coastal and shipping States with a view to maintaining dialogue and consultation aimed at improving mutual understanding, confidence building and communication in relation to the safe maritime transport of radioactive material.

4.3.5. International safety conventions

All States operating land based nuclear power plants are amongst the 67 Contracting Parties to the Convention on Nuclear Safety, which aims at achieving and maintaining a high level of

safety by setting international benchmarks to which States subscribe. At the last review meeting held in April 2008, after review of the information provided by the contracting parties on steps and measures taken to implement their obligations, it was concluded that there was a high degree of compliance.

The Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management aims to achieve and maintain a high level of safety worldwide in spent fuel and radioactive waste management resulting from civilian nuclear activities. At the third review meeting held in May 2009, there were constructive exchanges and sharing of knowledge testifying to the usefulness of the review process. By the end of 2009, there were 53 parties and 42 signatories of the Joint Convention.

4.4. Nuclear security

Ensuring security is primarily the responsibility of each State. However, the recognition of far reaching and transboundary consequences of any malicious act has strengthened global arrangements to address these risks. The IAEA has supported the efforts of States to improve nuclear security whenever nuclear or other radioactive material is in use, storage and/or transport. This assistance has taken the form of capacity building, publication of guidance documents, human resource development, sustainability and risk reduction.

4.4.1. Nuclear Security Plan

The IAEA has provided assistance to States and supported their national efforts to establish and improve nuclear security since the early 1970s when it began providing ad hoc training in physical protection. The IAEA's first comprehensive plan of action to protect against nuclear terrorism, the Nuclear Security Plan, was approved in 2002 along with the creation of a voluntary funding mechanism, the Nuclear Security Fund, in order to help implement the Plan. The second Plan adopted in 2005 was for 2006-2009 and the third Plan adopted in 2009 is for the period 2010-2013

4.4.2. Physical protection

At the 2000 NPT Review Conference, States Parties to the Treaty noted the paramount importance of effective physical protection of all nuclear material, and called upon all States to maintain the highest possible standards of security and physical protection of nuclear materials. In 2005, the States Parties to the Convention on the Physical Protection of Nuclear Material (CPPNM) agreed an Amendment to the convention which, upon its entry into force, will extend the physical protection measures of the CPPNM to nuclear facilities and material in peaceful domestic use, storage and transport. While the Amendment to the CPPNM has received strong political support, only 33 States had formally accepted the Amendment as of December 2009.

In order to assist States to carry out needs assessment, the IAEA carries out, upon request, evaluation missions. Seventy-five missions were conducted, as well as a number of shorter

technical visits. In the four year period between 2006 and 2009, IAEA nuclear security teams visited — in an advisory or implementation capacity — 60 nuclear sites.

Through its Illicit Trafficking Database (ITDB) programme, the IAEA collects information on incidents of illicit trafficking and other unauthorized activities and events involving nuclear and other radioactive material. The scope of the ITDB information is broad, covering any acts or events that involve any type of nuclear or radioactive material outside legitimate control and protection. The database tracks events that occurred intentionally or unintentionally, including unsuccessful or thwarted acts. Between 2006 and 2009, 23 new States had joined the ITDB programme, bringing the total number of participants to 109.

From 1 January 2006 to 31 December 2009, 975 incidents were reported to the ITDB; 799 of these were reported to have occurred during this period and the remaining 176 were reports of prior incidents. Seventy-five incidents reported to have occurred between 2006 and 2009 involved illegal possession, including attempts to sell or smuggle nuclear material or radioactive sources.

4.4.3. Other activities

Acting in the framework of the Nuclear Security Plan and at the request of States, the IAEA has, inter alia, between 2006 and 2009:

- Published new and revised recommendations and guidelines, in the IAEA's Nuclear Security Series of publications, for use by States in the establishment of their national nuclear security systems. To date, the IAEA has issued 12 such publications.
- Offered education, training and equipment upgrades to over 300 international, regional and national training courses and workshops involving over 6000 participants from 87 States. Training topics focused on physical protection and the prevention of malicious acts, including security objectives and fundamental principles, physical protection principles and methodologies, protection of nuclear facilities against theft and sabotage, establishing effective radiation detection capabilities at border crossing points and methods to respond to seizures of nuclear and other radioactive material.
- Supplied approximately 3000 detection and border monitoring instruments to 55 States.
- Completed, or was in the process of completing, physical protection upgrades in 30 States.
- Developed long term national work plans that consolidate an individual State's range of nuclear security needs and the steps required to meet them in an Integrated Nuclear Security Support Plan (INSSP). As of December 2009, the Secretariat had prepared 50 INSSPs.

As part of its support for security measures at major public events, the IAEA assisted Brazil in its preparations for the 2007 Pan-American Games and China for the 2008 Summer Olympic Games.

The IAEA's nuclear security activities are funded by its regular budget and by voluntary contributions, but mostly by the latter. Over the last four years, contributions to the Nuclear Security Fund totaled more than $72.5 million.

4.5. Nuclear law

The global framework for nuclear law is expanding rapidly. Over the past decades, States have adopted more than a dozen international legal instruments in the fields of nuclear safety, security, safeguards and liability for nuclear damage. Recognizing that comprehensive national legal frameworks are essential for ensuring the safe and peaceful uses of nuclear energy, the IAEA assists States, upon request, in developing nuclear legislation. This assistance covers all areas of nuclear law such as nuclear safety, nuclear security, safeguards, and civil liability for nuclear damage, and is provided through international, regional and national workshops and seminars, bilateral assistance in drafting national laws, training of individuals and the development of reference material.

From 2005 to 2009, more than thirty international and regional workshops were organized. Further, since 2005, country specific bilateral legislative assistance has been provided to more than sixty Member States.

At the request of Member States, individual training has also been provided since 2005 to more than twenty legal experts through short term visits to IAEA Headquarters, as well as longer term fellowships allowing the trainees to gain further practical experience in nuclear law.

5. Conclusion

Since the last NPT Review Conference in 2005, the IAEA has continued its efforts to respond to the evolving requirements of its Member States. As can be seen from this survey, the range of IAEA activities related to Article IV of the NPT is diverse.

Over the years, the IAEA's roles, responsibilities and services have grown in response to the issues, challenges and opportunities facing its members and the international community. Its programme of work has increased in response to demands and expectations, as have efforts to critically assess and optimize its services for reasons of effectiveness, and efficiency. As the IAEA looks to the future and responds to the demands and expectations of its Member States, it can expect to see increasing requests for support to the introduction of nuclear power, a greater focus on human health, food safety and security and sustainable management of natural resources.

To extend the reach of its activities and multiply their benefits, the requirement for agreements and working relationships with partner organizations in and outside the UN system is likely to grow. It can also be expected that certain activities will be phased out as technology matures or moves into the hands of the private sector, or as Member States acquire their own technological capacities.

In light of the expanding use of nuclear power and other nuclear applications for meeting basic human needs, expectations that all such nuclear activities should be carried out in the safest and most secure manner will continue. For the IAEA to fulfil these expectations, it will require the strong commitment and continued support of its Member States.

NPT/CONF.2010/17

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

9 April 2010

Original: English

New York, 3-28 May 2010

Note verbale dated 8 April 2010 from the Permanent Missions of Australia and Japan to the United Nations addressed to the President of the Conference

The Permanent Missions of Australia and Japan to the United Nations present their compliments to the President of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and have the honour to transmit herewith the synopsis of the report of the International Commission on Nuclear Non-proliferation and Disarmament, co-chaired by the former Australian Minister for Foreign Affairs, Gareth Evans, and the former Japanese Minister for Foreign Affairs, Yoriko Kawaguchi (see annex).

The Permanent Missions of Australia and Japan to the United Nations have the further honour to advise that the Commission was launched as a joint initiative of the Governments of Australian and Japan in September 2008. The Commission is an independent enterprise, composed of 15 Commissioners worldwide, including the Co-Chairs, Mr. Evans and Ms. Kawaguchi. On 15 December 2009, the Co-Chairs presented the report to Prime Ministers Kevin Rudd and Yukio Hatoyama in Tokyo as the consensus outcome of the activities of the Commission.

The Permanent Missions of Australia and Japan to the United Nations request that the present note and its annex be circulated as a working paper of the 2010 Review Conference.

Annex

[Original: Arabic, English, French, Russian and Spanish]

Eliminating nuclear threats

A Practical Agenda for Global Policymakers

Synopsis: a comprehensive action agenda

This Synopsis is a highly abbreviated and selective distillation of the very much more detailed analysis and argument in the Commission's report. The references given are to sections and paragraphs in that full report, which is available online at www.icnnd.org.

A. WHY THIS REPORT, AND WHY NOW

- Nuclear weapons are the most inhumane weapons ever conceived, inherently indiscriminate in those they kill and maim, and with an impact deadly for decades. They are the only weapons ever invented that have the capacity to wholly destroy life on this planet, and the arsenals we now possess are able to do so many times over. The problem of nuclear weapons is at least equal to that of climate change in terms of gravity – and much more immediate in its potential impact.
- So long as any state has nuclear weapons, others will want them. So long as any such weapons remain, it defies credibility that they will not one day be used, by accident, miscalculation or design. And any such use would be catastrophic. It is sheer luck that the world has escaped such catastrophe until now.
- Maintaining the status quo is not an option. The threats and risks associated with the failure to persuade existing nuclear-armed states to disarm, to prevent new states acquiring nuclear weapons, to stop any terrorist actor gaining access to such weapons, and to properly manage a rapid expansion in civil nuclear energy, defy complacency. They must be tackled with much more conviction and effectiveness than the world has managed so far.
- There have been many major international commission, panel, research institute and think tank reports addressing these issues. What makes this report distinctive is, hopefully, its timeliness; comprehensiveness; global consultative reach; attention to pragmatic realities as well as ambitious ideals; intended accessibility to non-specialist policymakers; and strong action orientation, reflected in the short, medium and longer term action agendas that bind together its specific policy proposals.
- With new U.S. and Russian leadership seriously committed to disarmament action, there is a new opportunity – the first since the immediate post-World War II and post-Cold War years – to halt, and reverse, the nuclear weapons tide once and for all. This report describes, not just rhetorically but in the detail that global policymakers need, how that opportunity can and should be seized. *[Section 1]*

B. NUCLEAR THREATS AND RISKS

- ***Existing Nuclear-Armed States.*** Twenty years after the end of the Cold War there are at least 23,000 nuclear warheads still in existence, with a combined blast capacity equivalent to 150,000 Hiroshima bombs. The U.S. and Russia together have over 22,000, and France, the UK, China, India, Pakistan and Israel around 1,000 between them. Nearly half of all warheads are still operationally deployed, and the U.S. and Russia each have over 2,000 weapons on dangerously high alert, ready to be launched immediately – within a decision window of just 4-8 minutes for each president – in the event of perceived attack. The command and control systems of the Cold War years were repeatedly strained by mistakes and false alarms. With more nuclear-armed states now, and more system vulnerabilities, the near miracle of no nuclear exchange cannot continue in perpetuity. *[Section 2]*
- ***New Nuclear-Armed States.*** The Nuclear Non-Proliferation Treaty (NPT) system has been under severe strain in recent years, with the International Atomic Energy Agency (IAEA) struggling with verification, compliance and enforcement failures, and backward steps occurring in the world's most volatile regions. India and Pakistan joined the undeclared Israel as fully-fledged nuclear-armed states in 1998; North Korea is now likely to have some half-dozen nuclear explosive devices; and Iran probably now has weapon-making capability, with real potential for generating a regional proliferation surge should it choose to cross the weaponization red-line. *[Section 3]*
- ***Nuclear Terrorism.*** Terrorist groups exist with the intent, and capacity, to create massive nuclear destruction. With manageable technology long in the public domain, and black market sourcing, a Hiroshima-sized nuclear device could possibly be detonated from a truck or small boat inside any major city. A "dirty bomb", combining conventional explosives with radioactive materials like medical isotopes, would be a much easier option: while not generating anything like the casualties of a fission or fusion bomb, it would have a psychological impact at least equal to 9/11. *[Section 4]*
- ***Peaceful Uses of Nuclear Energy.*** The likely rapid expansion of civil nuclear energy in the decades ahead, not least in response to climate-change concerns, will present some additional proliferation and security risks. Particularly if accompanied by the construction of new national facilities for enrichment at the front end of the fuel cycle and reprocessing at the back end, it could mean a great deal more fissile material becoming potentially available for destructive purposes. *[Section 5]*

C. MEETING THE CHALLENGE OF NUCLEAR DISARMAMENT

BASIC THEMES

- **Delegitimizing nuclear weapons.** The critical need is to finally transform perceptions of the role and utility of nuclear weapons, from occupying a central place in strategic thinking to being seen as quite marginal, and ultimately wholly unnecessary. There are good answers to all the familiar deterrence and other justifications for retaining nuclear weapons.
- It is neither defensible nor sustainable for some states to argue that nuclear weapons are an indispensable, legitimate and open-ended guarantor of their own and allies' security, but that others have no right to acquire them to protect their own perceived security needs.

- "Extended deterrence" does not have to mean extended *nuclear* deterrence. *[Section 6]*
- ***A phased approach.*** Achieving a nuclear weapon free world will be a long, complex and formidably difficult process, most realistically pursued as a two-phase process, with minimization the immediate goal and elimination the ultimate one. *[Section 7]*
- Short term (to 2012) and medium term (to 2025) efforts should focus on achieving as soon as possible, and no later than 2025, a "minimization point" characterised by very low numbers of warheads (less than 10 per cent of present arsenals), agreed "no first use" doctrine, and force deployments and alert status reflecting that doctrine. *[Sections 17, 18]*
- Analysis and debate should commence now on the conditions necessary to move from the minimization point to elimination, even if a target date for getting to zero cannot at this stage be credibly specified. *[Section 19]*

KEY POLICIES

- ***Action Consensus***. The 2010 NPT Review Conference should agree on a 20-point statement, "A New International Consensus for Action on Nuclear Disarmament", updating and extending the "Thirteen Practical Steps" agreed in 2000. *[16.6-11; Box 16-1]*
- ***Numbers***. No later than 2025 U.S. and Russian arsenals should be reduced to a total of 500 nuclear warheads each, with at least no increases, and desirably significant reductions, in the arsenals – now totalling some 1,000 warheads – of the other nuclear-armed states. A global maximum of 2,000 warheads would represent a more than 90 per cent reduction in present arsenals. *[18.1-3]*
- All nuclear-armed states should now explicitly commit *not to increase* the number of their nuclear weapons. *[17.15-16]*
- ***Doctrine.*** Pending the ultimate elimination of nuclear weapons, every nuclear-armed state should make as soon as possible, and no later than 2025, an unequivocal "no first use" (NFU) declaration. *[17.28]*
- If not prepared to go so far now, each such state – and in particular the U.S. in its Nuclear Posture Review – should at the very least accept the principle that the "sole purpose" of possessing nuclear weapons is to deter others from using such weapons against that state or its allies.
- Allied states affected by such declarations should be given firm assurances that they will not be exposed to other unacceptable risks, including from biological and chemical weapons. *[17.28-32]*
- New and unequivocal negative security assurances (NSAs) should be given by all nuclear-armed states, supported by binding Security Council resolution, that they will not use nuclear weapons against NPT-compliant non-nuclear weapon states. *[17.33-39]*
- ***Force Deployment and Alert Status.*** Changes should be made as soon as possible to ensure that, while remaining demonstrably survivable to a disarming first strike, nuclear forces are not instantly useable. Stability should be maximized by deployments and launch alert status being transparent. *[7.12-15; 17.40-50]*

- The decision-making fuse for the launch of any nuclear weapons must be lengthened, and weapons taken off launch-on-warning alert as soon as possible. *[17.43]*
- ***Parallel Security Issues.*** *Missile defence* should be revisited, with a view to allowing the further development of theatre ballistic missile defence systems, including potential joint operations in areas of mutual concern, but setting severe limits on strategic ballistic missile defences. *[2.30-34; 18.28-30]*
- *Conventional arms imbalances*, both quantitative and qualitative, between the nuclear-armed states, and in particular the relative scale of U.S. capability, need to be seriously addressed if this issue is not to become a significant impediment to future bilateral and multilateral nuclear disarmament negotiations. *[18.34-36]*
- Continuing strong efforts should be made to develop more effective ways of defending against potential *biological* attacks including building a workable verification regime, and to promote universal adherence to the Biological and Toxin Weapons Convention and the Chemical Weapons Convention. *[17.29; 18.32-33]*
- Ongoing attempts to prevent an arms race in *outer space* (PAROS) should be strongly supported. *[18.31]*
- ***Testing.*** All states that have not already done so should sign and ratify the Comprehensive Nuclear-Test-Ban Treaty (CTBT) unconditionally and without delay. U.S. ratification is a critically needed circuit-breaker: it would have an immediate impact on other hold-out states, and add major new momentum to both disarmament and non-proliferation efforts.
- Pending the CTBT's entry into force, all states should continue to refrain from nuclear testing. *[Section 11]*
- ***Availability of Fissile Material.*** All nuclear-armed states should declare or maintain a moratorium on the production of fissile material for weapon purposes pending the negotiation and entry into force as soon as possible of a Fissile Material Cut-off Treaty (FMCT).
- On the question of pre-existing stocks, a phased approach should be adopted, with the first priority a cap on production; then an effort to ensure that all fissile material other than in weapons becomes subject to irreversible, verified non-explosive use commitments; and with fissile material released through dismantlement being brought under these commitments as weapon reductions are agreed.
- As an interim step, all nuclear-armed states should voluntarily declare their fissile material stocks and the amount they regard as excess to their weapons needs, place such excess material under IAEA safeguards as soon as practicable, and convert it as soon as possible to forms that cannot be used for nuclear weapons. *[Section 12]*

D. MEETING THE CHALLENGE OF NON-PROLIFERATION

BASIC THEMES

- Nuclear non-proliferation efforts should focus both on the demand side – persuading states that nuclear weapons will not advance their national security or other interests – and the supply

side, through maintaining and strengthening a comprehensive array of measures designed to make it as difficult as possible for states to buy or build such weapons. *[Section 8]*

KEY POLICIES

- ***NPT Safeguards and Verification.*** All states should accept the application of the IAEA Additional Protocol. To encourage universal take-up, acceptance of it should be a condition of all nuclear exports*. [9.7]*
- The Additional Protocol and its annexes should be updated and strengthened to make clear the IAEA's right to investigate possible weaponization activity, and by adding specific reference to dual-use items, reporting on export denials, shorter notice periods and the right to interview specific individuals*. [9.8-9]*
- ***NPT Compliance and Enforcement.*** In determining compliance, the IAEA should confine itself essentially to technical criteria, applying them with consistency and credibility, and leaving the political consequences for the Security Council to determine*. [9.15]*
- The UN Security Council should severely discourage withdrawal from the NPT by making it clear that this will be regarded as prima facie a threat to international peace and security, with all the punitive consequences that may follow from that under Chapter VII of the UN Charter. *[9.20]*
- A state withdrawing from the NPT should not be free to use for non-peaceful purposes nuclear materials, equipment and technology acquired while party to the NPT. Any such material provided before withdrawal should so far as possible be returned, with this being enforced by the Security Council. *[9.21-22]*
- ***Strengthening the IAEA.*** The IAEA should make full use of the authority already available to it, including special inspections, and states should be prepared to strengthen its authority as deficiencies are identified. *[9.24]*
- The IAEA should be given a one-off injection of funds to refurbish the Safeguards Analytical Laboratory; a significant increase in its regular budget support, without a "zero real growth" constraint; and sufficient security of future funding to enable effective medium to long term planning. *[9.25-27]*
- ***Non-NPT Treaties and Mechanisms.*** The Nuclear Suppliers Group (NSG) should develop a criteria-based approach to cooperation agreements with states outside the NPT, taking into account factors such as ratification of the CTBT, willingness to end unsafeguarded fissile material production, and states' record in securing nuclear facilities and materials and controlling nuclear-related exports. *[10.3-9]*
- The Proliferation Security Initiative (PSI) should be reconstituted within the UN system as a neutral organization to assess intelligence, coordinate and fund activities, and make both generic and specific recommendations or decisions concerning the interdiction of suspected materials being carried to or from countries of proliferation concern. *[10.10-12]*
- ***Extending Obligations to Non-NPT States.*** Recognising the reality that the three nuclear-armed states now outside the NPT – India, Pakistan and Israel – are not likely to become members any time soon, every effort should be made to achieve their participation in parallel

instruments and arrangements which apply equivalent non-proliferation and disarmament obligations*. [10.13-16]*

- Provided they satisfy strong objective criteria demonstrating commitment to disarmament and non-proliferation, and sign up to specific future commitments in this respect, these states should have access to nuclear materials and technology for civilian purposes on the same basis as an NPT member*. [10.17]*
- These states should participate in multilateral disarmament negotiations on the same basis as the nuclear-weapon state members of the NPT, and not be expected to accept different treatment because of their non-membership of that treaty. *[10.18]*
- ***Priorities for the 2010 NPT Review Conference.*** The primary focus should be on reaching agreement on:
  - a new 20-point statement, "A New International Consensus for Action on Nuclear Disarmament", updating and extending the "Thirteen Practical Steps" agreed in 2000;
  - measures to strengthen NPT safeguards and verification, compliance and enforcement, and the IAEA (as above);
  - forward movement on the Middle East Weapons of Mass Destruction Free Zone, with the UN Secretary-General convening an early conference of all relevant states to address creative and fresh ways to implement the 1995 resolution;
  - strengthened implementation of nuclear security measures (see Meeting Terrorism Challenge below); and
  - further support for peaceful uses of nuclear energy. *[Section 16]*

E. MEETING THE CHALLENGE OF NUCLEAR TERRORISM

BASIC THEMES

- Effectively countering terrorism of any kind involves a complex mix of nationally and internationally coordinated protection and policing strategies (most immediately important in dealing with the threat of nuclear terrorism), and also political, peacebuilding and psychological strategies (necessary to address the underlying causes of terrorist behaviour).
- At the 2010 Nuclear Security Summit, and in related policy deliberations, the main need is to focus on the effective implementation of existing agreed measures rather than the development of new ones. *[Section 13; Box 13-1]*

KEY POLICIES

- All states should agree to take effective measures to strengthen the security of nuclear materials and facilities, including by adopting and implementing the 2005 amendment to the Convention on the Physical Protection of Nuclear Material, accelerating delivery of the Cooperative Threat Reduction and associated programs worldwide, and making a greater commitment to international capacity building and information sharing. *[13.5-16]*

- On the control of material useable for "dirty bombs", further efforts need to be made to cooperatively implement the Code of Conduct on the Safety and Security of Radioactive Sources, with assistance to states in updating legislation and licensing practice and promoting awareness among users. *[13.17-21]*
- Strong support should be given to the emerging science of nuclear forensics, designed to identify the sources of materials found in illicit trafficking or used in nuclear explosions. *[13.22-25]*

F. MEETING THE CHALLENGE OF CIVIL NUCLEAR ENERGY

BASIC THEMES

- The use of nuclear energy for peaceful purposes should continue to be strongly supported as one of the three fundamental pillars of the NPT, along with disarmament and non-proliferation. Increased resources should be provided, including through the IAEA's Technical Cooperation Programme, to assist developing states in taking full advantage of peaceful nuclear energy for human development.
- Proliferation resistance should be endorsed by governments and industry as an essential objective in the design and operation of nuclear facilities, and promoted through both institutional and technical measures – neither is sufficient without the other. *[Section 14]*

KEY POLICIES

- ***Nuclear Energy Management***. Support should be given to the initiative launched at the 2008 Hokkaido Toyako G8 Summit for international cooperation on nuclear energy infrastructure, designed to raise awareness worldwide of the importance of the three Ss – safeguards, security and safety – and assist countries concerned in developing the relevant measures. *[14.4-6]*
- New technologies for spent fuel treatment should be developed to avoid current forms of reprocessing altogether. *[12.26]*
- The increasing use of plutonium recycle, and the prospective introduction of fast neutron reactors, must be pursued in ways which enhance non-proliferation objectives and avoid adding to proliferation and terrorism risks. *[14.9-15]*
- International measures such as spent fuel take-back arrangements by fuel suppliers, are desirable to avoid increasing spent fuel accumulations in a large number of states. *[14.13]*
- ***Multilateralizing the Nuclear Fuel Cycle*** – in particular through fuel banks and multilateral management of enrichment, reprocessing and spent fuel storage facilities – should be strongly supported. Such arrangements would play an invaluable role in building global confidence in the peaceful uses of nuclear energy, and provide an important foundation for a world free of nuclear weapons, for which a necessary requirement will be multilateral verification and control of all sensitive fuel cycle activities. *[Section 15]*

G. MOBILIZING AND SUSTAINING POLITICAL WILL

BASIC THEMES

- The will to do something difficult, sensitive or expensive will rarely be a given in international or domestic politics. It usually has to be painfully and laboriously constructed, case by case, context by context, with four main elements needing to come together:
  - *leadership*: without which inertia will always prevail – top down (from the major nuclear-armed states, particularly the U.S. and Russia), from peer groups (like-minded states worldwide) and bottom up (from civil society);
  - *knowledge*: both specialist and general, of the nature, magnitude and urgency of the nuclear problem: requiring better education and training in schools and universities, and stronger advocacy directed to policymakers, and those in the media and elsewhere who most influence them;
  - *strategy*: having a confident sense that there is a productive way forward: not just general objectives, but realistic action plans with detailed paths mapped and target benchmarks set; and
  - *process*: having the institutional and organisational means at hand – "campaign treaties", or other research and advocacy structures – to advance the relevant strategy in practice. *[Section 20]*

KEY POLICIES

Nuclear Weapons Convention. Work should commence now, supported by interested governments, on further refining and developing the concepts in the model convention now in circulation, making its provisions as workable and realistic as possible, with the objective of having a fully-worked through draft available to inform and guide multilateral disarmament negotiations as they gain momentum*. [20.38-44]*

- ***Report Card.*** To help sustain political will over time, a regular "report card" should be published in which a distinguished international panel, with appropriately professional and broad based research support, would evaluate the performance of both nuclear-armed and non-nuclear-armed states against the action agendas identified in this report. *[20.49-50]*
- ***Monitoring and Advocacy Centre.*** Consideration should be given to the establishment of a "Global Centre on Nuclear Non-proliferation and Disarmament" to act as a focal point and clearing house for the work being done on nuclear non-proliferation and disarmament issues by many different institutions and organizations in many different countries, to provide research and advocacy support both for like-minded governments and for civil society organisations, and to prepare the "report card" described above. *[20.51-54]*

THE SHORT TERM ACTION AGENDA TO 2012: ACHIEVING INITIAL BENCHMARKS

On Disarmament

- Early agreement on a Strategic Arms Reduction Treaty (START) follow-on treaty, with the U.S. and Russia agreeing to deep reductions in deployed strategic weapons, addressing the issue

of strategic missile defence and commencing negotiations on further deep cuts in all classes of weapons.

- Early movement on nuclear doctrine, with all nuclear-armed states declaring at least that the sole purpose of retaining the nuclear weapons they have is to deter others from using such weapons against them or their allies (while giving firm assurances to such allies that they will not be exposed to unacceptable risk from other sources, including in particular chemical and biological weapons).
- All nuclear-armed states to give strong negative security assurances to complying non-nuclear weapon states parties to the NPT, supported by binding Security Council resolution, that they will not use nuclear weapons against them.
- Early action on nuclear force postures, with particular attention to the negotiated removal to the extent possible of weapons from "launch-on-warning" status.
- Early commitment by all nuclear-armed states to not increasing their nuclear arsenals.
- Prepare the ground for a multilateral disarmament process by all nuclear-armed states conducting relevant studies; engaging in strategic dialogues with the U.S., Russia and each other; and commencing a joint dialogue within the framework of the Conference on Disarmament work program.

On Non-Proliferation

- A positive outcome for the May 2010 NPT Review Conference, with member states reaching agreement on measures to strengthen the NPT regime, including improved safeguards, verification, compliance and enforcement; measures to strengthen the effectiveness of the IAEA; "A New International Consensus for Action on Nuclear Disarmament" statement on disarmament issues; and measures to advance the implementation of the Middle East and other existing and proposed Nuclear Weapon Free Zones.
- Satisfactory negotiated resolution of the North Korea and Iran nuclear program problems.
- Movement toward strengthening non-proliferation regimes outside the NPT, and applying equivalent disciplines to NPT non-members.

On Both Disarmament and Non-Proliferation

- Bring into force the Comprehensive Nuclear-Test-Ban Treaty.
- Conclude negotiations on an Fissile Material Cut-off Treaty.

On Nuclear Security

- Bring into force the 2005 Amendment to the Convention on the Physical Protection of Nuclear Material, accelerate implementation of the cooperative threat reduction and associated programs designed to secure dangerous nuclear weapons, materials and technology worldwide, and achieve greater commitment to international capacity building and information sharing.

On Peaceful Uses of Nuclear Energy

- Movement toward greater multilateralization of the nuclear fuel cycle, and government-industry cooperation on proliferation-resistant technologies and other measures designed to reduce any risks associated with the expansion of civil nuclear energy.
- Promotion of international cooperation on nuclear energy infrastructure to raise awareness worldwide of the importance of the three Ss – safeguards, security and safety – and assist countries concerned in developing relevant measures.

[Section 17]

THE MEDIUM TERM ACTION AGENDA TO 2025: GETTING TO THE MINIMIZATION POINT

- Progressive achievement of interim disarmament objectives, culminating by 2025 in a "minimization point" characterized by:
  - low numbers: a world with no more than 2,000 nuclear warheads (less than 10 per cent of today's arsenals);
  - agreed doctrine: every nuclear-armed state committed to no first use;
  - credible force postures: verifiable deployments and alert status reflecting that doctrine.
- Progressive resolution of parallel security issues likely to impact on nuclear disarmament negotiations:
  - missile delivery systems and strategic missile defence;
  - space based weapons systems;
  - biological weapons;
  - conventional arms imbalances.
- Development and building of support for a comprehensive Nuclear Weapons Convention to legally underpin the ultimate transition to a nuclear weapon free world.
- Complete implementation (to extent already not achieved by 2012) of short-term objectives crucial for both disarmament and non-proliferation:
  - Comprehensive Nuclear-Test-Ban Treaty in force;
  - Fissile Material Cut-off Treaty negotiated and in force, and a further agreement negotiated to put all fissile material not in weapons under international safeguards;
  - Measures to strengthen the NPT regime and the IAEA agreed and in force;
  - Nuclear security measures in force, and cooperative threat reduction and associated programs fully implemented;
  - Progressive implementation of measures to reduce the proliferation risks associated with the expansion of civil nuclear energy.

[Section 18]

THE LONGER TERM ACTION AGENDA BEYOND 2025: GETTING TO ZERO

- Create political conditions, regionally and globally, sufficiently cooperative and stable for the prospect of major war or aggression to be so remote that nuclear weapons are seen as having no remaining deterrent utility.
- Create the military conditions in which conventional arms imbalances, missile defence systems or any other national or intergovernmental-organisation capability is not seen as so inherently destabilizing as to justify the retention of a nuclear deterrent capability.
- Create verification conditions that will ensure confidence that any violation of the prohibition of nuclear weapons would be readily detected.
- Create the international legal regime and enforcement conditions that will ensure that any state breaching its prohibition obligations not to retain, acquire or develop nuclear weapons will be effectively penalized.
- Create fuel cycle management conditions that will ensure complete confidence that no state has the capacity to misuse uranium enrichment or plutonium reprocessing for weapons development purposes.
- Create personnel oversight conditions to ensure confidence that individuals' know-how in the design and building of nuclear weapons will not be misapplied in violation of prohibition obligations.

[Section 19]

Enclosure

THE INTERNATIONAL COMMISSION ON NUCLEAR NON-PROLIFERATION AND DISARMAMENT

Origins and Mandate. The International Commission on Nuclear Non-proliferation and Disarmament was initially proposed by Australian Prime Minister Kevin Rudd following his visit in June 2008 to the Hiroshima peace memorial, and agreed in July 2008 by Prime Minister Rudd and then Japanese Prime Minister Yasuo Fukuda. The Commission was launched in New York in September 2008 by Prime Minister Rudd and then Prime Minister Taro Aso as a joint initiative of the Australian and Japanese Governments. The activities of the Commission have been embraced and supported by the present Japanese Prime Minister Yukio Hatoyama.

The Commission's stated aim was to reinvigorate, at a high political level, global debate on nuclear non-proliferation and disarmament, in the context both of the forthcoming 2010 NPT Review Conference, and beyond. It was designed to build upon, and take further in a sharply practical and action-oriented way, the work of distinguished earlier commissions and panels, notably the 1996 Canberra Commission, the 1999 Tokyo Forum, the 2004 UN High-level Panel, the 2006 Blix Commission, and the 2008 Zedillo Commission on the future of the IAEA.

Although initiated by two governments, and primarily funded by the government of Australia, the Commission is a completely independent body, with its members appointed in their personal capacity rather than as representatives of their respective countries.

Commissioners and Advisory Board. The Australian and Japanese prime ministers jointly invited to head the Commission as its Co-chairs former Foreign Ministers Gareth Evans and Yoriko Kawaguchi. They were joined as Commissioners by thirteen eminent and outstanding individuals from around the world, including former heads of state and ministers, military strategists and disarmament experts, all uniquely placed to bring fresh and imaginative vision to the undertaking: Turki Al Faisal (Saudi Arabia), Alexei Arbatov (Russian Federation), Gro Harlem Brundtland (Norway), Frene Noshir Ginwala (South Africa), François Heisbourg (France), Jehangir Karamat (Pakistan), Brajesh Mishra (India), Klaus Naumann (Germany), William Perry (United States), Wang Yingfan (China), Shirley Williams (United Kingdom), Wiryono Sastrohandoyo (Indonesia, replacing the late Ali Alatas) and Ernesto Zedillo (Mexico).

The Commission has been greatly assisted in its work by an Advisory Board of 27 distinguished experts from around the globe whose members were consulted individually and, in many cases, participated in one or more Commission meetings: Nobuyasu Abe (Japan), Shlomo Ben-Ami (Israel), Hans Blix (Sweden), Lakhdar Brahimi (Algeria), John Carlson (Australia), Nabil Fahmy (Egypt), Louise Fréchette (Canada), Lawrence Freedman (United Kingdom), Roberto García Moritán (Argentina), Han Sung-Joo (Republic of Korea), Prasad Kariyawasam (Sri Lanka), Henry Kissinger (United States), Shunsuke Kondo (Japan), Anne Lauvergeon (France), Martine Letts (Australia), Patricia Lewis (Ireland), Andrea Margelletti (Italy), Sam Nunn (United States), Robert O'Neill (Australia), George Perkovich (United States), V.R. Raghavan (India), George Robertson (United Kingdom), Michel Rocard (France), Adam Daniel Rotfeld (Poland), Yukio Satoh (Japan), George Shultz (United States), and Hans van den Broek (Netherlands).

Research Support and Administration. The Commission appointed nine Associated Research Centres to lead the effort in their respective countries or regions: the Carnegie Endowment for International Peace (Washington DC and Moscow), Centre for International Governance and Innovation (Waterloo, Canada), Delhi Policy Group (New Delhi), Facultad Latinoamericana de Ciencias Sociales (San Jose, Costa Rica), Fondation pour la Recherche Stratégique (Paris), Japan Institute of International Affairs (Tokyo), King's

College (London), Lowy Institute for International Policy (Sydney) and Tsinghua University (Beijing). From these Research Centres and other consultants worldwide over 50 pieces of new research were commissioned, most available on www.icnnd.org. Research Coordinator for the Commission was former Australian ambassador Ken Berry.

The work of the Commission was supported by a small Secretariat operating from the Australian Department of Foreign Affairs and Trade in Canberra, headed by Commission Secretary Ian Biggs and a parallel unit in the Japanese Ministry of Foreign Affairs in Tokyo, headed by Toshio Sano.

Consultations. Four major Regional Meetings were held, attended by a total of 89 regional participants – from government, universities and research institutes, and where appropriate the nuclear energy sector – from 25 countries: in Latin America (Santiago, 2-3 May 2009), North East Asia (Beijing, 22-23 May 2009), the Middle East (Cairo, 29-30 September 2009) and South Asia (New Delhi, 3-4 October 2009). A day-long round-table with representatives of the world's nuclear power industry from six continents was held in association with the Commission's meeting in Moscow on 22 June 2009. Regular dialogue with civil society was sustained through the Commission's two NGO Advisers, Akira Kawasaki of Peace Boat and Tilman Ruff of the International Campaign to Abolish Nuclear Weapons, and meetings in Washington DC and Hiroshima, including with atomic bomb victims (*hibakusha*). The Co-chairs and other Commissioners also had many individual consultations and briefings in key capitals, and with, inter alia, the UN in New York and Geneva, and the IAEA and Comprehensive Nuclear-Test-Ban Treaty Organization in Vienna.

Commission Meetings and Report. The Commission's first meeting in Sydney (19-21 October 2008) considered its mandate, work plan, and general approach, focusing on the value that it could add to previous and current work by others. Its second and third meetings in Washington DC (13-15 February 2009), and Moscow (19-21 June 2009) agreed on a detailed structure for its report and systematically discussed all relevant policy issues. Drafts of different sections of the report were then commissioned from a range of experts, including from among the Commissioners, Advisory Board and Secretariat members. A draft prepared by the Co-chairs themselves on the basis of those inputs was reviewed in detail, and a final text unanimously agreed, by the fourth Commission meeting in Hiroshima on 17-20 October 2009. The Commission will continue in existence until at least mid-2010, to enable follow-up advocacy on its report, and a review, after the 2010 NPT Review Conference, of the state of play and appropriate next steps.

A fuller account of how the Commission worked, and those who assisted it, may be found in Annex C of the full report, and at www.icnnd.org

Members of the Commission

Gareth Evans (Australia) (Co-chair)

Professor Evans was Australia's Resources and Energy Minister (1984-87) and Foreign Minister (1988-96). He initiated the Canberra Commission (1996) and was a member of the UN High-level Panel (2004), Blix Commission (2006) and Zedillo Commission on the IAEA (2008). He was President (2000-09) and is now President Emeritus of the International Crisis Group, and is currently the Chancellor of the Australian National University and an Honorary Professorial Fellow at the University of Melbourne.

Yoriko Kawaguchi (Japan) (Co-chair)

Ms Kawaguchi has been a Member of the House of Councillors for the Liberal Democratic Party since 2005. She was Special Adviser to the Prime Minister, responsible for foreign affairs (2004-05), Minister for Foreign Affairs (2002-04) and Minister for the Environment (2000-02). Previously she was a Managing

Director of Suntory Ltd, a senior official at the Ministry of International Trade and Industry, Minister at the Embassy of Japan to the United States, and an economist at the World Bank.

Turki Al Faisal (Saudi Arabia)

HRH Prince Turki was Director General of Intelligence from 1977 to 2001, and Ambassador to the United Kingdom and Ireland from 2002 to 2005, and to the United States from 2005 to 2007. He is currently Chairman of the Board of the King Faisal Center for Research and Islamic studies in Riyadh.

Alexei Arbatov (Russian Federation)

Dr Arbatov was a member of the Russian Duma and Deputy Chairman of the Duma Defence Committee from 1994 to 2003. He is currently a Scholar-in-Residence and Chair of the Non-proliferation Program at the Carnegie Moscow Center.

Gro Harlem Brundtland (Norway)

Dr Brundtland was Prime Minister of Norway for ten years between 1981 and 1996. She chaired the World Commission on Environment and Development (1987) and was Director General of the World Health Organization from 1998 to 2003. She is currently the UN Secretary-General's Special Envoy on Climate Change.

Frene Noshir Ginwala (South Africa)

Dr Ginwala was Speaker of South Africa's National Assembly from 1994 to 2004. She was Chancellor of the University of KwaZulu-Natal from 2004 until June 2009.

François Heisbourg (France)

Mr Heisbourg is Chairman of the International Institute for Strategic Studies and the Geneva Centre for Security Policy, and Special Adviser at the Fondation pour la Recherche Stratégique, and was a member of the French Presidential Commission that produced the 2008 Defence and National Security White Paper.

Jehangir Karamat (Pakistan)

General Karamat was Chairman of the Joint Chiefs of Staff and Chief of Army Staff between 1996 and 1998 and Pakistan's Ambassador to the United States from 2004 to 2006. He is currently Director of the Spearhead Research Institute.

Brajesh Mishra (India)

Mr Mishra was India's Ambassador in Geneva, Jakarta and then New York from 1973 to 1981, and National Security Adviser and Principal Secretary to former Indian Prime Minister A.B. Vajpayee from 1998 to 2004.

Klaus Naumann (Germany)

General Naumann was Chairman of the NATO Military Committee from 1996 to 1999 and Chief of the Defence Staff in Germany from 1991 to 1996. He was a Member of the Panel on UN Peace Operations (2000) and the International Commission on Intervention and State Sovereignty (2001).

William Perry (United States)

Dr Perry was the U.S. Secretary of Defense from 1994 to 1997. He is currently a Professor at Stanford University in the School of Engineering and the Institute for International Studies.

Wang Yingfan (China)

Ambassador Wang was China's Permanent Representative to the United Nations from 2000 to 2003, and Vice-Chairman of the Foreign Affairs Committee of the Chinese National People's Congress from 2003 to 2008.

Shirley Williams (United Kingdom)

Baroness Williams was Leader of the Liberal Democrat Party in the House of Lords from 2001 to 2004. She is currently Professor Emeritus of the Kennedy School of Government at Harvard University and an adviser to Prime Minister Gordon Brown on nuclear proliferation issues.

Wiryono Sastrohandoyo (Indonesia)

Ambassador Wiryono was Director General of Political Affairs in Indonesia's Department of Foreign Affairs from 1990-1993. He has served as Indonesia's Ambassador to Australia, France and Austria, as Permanent Representative to the UN in Vienna and on the Board of Governors for the IAEA.

Ernesto Zedillo (Mexico)

Dr Zedillo was President of Mexico from 1994 to 2000. He is currently Director of the Yale Center for the Study of Globalization, and Professor at Yale University in international economics.

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

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Activities relating to the Treaty on the South-East Asia Nuclear-Weapon-Free Zone

Memorandum submitted by Viet Nam

A. Background

1. The Treaty on the South-East Asia Nuclear-Weapon-Free Zone (Treaty of Bangkok) was signed by 10 States of South-East Asia on 15 December 1995, namely, Brunei Darussalam, Cambodia, Indonesia, the Lao People's Democratic Republic, Malaysia, Myanmar, the Philippines, Singapore, Thailand and Viet Nam. The Treaty, which entered into force on 27 March 1997, is of a permanent nature and shall remain in force indefinitely. The Treaty was registered with the United Nations on 26 June 1997.

2. The key goals of the Treaty of Bangkok are to uphold peace and stability while ensuring nuclear non-proliferation in the South-East Asian region, and to commit the full support of the States parties to the Treaty to the three main pillars of the Treaty on the Non-Proliferation of Nuclear Weapons, namely nuclear non-proliferation, nuclear disarmament and the peaceful use of nuclear energy.

3. The Treaty is in line with the objectives enunciated on nuclear-weapon-free zones contained in the decisions on principles and objectives for nuclear non-proliferation and disarmament taken by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

4. Since the submission of the first memorandum on activities relating to the Treaty of Bangkok at the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, important progress has been made and various new developments have taken place in the implementation of the goals and objectives set forth in the Treaty of Bangkok.

B. Implementation of the provisions of the Treaty of Bangkok

5. Since 1999, the States parties have put in place the organs that oversee the implementation of the Treaty and ensure compliance with its provisions, namely the Commission for the South-East Asia Nuclear-Weapon-Free Zone, comprising the Ministers for Foreign Affairs of all States parties, and the Executive Committee of the Commission, an organ subsidiary to the Commission, comprising senior officials of all States parties. With the entry into force of the Charter of the Association of Southeast Asian Nations (ASEAN) on 15 December 2008, the organs of the Treaty have been further strengthened by having been incorporated as bodies under the ASEAN Political-Security Community (APSC) Council under the Charter.

6. The implementation of the Treaty and its Plan of Action is one of the priority areas in the ASEAN Political-Security Community Blueprint, which is part of the road map for the ASEAN Community (2009-2015), adopted at the fourteenth ASEAN summit, held in Cha-am Hua Hin, Thailand, in 2009.

7. In order to ensure that the States parties are able to fully realize their undertakings as enshrined in the Treaty, the Commission for the South-East Asia Nuclear-Weapon-Free Zone, at its Meeting held on 29 July 2007 in Manila, reviewed the implementation of the Treaty from 1997 to 2007 and adopted the Plan of Action to strengthen the implementation of the Treaty from 2007 to 2012. The Ministers for Foreign Affairs of the States parties to the Treaty also issued a joint statement of the Commission for the South-East Asia Nuclear-Weapon-Free Zone on 30 July 2007. The Plan of Action identified the measures and actions that States parties should endeavour to pursue in that five-year period. The progress made in the implementation of the Plan of Action is reviewed annually by the Executive Committee for the South-East Asia Nuclear-Weapon-Free Zone and reported to the Commission.

8. Progress has also been made by several States parties in acceding to the relevant multilateral conventions and agreements related to promoting and reinforcing the nuclear non-proliferation and disarmament regime. These include the ratification by Indonesia of the Convention on Nuclear Safety in 2002, the ratification by Viet Nam of the Comprehensive Nuclear-Test-Ban Treaty in 2006, the accession by Cambodia to the Convention on the Physical Protection of Nuclear Material in 2006, the ratification by the Philippines of the International Atomic Energy Agency (IAEA) Additional Protocol in 2010 and the accession by Viet Nam to the Convention on Nuclear Safety in 2010.

9. As of 2009, 7 of 10 Treaty parties, namely, Indonesia, Malaysia, Myanmar, the Philippines, Singapore, Thailand and Viet Nam, had acceded to the Convention on Early Notification of a Nuclear Accident, as provided for in article 6 of the Treaty.

10. Another important highlight was the effort made by the States parties to increase the profile of the Treaty of Bangkok in multilateral forums and international organizations. In that connection, the ASEAN-sponsored resolutions on the Treaty were adopted by the General Assembly at its sixty-second and sixty-fourth sessions, in December 2007 and October 2009, respectively. The resolutions encourage the nuclear-weapon States and the States parties to the Treaty to, inter alia, work constructively with a view to seeking the accession of the nuclear-weapon States to the Protocol of the Treaty.

C. Cooperation with the International Atomic Energy Agency and other partners

11. With a view to strengthening the capacity of the States parties in implementing the Treaty of Bangkok and its Plan of Action, the States parties have established cooperation with IAEA and other partners, which include other nuclear-weapon-free zones and several dialogue partners of ASEAN. The areas of cooperation focus on capacity-building, the development of a legal framework to meet international standards on nuclear safety, the establishment of regional networks for early notification, and the development of a regional emergency preparedness and response plan.

12. The States parties to the Treaty of Bangkok and IAEA have undertaken a number of dialogues and cooperative activities, which included consultations between the Working Group of the Executive Committee of the Commission for the South-East Asia Nuclear-Weapon-Free Zone and IAEA on 14 March 2000 in Hua Hin, Thailand, and an ASEAN-IAEA workshop on the implementation of the Treaty, was held in Bangkok from 23 to 25 August 2000.

13. IAEA also participated in the first Meeting of the ASEAN Nuclear Energy Safety Sub-Sector Network, held in Singapore on 22 and 23 January 2008. The Meeting agreed that the Network would liaise with IAEA on safety issues pertaining to all aspects of the civilian use of nuclear power and that IAEA would also be invited as an observer at future meetings.

14. Cooperation with other partners, especially in the field of nuclear energy safety, has also seen encouraging progress, especially within the framework of ASEAN Plus Three (ASEAN plus China, Japan and the Republic of Korea) cooperation. An ASEAN Plus Three Forum on Nuclear Energy Safety was held in Bangkok on 16 and 17 June 2008 to tap the region's expertise on nuclear energy safety and as the first step in promoting dialogue on the safe use of civilian nuclear energy in the region. The second ASEAN Plus Three Forum on Nuclear Energy was held from 29 June to 1 July 2009 in Shenzhen, China.

15. In support of the nuclear-weapon-free zones, including within the context of the Conference of States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones, Thailand, as Chair of the Commission for the South-East Asia Nuclear-Weapon-Free Zone, participated in a meeting of focal points of nuclear-weapon-free zones and Mongolia, with participants from the nuclear-weapon-free zones of Latin America and the Caribbean (Treaty of Tlatelolco), the South Pacific (Treaty of Rarotonga), Central Asia (Semipalatinsk Treaty) as well as Mongolia, held in Ulaanbaatar on 27 and 28 April 2009. The Meeting discussed, among other things, the implementation of the Tlatelolco Declaration of 2005, as well as preparations for the follow-up Conference of States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones and Mongolia and for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

D. Consultations with the nuclear-weapon States on the Protocol to the Treaty

16. Since the signing of the Treaty of Bangkok in 1995, the States parties have pursued the goal of constructively engaging in consultations with the five nuclear-weapon States with a view to encouraging the latter to sign the Protocol to the Treaty as early as possible. The Protocol was drafted and attached to the Treaty in the hope that all five nuclear-weapon States could sign it to show their support for and recognition of the South-East Asia Nuclear-Weapon-Free Zone. Encouraged by the renewed impetus for a world free from nuclear weapons and the upcoming Review Conference in 2010, the States parties to the Treaty of Bangkok have undertaken internal consultations to support new development on nuclear non-proliferation and disarmament, and to work towards a possible resumption of direct consultations with the nuclear-weapon States to resolve the remaining outstanding issues on the Protocol, in accordance with the objectives and principles of the Treaty.

E. Other developments

17. The inaugural Meeting of the ASEAN Political-Security Community Council, convened on 10 April 2009 in Pattaya, Thailand, discussed ways to move forward on the South-East Asia Nuclear-Weapon-Free Zone. The Meeting exchanged views on how to achieve further progress on the implementation of the Treaty of Bangkok and its Plan of Action and to continue to encourage the nuclear-weapon States to accede to the Treaty's Protocol.

18. The Meeting of the APSC Council further agreed to raise the profile of the South-East Asia Nuclear-Weapon-Free Zone in multilateral forums and international organizations such as the United Nations and IAEA. The Meeting welcomed recent statements calling for a world free of nuclear weapons. Recognizing that nuclear-weapon-free zones represent part of the bargain between nuclear-weapon States and non-nuclear-weapon States that involve nuclear disarmament, the non-proliferation of nuclear weapons and the peaceful use of nuclear energy, the Meeting agreed that ASEAN member States should enhance their coordination on such issues in multilateral forums and explore common positions that can be used in preparation for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

19. The Commission for the South-East Asia Nuclear-Weapon-Free Zone, at its latest meeting, in July 2009, welcomed the "wind of change" in the approach of some nuclear-weapon States, which has lent impetus to the continuing efforts to establish a world free of nuclear weapons. In recognition of these important developments, the Commission agreed to play a constructive role in support of the 2010 Review Conference and the follow-up Conference of States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones and Mongolia.

F. Assessment

20. The Treaty of Bangkok has significantly contributed to the maintenance of peace, stability and security in South-East Asia. All the States parties to the Treaty

are fully committed to a region free of nuclear weapons. That has been reaffirmed by the commitment of ASEAN at the highest political level, as reflected in the ASEAN Charter, that Member States will preserve South-East Asia as a nuclear-weapon-free zone and free of all other weapons of mass destruction. This, in turn, has contributed to strengthening the global disarmament and non-proliferation regimes.

21. Over the past years, the States parties have exerted continuing efforts and achieved encouraging progress in strengthening the implementation of the Treaty through the development and implementation of a comprehensive Plan of Action, the enhancement of institutional arrangements, the promotion of the importance of the goals and objectives of the Treaty, the improvement of coordination among the States parties on the nuclear non-proliferation agenda in international forums, and intensified engagement and cooperation with IAEA and other partners.

22. The executive organs at all levels of the Treaty of Bangkok as well as the relevant ASEAN sectoral bodies have made a strong political commitment to continue to explore various ways and means of achieving further progress in the implementation of the Treaty and its Plan of Action in the years to come. These include prioritizing the South-East Asia Nuclear-Weapon-Free Zone along with other priority areas in the context of ASEAN community-building efforts, carrying out concrete activities, intensifying internal coordination and pursuing consultations with various partners in a constructive manner and with a greater sense of urgency.

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Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons

Report submitted by Algeria

1. During the sixth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, held in 2000, the States parties undertook, in the terms of step 12 of the 13 practical steps, to facilitate regular reports on the implementation of article VI and paragraph 4 (c) of the principles and objectives for nuclear non-proliferation and disarmament of 1995. The provision of reports is intended to meet the need for the transparency required for verification.

2. The present report addresses implementation by Algeria of the provisions of the Treaty on the Non-Proliferation of Nuclear Weapons and of the 13 practical steps adopted by the 2000 Conference.

Article I

3. In the terms of article I of the Treaty, nuclear-weapon States are legally bound by the undertaking not to transfer to any recipient whatsoever nuclear weapons, directly or indirectly. They have also undertaken not in any way to assist, encourage or induce any non-nuclear-weapon State to acquire such weapons. Fully respecting those undertakings is a primary consideration in the non-proliferation of nuclear weapons.

4. Algeria urges nuclear-weapon States, under the Treaty, to ensure the implementation of that article, in particular by avoiding nuclear cooperation with non-States parties to the Treaty. Cooperation with States that are not parties to the Treaty would encourage those States not to accede to it. Nuclear-weapon States parties to the Treaty have a special responsibility in the implementation of that article in order to achieve the universality of the Treaty.

Article II

5. Since its accession to the Treaty on 12 January 1995, Algeria, which is a non-nuclear-weapon State party to the Treaty, has continued to observe and implement article II. In the same spirit of renunciation of nuclear weapons, Algeria is a State party to the African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba) and the Comprehensive Nuclear-Test-Ban Treaty.

6. Algeria remains convinced that disarmament and the non-proliferation of nuclear weapons and all weapons of mass destruction are vital to preserve and build international peace and security and for socio-economic development.

Article III

7. In accordance with its commitments under article III of the Treaty, in 1996 Algeria concluded a comprehensive safeguards agreement with the International Atomic Energy Agency (IAEA). In the terms of that agreement, Algeria's two research reactors are regularly inspected by the Agency. Verification by IAEA has always confirmed Algeria's respect for its obligations under the Treaty.

Article IV

8. Algeria attaches the greatest importance to the preservation of the inalienable right, under article IV of the Treaty, of States parties to develop research, production and use of nuclear energy for peaceful purposes, without discrimination. Algeria cannot accede to any measure or action of any kind which might restrict that right. All States parties to the Treaty have the right to benefit from all peaceful uses of nuclear energy and technology provided that they respect the obligations under articles I, II and III.

9. Among the efforts undertaken to promote the peaceful uses of nuclear energy and technology, in cooperation with IAEA, Algeria organized a High-level African Regional Conference on the Contribution of Nuclear Energy to Peace and Sustainable Development, on 9 and 10 January 2007, which led to the adoption of a declaration and a plan of action. Those documents have been submitted to the Conference as inputs to the work of Main Committee III.

Article V

10. Algeria has ratified the Comprehensive Nuclear-Test-Ban Treaty, since it is a party to the African Nuclear-Weapon-Free-Zone Treaty (Treaty of Pelindaba) which bans nuclear tests. It urges all States that have yet to do so, especially those listed in annex 2 to the Treaty which have a special responsibility concerning its entry into force, to ratify it without delay.

11. Algeria is convinced that the entry into force of the Comprehensive Nuclear-Test-Ban Treaty, which is one of the 13 practical steps adopted at the 2000 Conference, would bring about the cessation of the qualitative improvement and development of new nuclear-weapon systems and would thereby prevent their vertical proliferation. To that end, Algeria has associated itself with all international efforts to facilitate the entry into force of the Treaty. It actively participates in the work of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, to establish the Treaty's verification regime. Algeria also voted in favour of General Assembly resolution 64/69 on the Treaty, in which the

Assembly urged the States listed in annex 2 to the Treaty which had not yet ratified that instrument to do so. Algeria also participated at the Sixth Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty, held in September 2009 in New York, and signed the Final Declaration adopted on that occasion.

Article VI

12. Seriously concerned by the threat to international peace and security that the thousands of nuclear weapons in stockpiles or deployed by nuclear-weapon-States continue to pose, Algeria urges States to abandon the doctrines of nuclear deterrence that justify keeping those weapons, and reiterates the obligations of all States parties to the Non-Proliferation Treaty, especially nuclear-weapon-States, to work towards nuclear disarmament, in accordance with article VI.

13. Algeria deplores the lack of progress in the implementation of that article.

14. Algeria continues to call for negotiations in good faith to implement fully article VI of the Treaty, and for nuclear-weapon States systematically and progressively to move forward in the general reduction of their nuclear weapons, and then to eliminate them. In that context Algeria has always supported the implementation of the 13 practical steps adopted at the 2000 Conference.

15. In the General Assembly, Algeria has supported all resolutions in favour of nuclear disarmament. It sponsored resolutions 64/53, on nuclear disarmament; 64/55, on the follow-up to the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*; and 64/28, on the prevention of an arms race in outer space.

16. Furthermore, Algeria voted in favour of resolutions 64/29, on a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices; 64/31, on the follow-up to nuclear disarmament obligations agreed to at the 1995 and 2000 Review Conferences of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons; 64/37, on reducing nuclear danger; 64/59, on the Convention on the Prohibition of the Use of Nuclear Weapons; 64/47, on renewed determination towards the total elimination of nuclear weapons; and 64/57, entitled “Towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments ”.

17. At the Conference on Disarmament, in March 2009, in its capacity as President of the Conference and together with the other 2009 Presidents, Algeria introduced a draft programme of work which was adopted on 29 May 2009, as document CD/1864. That decision provided for the establishment of working groups to negotiate a verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, on the basis of document CD/1299 and the mandate contained therein, to discuss all issues related to nuclear disarmament and the prevention of an arms race in outer space, and to debate the question of recommendations on negative security assurances.

18. The decision also provided for the appointment of three special coordinators under the agenda items related to new types of weapons of mass destruction; radiological weapons, the comprehensive programme of disarmament and transparency in armaments.

19. The adoption of that decision did not, however, lead to a resumption of the Conference's substantive work because of a lack of consensus regarding its implementation. Algeria continues to support all efforts to promote consensus within the Conference that would allow it to resume its substantive work.

Article VII

20. Algeria believes that the establishment of nuclear-weapon-free zones, based on voluntary agreements, effectively enhances regional peace and security and contributes towards strengthening the non-proliferation regime and nuclear disarmament.

21. Algeria is a party to the African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba). It welcomes its entry into force, in July 2009; that Treaty makes an important contribution to global nuclear disarmament and non-proliferation efforts.

22. The establishment of a nuclear-weapon-free zone in the Middle East is of particular importance to regional and international stability. Despite the accession of all the States of the region to the Non-Proliferation Treaty, the Middle East has yet to achieve that status because of Israel's refusal to accede to the Treaty.

23. Algeria calls on the international community and, in particular, nuclear-weapon States, to assume their responsibilities to make that region a nuclear-weapon-free zone, pursuant to the resolution adopted by the 1995 NPT Review and Extension Conference.

Article VIII

24. Algeria believes that the indefinite extension of the Non-Proliferation Treaty in 1995 did not amount to recognition of an "indefinite" status for nuclear-weapon States. Algeria once again takes the opportunity, on the occasion of the convening of the eighth Review Conference, to remind nuclear-weapon States of their commitments in the area of nuclear disarmament and the total elimination of nuclear arsenals.

Article IX

25. Algeria believes that universality is necessary for the Treaty's credibility and effectiveness as the cornerstone of the nuclear non-proliferation and disarmament regime. In that regard, Algeria calls upon India, Israel and Pakistan to accede to the Treaty as non-nuclear-weapon States and to submit all their nuclear installations to the IAEA safeguards regime.

26. Algeria highlights the importance of making the necessary efforts to achieve universality of the Treaty and to avoid taking steps that would undermine that objective.

Article X

27. Algeria is firmly committed to the Treaty on the Non-Proliferation of Nuclear Weapons as an essential element for international peace and stability. However, withdrawal from the instrument, as provided for in article X, is a sovereign right that must be exercised in accordance with the Convention of Vienna on the Law of Treaties.

28. Algeria emphasizes that the indefinite extension of the Treaty does not amount to indefinite recognition of the status as nuclear Powers of nuclear-weapon States. It must be recalled that the decision to extend the Treaty indefinitely was taken in an overall context that included a decision on the strengthening of the Treaty review process, a decision on the principles and objectives for nuclear non-proliferation and disarmament, a decision on the indefinite extension of the Treaty and a resolution on the establishment of a zone free of weapons of mass destruction in the Middle East. Those decisions as a whole and the 13 practical steps agreed at the 2000 Conference, as part of the systematic and progressive efforts made to apply article VI of the Non-Proliferation Treaty and paragraphs 3 and 4 (c) of the 1995 decision on principles and objectives for nuclear non-proliferation and disarmament, are closely linked and remain valid.

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

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Steps to promote the achievement of a nuclear-weapon-free zone in the Middle East and the realization of the goals and objectives of the 1995 resolution on the Middle East

Report submitted by Algeria

1. Algeria believes that the establishment of nuclear-weapon-free zones, pursuant to article VIII of the Treaty on the Non-Proliferation of Nuclear Weapons, effectively enhances regional peace and security and contributes towards strengthening the non-proliferation regime and realizing the objectives of nuclear disarmament.

2. Algeria's actions have been aimed at promoting the establishment of nuclear-weapon-free zones throughout the world. In its own geographical region it has subscribed to the Declaration of the Organization of African Unity (OAU) on the Denuclearization of Africa. Algeria has welcomed the entry into force of the African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba), which it became the third African State to ratify on 11 February 1998. In that spirit, Algeria welcomed the creation of similar zones in Latin America and the Caribbean, the South Pacific, South-East Asia and Central Asia, with the Treaties of Tlatelolco, Rarotonga, Bangkok and Central Asia, respectively, which have undoubtedly effectively reduced the risk of nuclear proliferation and contributed towards the strengthening of international peace and security.

3. Algeria would like to reaffirm the importance and validity of the objective of establishing a nuclear-weapon-free zone in the Middle East as a continued top priority for the international community. It remains firmly committed to that objective as an essential element for the stability and security of States in the region. The achievement of that objective would help to establish and promote regional and international peace and security.

4. Algeria stresses that the goal of establishing a nuclear-weapon-free zone in the Middle East meets a real security need specific to the region; it is therefore based on

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unique political and legal circumstances, having been the subject of a resolution on the Middle East adopted by the 1995 Review and Extension Conference. This resolution is an integral part of the compromise package that led the Arab States parties to the Non-Proliferation Treaty to agree to its indefinite extension in 1995 in exchange for the establishment of a nuclear-weapon-free zone in the Middle East.

5. Algeria also recalls that the Final Document of the sixth Review Conference reaffirmed the importance and validity of that resolution, pending the realization of its goals and objectives. Under the terms of that document, the States parties explicitly called upon Israel to accede to the Treaty and to place its nuclear facilities under the safeguards regime of the International Atomic Energy Agency (IAEA).

6. In its capacity as a State party to the Treaty, Algeria signed a comprehensive safeguards agreement with IAEA in 1996 and fully complies with its obligations and commitments under the Treaty. Algeria believes that the comprehensive implementation of all provisions of the Treaty and its universality, particularly in the Middle East region, are prerequisites for the integrity, authority and credibility of the Treaty.

7. Algeria has always strongly supported efforts and initiatives to promote the establishment of a nuclear-weapon-free zone in the Middle East. As a member of the Group of Arab States, Algeria is a sponsor of the resolution on the risk of nuclear proliferation in the Middle East and supports the resolution on the establishment of a nuclear-weapon-free zone in the region of the Middle East, both adopted annually by the General Assembly. It also sponsored and voted in favour of resolutions GC(53)/RES/16, entitled “Application of IAEA safeguards in the Middle East”, and GC(53)/RES/17, entitled “Israeli nuclear capabilities”, both adopted by the IAEA General Conference in 2009.

NPT/CONF.2010/21

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

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New York, 3-28 May 2010

Implementation of the provisions of the Treaty on the Non-Proliferation of Nuclear Weapons

Report submitted by Ukraine

The present national report is prepared for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons to cover the period since the previous Conference was held, in 2005.

Article I

1. Ukraine considers the Nuclear Non-Proliferation Treaty to be a cornerstone of the global non-proliferation regime and a significant basis for the pursuit of nuclear disarmament goals.

2. Ukraine does not possess the nuclear weapon or nuclear explosive devices. There are no nuclear weapons or nuclear explosive devices deployed on the territory of Ukraine under its jurisdiction.

3. Ukraine firmly believes that the nuclear-weapon States parties continue the appropriate implementation of the obligations stated in article I. The measures on the reduction of the nuclear States' arsenal, as well as minimizing the political and military importance of that category of weapon, play a crucial role on the way to non-proliferation.

Article II

4. Ukraine fully complies with the commitments under the Treaty, namely 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. Ukraine does not manufacture or acquire nuclear weapons or other nuclear explosive devices.

5. Ukraine believes that implementation of the multilateral initiatives is vital for strengthening the global non-proliferation system. Ukraine, as a participant State in the G-8 Global Partnership against the Spread of Weapons and Materials of Mass Destruction, acts together with the other countries to strengthen physical nuclear security and enhance national capabilities to prevent and detect illicit nuclear trafficking.

6. In October 2007, within the Non-Proliferation Security Initiative, Ukraine, in cooperation with Poland and Romania, conducted on its territory the multilateral military exercises Eastern Shield 2007 to practise the interception of suspicious cargos in maritime, air, railway and road transportation during potential terrorist use of the weapon of mass destruction. This event was an important step towards the improvement of international cooperation to combat common threats and sustain security in Eastern Europe.

7. In 2009 Ukraine initiated the adoption of the Ministerial Declaration on Non-Proliferation by the Ministerial Council of the Organization for Security and Cooperation in Europe at the seventeenth OSCE ministerial meeting, held in Athens on 2 December 2009.

Article III

8. Ukraine, as a co-founder member of the International Atomic Energy Agency (IAEA), supports its activities in the field of non-proliferation of nuclear weapons and related materials, and facilitates the strengthening of the IAEA safeguards system. In 1995 Ukraine signed and in 1998 ratified the Agreement between Ukraine and IAEA for the Application of Safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons. In 2000 Ukraine signed the Additional Protocol to the Agreement between Ukraine and the Agency for the Application of Safeguards in connection with the Treaty and ratified it in 2006. Ukraine acts in a full compliance with the provisions of the aforementioned instruments.

9. Ukraine supports the efforts of the international community to achieve the universality of the Additional Protocol, and calls on the States which have not yet done so to sign and ratify the Protocol as soon as possible. Ukraine considers the Agreement with IAEA and the Additional Protocol to be the contemporary standard of IAEA verification activity in connection with the Treaty.

10. Ukraine consistently implements its obligations under article III, paragraph 2, namely not to provide source or special fissionable material, or equipment or material especially designed or prepared for the processing, use or production of special fissionable material, to any non-nuclear-weapon State for peaceful purposes, unless the source or special fissionable material shall be subject to the safeguards required by the article. These commitments are observed through the execution of the national export control system requirements, as well as the international export control regimes in which Ukraine participates.

11. Ukraine believes that strengthening the multilateral export control regimes shall be one of the decisive guidelines to combat illicit nuclear trafficking and the illegal transfer of technologies. The national export control system of Ukraine is based on the control/trigger list and export regulations for commodities, arranged and listed in compliance with the requirements of the Nuclear Suppliers Group and

the Zangger Committee. Ukraine participates in the Nuclear Suppliers Group mechanisms to share information with member States on dual-use material issues within the framework of the national export control system.

12. Ukraine supports the exchange of information on export control issues with other States and international organizations. In 2009 together with the European Union Ukraine organized an international seminar on pressing issues in the field of export control and modern challenges that face the international community in this field.

13. Ukraine constantly expands its efforts to advance the level of physical protection of nuclear materials and nuclear facilities. In 2007 Ukraine adopted the integrated plan on promotion of nuclear security in Ukraine. This plan is based on the provisions of the IAEA Nuclear Security Plan 2006-2009. Ukraine supports the efforts of States to achieve the goals of this plan on detection, prevention and response to illegal acts against nuclear facilities, nuclear materials, radioactive waste and other sources of ionizing radiation, as well as combating criminal activity in the field of nuclear non-proliferation and implementing related international standards in national legislation.

14. Ukraine became a party to the Convention on the Physical Protection of Nuclear Material in 1993, and adopted the Amendment to the Convention in 2005.

15. The physical protection system in Ukraine is constantly being improved, with the aim of fulfilling the IAEA requirements. In 2009 the Law of Ukraine, with amendments concerning the ratification of the Amendment to the Convention on the Physical Protection of Nuclear Material, entered into force. The Law established the State system of physical protection, the design basis threat, and the physical security regime for nuclear facilities, radioactive waste and radiation sources.

16. Ukraine participated in the Washington Summit on nuclear security in 2010 and declared its decision to get rid of all stocks of highly enriched uranium by the time of the next nuclear security summit, while the United States of America will provide necessary technical and financial assistance to support this effort.

17. Ukraine welcomes the endeavours of the international community to reduce the level of the nuclear terrorism threat through the implementation of special security measures and providing effective control of sensitive materials. In 2005 Ukraine became a party to the International Convention for the Suppression of Acts of Nuclear Terrorism.

18. Ukraine supports the activities to implement fully Security Council resolutions 1887 (2009) and 1540 (2004) on preventing non-State actors from obtaining weapons of mass destruction, their means of delivery and related materials, in particular in relation to nuclear material. In 2004 and 2005 Ukraine submitted its national report on the implementation of resolution 1540 (2004) (S/AC.44/2004/(02)/11 and Add.1) to the Security Council Committee established pursuant to resolution 1540 (2004) and offered additional information to the Committee in 2008.

Article IV

19. Ukraine supports the inalienable right of all the parties to the Treaty to develop, research, produce and use nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II of the Treaty.

20. The energy strategy of Ukraine specified the development plans of the Ukrainian nuclear industry until the year 2030 aiming to build nuclear power plants, develop the nuclear fuel infrastructure and effectively manage the issues of radioactive waste and spent nuclear fuel.

21. Ukraine is a State party to a number of the IAEA multilateral legally binding instruments, as well as the Convention on Early Notification of a Nuclear Accident, the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, the Convention on Nuclear Safety, the Convention on the Physical Protection of Nuclear Material and the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management. Ukraine actively participates in conferences to ensure the full implementation of the aforementioned instruments.

Article V

22. In 1996 Ukraine signed the Comprehensive Nuclear-Test-Ban Treaty and ratified it in 2001. According to the Agreement between Ukraine and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, the seismological station (Malyn) and the data transfer terminal (National Data Centre, Makariv) were deployed in the territory of Ukraine.

23. Ukraine actively participates in the sessions of the Preparatory Commission. In 2005 the representative of Ukraine held a position of Vice-Chairman at the Preparatory Commission session and in 2006 held the position of acting Chairman of the twenty-sixth session of the Preparatory Commission. Until 2006 Ukraine was the coordinator for activities on facilitating the entry into force of the Comprehensive Nuclear-Test-Ban Treaty in Eastern Europe and contributed to the signing of the Treaty by all Eastern European countries.

24. Ukraine is a co-sponsor of the General Assembly resolution on the Comprehensive Nuclear-Test-Ban Treaty. Ukraine welcomes the fact that for the first time five nuclear States co-sponsored that resolution at the sixty-fourth session of the General Assembly.

Article VI

25. Ukraine stands for the active implementation of the provisions of the Treaty on nuclear disarmament by States parties, especially those which possess nuclear weapons. Ukraine supports the necessity to determine concrete steps to implement the document entitled “Principles and objectives for nuclear non-proliferation and disarmament” of 1995 and the “thirteen steps” on nuclear disarmament adopted at the 2000 Review Conference.

26. In 1994 Ukraine voluntarily forswore the world’s third largest nuclear potential. Ukraine expects all nuclear-weapon States to continue to make efforts to achieve the long-term goal of full and complete elimination of nuclear weapons.

27. In this regard Ukraine welcomes the signing on 8 April 2010 in Prague of the Treaty between the United States of America and the Russian Federation on

Measures for the Further Reduction and Limitation of Strategic Offensive Arms, which superseded the START Treaty of 1994.

28. Since becoming a party to the Treaty Ukraine has been making efforts to fulfil the obligations on elimination and removal from the national territory of the strategic and tactic nuclear weapons which were inherited by Ukraine from the former Soviet Union. As of today there are no strategic and tactical nuclear weapons in the Ukrainian territory. However Ukraine continues to stockpile 5,000 tons of solid rocket fuel in 160 rocket motors (54.5 ICBM SS-24). Ukraine needs significant technical and financial resources for the safe and ecological elimination of such an amount of rocket fuel. Lack of adequate international financial support did not allow Ukraine to fulfil its obligations by the START I expiry date. Ukraine continues its activities on the elimination of rocket fuel.

29. Attaching great importance to continuing multilateral dialogue in order to contribute to the process of full and complete disarmament, Ukraine actively participates in the work of the Conference on Disarmament in Geneva and consistently stands for the acceleration of the development of the fissile material cut-off treaty. In 2008 Ukraine, together with five other States, held a position of Chair at the Conference on Disarmament.

Article VII

30. Ukraine considers the establishment of nuclear-weapon-free zones to be a significant instrument in strengthening international peace and security, as is the enlargement of the geographical scope and universality of the non-proliferation regime. Ukraine welcomes and encourages the development and implementation of nuclear-weapon-free zone agreements in accordance with the principles determined by the Conference on Disarmament.

31. Ukraine believes that the establishment of a nuclear-weapon-free zone in the Middle East is an important and necessary step to prevent the proliferation of weapons of mass destruction in the region and contribute to regional stability. We support the necessity of finding practical steps to further implement the resolution on the establishment of the aforementioned zone of the 1995 Review Conference.

Article VIII

32. Ukraine supported the decision on the indefinite extension of the Treaty. At this stage it is necessary to improve the Treaty review process in order to ensure consistent cooperation of the parties during its implementation and an adequate response to the challenges.

Article IX

33. Ukraine considers the issue of ensuring the universality of the Treaty, and the diligent and comprehensive implementation of its provisions by all States parties to be the priority of the world community's agenda.

34. Ukraine calls upon the Democratic People's Republic of Korea to renew its implementation of the Treaty and to follow its non-proliferation commitments, taken in the framework of the Treaty. Ukraine considers that it is also important and necessary that Israel, India and Pakistan accede to the Treaty as non-nuclear-weapon States.

Article X

35. The Treaty provides the possibility for the States parties to withdraw from it under implementation of necessary procedures.

36. Ukraine believes that the possibility for the States parties to exercise their right to withdraw from the Treaty is dangerous for the goals and objectives of the Treaty. Ukraine supports the necessity to develop recommendations on the procedures for, and consequences of, possible exercise by a State party of the right to withdraw from the Treaty.

37. Ukraine considers that withdrawal from the Treaty does not affect any right, obligation or legal situation of the party created through the execution of the Treaty prior to its termination. In other words, the State will remain responsible under international law for violations of the Treaty committed prior to withdrawal.

38. It is important to ensure that all nuclear materials, equipment, technologies and facilities established for peaceful purposes of a State withdrawing from the Treaty shall be restricted to peaceful purposes only and remain subject to IAEA lifetime safeguards.

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

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Implementation of article VI and paragraph 4 (c) of the 1995 decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament"

Report submitted by the Republic of Korea

1. As stated in the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, in the section entitled, "Article VI and eighth to twelfth preambular paragraphs", in paragraph 15, subparagraph 12, the Conference agreed on the submission of "regular reports, within the framework of the strengthened review process for the Non-Proliferation Treaty, by all States parties on the implementation of article VI 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". The Republic of Korea hereby submits an updated report to the 2010 Review Conference. The present report follows its regular report presented to the first session of the Preparatory Committee for the 2010 Review Conference in 2007.

2. The Republic of Korea firmly believes that the Non-Proliferation Treaty remains the cornerstone of the global nuclear non-proliferation regime and that it is the essential foundation for the pursuit of nuclear disarmament. It is our conviction that maintaining the delicate balance among the three pillars of the Treaty is vital for its integrity and viability. To that end, it should be noted that nuclear disarmament is an indispensable part of the core bargain of the Non-Proliferation Treaty; the disarmament obligations of nuclear-weapon States laid out in article VI of the Treaty are therefore fundamental to the full implementation of the Treaty.

3. As a non-nuclear-weapon State, the Republic of Korea continues to abide by its commitment pursuant to the Treaty not to receive the transfer of, receive control over, manufacture or acquire nuclear weapons or other nuclear explosive devices. In September 2004, with the adoption of the "Four Principles on Peaceful Uses of Nuclear Energy", the Republic of Korea reaffirmed its commitment to respect all the

international agreements on non-proliferation and, ensuring international confidence, pursue peaceful uses of nuclear energy.

4. The decision on "Principles and objectives for nuclear non-proliferation and disarmament" at the 1995 Review and Extension Conference and the Final Document of the 2000 Review Conference marked a significant achievement in the field of nuclear disarmament. The guidelines laid out in the documents serve not only as a measuring stick to gauge progress in this field, but as a road map towards achieving the ultimate goal of nuclear disarmament. In this regard, the Republic of Korea supports the full implementation of these agreements. However, considering that there are some elements that are no longer relevant in the current international security environment, the Republic of Korea believes that, at the upcoming Review Conference, States parties should review the past agreements and identify various ways to bring these documents up to date, reflecting the current reality and with a view to further strengthening of the Non-Proliferation Treaty regime.

5. The Republic of Korea recognizes the efforts made thus far by the nuclear-weapon States to reduce their nuclear arsenals. However, there still appears to be a gap between the records of nuclear-weapon States and the expectations of the non-nuclear-weapon States. Thus, it is imperative to pursue efforts to close this perception gap and restore trust between nuclear-weapon States and non-nuclear-weapon States. Mindful of the grand bargain that the Non-Proliferation Treaty stands on, as indicated above, while non-nuclear-weapon States should strengthen their commitment to non-proliferation, nuclear-weapon States should do their part by making real progress on nuclear disarmament. In doing so, nuclear-weapon States can enjoy moral authority and the political legitimacy to strengthen non-proliferation norms. The Republic of Korea therefore urges all nuclear-weapon States to implement their obligations under article VI in good faith.

6. In this regard, the Republic of Korea welcomes the recent agreement on the new START Treaty between the Russian Federation and the United States of America, which was signed in Prague on 8 April 2010. It believes that, with time-bound commitments to deeper nuclear cuts, the new START Treaty will serve as a meaningful step towards nuclear disarmament and could contribute to generating fresh momentum for the success of the 2010 Review Conference. The Republic of Korea also notes with satisfaction that the Nuclear Posture Review recently announced by the United States Government is aimed at reducing the role of nuclear weapons in its nuclear doctrine and guaranteeing security assurances to non-nuclear-weapon States. It also welcomes voluntary commitments to nuclear disarmament by other nuclear-weapon States and encourages them to redouble their efforts. In addition, it is encouraging to note that some initiatives, such as the five-point proposal for nuclear disarmament presented by Secretary-General Ban Ki-moon and the global zero vision, have revitalized discussion on nuclear disarmament at the international level.

7. As the Non-Proliferation Treaty faces unprecedented challenges, such as cases of non-compliance, the heightened threat of nuclear proliferation and the potential nexus between terrorists and weapons of mass destruction, there is an urgent need for the international community to bolster the Non-Proliferation Treaty-based international non-proliferation regimes. The Republic of Korea fully supports Security Council resolution 1887 (2009), a landmark document that clearly sets out the overarching tasks ahead of us in the coming years and fully endorses the goals

stated therein. Moreover, the Republic of Korea welcomes the successful Nuclear Security Summit held in Washington, D.C., on 12 and 13 April 2010 and remains committed to playing a vital role, as host of the next summit in 2012, to further strengthen nuclear security as well as nuclear disarmament and non-proliferation.

Implementation of the 13 practical steps for nuclear non-proliferation and disarmament

Step 1: The importance and urgency of signatures and ratifications, without delay and without conditions and in accordance with constitutional processes, to achieve the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty

8. The early entry into force of the Comprehensive Nuclear-Test-Ban Treaty is essential for the eventual total elimination of nuclear arsenals. By prohibiting nuclear testing, the Treaty has the potential to curb the proliferation of nuclear weapons, both vertically and horizontally. In this regard, the Republic of Korea attaches great importance to an early entry into force of the Treaty and calls for the early signing and ratification of the Treaty by those States that have not yet done so, in particular the nine States listed in annex 2 whose ratification is required for its entry into force.

9. The Republic of Korea, as an original signatory to the Treaty, has been a strong advocate of a complete ban on nuclear testing. It welcomes the progress since the last Review Conference, with 7 countries having signed and 30 countries having ratified the Comprehensive Nuclear-Test-Ban Treaty. It further welcomes the commitment made by the United States Government to "immediately and aggressively pursue the ratification of the Comprehensive Nuclear-Test-Ban Treaty".

10. The Republic of Korea also supports the biennial Conference stipulated in article XIV of the Treaty, and the ministerial meeting, as specific efforts to facilitate the entry into force of the Comprehensive Nuclear-Test-Ban Treaty. In its efforts towards achieving the entry into force of the Treaty, the Republic of Korea has done its part, in close cooperation with the Provisional Technical Secretariat of the Comprehensive Nuclear-Test-Ban Treaty Organization. It hosted the regional technical training programme and regional on-site inspection introductory course in 2008 and plans to host another seminar in 2010. In addition, the Korean Seismic Research Station is in full operation as a primary seismological station, thereby contributing in meaningful ways to the proper functioning of the verification system.

Step 2: A moratorium on nuclear-weapon test explosions or any other nuclear explosions pending the entry into force of that Treaty

11. It is important that all countries, in particular the nuclear-weapon States, maintain a moratorium on nuclear-weapon test explosions or any other nuclear explosions pending the entry into force of the Comprehensive Nuclear-Test-Ban Treaty. The Republic of Korea welcomes the commitment to a moratorium on nuclear testing declared by nuclear-weapon States and the reconfirmation of that commitment by the United States Government in its Nuclear Posture Review.

12. It is deplorable that, in 2006 and 2009, the Democratic People's Republic of Korea broke the global moratorium on nuclear testing, which had lasted about a decade. The announced nuclear tests conducted by the Democratic People's

Republic of Korea demonstrated the urgent need for a legally binding ban on nuclear tests. It is the view of the Republic of Korea that a voluntary moratorium, although important, cannot replace the legally binding commitments that would be undertaken through the signing and ratification of the Comprehensive Nuclear-Test-Ban Treaty. The Republic of Korea has therefore continued to urge those States that have not yet signed and ratified the Treaty to do so at the earliest possible time.

Step 3: The necessity of negotiations in the Conference on Disarmament 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 in accordance with the statement of the Special Coordinator in 1995 and the mandate contained therein, taking into consideration both nuclear disarmament and nuclear non-proliferation objectives. The Conference on Disarmament is urged to agree on a programme of work that includes the immediate commencement of negotiations on such a treaty with a view to their conclusion within five years

13. The Republic of Korea attaches great importance to the Conference on Disarmament as the single multilateral forum for negotiating disarmament agreements. It shares the view that, together with the CTBT, a fissile material cut-off treaty is an essential building block to complement and strengthen the Non-Proliferation Treaty regime. In this connection, it is often said that a fissile material cut-off treaty can serve not only as a guarantor of nuclear non-proliferation but also a precursor to nuclear disarmament.

14. The Republic of Korea believes that the Conference on Disarmament should embark on negotiations on a fissile material cut-off treaty immediately and without preconditions, bearing in mind the 1995 Shannon mandate without prejudice to the outcome on verification. It is regrettable that, although the Conference agreed upon its programme of work in May 2009 for the first time in a decade, it failed to commence substantive discussions. With the firm belief that the time is ripe for negotiations on a fissile material cut-off treaty in the Conference on Disarmament, and given the strong support expressed for such a treaty in the past several years, the Republic of Korea strongly urges the States members of the Conference to show flexibility and a spirit of cooperation, with a view to working out this year's programme of work and commencing negotiations on a fissile material cut-off treaty at the earliest possible time.

15. It should also be stressed that, pending the conclusion of a fissile material cut-off treaty, all States should declare or observe a moratorium on the production of fissile material for weapons purposes.

Step 4: The necessity of establishing in the Conference on Disarmament an appropriate subsidiary body with a mandate to deal with nuclear disarmament. The Conference on Disarmament is urged to agree on a programme of work that includes the immediate establishment of such a body

16. The Republic of Korea hopes that the early adoption of a programme of work in the Conference on Disarmament will also have a positive effect on the endeavours to establish a subsidiary body on nuclear disarmament. It has been constructively participating in the discussions on all substantive issues on the

Conference on Disarmament agenda, including nuclear disarmament issues, and will continue to do its part.

Step 5: The principle of irreversibility to apply to nuclear disarmament, nuclear and other related arms control and reduction measures

17. It is the view of the Republic of Korea that irreversibility is one of the fundamental principles in nuclear disarmament measures. The irreversible reductions of nuclear weapons can only ensure that redeployment will not be possible. The Republic of Korea shares the view that the principle of irreversibility should be applied in all disarmament and arms control measures.

Step 6: An unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to the nuclear disarmament, to which all States parties are committed under article VI

18. The Republic of Korea continues to highlight the importance of reaffirming commitments to the total elimination of nuclear arsenals by nuclear-weapon States. It considers the unequivocal undertaking by the nuclear-weapon States to achieve the total elimination of their nuclear arsenals leading to nuclear disarmament, to which all States parties are committed under article VI, as one of the major achievements of the 2000 Review Conference. While acknowledging the efforts made thus far by the nuclear-weapon States to reduce their nuclear arsenals, the Republic of Korea has been encouraging them to further continue their efforts in that respect.

19. Considering that well over half of existing nuclear weapons belong to the Russian Federation and the United States, the Republic of Korea welcomes the concrete measures undertaken by the two countries, in particular the recent agreement on a new START Treaty.

Step 7: The early entry into force and full implementation of START II and the conclusion of START III as soon as possible while preserving and strengthening the Treaty on the Limitation of Anti-Ballistic Missile Systems as a cornerstone of strategic stability and as a basis for further reductions of strategic offensive weapons, in accordance with its provisions

20. The Republic of Korea welcomes the new START Treaty between the Russian Federation and the United States. It believes that the new START Treaty will serve as a meaningful step towards global nuclear disarmament and contribute to generating fresh momentum for the success of the 2010 Review Conference.

Step 8: The completion and implementation of the Trilateral Initiative between the United States, the Russian Federation and the International Atomic Energy Agency

21. The Republic of Korea encourages the completion and implementation of the Trilateral Initiative between the United States, the Russian Federation and IAEA. Efforts could be made to expand this Initiative to all nuclear-weapon-capable States, as an important step in the direction of international control of excessive stocks of fissile material and to explore creative ways to make use of fissile material for peaceful purposes.

Step 9: 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

22. The implementation of these steps is primarily the responsibility of the nuclear-weapon States. Nevertheless, the Republic of Korea fully supports these measures and continues to make the case for advancements in its implementation. The Republic of Korea takes note of the commitments to deeper nuclear cuts by nuclear-weapon States.

23. The nuclear-weapon States are required to diminish the role of nuclear weapons in their nuclear doctrines and work towards reducing non-strategic nuclear weapons, as part of overall nuclear disarmament. As a matter of principle, transparency should be applied to the entire process of disarmament and arms control efforts.

Step 10: Arrangements by all nuclear-weapon States to place, as soon as practicable, fissile material designated by each of them as no longer required for military purposes 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

24. The Republic of Korea supports such arrangements by the nuclear-weapon States.

Step 11: Reaffirmation that the ultimate objective of the efforts of States in the disarmament process is general and complete disarmament under effective international control

25. The Republic of Korea is actively participating in international efforts to control weapons of mass destruction and their delivery means as well as conventional weapons. As a State party to all major disarmament and non-proliferation treaties and conventions and major export control regimes, it believes that the ultimate objective of the efforts of States in the disarmament process is general and complete disarmament under effective international control.

Step 12: Regular reports, within the framework of the strengthened review process for the Non-Proliferation Treaty, by all States parties on the implementation of article VI 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

26. The Republic of Korea believes that national reporting on the implementation of nuclear disarmament measures enhances transparency and builds confidence and therefore should be encouraged. It encourages both nuclear-weapon States and non-nuclear-weapon States to submit regular reports to the Preparatory Committee for the Review Conference. In particular, there is a need for the nuclear-weapon States to submit more detailed information on their implementation in order to ensure a higher level of confidence.

Step 13: The further development of the 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

27. The Republic of Korea supports the further development of the verification capabilities that will be required to provide assurance of compliance with the nuclear disarmament agreements for the achievement and maintenance of a nuclear-weapon-free world.

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

20 April 2010

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Financial report

I. Introduction

1. The present financial report is submitted pursuant to the request by parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

2. In order to promote greater financial transparency and accountability and taking into account the practice of multilateral and other organizations, the parties to the Treaty on the Non-Proliferation of Nuclear Weapons, in a decision adopted at the 12th plenary meeting, on 6 May 2008, of the second session of the Preparatory Committee for the 2010 Review Conference, requested the Secretary-General of the United Nations to provide a financial report to the Review Conference and each session of its Preparatory Committee, to be circulated as an official document.

3. Recalling that costs associated with the preparation and holding of the Review Conference and the sessions of its Preparatory Committee will be borne by the States parties to the Treaty and that there will be no financial implications for the regular budget of the United Nations, the Committee agreed, at the same meeting, that assessed and outstanding dues must be paid in proper time.

II. Observations

4. While most States parties are continuing to meet their financial obligations in a timely fashion, outstanding obligations, some dating back to 1995, still remain to be paid. The United Nations Secretariat will facilitate the collection of outstanding amounts by establishing a financial desk on site at the 2010 Review Conference.

III. Financial status table

5. The attached table provides information on the amounts owed by the States parties for each Review Conference cycle since 1995 and is current up to 9 April

2010, the date on which the present document was submitted for translation and document processing. The total of assessed amounts owed (in United States dollars) is as follows:

2010 Review Conference cycle:

2010 Review Conference:	222 289
2010 Preparatory Committee, session III:	3 111
2010 Preparatory Committee, session II:	2 131
2010 Preparatory Committee, session I:	2 856
2005 Review Conference cycle:	7 512
2000 Review Conference cycle:	2 827
1995 Review Conference cycle:	9 799
Total outstanding:	250 525

Outstanding balances 1995 — 2010 Review Conference

	Review Conference cycle							
State party	*Review Conference 2010*	*2010-III*	*2010-II*	*2010-I*	*2005*	*2000*	*1995*	*Total*
Afghanistan	38	—	—	—	—	—	—	38
Albania	—	—	—	—	—	—	—	0
Algeria	—	—	—	—	—	—	—	0
Andorra	—	—	—	—	—	—	—	0
Angola	—	—	—	—	—	—	—	0
Antigua and Barbuda	—	—	—	—	—	—	—	0
Argentina	9 249	—	—	—	—	—	—	9 249
Armenia	—	—	—	—	—	—	—	0
Australia	—	—	—	—	—	—	—	0
Austria	—	—	—	—	—	—	—	0
Azerbaijan	152	—	—	—	—	—	—	152
Bahamas	—	—	—	—	—	—	—	0
Bahrain	997	219	—	—	—	—	—	1 216
Bangladesh	—	—	—	—	—	—	—	0
Barbados	—	—	—	—	—	—	—	0
Belarus	—	—	—	—	—	—	—	0
Belgium	—	—	—	—	—	—	—	0
Belize	—	—	—	—	—	—	—	0
Benin	38	—	—	—	—	—	—	38
Bhutan	—	—	—	—	—	—	—	0
Bolivia (Plurinational State of)	159	52	46	69	284	136	245	991
Bosnia and Herzegovina	—	—	—	—	—	—	—	0
Botswana	382	—	—	—	—	—	—	382
Brazil	—	—	—	—	—	—	—	0

State party	Review Conference cycle							
	Review Conference 2010	*2010-III*	*2010-II*	*2010-I*	*2005*	*2000*	*1995*	*Total*
Brunei Darussalam	723	—	—	—	—	—	—	723
Bulgaria	—	—	—	—	—	—	—	0
Burkina Faso	—	—	—	—	—	—	—	0
Burundi	40	12	—	—	—	—	—	52
Cambodia	—	—	—	—	—	—	—	0
Cameroon	—	—	—	—	—	—	—	0
Canada	—	—	—	—	—	—	—	0
Cape Verde	40	13	11	11	—	—	245	320
Central African Republic	40	13	11	11	31	27	245	378
Chad	40	13	11	11	—	—	245	320
Chile	4 568	—	—	—	—	—	—	4 568
China	—	—	—	—	—	—	—	0
Colombia	—	—	—	—	—	—	—	0
Comoros	40	13	11	11	31	—	—	106
Congo	—	—	—	—	—	—	—	0
Costa Rica	—	—	—	—	—	—	—	0
Côte d'Ivoire	—	—	—	—	—	—	—	0
Croatia	—	—	—	—	—	—	—	0
Cuba	1 523	—	—	—	—	—	—	1 523
Cyprus	—	—	—	—	—	—	—	0
Czech Republic	—	—	—	—	—	—	—	0
Democratic People's Republic of Korea[a]	199	65	57	81	—	—	980	1 382
Democratic Republic of the Congo	80	26	23	35	—	—	245	409
Denmark	—	—	—	—	—	—	—	0
Djibouti	—	—	—	—	—	—	—	0
Dominica[b]	—	—	—	—	—	—	—	0
Dominican Republic	717	235	204	276	1 105	—	245	2 782
Ecuador	—	—	—	—	—	—	—	0
Egypt	239	—	—	—	—	—	—	239
El Salvador	598	196	170	230	694	244	245	2 377
Equatorial Guinea	40	13	11	23	—	—	245	332
Eritrea	40	13	11	11	31	27	245	378
Estonia	—	—	—	—	—	—	—	0
Ethiopia	72	—	—	—	—	—	—	72
Fiji	18	—	—	—	—	—	—	18
Finland	—	—	—	—	—	—	—	0
France	—	—	—	—	—	—	—	0
Gabon	239	78	68	92	284	—	245	1 006

State party	Review Conference cycle							
	Review Conference 2010	*2010-III*	*2010-II*	*2010-I*	*2005*	*2000*	*1995*	*Total*
Gambia	40	13	11	11	—	—	245	320
Georgia	—	—	—	—	—	—	—	0
Germany[c]	—	—	—	—	—	—	—	0
Ghana	—	—	—	—	—	—	—	0
Greece	—	—	—	—	—	—	—	0
Grenada	38	—	—	—	—	—	—	38
Guatemala	910	—	—	—	—	—	—	910
Guinea	40	13	11	11	95	—	245	415
Guinea-Bissau	40	13	11	11	—	—	245	320
Guyana	—	—	—	—	—	—	—	0
Haiti	—	—	—	—	—	—	—	0
Holy See	—	—	—	—	—	—	—	0
Honduras	28	—	—	—	—	—	—	28
Hungary	—	—	—	—	—	—	—	0
Iceland	—	—	—	—	—	—	—	0
Indonesia	—	—	—	—	—	—	—	0
Iran (Islamic Republic of)	5 100	—	—	—	—	—	—	5 100
Iraq	—	—	—	—	—	—	—	0
Ireland	—	—	—	—	—	—	—	0
Italy	—	—	—	—	—	—	—	0
Jamaica	—	—	—	—	—	—	—	0
Japan	—	—	—	—	—	—	—	0
Jordan	343	—	—	—	—	—	—	343
Kazakhstan	—	—	—	—	—	—	—	0
Kenya	279	76	—	—	—	—	—	355
Kiribati	40	13	11	11	—	—	—	75
Kuwait	—	—	—	—	—	—	—	0
Kyrgyzstan	40	13	11	11	31	109	980	1 195
Lao People’s Democratic Republic	—	—	—	—	—	—	—	0
Latvia	—	—	—	—	—	—	—	0
Lebanon	952	—	—	—	—	—	—	952
Lesotho	—	—	—	—	—	—	—	0
Liberia	40	13	11	11	31	27	245	378
Libyan Arab Jamahiriya	—	—	—	—	—	—	—	0
Liechtenstein	—	—	—	—	—	—	—	0
Lithuania	—	—	—	—	—	—	—	0
Luxembourg	—	—	—	—	—	—	—	0
Madagascar	—	—	—	—	—	—	—	0

State party	Review Conference cycle							
	Review Conference 2010	*2010-III*	*2010-II*	*2010-I*	*2005*	*2000*	*1995*	*Total*
Malawi	40	13	11	11	—	27	245	347
Malaysia	5 405	—	—	—	—	—	—	5 405
Maldives	—	—	—	—	—	—	—	0
Mali	40	13	11	11	—	27	245	347
Malta	—	—	—	—	—	—	—	0
Marshall Islands	38	—	—	—	—	—	—	38
Mauritania	40	13	11	11	31	27	245	378
Mauritius	—	—	—	—	—	—	—	0
Mexico	64 139	—	—	—	—	—	—	64 139
Micronesia (Federated States of)	40	13	3	—	—	—	—	56
Monaco	—	—	—	—	—	—	—	0
Mongolia	38	—	—	—	—	—	—	38
Montenegro	—	—	—	—	—	—	—	0
Morocco	—	—	—	—	—	—	—	0
Mozambique	—	—	—	—	—	—	—	0
Myanmar	—	—	—	—	—	—	—	0
Namibia	—	—	—	—	—	—	—	0
Nauru	40	12	—	—	—	—	—	52
Nepal	80	26	23	35	6	—	—	170
Netherlands	—	—	—	—	—	—	—	0
New Zealand	—	—	—	—	—	—	—	0
Nicaragua	12	—	—	—	—	—	—	12
Niger	—	—	—	—	—	—	—	0
Nigeria	1 370	—	—	—	—	—	—	1 370
Norway	—	—	—	—	—	—	—	0
Oman	—	—	—	—	—	—	—	0
Palau	40	13	11	11	32	—	245	352
Panama	678	222	193	265	407	—	—	1 765
Papua New Guinea	—	—	—	—	—	—	—	0
Paraguay	159	52	46	58	379	70	—	764
Peru	2 312	758	659	897	2 904	2 009	1 469	11 008
Philippines	—	—	—	—	—	—	—	0
Poland	—	—	—	—	—	—	—	0
Portugal	—	—	—	—	—	—	—	0
Qatar	—	—	—	—	—	—	—	0
Republic of Korea	—	—	—	—	—	—	—	0
Republic of Moldova	—	—	—	—	—	—	—	0
Romania	—	—	—	—	—	—	—	0

State party	Review Conference cycle							
	Review Conference 2010	*2010-III*	*2010-II*	*2010-I*	*2005*	*2000*	*1995*	*Total*
Russian Federation	—	—	—	—	—	—	—	0
Rwanda	38	—	—	—	—	—	—	38
Saint Kitts and Nevis	38	—	—	—	—	—	—	38
Saint Lucia	40	13	11	11	63	—	245	383
Saint Vincent and the Grenadines	—	—	—	—	—	—	—	0
Samoa	—	—	—	—	—	—	—	0
San Marino	—	—	—	—	—	—	—	0
Sao Tome and Principe	40	13	11	11	—	—	245	320
Saudi Arabia	21 278	—	—	—	—	—	—	21 278
Senegal	—	—	—	—	—	—	—	0
Serbia	609	—	—	—	—	—	—	609
Seychelles	40	13	11	23	—	—	245	332
Sierra Leone	—	—	—	—	—	—	—	0
Singapore	—	—	—	—	—	—	—	0
Slovakia	—	—	—	—	—	—	—	0
Slovenia	—	—	—	—	—	—	—	0
Solomon Islands	—	—	—	—	—	—	—	0
Somalia	40	13	11	11	—	—	—	75
South Africa	—	—	—	—	—	—	—	0
Spain	84 352	—	—	—	—	—	—	84 352
Sri Lanka	456	—	—	—	—	—	—	456
Sudan	—	—	—	—	—	—	—	0
Suriname	—	—	—	—	—	—	—	0
Swaziland	40	13	11	23	—	27	245	359
Sweden	—	—	—	—	—	—	—	0
Switzerland	—	—	—	—	—	—	—	0
Syrian Arab Republic	478	103	—	—	—	—	—	581
Tajikistan	38	—	—	—	—	—	—	38
Thailand	—	—	—	—	—	—	—	0
The former Yugoslav Republic of Macedonia	—	—	—	—	—	—	—	0
Timor-Leste	—	—	—	—	—	—	—	0
Togo	40	13	11	11	32	27	245	379
Tonga	—	—	—	—	—	—	—	0
Trinidad and Tobago	761	—	—	—	—	—	—	761
Tunisia	917	224	—	—	—	—	—	1 141
Turkey	—	—	—	—	—	—	—	0
Turkmenistan	152	—	—	—	—	—	—	152
Tuvalu	40	13	11	11	—	—	245	320

State party	Review Conference cycle							Total
	Review Conference 2010	*2010-III*	*2010-II*	*2010-I*	*2005*	*2000*	*1995*	
Uganda	76	—	—	—	—	—	—	76
Ukraine	—	—	—	—	—	—	—	0
United Arab Emirates	8 602	—	—	—	—	—	—	8 602
United Kingdom of Great Britain and Northern Ireland	—	—	—	—	—	—	—	0
United Republic of Tanzania	159	52	46	69	189	16	—	531
United States of America	—	—	—	—	—	—	—	0
Uruguay	—	—	—	—	—	—	—	0
Uzbekistan	239	78	68	92	96	—	—	573
Vanuatu	40	13	11	11	—	27	—	102
Venezuela (Bolivarian Republic of)	—	—	—	—	—	—	—	0
Viet Nam	717	235	204	276	567	—	245	2 244
Yemen	199	65	57	81	189	—	245	836
Zambia	—	—	—	—	—	—	—	0
Zimbabwe	228	—	—	—	—	—	—	228
Total	**222 289**	**3 111**	**2 131**	**2 856**	**7 512**	**2 827**	**9 799**	**250 525**

[a] The legal status of the Democratic People's Republic of Korea as a State party is uncertain.

[b] Owing to a technical error, the amount of $37.00 owed to the United Nations Secretariat for the 2010 Review Conference was not reflected; therefore, no assessment letter was issued to the Government of Dominica. This will be corrected in the final assessment letter for the 2010 Review Conference.

[c] The Government of Germany met all of its obligations, in accordance with the notes verbales submitted to it for payment; however, because actual costs for the second session of the Preparatory Committee were higher, a balance of $325.00 will be assessed to the Government of Germany for that meeting.

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

28 May 2010

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New York, 3-28 May 2010

Financial report

Addendum

Subsequent to the financial report of 20 April 2010 (NPT/CONF.2010/23), the following States parties have paid their outstanding balances:

Argentina

Bahrain

Brunei Darussalam

Burundi

Iran (Islamic Republic of)

Jordan

Lebanon

Liberia

Malaysia

Mexico

Serbia

Spain

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

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Progress report by the Provisional Technical Secretariat of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization prepared for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

I. Introduction

1. The information provided in the present report indicates that since 2005 significant progress has been made by the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization and the Provisional Technical Secretariat in all areas of implementation of their respective mandates. This includes, with respect to development of the verification system of the Comprehensive Nuclear-Test-Ban Treaty, progress in areas such as the establishment and sustainment of the International Monitoring System, improvements to the International Data Centre processing methods and capabilities, the development of a more integrated and effective approach to provisional operations and maintenance of the International Monitoring System, and further steps towards achieving on-site inspection operational readiness at entry into force of the Treaty. Finally, outreach activities have been pursued more strategically with the aim of promoting, among other things, entry into force and greater universality of the Treaty, as well as broader participation by States signatories in the work of the Commission, and enhanced access to International Monitoring System data and International Data Centre products.

2. The Treaty lies at the very heart of the global nuclear non-proliferation and disarmament regime. The Treaty represents a milestone in the efforts to prohibit any nuclear-weapon test explosion or any other nuclear explosion in any environment and is, thus, a key component of the international nuclear non-proliferation and disarmament regime. The Comprehensive Nuclear-Test-Ban Treaty was preceded by the 1963 Partial Test Ban Treaty, which contributed to the reduction of fallout in the atmosphere by prohibiting the testing of nuclear weapons under water, in outer space, or in the atmosphere, but did not ban underground testing. Significantly, the

preamble of the Partial Test Ban Treaty expressed the determination of States parties to "achieve the discontinuance of all test explosions of nuclear weapons for all time".

3. The 1968 Treaty on the Non-Proliferation of Nuclear Weapons recalls in its preamble the determination of Parties to the Partial Test Ban Treaty to ban all explosive testing of nuclear weapons for all time. However, it was not until 1993 that the United Nations General Assembly passed a consensus resolution endorsing a mandate for the negotiations of a comprehensive nuclear-test-ban treaty through the Conference on Disarmament. Accordingly, the Ad Hoc Committee on a Nuclear Test Ban initiated official comprehensive nuclear-test-ban treaty negotiations in January 1994. The following year, the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons adopted, as part of a package that included the indefinite extension of the Treaty, a set of principles and objectives on nuclear non-proliferation and disarmament. The completion of a comprehensive nuclear-test-ban treaty no later than 1996 was included as step one of a three-part disarmament action plan. Negotiations at the Conference on Disarmament lasted until 10 September 1996, when the Treaty was adopted by the United Nations General Assembly.

4. The outcome of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons further underscored the inextricable linkage between the Comprehensive Nuclear-Test-Ban Treaty and the international non-proliferation regime. The Final Document adopted by the parties to the Treaty contains, in paragraph 15, 13 practical steps for the systematic and progressive efforts to implement article VI of the Treaty. The first step notes the "importance and urgency of signatures and ratifications, without delay and without conditions" in order to achieve the entry into force of the Comprehensive Nuclear-Test-Ban Treaty, and the second step notes a moratorium on nuclear tests pending the entry into force of the Treaty.

5. The importance of the entry into force of the Comprehensive Nuclear-Test-Ban Treaty has been widely recognized by the international community. This support is evidenced through the overwhelming support for the 2009 Comprehensive Nuclear-Test-Ban Treaty resolution adopted in the First Committee of the United Nations General Assembly, the Security Council call upon States to bring the Comprehensive Nuclear-Test-Ban Treaty into force as expressed in its resolution 1887 (2009), and the unprecedented high-level attendance at the 2009 Conference on Facilitating the Entry Into Force of the Comprehensive Nuclear-Test-Ban Treaty. Moreover, announced nuclear tests by the Democratic People's Republic of Korea in October 2006 and May 2009 reconfirmed the central role of the Comprehensive Nuclear-Test-Ban Treaty regarding the nuclear non-proliferation and disarmament regime and underscored the importance of its entry into force. The events, coupled with recent political developments and declarations in the area of arms control, has generated a new momentum towards the Treaty's entry into force.

II. Comprehensive Nuclear-Test-Ban Treaty

6. The Comprehensive Nuclear-Test-Ban Treaty prohibits all nuclear test explosions, whether for a military or any other purpose. It covers all environments and does not set a threshold from which the prohibitions should apply. The preamble

of the Treaty states that its objective is "to contribute effectively to the prevention of the proliferation of nuclear weapons in all its aspects" and "to the process of nuclear disarmament".

7. The Comprehensive Nuclear-Test-Ban Treaty, and the international norm of non-nuclear testing, has grown in strength since its adoption in 1996. In order for the Treaty to enter into force, it must be ratified by the 44 States listed in Annex 2 to the Treaty. To date, the Treaty has been signed by 182 States, with 151 ratifying States, including 35 of the 44 States listed in Annex 2 to the Treaty. These States formally participated in the 1996 session of the Conference on Disarmament, and possessed nuclear power or research reactors at the time.

III. Preparatory Commission of the Comprehensive Nuclear-Test-Ban Treaty Organization

8. In advance of the Treaty's entry into force and the establishment of the Comprehensive Nuclear-Test-Ban Treaty Organization, a Preparatory Commission for the organization was established by States signatories on 19 November 1996. The purpose of the Commission is to carry out the necessary preparations for the effective implementation of the Comprehensive Nuclear-Test-Ban Treaty and to prepare for the first session of the Conference of the States parties to the Treaty. The Commission has two main activities. The first consists of undertaking all necessary preparations to ensure that the verification regime foreseen by the Treaty is capable of fulfilling its operational mission upon entry into force of the Treaty. The second is the promotion of the Treaty's signature and ratification to achieve entry into force.

IV. Provisional Technical Secretariat

9. As at 12 April 2010, the Provisional Technical Secretariat comprised 258 staff members from 74 countries. The number of staff in the Professional category was 167. It is committed to a policy of equal employment opportunity, aiming in particular at improving the representation of women, especially in the Professional category. The approved budget for the Commission for 2010 amounts to US$ 115.6 million. From 1997 up to and including the financial year 2010, total budgetary resources approved for the Commission amounted to US$ 897.3 million and €283.3 million. Of this total, 79.5 per cent has been dedicated to verification-related programmes, including US$ 306.6 million or 26.9 per cent for the Capital Investment Fund for the installation and upgrade of International Monitoring System stations.

V. Verification regime

10. The Comprehensive Nuclear-Test-Ban Treaty provides for the establishment of a unique global verification regime that consists of the International Monitoring System, a consultation and clarification process, on-site inspections, and confidence-building measures. Data from International Monitoring System stations are to be sent through a secure global satellite network known as the global

communications infrastructure. The data is routed from the satellites to hubs on the ground and then transmitted through terrestrial links to the International Data Centre for processing and analysis. All International Monitoring System data and International Data Centre products are made available to States.

International Monitoring System

11. The International Monitoring System is to consist of a network of 321 monitoring stations and 16 radionuclide laboratories. After entry into force of the Comprehensive Nuclear-Test-Ban Treaty, these facilities will produce data to detect possible nuclear explosions and provide evidence thereof to State parties for verification of compliance with the Treaty.

12. Since 2005, significant progress has been made towards the completion of the International Monitoring System network in all four technologies: seismic, hydroacoustic, infrasound and radionuclide. As at 30 April 2010, 268 International Monitoring System stations had been installed, which represents 83 per cent of the total number of stations envisaged by the Treaty. Of these, 245 stations (76 per cent) and 10 radionuclide laboratories (63 per cent) have been officially certified as meeting the specifications of the Commission. This is an increase of 115 stations and five laboratories.

International Data Centre

13. The mission of the International Data Centre is to support the verification responsibilities of States by providing products and services necessary for effective global monitoring after entry into force of the Treaty. Prior to entry into force, its task is to establish and test the facilities that will handle the data from the International Monitoring System stations. In this regard, provisional operation of as many stations as possible is crucial in developing International Data Centre data processing capabilities pending entry into force of the Treaty. The data collected by the International Monitoring System stations are transmitted via the global communications infrastructure to the International Data Centre and are made available to national data centres. Ensuring data availability and data quality is a priority issue for the International Data Centre.

On-site inspections

14. As a final verification measure, an on-site inspection is provided for in the Treaty. The purpose of an on-site inspection, which can be invoked only after entry into force, will be to clarify whether a nuclear-weapon test or any other nuclear explosion has been carried out in violation of the Treaty and to gather facts, as far as possible, that might assist in identifying any possible violator. Inspections are likely to consist of field activities that would incorporate the use of visual, seismic, geophysical and radionuclide analysis techniques. In 2008, the Commission conducted an integrated field exercise in Kazakhstan in order to test the preparedness of the on-site inspection regime. Work that was carried out subsequent to a review of the integrated field experience and follow-up process eventually culminated in the preparation of a comprehensive on-site inspection action plan. The Commission continues to build up the on-site inspection regime as part of the

Comprehensive Nuclear-Test-Ban Treaty verification regime in accordance with Treaty requirements.

VI. Entry into force and universalization

15. Since the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, held in May 2005, the Comprehensive Nuclear-Test-Ban Treaty has been signed by 7 States and ratified by 30 States, including two Annex 2 States (Colombia and Viet Nam). The thirty-third session of the Preparatory Commission took note of the further progress made towards the much desired goal of universalization of the Comprehensive Nuclear-Test-Ban Treaty, and emphasized the Treaty's role as an essential pillar of the nuclear disarmament and non-proliferation framework, together with the vital importance of securing the early entry into force of the Treaty.

Article XIV process

16. Under article XIV, if the Treaty has not entered into force three years after the date of the anniversary of its opening for signature, a conference of those States that have already ratified it may be held to decide by consensus what measures consistent with international law may be taken to accelerate the ratification process and to facilitate entry into force. States signatories will also be invited to attend the conference. Three such conferences have been convened since the 2005 Review Conference of the Parties to the Treaty.

17. From 21 to 23 September 2005, 117 States gathered at United Nations Headquarters for the fourth Conference on Facilitating the Entry Into Force of the Comprehensive Nuclear-Test-Ban Treaty (article XIV conference).[1] Representatives from 105 States participated in the fifth article XIV conference convened on 17 and 18 September 2007 in Vienna. The sixth article XIV conference was held on 24 and 25 September 2009, in New York, with 103 ratifying States and States signatories participating. During the first plenary meeting, the Conference adopted a Final Declaration calling upon all States that had not done so to sign and/or ratify the Treaty (see CTBT-Art.XIV/2009/6). The Declaration includes a number of measures to promote the entry into force of the Comprehensive Nuclear-Test-Ban Treaty.

18. In the course of the follow-up to the 2009 article XIV conference, and in accordance with paragraph 11 (c) of the Final Declaration, France and Morocco, which presided over that Conference, were selected as coordinators of the process "to promote cooperation, through informal consultations with all interested countries, aimed at promoting further signatures and ratifications".

Outreach activities

19. The purposes of Provisional Technical Secretariat outreach activities include enhancing understanding of the Treaty among States, media, civil society and the

[1] Article XIV conferences have been held in Vienna (1999, 2003 and 2007) and in New York (2001, 2005 and 2009).

general public; promoting signature and ratification of the Treaty, and thereby its universality and entry into force; assisting States signatories in the implementation of their national verification measures and in the realization of the benefits to be gained from the peaceful applications of the verification technologies; and assisting in promoting the participation of States signatories in the work of the Commission.

20. In its bilateral interactions to assist States in promoting the entry into force and the universality of the Treaty, the Provisional Technical Secretariat has placed emphasis on those States listed in Annex 2 to the Treaty, as well as on those States hosting International Monitoring System facilities. Since 2005, 13 regional international cooperation workshops have been held. These workshops have stressed the importance of national implementation measures and the signature and the ratification of the Treaty.

Events in the Democratic People's Republic of Korea

21. The Democratic People's Republic of Korea announced on 9 October 2006 that it had conducted a nuclear test explosion. Although only partially completed and operating in test mode, over 20 seismic stations of the International Monitoring System located throughout the world, including one as far away as South America, detected signals originating from the 2006 event. Noble gas readings picked up by a station in Canada more than 7,500 kilometres away from the Democratic People's Republic of Korea demonstrate the global reach of the verification system. Observations from the station were shown to be consistent with hypothesized release from the Democratic People's Republic of Korea event, providing compelling evidence of the nuclear character of the event. A detailed analysis of the event on 9 October 2006 was issued and distributed to States signatories only two days after the event.

22. On 25 May 2009, the Democratic People's Republic of Korea announced that it had conducted a second nuclear test explosion. Twenty-three primary seismic monitoring stations registered the event and were used in the initial automatically generated event list, compared with the 13 that were used in 2006. States signatories received the first automatic estimation of time, location and magnitude hours before the Democratic People's Republic of Korea publicly announced the test. The Provisional Technical Secretariat also produced bulletins reviewed by International Data Centre analysts within the timeline anticipated for operation after entry into force. The bulletins were based on data from 61 seismic stations of the International Monitoring System, reflecting the improvement in coverage of the International Monitoring System since the 2006 event.

23. The vast improvement in system performance between October 2006 and May 2009 evince the Commission's continued success in developing the Comprehensive Nuclear-Test-Ban Treaty verification regime. During the 2009 event, the system's timely, integrated and coherent performance demonstrated a high level of reliability. The system has proven to be a valuable investment by the States signatories to ensure that no nuclear test goes undetected.

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

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Activities of the International Atomic Energy Agency relevant to article III of the Treaty on the Non-Proliferation of Nuclear Weapons

Background paper prepared by the Secretariat of the International Atomic Energy Agency

Executive summary

- The International Atomic Energy Agency (IAEA) set up as the world's "Atoms for Peace" organization in 1957, plays an essential role in the implementation of the nuclear non-proliferation regime. According to its statute, IAEA is to "accelerate and enlarge the contribution of atomic energy to peace, health and prosperity throughout the world", while ensuring, "so far as it is able, that assistance provided by it or at its request or under its supervision or control is not used in such a way as to further any military purpose".
- IAEA is recognized by the States parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) as the competent authority responsible for verifying the fulfilment of nuclear non-proliferation commitments by States under the Treaty.
- Article III of the Non-Proliferation Treaty requires each non-nuclear-weapon State (NNWS) party to conclude an agreement with IAEA in accordance with the IAEA statute and its safeguards system in order to verify the fulfilment of the State's obligation under the Treaty not to divert nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices.
- This paper describes the various elements of the IAEA safeguards system and how it has evolved in order to fulfil the IAEA mandate under article III of the Non-Proliferation Treaty.
- The paper goes on to outline the progress made in the implementation of safeguards since 2005, including in those States where there have been important safeguards implementation issues to resolve.

- Support activities developed within the Secretariat, as well as the support received from member States, are touched upon, along with IAEA efforts to achieve greater effectiveness and efficiencies.
- In conclusion, the paper looks at continuing and future challenges for IAEA.

1. IAEA safeguards system

IAEA and its safeguards system were established over 50 years ago to help States ensure that nuclear energy would serve peace and development. The purpose of the IAEA safeguards system is to provide assurance to the international community that nuclear material and other specified items placed under IAEA safeguards are not diverted from peaceful uses to nuclear weapons or other nuclear explosive devices.

Under comprehensive safeguards agreements (CSAs) in NNWS, IAEA verifies that State declarations of nuclear material subject to safeguards are not only "correct" (i.e., accurately describe the type(s) and quantity(ies) of a State's declared nuclear material holdings), but also are "complete" (i.e., that they include everything that is required to be declared).

The IAEA safeguards system is grounded in the provisions of its statute. Article III.A.5 of the Statute authorizes IAEA to establish and administer safeguards designed to ensure that projects in the field of nuclear energy carried out or supported by IAEA are not used in such a way as to further any military purpose. Article III.A.5 also authorizes IAEA to apply safeguards to any bilateral or multilateral arrangement, at the request of the parties, and to any of the nuclear activities of a State, at that State's request. Pursuant to this authority, IAEA concludes agreements with States, and with regional inspectorates, for the application of safeguards. These agreements are of three main types: (i) comprehensive safeguards agreements (CSAs); (ii) voluntary offer safeguards agreements (VOAs); and (iii) item-specific safeguards agreements. A State with any one of these agreements may also conclude a protocol additional to its safeguards agreement.

Article III of the Non-Proliferation Treaty requires all NNWSs party to accept safeguards, as set forth in an agreement to be concluded with IAEA in accordance with the IAEA statute and its safeguards system. Such CSAs cover all source or special fissionable material in all peaceful nuclear activities within the territory, under the jurisdiction or carried out under the control anywhere of the State, for the exclusive purpose of verifying that such material is not diverted to nuclear weapons or other nuclear explosive devices.

Each CSA follows the structure and content set out in IAEA document INFCIRC/153 (Corr.).[1] CSAs are also required under other bilateral or multilateral arrangements.[2] Under CSAs, each NNWS party undertakes to accept IAEA

[1] The Structure and Content of Agreements between the Agency and States required in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons.

[2] These arrangements include: the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Tlatelolco Treaty); the South Pacific Nuclear Free Zone Treaty (Rarotonga Treaty); the Argentine-Brazilian Declaration on Common Nuclear Policy (28 November 1990); the Treaty on the Southeast Asia Nuclear Weapon-Free Zone (Bangkok Treaty); the African Nuclear-Weapon-Free Zone Treaty (Pelindaba Treaty); and the Treaty on a Nuclear-Weapon-Free Zone in Central Asia (Treaty of Semipalatinsk).

safeguards on all source or special fissionable material in all peaceful nuclear activities within the territory of the State, under its jurisdiction, or carried out under its control anywhere. For its part, IAEA has a corresponding right and obligation to ensure that safeguards are applied on all such material, for the exclusive purpose of verifying that such material is not diverted to nuclear weapons or other nuclear explosive devices.

Each of the five nuclear-weapon States (NWSs) party to the Non-Proliferation Treaty has concluded a VOA with IAEA. Under a VOA, IAEA applies safeguards to nuclear material in those facilities which have been selected by IAEA from the State's list of eligible facilities in order to verify that the material is not withdrawn from peaceful activities except as provided for in the agreement.[3]

2. Measures to strengthen safeguards

Under CSAs, until 1991, the IAEA safeguards approach focused on "nuclear material accountancy", complemented by containment and surveillance (C/S) measures (e.g., applying seals, continuous observation by cameras). Although nuclear material accountancy and C/S continue as basic safeguards measures, the implementation of safeguards has evolved in response to new verification challenges, the development of new verification technologies and on the basis of experience gained by IAEA through its verification activities.

The discovery in Iraq, after the 1991 Gulf War, of a clandestine nuclear weapon programme, part of which had been concealed within Iraq's declared nuclear programme, highlighted the need to strengthen the IAEA safeguards system and in particular to enhance the ability of IAEA to detect possible undeclared nuclear material and activities in States with CSAs. As a result, the IAEA Board of Governors affirmed in 1992 that the scope of CSAs was not limited to nuclear material actually declared by a State but included any material that is required to be declared — in other words, that IAEA has the right and obligation to verify that State declarations of nuclear material subject to safeguards are both correct *and* complete.[4]

This affirmation was a major catalyst for efforts to equip the safeguards system with important additional tools, to better verify the correctness and completeness of States' declarations under CSAs.

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[3] IAEA implements item specific safeguards agreements, which are based on INFCIRC/66/Rev.2, in the three States that are not party to the Non-Proliferation Treaty. Under these agreements, IAEA applies safeguards in order to ensure that the nuclear material, facilities and other items specified in the safeguards agreement are not used for the manufacture of any nuclear weapon or to further any military purpose, and that such items are used exclusively for peaceful purposes and are not used for the manufacture of any nuclear explosive device.

[4] Although IAEA has the authority under a CSA to verify the peaceful use of all nuclear material in a State (i.e., the correctness and completeness of the States' declarations) the tools available to IAEA for doing so under such an agreement were limited. For example, there was a need for a broader range of information to be provided by States to IAEA on the entirety of nuclear fuel cycle activities, and for broader access by IAEA inspectors to all locations where nuclear material was present as well as any other nuclear-related locations.

Additional protocols

In 1997, the Board of Governors approved the Model Additional Protocol to "strengthen the effectiveness and improve the efficiency of the safeguards system as a contribution to global nuclear non-proliferation objectives".[5] This Model Additional Protocol is used as the model for all additional protocols (APs) concluded with States with CSAs, i.e., they include all of the measures in the Model Additional Protocol. The Board of Governors requested that the APs negotiated with the NWSs incorporate those measures provided for in the Model Additional Protocol that each NWS has identified as capable of contributing to the non-proliferation and efficiency aims of the Protocol, when implemented with regard to that State, and as consistent with that State's obligations under Article I of the Non-Proliferation Treaty.[6]

The additional information and broader access for IAEA inspectors provided for in the AP are designed to "fill the gaps" in information and access required under CSAs. The AP is essential for IAEA to obtain a much fuller picture of the existing and planned nuclear programmes and material holdings of NNWSs. Thus, the entry into force and implementation of additional protocols in NNWSs is of vital importance for IAEA to be able to provide assurances about the exclusively peaceful nature of a NNWS's nuclear programme. The strengthening measures provided for under both CSAs and APs are now used routinely by IAEA, and thus significantly increase the ability of IAEA to verify the peaceful use of all nuclear material in NNWSs.

Small quantities protocols

As a means of minimizing the burden of safeguards implementation for those States with minimal or no nuclear activities, a small quantities protocol (SQP) was introduced by IAEA in the early 1970s, the practical effect of which was to hold in abeyance the implementation of most of the safeguards measures in part II of a State's CSA as long as certain eligibility criteria were met. In 2005, the Board of Governors approved the revision of the standard SQP text and changed the eligibility criteria for an SQP, making it unavailable to a State with an existing or planned facility and reducing the measures held in abeyance. States with an SQP based on the revised text are required to submit an initial report on nuclear material, allow IAEA to carry out related inspections and inform IAEA once a decision has been made to build a nuclear facility. The Board called on all States with SQPs to amend or rescind their SQPs, as appropriate, as soon as possible.

Integrated safeguards

The successive safeguards strengthening measures adopted in the 1990s were never intended to constitute additional "layers" of safeguards implementation. The aim has been to combine all safeguards measures under CSAs with those under APs to achieve maximum effectiveness and efficiency in meeting IAEA safeguards requirements. This is referred to as "integrated safeguards", whereby a specific

[5] Model Protocol Additional to the Agreement(s) between State(s) and the International Atomic Energy Agency for the Application of Safeguards (INFCIRC/540 (Corr.)).

[6] The Board of Governors has further requested the Director General to negotiate additional protocols with other States [non-NPT] that are prepared to accept measures provided for in the Model Protocol in pursuance of safeguards effectiveness and efficiency objectives.

approach is developed for each State with both a CSA and an AP in force, and for which the conclusion has been drawn that all its nuclear material is in peaceful activities. The State-specific integrated safeguards approach takes into account, among other things, the nuclear fuel cycle and related activities of the State concerned and enables safeguards-relevant State-specific features to be taken into account.

Deriving safeguards conclusions

Every year, IAEA draws a safeguards conclusion for each State with a safeguards agreement in force. The findings and conclusions of IAEA are based on a continuous, iterative process of integration and assessment of all of the information available to IAEA about that State's nuclear activities and plans. Information is at the heart of modern verification; in fact, IAEA frequently refers to its work as being "information driven" safeguards.

For IAEA to be able to draw a safeguards conclusion that *all* nuclear material in a NNWS is in peaceful activities, the State needs to have both a CSA and an AP in force, and IAEA must have been able to conduct all necessary verification and evaluation activities. For NNWSs that have CSAs but no APs, IAEA draws a conclusion only with respect to *declared* nuclear material.

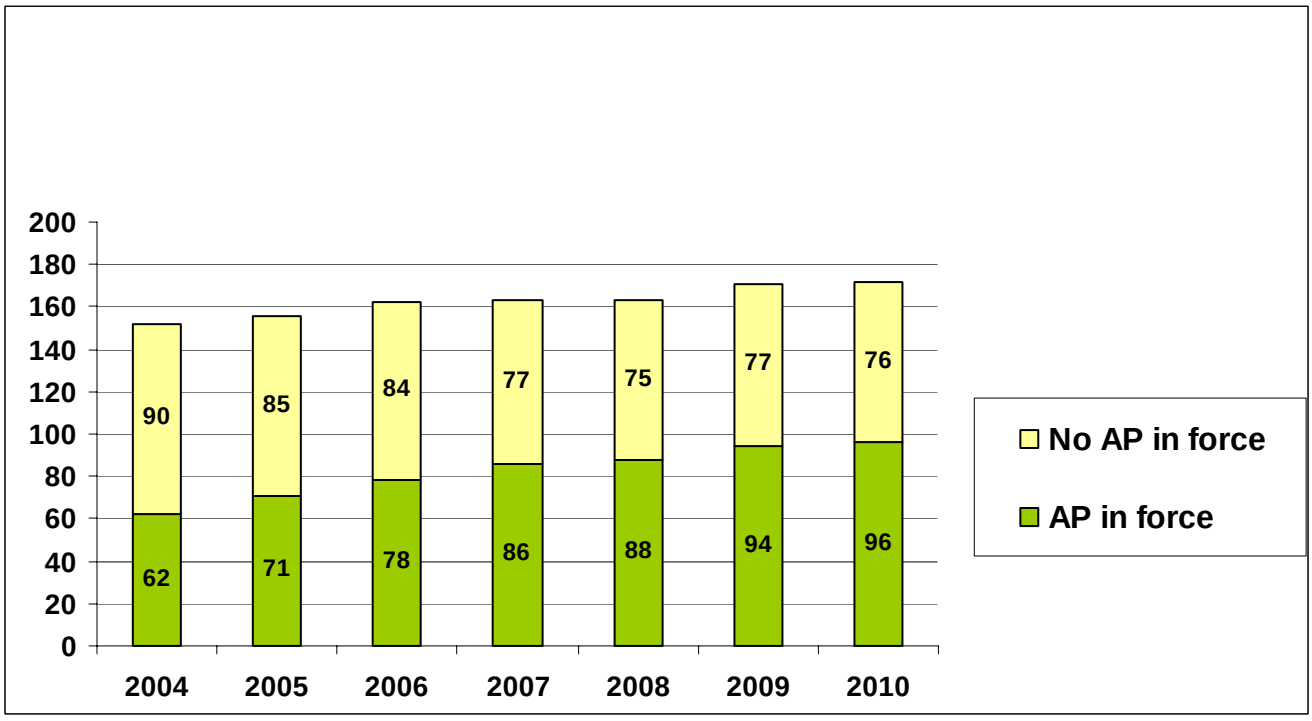
Promoting the conclusion of CSAs and APs

Although it is a legal obligation under Article III of the Non-Proliferation Treaty for NNWSs party to have in force a CSA, 21 of those States have yet to conclude such an agreement with IAEA. In response to calls for wider adherence to APs in the Final Document of the 2000 Non-Proliferation Treaty Review Conference, resolutions of the IAEA General Conference, and resolutions of the United Nations General Assembly, thus far 96 of the States parties to the Non-Proliferation Treaty have brought additional protocols into force.

In 2001, a Plan of Action was developed by the IAEA Secretariat to serve as a blueprint for cooperation between IAEA and States with a view to achieving wider adherence to CSAs and APs. The Plan calls for the Secretariat to organize inter-regional, regional and subregional outreach seminars, contribute to national seminars, and engage in bilateral consultations with States. Since 2005, these activities have also included consultations regarding the modification of SQPs in accordance with the Board's 2005 decision on SQPs.

These outreach efforts have led to significant progress. Whereas, in 2001, 52 NNWSs party had not yet brought into force CSAs and only 24 Non-Proliferation Treaty States parties had APs in force, by 31 March 2010, as mentioned above, 21 NNWSs remained without CSAs in force and 96 Non-Proliferation Treaty States parties (including more than half of the States with CSAs) had APs in force. Thus far, 43 of some 100 States have accepted the revised SQP text (which is in force for 31 of these States) and two States have rescinded their SQPs.[7]

[7] http://www.iaea.org/OurWork/SV/Safeguards/sir_table.pdf.



Status of additional protocols for States with safeguards agreements in force, 2004-2010*
(*current to 31 March 2010)

Safeguards implementation

As of 31 March 2010, safeguards were implemented for 172 States — including 164 States with CSAs and 5 States with VOAs. Ninety-six of the 172 States also had APs in force. The Safeguards Implementation Report for 2009, to be submitted to the June 2010 meeting of the Board of Governors, will provide a description and analysis of IAEA operations in 2009 and summarize the problems encountered. It will also contain the safeguards conclusions drawn by the Secretariat for 2009 for all States with safeguards agreements in force. As in previous years, the Safeguards Statement, Background to the Safeguards Statement and Summary are expected to be released shortly after the Board meeting. These documents will be posted on the IAEA public website alongside those containing the safeguards conclusions for previous years.

3. Safeguards implementation issues

There have been a number of important safeguards implementation issues, as noted below.

Democratic People's Republic of Korea

Since December 2002, IAEA has not carried out verification activities in the Democratic People's Republic of Korea and, therefore, cannot draw any safeguards conclusion with respect to it. Pursuant to a request from the States in the Six-Party talks and at the invitation of the Democratic People's Republic of Korea, IAEA implemented the ad hoc arrangement for monitoring and verification measures, from

2007 to 2009 (except for the period September-October 2008) related to the shutdown of four installations located at the Yongbyon nuclear facility and one at Taejon. At the request of the Democratic People's Republic of Korea, in April 2009 IAEA inspectors left the Democratic People's Republic of Korea. In 2006 and 2009, the Democratic People's Republic of Korea announced that it had conducted nuclear tests.

Islamic Republic of Iran

In 2002-2003, information came to light regarding previously undeclared nuclear material and activities that the Islamic Republic of Iran should have declared to IAEA under its CSA. Corrective actions were taken by the Islamic Republic of Iran in relation to those breaches.

At the end of 2003, the Islamic Republic of Iran signed an AP and agreed to voluntarily implement its provisions pending its entry into force. In September 2005, the Board of Governors adopted a resolution[8] in which it, inter alia, found that the many failures and breaches by the Islamic Republic of Iran of its obligations to comply with its Non-Proliferation Treaty Safeguards Agreement, as detailed in the Director General's report of November 2003,[9] constituted non-compliance in the context of Article XII.C of the IAEA statute, and that the Islamic Republic of Iran's nuclear activities had given rise to questions that were within the competence of the Security Council, as the organ bearing the main responsibility for the maintenance of international peace and security. In February 2006, the Board adopted a resolution in which it, inter alia, called on Iran to implement a number of steps to resolve outstanding questions and to build confidence in the exclusively peaceful nature of the Islamic Republic of Iran's programme. The Board also requested the Director General to report to the Security Council of the United Nations the steps that were required of the Islamic Republic of Iran by the Board and to report to the Security Council all IAEA reports and resolutions, as adopted, relating to this issue.[10] The Director General reported to the Security Council accordingly on 4 February 2006.[11] In February 2006, the Islamic Republic of Iran notified IAEA that its voluntary commitment to implement the AP had been suspended and that the implementation of safeguards measures would be based only on its CSA. In March 2007, Iran ceased implementing the revised Code 3.1 of the Subsidiary Arrangements General Part to its CSA with regard to the early provision of design information to which it had agreed in 2003.

Since 2005, the Board has adopted four resolutions relevant to the implementation of safeguards in the Islamic Republic of Iran.[12] The Security Council also has adopted resolutions related to Iran's nuclear programme that detailed the actions required of the Islamic Republic of Iran related to, inter alia, the suspension by the Islamic Republic of Iran of all enrichment-related and reprocessing activities and all heavy water-related projects, and the cooperation with IAEA to enable it to verify the suspension of nuclear activities as outlined in the resolutions and to resolve

[8] http://www.iaea.org/Publications/Documents/Board/2005/gov2005-77.pdf.
[9] http://www.iaea.org/Publications/Documents/Board/2003/gov2003-75.pdf.
[10] http://www.iaea.org/Publications/Documents/Board/2006/gov2006-14.pdf.
[11] S/2006/80, 7 February 2006.
[12] August and September 2005, February 2006, and November 2009.

outstanding issues identified in the IAEA reports.[13] The Islamic Republic of Iran is not implementing the requirements contained in the relevant resolutions of the Board of Governors and the Security Council. As outlined in the relevant Director General's reports to the Board of Governors in February 2010, while IAEA has continued to verify the non-diversion of declared nuclear material in the Islamic Republic of Iran, the Islamic Republic of Iran has not provided the necessary cooperation to permit IAEA to confirm that all nuclear material in the Islamic Republic of Iran is in peaceful activities.

Libyan Arab Jamahiriya

In December 2003, the Libyan Arab Jamahiriya acknowledged that its past nuclear programme, from the mid-1980s until 2003, had been aimed at the development of nuclear weapons. The Libyan Arab Jamahiriya provided IAEA with unrestricted and prompt access, beyond that required under its CSA and AP, to locations, information and individuals requested by IAEA to fulfil its verification requirements. IAEA reported these issues to the Board of Governors for the first time in 2003 and additional reports were submitted thereafter. In its last report to the Board on this matter in 2008, IAEA was able to conclude that all nuclear material remained in peaceful activities. IAEA is continuing to implement safeguards in the Libyan Arab Jamahiriya in a routine manner.

Syrian Arab Republic

IAEA is continuing with its verification activities in relation to allegations that an installation destroyed by Israel at the Dair Alzour site in the Syrian Arab Republic in September 2007 had been a nuclear reactor under construction. The Syrian Arab Republic has not cooperated with IAEA since June 2008 in connection with the unresolved issues related to the Dair Alzour site including the presence of anthropogenic[14] natural uranium particles, or the other locations alleged to be related to that site. As a consequence, IAEA has not been able to make progress towards resolving the outstanding issues related to that site. In addition, issues concerning the Miniature Neutron Source Reactor near Damascus, including the presence of anthropogenic natural uranium particles, need to be resolved.

4. Development of safeguards approaches, procedures and technology

The focus of safeguards implementation on both verification of *declared* nuclear material at *declared* facilities and understanding and assessing the consistency of information on a State's nuclear programme as a whole has resulted in a new way of working by IAEA. This new State-level approach involves the evaluation of a broad range of information in drawing safeguards conclusions, including information: (i) provided by States under safeguards agreements, additional protocols or on a voluntary basis; (ii) derived from IAEA in-field verification activities; and (iii) obtained from other sources.

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[13] http://www.iaea.org/NewsCenter/Focus/IaeaIran/iaea_resolutions.shtml. To date, the Security Council has issued a presidential statement (March 2006) and adopted four resolutions (December 2006, March 2007, March and September 2008). http://www.iaea.org/NewsCenter/Focus/IaeaIran/sc_resolutions.shtml.

[14] "Anthropogenic" refers to nuclear material that has been produced as a result of chemical processing.

IAEA still obtains much of its information from its verification activities carried out at nuclear facilities. Increasingly, it also relies on the deployment at such facilities of unattended monitoring systems with remote transmission capability. These systems have the ability to transmit from the field to IAEA headquarters authenticated verification data and data on the performance of the system (so-called "state of health" data).

Environmental sampling is a powerful tool for detecting undeclared nuclear material and activities at declared facilities and other locations, and is now in routine use. The IAEA Safeguards Analytical Laboratory (SAL) in Seibersdorf, Austria, is responsible for processing, screening, distributing, analysing and archiving samples. IAEA is enhancing its capability to analyse such samples and to evaluate the results. As part of the modernization of IAEA laboratories, the construction of an extension to the existing clean laboratory has started and a large geometry secondary ion mass spectrometer for the clean laboratory is being acquired. This will enhance IAEA capabilities for timely and accurate analysis of environmental samples. Design work for a new Nuclear Material Laboratory is under way.[15] The IAEA Network of Analytical Laboratories (NWAL), which supports the analysis by IAEA of environmental samples, currently comprises 14 laboratories (including SAL) in eight member States. IAEA is working to qualify additional laboratories in other member States for environmental analysis as well as for nuclear material sample analysis.

In the context of establishing a broader picture of a State's overall nuclear programme, IAEA has expanded its acquisition and analysis of relevant open source information. This can help shed light on a number of safeguards-related matters, such as research into sensitive technologies, details about nuclear material production, location-specific information (which is particularly useful for complementary access under APs and for satellite imagery acquisition), imports and exports of safeguards-relevant technology, and general information relevant to a State's development of its nuclear fuel cycle.

5. Support activities

Research and development programme and member State support programmes

Research and development (R&D) are essential to meet the safeguards challenges of the future. Member State Support Programmes (MSSPs) are an essential complement to the IAEA regular budget in the implementation of R&D tasks. In addition, IAEA relies on the unique type of assistance that MSSPs can provide, such as national laboratories to develop equipment for safeguards; facilities for training inspectors; and laboratories for conducting independent analyses. MSSPs remain the principal vehicle through which IAEA achieves its safeguards-related R&D objectives.

Support from member States has also been essential to the safeguards training programme, particularly in hosting courses involving practical exercises requiring nuclear facilities and/or nuclear material.

[15] However, approximately 20.2 million euros remain unfunded.

State systems of accounting for and control of nuclear material

Even with the most sophisticated state of the art technical measures, IAEA needs the full cooperation of States for the effective and efficient implementation of safeguards. The importance of such cooperation is reflected in CSAs, which require a State to cooperate to facilitate the implementation of safeguards provided for under the CSA and to establish and maintain a system of accounting for and control of all nuclear material in the State (an "SSAC"). The activities carried out by the SSAC have two objectives: a national objective — to account for and control nuclear material in the State to confirm that such material is not diverted from peaceful use and to contribute to the detection of possible losses, or unauthorized use or removal of nuclear material; and an international objective — to provide the essential basis for the application of IAEA safeguards pursuant to the safeguards agreement. The SSAC must accurately account for all material subject to safeguards in the State and routinely report its findings to IAEA.

In practice, the SSAC's role and that of its regional equivalents (RSACs),[16] is greater than just accounting and reporting; they are also the points of contact between the State or region and IAEA for operational issues. IAEA continues to work with SSACs/RSACs to improve the implementation of safeguards, with a particular emphasis on assistance activities such as SSAC Advisory Service (ISSAS) missions and regional technical meetings.

6. Provision of resources

Following 15 years of zero real growth, the IAEA General Conference agreed in September 2003 to increase the IAEA regular budget, including a 12.4 per cent increase for safeguards. The same General Conference also recommended further increases to be phased in until 2007. The current regular budget is approximately €120 million a year (with additional extrabudgetary contributions from member States approaching €15 million a year).

In recent years, much effort has focused on increasing the efficiency and effectiveness of safeguards implementation. Efficiency measures have been implemented in relation to: verification activities in the field, equipment and technology, and improved organization, management and procedures. By way of example, where cost benefits are clear, measures have been taken to reduce inspection effort in nuclear facilities by introducing unattended monitoring systems with remote transmission capability. In coming years, further savings are anticipated as a result of implementing integrated safeguards.

New information technology tools have been introduced to improve access to information and for reporting verification activities while reducing communication costs.

The human resources necessary to fulfil IAEA statutory safeguards obligations include a wide variety of specialists, mainly nuclear engineers and nuclear physicists. Other scientific and technical groups comprise chemists, mathematicians, and information management and IT specialists. The Department of Safeguards has around 730 staff members, of whom some 245 are full-time safeguards inspectors.

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[16] There are two RSACs: the European Atomic Energy Community (EURATOM) and the Brazil-Argentine Agency for Accounting and Control of Nuclear Materials (ABACC).

7. Safeguards challenges and opportunities

During the past five decades, the role of IAEA has grown in response to a changing world and the evolving needs of its member States. As required under article III of the Non-Proliferation Treaty, IAEA continues successfully to apply safeguards in the vast majority of NNWSs in order to verify that nuclear material is not being diverted from peaceful uses to nuclear weapons or other nuclear explosive devices.

Looking to the future, there are a number of existing as well as emerging challenges to which IAEA will need to respond. These include, inter alia:

- Continuing outstanding safeguards implementation issues in the Democratic People's Republic of Korea, the Islamic Republic of Iran and the Syrian Arab Republic.
- There remain 21 NNWSs without CSAs and some 70 States with SQPs that should accept the revised standardized text or rescind their SQPs, and some 90 States that have not concluded APs.
- Globalization-related proliferation risks such as those related to covert nuclear supply networks and the greater availability of proliferation-sensitive information.
- Nuclear electrical generating capacity is projected to increase between some 40 per cent and 120 per cent by 2030. This will bring additional nuclear activities and facilities, as well as more nuclear material, under safeguards.
- As the nuclear industry continues to evolve technologically, IAEA will need to be prepared to safeguard new, more advanced and larger-scale nuclear fuel cycle facilities. The construction of such facilities also provides an important opportunity to design them to be more safeguards friendly and proliferation resistant from the outset. Potentially, this could help to mitigate the future IAEA workload.
- Recent trends related to nuclear disarmament may call for IAEA monitoring and verification of nuclear material.
- Staff turnover and a shrinking pool of nuclear professionals pose potential challenges of knowledge retention and recruitment at IAEA.
- IAEA will need to maintain appropriate levels of investment in infrastructure at Headquarters, as well as in the IAEA Network of Analytical Laboratories, including SAL.
- IAEA may need to cope with rising demand for its services without a commensurate rise in its budget.

NPT/CONF.2010/26

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

29 April 2010

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New York, 3-28 May 2010

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"

Report submitted by Japan

In accordance with subparagraph 12 of paragraph 15 in the chapter on Article VI of the Final Document of the 2000 NPT Review Conference, the Government of Japan submits its report on the measures it has taken to implement Article VI of the NPT and paragraph 4 (c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament".

1. Contribution to the 2010 NPT Review Process

On March 23, the Government of Japan and the Government of Australia submitted a "New Package of Practical Nuclear Disarmament and Non-proliferation Measures for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT)" to the office of the United Nations Secretary-General as a working paper for the 2010 NPT Review Conference.

This package was confirmed by the foreign ministers of both countries as a follow-up item in the Joint Statement by the Australia-Japan Foreign Ministers released at the ministers' meeting (held in Perth) and entitled "Towards a World without Nuclear Weapons". The package is the result of serious considerations being made by both governments while referencing the report of the International Commission on Nuclear Non-Proliferation and Disarmament (ICNND).

The ICNND was launched in September 2008 as a joint initiative between the Governments of Japan and Australia and as an independent enterprise involving various eminent individuals, and published a report in December 2009 with action oriented recommendations and agendas, including "A New International Consensus

on Action for Nuclear Disarmament", which has been submitted to the present Conference for its reference.

2. Commitment to the Three Non-Nuclear Principles

The Government of Japan continues to firmly commit itself to the "Three Non-Nuclear Principles", which describes the policy of not possessing, not producing and not permitting the introduction of nuclear weapons into Japan. Successive Cabinets of Japan, including the incumbent cabinet under Prime Minister Yukio Hatoyama, have repeatedly articulated that Japan will continue to uphold these principles.

3. Efforts for the early entry-into-force of the CTBT

Japan attaches great importance to the early entry into force of the CTBT, which constitutes one of the major pillars of the NPT regime. "Japan's initiative to promote the entry into force of the CTBT" was introduced by Foreign Minister Katsuya Okada at the 6th Conference on Facilitating the Entry into Force of the CTBT in September 2009, to intensify Japan's efforts to engage with Annex 2 states that have not yet signed or ratified the Treaty by taking every opportunity, including meetings between heads of states, to accelerate our efforts to advance the establishment of the International Monitoring System (IMS) and to cooperate with states concerned in the area of maintenance of IMS facilities. In accordance with the initiative, Japan has made various efforts, including the following:

– Prime Minister Hatoyama, when he visited India in December 2009, raised and discussed the CTBT issue with his Indian counterpart and as a result the Joint Statement by both Prime Ministers issued afterword included a reference to the CTBT.

– To promote the early ratification by the Annex II States as well as to promote the establishment of the IMS, in March 2010, the Government of Japan invited government officials from two non-ratification states to visit facilities of the International Monitoring System hosted by Japan and to exchange views on the treaty with relevant Japanese authorities.

– As its technical assistance to developing countries in supporting the development of the IMS, from January to March 2010, Japan invited 11 administrative officers from various countries, who are expected to play global seismological network for nuclear tests, to attend its global seismological observation training course in order to have opportunities to acquire knowledge and advanced techniques of global seismological observation.

4. Activities in preparation for the commencement of Fissile Material Cut-off Treaty negotiations

The Government of Japan gives emphasis to the importance and urgency of the commencement of negotiations on a Fissile Material Cut-off Treaty (FMCT). Japan has been making its utmost efforts to break the current stalemate at the Conference on Disarmament (CD), thereby realizing the early commencement of negotiations on an FMCT. Japan contributed at the CD together with other countries to the adoption of a programme of work in May 2009 that included the decision to negotiate a FMCT. In August 2009, Japan hosted a seminar on an FMCT in Geneva together

with the United Nations Institute for Disarmament Research (UNIDIR), inviting experts from the International Panel on Fissile Materials (IPFM) and Verification Research, Training and Information Centre (VERTIC). In September 2009, Japan together with Canada and the Netherlands submitted to the CD as an official document the document prepared by the IPFM entitled "A Treaty Banning the Production of Fissile Materials for Nuclear Weapons or Other Nuclear Explosive Devices, with article-by-article explanations" in order to provide the Member States of the CD with useful reference material in the prospective negotiations of an FMCT.

It is regrettable that since the adoption of a programme of work in 2009 the actual negotiations has yet to start. Japan appealed to relevant states of the CD members to agree to commence negotiations on an FMCT without delay on a number of occasions, including at the foreign ministerial level. In October 2009, Foreign Minister Okada visited Pakistan and discussed with his counterpart on possible cooperation for the early commencement of FMCT negotiations.

5. Submission of Resolutions on Nuclear Disarmament to the United Nations General Assembly

Every year since 1994, the Government of Japan has submitted its resolution on nuclear disarmament to the United Nations General Assembly.

In 2009, taking into consideration the recent international situation surrounding nuclear disarmament and non-proliferation, Japan once again submitted its draft resolution on nuclear disarmament to the UN General Assembly. On 2 December 2009, the draft resolution was adopted at the Plenary Session of the United Nations General Assembly by an overwhelming majority of 171 votes in favour.

Although the situation surrounding nuclear disarmament remains challenging, in response to the political will of a large majority of the international community, which was expressed through the adoption of this resolution, Japan intends to pursue its various diplomatic efforts to maintain and reinforce the international disarmament and non-proliferation regime based on the NPT.

6. Cooperation for denuclearization in Russia

At the Kananaskis Summit in June 2002, G8 leaders announced "the G8 Global Partnership against the Spread of Weapons and Materials of Mass Destruction" to address non-proliferation, disarmament, counter-terrorism and nuclear safety issues. The Government of Japan committed itself, for the purpose of this Partnership, to make a contribution amounting to over 200 million US dollars, out of which 100 million is to be allocated to the G8 disposition program of Russian surplus weapons-grade plutonium and the rest to projects for dismantling decommissioned Russian nuclear submarines. Since then Japan extended cooperation to Russia and completed the dismantlement of six decommissioned nuclear submarines. Furthermore, based on the decision in 2006, Japan's preparation has been made for cooperation for the construction of an On-shore Storage Facility for Reactor Compartments at Razvoynik Bay.

Building on the completion of dismantling six decommissioned nuclear submarines in the Russian Far East by the end of 209, Japan is considering additional areas for bilateral cooperation.

7. Efforts to promote disarmament and non-proliferation education

Since 1983, the Government of Japan has invited more than 700 participants in the UN disarmament fellowship programme to Japan, including the cities of Hiroshima and Nagasaki. This has provided these young officials, who will be responsible for future disarmament diplomacy, with an opportunity to witness the horrendous and long-lasting consequences caused by the atomic bombs. Japan will continue to contribute to this programme.

Japan believes that the international community should be well informed of the destructive effects of nuclear weapons. In accordance with the wish of the people of Japan that such weapons never be used again, the Government of Japan has supported, on a number of occasions, the efforts of local governments and NGOs in foreign countries to organize exhibitions relating to atomic bombs.

In the margins of the third session of the Preparatory Committee for the 2010 NPT Review Conference in 2009, Japan hosted a disarmament and non-proliferation education seminar on practical ways and tools to raise public awareness through education and its role in strengthening the NPT. The picture book related to the experience of the atomic bombing, *On That Summer Day*, was distributed to participants at the conference.

Within the United Nations Conference on Disarmament in Niigata, a session on the role of civil society and mass media was held with prominent educators in August 2009.

Japan hosted a reception and concert together with the Office for Disarmament Affairs (ODA) of the United Nations on 3 May 2010, the first day of the 2010 NPT Review Conference, in honour of the Hibakusha (people who survived the 1945 atomic bombings of Japan) and their work with young people to raise awareness of the dangers of nuclear weapons.

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

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Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons

Report submitted by New Zealand

Article I

1. New Zealand views the commitment of nuclear-weapon States not to contribute to the proliferation of nuclear weapons or explosive devices under this article as a core component of broader nuclear non-proliferation efforts. This commitment is also important in the context of the threat of the acquisition of such items by non-State actors.

Article II

2. New Zealand is in full compliance with its commitments as contained in this article. Its obligations under the Non-Proliferation Treaty are legislated in the New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987. New Zealand's concerns about compliance by other non-nuclear-weapon State parties to the Treaty have been expressed in various forums, including at the International Atomic Energy Agency (IAEA).

Article III

3. New Zealand's safeguards agreement with IAEA came into force on 29 February 1972. New Zealand concluded an additional protocol to the agreement on 24 September 1998. In 2001, IAEA assessed New Zealand to be in full compliance with all its safeguards commitments. With no nuclear weapons, no nuclear energy generation, no nuclear reactors and no production of uranium or other relevant material, New Zealand has only very minor activities subject to safeguards. It is supportive of IAEA's decision and efforts to modify the small quantities protocol, to address weaknesses in the safeguards system identified by IAEA.

4. New Zealand applies export controls to materials and dual-use goods that can be used in a nuclear weapons programme. It coordinates these measures with other members of the Nuclear Suppliers Group, which New Zealand joined in 1994.

Article IV

5. New Zealand reaffirms the inalienable right of States parties to peaceful nuclear technology, as long as it is exercised in conformity with articles I, II and III of the Treaty.

6. New Zealand has been active at such forums as the International Atomic Energy Agency General Conference in promoting close attention to the safe transport of radioactive materials and radioactive waste. It is concerned that there be the highest possible safety standards and that they be applied fully, that coastal and other interested States receive notification in advance of shipments, and that adequate liability arrangements be in place.

Article V

7. New Zealand supports the outcome of the 1995 Review and Extension Conference that article V should be interpreted in the light of the Comprehensive Nuclear-Test-Ban Treaty.

8. New Zealand ratified the Comprehensive Nuclear-Test-Ban Treaty in March 1999 and enacted it in the Nuclear-Test-Ban Act 1999. A ban on nuclear testing is also included in the South Pacific Nuclear Free Zone Treaty and the New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987. New Zealand actively supports efforts to achieve the entry into force of the Treaty. At the General Assembly in 2009, New Zealand, with Australia and Mexico, was a core sponsor of resolution 64/69, entitled "Comprehensive Nuclear-Test-Ban Treaty", which urged all States that have not yet done so to ratify the Treaty without delay.

Article VI

9. New Zealand takes very seriously the obligations under article VI, the commitments adopted in the 1995 Decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament" and the 13 practical steps agreed upon at the 2000 Review Conference.

10. With its partners in the New Agenda Coalition, New Zealand has worked hard to promote negotiations in good faith relating to the cessation of the nuclear arms race and to nuclear disarmament. In this context, it draws strength from the 1996 advisory opinion of the International Court of Justice on the illegality of the threat or use of nuclear weapons.

11. At the General Assembly in 2009, New Zealand, with the New Agenda Coalition, was a lead sponsor of resolution 64/57, entitled "Towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments", which highlighted the central role of the Non-Proliferation Treaty and called upon States to abide fully by their commitments.

Thirteen steps

Step 1

12. New Zealand ratified the Comprehensive Nuclear-Test-Ban Treaty in March 1999, having taken an active part in its negotiation. At the General Assembly in 2009, New Zealand was a core sponsor of resolution 64/69 on the Comprehensive Nuclear-Test-Ban Treaty, which reiterated calls for universal ratification of that Treaty. Pending the Treaty's entry into force, New Zealand has been active in the establishment of an international monitoring system and has set up six monitoring stations on New Zealand territory. It cooperates closely with Fiji, the Cook Islands and Kiribati on the installation of monitoring stations within the Pacific region.

Step 2

13. New Zealand endorsed a joint ministerial statement on the Comprehensive Nuclear-Test-Ban Treaty in 2009, which called for "continuing and sustained voluntary adherence to a moratorium" on nuclear weapon test explosions or any other nuclear explosions pending the Treaty's entry into force. New Zealand worked with Pacific countries to put in place the South Pacific Nuclear Free Zone Treaty, which bans nuclear testing. In 1987, it also established a New Zealand nuclear-free zone, with the passage of the New Zealand Nuclear Free Zone, Disarmament and Arms Control Act.

Step 3

14. New Zealand strongly supported the programme of work adopted by the Conference on Disarmament on 29 May 2009, which would have seen a negotiation commencing on a fissile material treaty and substantive discussions on nuclear disarmament, negative security assurances and outer space. It remains disappointed that the Conference was unable to implement its programme of work in 2009 and that it has been unable to adopt a further programme of work in 2010. New Zealand will continue to support moves to overcome this blockage. Commencement of negotiations on a fissile material treaty without preconditions would make a significant contribution to nuclear disarmament and non-proliferation.

Step 4

15. New Zealand strongly supported the programme of work adopted by the Conference on Disarmament on 29 May 2009, which would have seen a negotiation commencing on a fissile material treaty and substantive discussions on nuclear disarmament, negative security assurances and outer space.

Step 5

16. New Zealand has argued, in partnership with the New Agenda Coalition, that irreversibility in nuclear disarmament, nuclear reductions and other related nuclear arms control measures is imperative. New Zealand and the New Agenda Coalition were core sponsors of General Assembly resolution 64/57, which reaffirmed that nuclear disarmament and non-proliferation are mutually reinforcing processes requiring urgent irreversible progress on both fronts.

Step 6

17. New Zealand, in partnership with the New Agenda Coalition, urges States to live up to the unequivocal undertaking jointly agreed at the 2000 Review Conference on the total elimination of nuclear arsenals. This undertaking remains extant. New Zealand has reminded States through various statements of their obligations in the context of the Non-Proliferation Treaty. The unequivocal undertaking on the part of all Treaty signatory States is a foundation on which the New Agenda Coalition continues to build.

Step 7

18. New Zealand welcomes the recent signature by the President of the United States of America and the President of the Russian Federation of a new strategic arms reduction treaty (START) and urges both sides to ratify the treaty as soon as possible. New Zealand emphasizes through the New Agenda Coalition, however, that reductions in deployments and in operational status cannot substitute for irreversible destruction of weapons; they are only an interim step towards the goal of the total elimination of nuclear weapons.

Step 8

19. New Zealand supported the Trilateral Initiative among the United States of America, the Russian Federation and IAEA.

Step 9

20. New Zealand supports the full range of measures outlined in this step and remains committed to achieving progress on these measures at the 2010 Review Conference.

21. New Zealand was pleased to promote a resolution at the General Assembly in 2008, along with Chile, Malaysia, Nigeria, Sweden and Switzerland, calling for action to lower the operational readiness of nuclear weapons systems. Resolution 63/41, entitled “Decreasing the operational readiness of nuclear weapons systems” attracted a strong level of support. New Zealand will be looking to build on this solid foundation in both the Non-Proliferation Treaty and United Nations contexts and has submitted a working paper to the 2010 Review Conference (NPT/CONF.2010/WP.10) containing recommendations to take this issue forward.

22. New Zealand strongly believes that greater transparency by the nuclear-weapon States on their implementation of article VI through systematic reporting would help build international confidence and foster a climate conducive to further progress on disarmament. In this connection, it has submitted a working paper with Australia calling for systematic article VI reporting by all Non-Proliferation Treaty States parties, in particular the nuclear-weapon States (see (NPT/CONF.2010/WP.40).

Step 10

23. New Zealand recognizes and welcomes the fact that all non-nuclear-weapon States have already accepted full controls on fissile materials. These controls are verified and administered by IAEA. New Zealand urges nuclear-weapon States to adopt similar commitments in this area and notes that the New Agenda Coalition’s

working paper for the 2010 Review Conference (NPT/CONF.2010/WP.8) contains a recommendation to this effect.

24. New Zealand supports the early negotiation of a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material or other nuclear explosive devices. It supports efforts currently under way in the Conference on Disarmament to secure negotiations on a fissile material treaty.

Step 11

25. The New Zealand Government engages in a wide range of disarmament work relating to weapons of mass destruction and conventional weapons. Through active membership of the Non-Proliferation Treaty, the Chemical Weapons Convention and the Biological Weapons Convention, it campaigns for progress towards the total elimination of weapons of mass destruction. New Zealand also played a leading role in international efforts to better regulate the use of certain conventional weapons, in particular in the development of the Convention on Cluster Munitions, which New Zealand ratified on 22 December 2009 and which will enter into force on 1 August 2010. There is close cooperation between New Zealand and its Pacific neighbours on efforts to reduce and control the illicit trade in small arms and light weapons, and New Zealand remains strongly committed to implementing the Programme of Action on Small Arms and Light Weapons and to a successful negotiation of an arms trade treaty. New Zealand also belongs to four major export control regimes, namely the Australia Group, the Wassenaar Arrangement, the Nuclear Suppliers Group and the Missile Technology Control Regime.

Step 12

26. New Zealand submitted a report to each of the Preparatory Committees for the eighth review conference of the Non-Proliferation Treaty setting out its progress with regard to each article of the Treaty (see NPT/CONF.2010/PC.I/17, NPT/CONF.2010/PC.II/11 and Corr.1, NPT/CONF.2010/PC.III/10).

Step 13

27. New Zealand has given strong support to a system of strengthened IAEA safeguards, including in regional disarmament discussions. The IAEA safeguards system is an essential component of the global non-proliferation regime. IAEA safeguards provide assurance that States are meeting their undertakings under the Treaty and provide a mechanism for States to demonstrate their compliance. Universal application of the integrated safeguards system, including the additional protocols, would promote collective security, and New Zealand calls upon all States that have not yet done so to conclude such agreements at the earliest possible date.

Article VII

28. New Zealand is a staunch advocate of the role of nuclear-weapon-free zones in contributing to nuclear disarmament and non-proliferation. It is a full party to the South Pacific Nuclear Free Zone Treaty of 1985 (the Treaty of Rarotonga, also enacted in the New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987). All the independent countries of the South Pacific are now covered by the Treaty, and four of the nuclear-weapon States (the United Kingdom of Great Britain

and Northern Ireland, China, France and the Russian Federation) have ratified protocols giving security assurances to the region. The United States has signed the protocols.

29. New Zealand was pleased to work with Brazil in the General Assembly to promote resolution 64/44, entitled "Nuclear-weapon-free southern hemisphere and adjacent areas". As a result of the welcome entry into force of the Treaty of Pelindaba on 15 July 2009, all nuclear-weapon-free zones in the southern hemisphere and adjacent areas are now in force.

Article VIII

30. New Zealand supports the text of the Non-Proliferation Treaty as it stands and will participate fully in the eighth Review Conference of the Treaty in 2010.

Article IX

31. New Zealand continues to emphasize the importance of the universalization of the Non-Proliferation Treaty and calls upon India, Israel and Pakistan to accede to the Treaty as non-nuclear-weapon States in accordance with article IX.

32. The withdrawal by the Democratic People's Republic of Korea from the Non-Proliferation Treaty and its non-compliance with IAEA inspections are of concern to New Zealand. New Zealand strongly supports the Six-Party Talks and hopes that this process will eventually lead the Democratic People's Republic of Korea to return to active membership of the Treaty, meet its Treaty obligations and resume cooperation with IAEA.

Article X

33. New Zealand recognizes the sovereign right of all States parties to withdraw from the Treaty in accordance with the provisions of article X. It believes that the issue of the continuation of safeguards on nuclear material and equipment remaining in the territory or under the control of the withdrawing party should be addressed.

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

3 May 2010
English
Original: Russian

National report on the implementation of the Treaty on the Non-Proliferation of Nuclear Weapons by the Russian Federation

Introduction

1. This report has been prepared for the eighth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and contains information on the implementation of its articles by the Russian Federation over the period that has elapsed since the seventh Review Conference was held in 2005.

2. The indefinitely extended Treaty is a time-tested instrument that for the past 40 years has effectively averted the threat of the proliferation of nuclear weapons, allowed further progress towards nuclear disarmament and guaranteed the development of broad international cooperation in the peaceful uses of nuclear energy.

3. Recent years have clearly demonstrated the effectiveness of the balanced structure of obligations of the States parties to the Treaty. All States — large and small, nuclear and non-nuclear — need this Treaty.

4. The urgency of taking effective non-proliferation measures on the basis of the Non-Proliferation Treaty is also dictated today by the danger of nuclear materials falling into the hands of terrorists. This means that we need to strengthen the international "safety net" that makes it possible to manage such risks in advance.

5. The international community's current concern about existing global challenges with respect to nuclear non-proliferation and disarmament was highlighted during the United Nations Security Council summit of 24 September 2009, which was a positive prelude to the Non-Proliferation Treaty Review Conference. Security Council resolution 1887 (2009), which was adopted at the summit, confirmed the most important thing: that all the new challenges to the non-proliferation regime, including the emergence of "black" nuclear markets, can and should first be addressed within the Non-Proliferation Treaty framework. The Russian Federation is ready to engage in close international partnership in this area.

6. The tasks of countering the proliferation of nuclear weapons should be dealt with in strict compliance with the norms of international law and with due account

taken of the legitimate development and security interests of all States. The Treaty should therefore be fully and effectively implemented in years to come. In this regard we believe that the 2010 Review Conference should focus on a comprehensive and objective review of every aspect of implementation of the Treaty, reaffirm its viability as the most important tool for averting the threat of nuclear-weapon proliferation and reiterate the commitment of the States parties to fulfil their obligations, as well as agree on a joint "package" of effective and feasible steps towards further strengthening of the non-proliferation regime in order to make the Treaty universal.

7. As a State party to the Non-Proliferation Treaty and one of its depositaries, the Russian Federation is consistent in fulfilling its obligations under the Treaty and confirms its strong and unfailing support for it.

8. The role of the Russian Federation in ensuring implementation of, and compliance with, the provisions and articles of the Treaty is described below.

Articles I and II

9. The Russian Federation, as a nuclear-weapon State, strictly complies with its obligations under article I of the Treaty 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. The Russian Federation never in any way assists, encourages, or induces 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.

10. The Russian Federation believes that strict compliance with article II of the Treaty is one of the main guarantees against the emergence of new nuclear-weapon States.

Article III

11. Application of the International Atomic Energy Agency (IAEA) safeguards under this article of the Treaty is an important prerequisite for cooperation in the peaceful uses of nuclear energy and an assurance of the implementation of their obligations by non-nuclear-weapon States parties to the Treaty.

12. The Russian Federation supports the efforts of IAEA in this field and considers it essential to further strengthen the verification role of the Agency, including the legal, organizational and technical aspects of that role. In this context, the universal conclusion of additional protocols to IAEA safeguards agreements is particularly important, and the Russian Federation urges States that have not yet signed or ratified an additional protocol to do so as soon as possible.

13. The Russian Federation ratified its Additional Protocol in 2007 (Federal Act No. 227-FZ of 2 October 2007).

14. Additional protocols are aimed at enhancing the effectiveness of safeguards in non-nuclear-weapon States by detecting possible undeclared activities. The introduction of integrated safeguards is essential for improving the technical and economic effectiveness of the IAEA safeguards system.

15. The existence of an additional protocol should be one of the factors to be taken into account when considering nuclear export possibilities. At present the Russian Federation is willing to regard it as one of the conditions for transferring sensitive nuclear technology and equipment.

16. In order to strengthen the IAEA safeguards system, the Russian Federation provides the Agency with financial assistance for carrying out its verification role through a national programme of scientific and technical support for safeguards. In the 26 years of the programme's existence, a significant number of studies have been completed, aimed at strengthening the technical database of the Department of Safeguards of the IAEA secretariat and providing new methods of measurement as well as training materials and information sources for its staff.

17. The programme currently covers a range of work that includes analyses in Russian laboratories of environmental samples collected by IAEA inspectors, training courses in modern methods of non-destructive analysis and in accounting for and control of nuclear materials, inspections of gas centrifuge enrichment plants and the development of new technologies for the detection of undeclared nuclear activities.

18. With the large-scale development of civilian nuclear energy around the world and the emergence of countries that did not previously possess it, there is an increased risk of the proliferation of technologies that can be used to obtain weapons-grade nuclear materials. The Russian Federation and other Group of Eight (G-8) States have developed, and adopted in national legislation, strict but objective criteria governing transfers to non-nuclear States of the most sensitive nuclear equipment and technology, such as for uranium enrichment and chemical reprocessing of spent nuclear fuel. The most important criterion is that the importing State must be a party to the Non-Proliferation Treaty. With respect to uranium enrichment technology, it is transferred only when appropriate and without revealing basic elements that could be diverted to the production of weapons-grade material. We are working on the universal acceptance of these criteria in the Nuclear Suppliers Group.

19. The Russian Federation regards the strengthening of multilateral export control regimes as one of the most important instruments to combat illicit trafficking in nuclear materials and technology. Enhancing their efficiency and transparency, as well as involving countries possessing relevant technologies in their operation would, in our view, prevent unauthorized transfers of controlled nuclear items and technology.

20. The national export control system of the Russian Federation is based on control lists and export regulations for the listed items which were established in conformity with the principles of the Nuclear Suppliers Group and the Zangger Committee. We have supported their activities ever since they were created and we believe that they have defined an agreed procedure for the transfer of controlled products without infringing upon the legitimate rights of States to use nuclear power for peaceful purposes. The Russian Federation seeks further dialogue and constructive interaction with all countries, including those outside the Non-Proliferation Treaty, in order to assist them in creating and improving national systems of nuclear export control.

21. The Russian Federation attaches great importance to coordinating international efforts to address the risks of nuclear proliferation. It supports consistent and

universal implementation of Security Council resolution 1540 (2004), which is aimed at countering "black markets" in weapons of mass destruction and preventing such weapons, related materials, technology and their means of delivery from falling into the hands of non-State actors, in particular terrorist organizations. The Russian Federation takes an active part in the work of the Security Council Committee established pursuant to resolution 1540 (2004) for its effective implementation.

22. The Russian Federation participates in the IAEA programme to combat illicit trafficking in nuclear materials. Our country, with the support of the Agency, organizes international training courses for experts in physical protection.

23. At present, a great deal has already been done to establish an effective international "safety net" to prevent nuclear weapons and materials from falling into the hands of terrorists. It should be noted, in this context, that IAEA has been making significant systematic efforts to strengthen the physical nuclear security regime worldwide. In this connection, we note the successful implementation of the IAEA Nuclear Security Plan for 2006-2009.

24. One of the most important areas of work is the development by IAEA of a series of publications on physical nuclear security, including one on the goals and basic principles of physical nuclear security, and also the Agency's recommendations, including the revised version of the document entitled "The Physical Protection of Nuclear Material and Nuclear Facilities" (INFCIRC/225/Rev.4 (Corrected)). Russian experts participate actively in the preparation of these documents.

25. The training of experts in physical protection is extremely important. IAEA training courses on physical protection are conducted regularly in the Russian Federation at the Interdepartmental Special Training Centre in Obninsk. Eighteen IAEA training courses have been held since 2001, providing training to over 300 foreign experts. A regional training course on the physical protection of research reactors was held at Tomsk Polytechnic University.

26. Particularly noteworthy is the programme for the maintenance of the IAEA database on illegal trafficking in nuclear materials and radioactive substances. The Russian Federation participates actively in the exchange of information and reports officially to IAEA on incidents that have occurred in its territory.

27. Work at IAEA is currently being conducted on the basis of the Nuclear Security Plan for 2010-2013, which focuses on strengthening physical nuclear security in order to avert possible incidents of nuclear terrorism. While stressing that the physical protection of nuclear material is the priority, it is also necessary to ensure the safety and security of radioactive substances and sources. In order to counter the radiological threat, activities for the protection of this type of material should be conducted at a new, higher level. Given that the threat of terrorism is international in nature, we consider it necessary to strengthen multilateral and bilateral mechanisms for cooperation to address that threat.

28. On 6 July 2009, the Presidents of the Russian Federation and the United States adopted a joint statement on nuclear cooperation in which they confirmed their commitment to strengthening their cooperation to prevent the proliferation of nuclear weapons and stop acts of nuclear terrorism. Building upon previous joint efforts, experience and achievements, they declared an intent to broaden and deepen

long-term cooperation to further increase the level of security of nuclear facilities around the world. This includes plans to continue the repatriation of spent highly enriched uranium fuel from research reactors, the development of new types of low-enriched uranium fuel for them and the possible conversion of research reactor cores in third countries. We invite all IAEA member States to join in this work.

29. The Russian Federation has made a crucial decision that, starting in 2010, it will make a significant voluntary contribution to the IAEA Nuclear Security Fund. We expect that this contribution will help to further strengthen the physical nuclear security regime.

30. The Global Initiative to Combat Nuclear Terrorism announced in 2006 by the Presidents of the Russian Federation and the United States is making a significant contribution to this work. The Initiative is now taking on a global dimension. Seventy-nine States and four observer organizations (IAEA, the European Union, the International Criminal Police Organization (INTERPOL) and the United Nations Office on Drugs and Crime) have already joined. This is a positive example of how we can come together in the world today to combat new challenges and threats.

31. Such key international instruments as the Convention on the Physical Protection of Nuclear Material, the Amendment to this Convention and the International Convention for the Suppression of Acts of Nuclear Terrorism serve as a basis for joint action. The Russian Federation has ratified these conventions, including the Amendment to the Convention on the Physical Protection of Nuclear Material. We consider that the entry into force of the Amendment will make it possible to strengthen substantially the international physical nuclear security regime. Progress is hampered, however, by the fact that most States parties to the Convention have not yet accepted the Amendment.

32. The Russian Federation considers that ensuring the security and safety of radioactive sources is an important means of preventing the uncontrolled proliferation of hazardous materials used to produce the “dirty bomb”. We support multilateral efforts in this area. We support IAEA activities aimed at ensuring secure handling of radioactive sources. We commend the adoption of the Code of Conduct on the Safety and Security of Radioactive Sources and the formulation of the Guidance on the Import and Export of Radioactive Sources. The Russian Federation is assisting IAEA in drafting the International Catalogue of Sealed Radioactive Sources and Devices, which also contributes to enhancing control over them.

33. The Russian Federation, as a major producer, consumer and exporter of radioactive sources, is actively working to establish an export/import control regime for these sources. We are taking steps to harmonize national norms and regulations with international principles.

34. The Russian Federation has elaborated and put in place a sophisticated national legislative and regulatory framework for handling radioactive materials which makes it possible to reliably ensure their transportation security and meets all IAEA requirements. We are in favour of strengthening the regime governing the transportation of such materials which has been adopted by the international community. However, we consider that it should not result in the erection of artificial barriers which are often incompatible with universally recognized norms of international law.

Article IV

35. The Russian Federation believes that in the immediate future there is no alternative to the further development and expansion of the use of civilian nuclear energy around the world.

36. Energy consumption across the world is growing rapidly. In the second half of the twenty-first century, stocks of oil and natural gas will be virtually exhausted. Emissions of greenhouse gases into the planet's atmosphere must be drastically reduced. In practical terms, this problem can be solved only through the development of nuclear energy.

37. The Russian Federation consistently advocates broader access of the NPT States parties to the benefits of peaceful nuclear energy and promotes international cooperation in this sphere. We believe that it is crucially important to make further efforts to enhance the role and authority of IAEA, a competent and responsible organization which provides for such cooperation on a global scale. This will make it possible to strike the necessary balance between harnessing nuclear energy for peaceful purposes and strengthening the nuclear non-proliferation regime.

38. The further development of nuclear energy and its large-scale use for the purposes of economic development require a systemic approach to tackling new fundamental and complex tasks. It was with these issues in mind that, at the United Nations Millennium Summit, the President of the Russian Federation proposed an initiative on energy provision for the sustainable development of humankind and radical ways to address the issues of non-proliferation of nuclear weapons and the environmental protection of planet Earth. In line with this initiative IAEA is implementing the International Project on Innovative Nuclear Reactors and Fuel Cycles (INPRO). Its primary objective is to create nuclear energy systems that are economically competitive, environmentally safe and capable of reducing the risk of proliferation and ensuring the sustainable development of civilization.

39. We welcome the results and the positive direction of the work under INPRO. We support the new approach adopted by the Department of Nuclear Energy of IAEA in organizing working meetings with national delegations from INPRO participating States. At the first such meeting, which was held in January 2009 in Moscow, a range of issues connected with the implementation of the project were discussed with representatives of the IAEA secretariat.

40. We support the efforts of the Agency's secretariat to ensure budgetary funding for the project. The Russian Federation has decided for the first time to provide long-term financing for the project for 2008-2012. It will make an annual contribution of 23 million roubles. We believe that this funding will make it possible to plan the implementation of the project and set tasks for the future.

41. INPRO makes it possible to bring together all interested participating States — both those that possess and those that use the technologies in question — in order to explore together ways of meeting the energy needs of the participating States.

42. In the future the INPRO platform could become the basis for new types of partnership through which IAEA member States could work together to create favourable conditions for the introduction of innovative nuclear energy systems.

43. The number of countries participating in the project has reached 28, in addition to the European Commission, and the fact that some of the participating countries are also involved in a United States-led programme — Generation IV International Forum — calls for closer interaction between these two projects. The Russian Federation acceded to the Generation IV Framework Agreement on 30 July 2009.

44. The International Thermonuclear Experimental Reactor (ITER) project is yet another example of the Russian Federation's successful participation in multilateral cooperation in the peaceful use of nuclear energy. A unique engineering project has been developed for the reactor, a site has been chosen and practical work on implementation has begun.

45. The Russian Federation's involvement in the construction of ITER serves its long-term scientific, economic and political interests in developing nuclear energy and is a logical step for the Russian Federation on the way to mastering thermonuclear technology. As part of its commitment, the Russian Federation will manufacture and deliver to the construction site unique equipment for the reactor's main systems. The Russian Federation is fulfilling all of its obligations, including the manufacture of superconductors, in full compliance with the high standards of the ITER project.

46. Analysis of the technical aspects of promising innovations can be used to investigate problems and the process of establishing an international nuclear energy structure.

47. The inalienable right of all States parties to the Non-Proliferation Treaty, under article IV of the Treaty, to develop research, production and use of nuclear energy for peaceful purposes presupposes the ability to develop a national nuclear fuel cycle, some elements of which are highly sensitive with respect to non-proliferation. It is therefore necessary to guarantee reliable conditions for the implementation of national nuclear programmes by resolving the related non-proliferation issues.

48. The Russian Federation believes it is essential to create an environment that would limit the spread of sensitive nuclear fuel cycle technologies while not hampering the development of a large-scale nuclear energy industry.

49. We consider that this work could be based on the development and implementation of multilateral approaches to the nuclear fuel cycle, which would offer an economically sound and feasible alternative to developing every element of the cycle at the national level.

50. Tackling the nuclear fuel cycle problem on an international basis would be advantageous from the point of view of the economy, the environment and security, as well as the non-proliferation of nuclear weapons. We welcome the results of the work done by the IAEA expert group to consider possible international approaches to sensitive nuclear fuel cycle technologies.

51. A number of initiatives have been proposed in recent years in this area at the national and multilateral levels. In January 2006, the President of the Russian Federation proposed working jointly to develop a global nuclear energy infrastructure and to establish international nuclear fuel cycle service centres. In 2007, as a first practical contribution to the implementation of this approach, the Russian Federation, in partnership with Kazakhstan, established the International

Uranium Enrichment Centre (IUEC) at Angarsk. Armenia and Ukraine have also joined the Centre.

52. In January 2008, we officially informed IAEA that IUEC had been listed as one of the Russian nuclear fuel cycle enterprises to which IAEA safeguards could be applied. In 2008, IUEC obtained all the necessary permits and licences to operate as a supplier of products and services.

53. We are grateful that IAEA has welcomed the Russian initiative. We concur with IAEA that the Centre is capable not only of resolving the issue of guaranteed access to nuclear fuel cycle services but also of ensuring nuclear fuel supplies from a guaranteed reserve of low-enriched uranium in response to IAEA requests.

54. The establishment of a guaranteed reserve is an alternative to the expensive option of establishing all the elements of the nuclear fuel cycle at the national level.

55. On 27 November 2009, the IAEA Board of Governors adopted resolution GOV/2009/81 concerning the Russian initiative to establish a reserve of low-enriched uranium to supply IAEA for its member States. Fourteen States sponsored the resolution.

56. The adoption of the resolution paved the way for an agreement between the Russian Federation and IAEA providing for the establishment in the Russian Federation of a 120-ton physical reserve of five-per-cent-enriched uranium.

57. On 29 March 2010, the Director General of Rosatom, Sergei Kirienko, and the Director General of IAEA, Yukiya Amano, signed the agreement.

58. The Russian proposal is based on article IX of the IAEA Statute. There is no breach or infringement of the rights of IAEA member States, including the right to develop their own nuclear fuel cycle production capability. In other words, in order for them to receive low-enriched uranium from the guaranteed reserve, they are not required to waive the right to establish and develop their own fuel cycle. We are not proposing such a condition. The guaranteed reserve is a response to the concerns of those who fear that they will become fully dependent on nuclear fuel market conditions or on the political will of certain States.

59. Our proposal for the establishment of a reserve of low-enriched uranium was prepared on the basis of the following considerations. The fundamental guarantee of a reliable supply of nuclear fuel is a normally functioning market in which both suppliers and consumers meet their contractual obligations. The purpose of a guaranteed reserve is to provide nuclear fuel to consumers in the event that they face insurmountable political difficulties in obtaining low-enriched uranium that are unrelated to non-proliferation issues.

60. There will be no need for additional IAEA budget expenditure or contributions from IAEA member States. The Russian Federation will bear the costs associated, inter alia, with the production of the reserve, its storage and maintenance, and the application of IAEA safeguards. The State receiving the material will pay the current market price for the material supplied. The guaranteed reserve will not undermine the existing market for low-enriched uranium.

61. The establishment and use of the guaranteed reserve is governed by two agreements. One is an agreement between the Russian Federation and the Agency on the provision of a reserve of low-enriched uranium in accordance with article IX of

the IAEA Statute. The other is a model agreement between IAEA and potential recipient States.

62. The mechanism for supplying low-enriched uranium from the guaranteed reserve is triggered by a decision of the Director General of IAEA, and the uranium is delivered immediately at his request. There is no need for the IAEA Board of Governors to discuss each individual delivery. Neither the Russian Federation nor any other State has any influence over the decision of the IAEA Director General.

63. When a member State of IAEA concludes an agreement with the Agency for the supply of low-enriched uranium, the following conditions must be met from the point of view of the Russian Federation's domestic legislation and international obligations: the nuclear materials must not be used for purposes relating to the development of nuclear weapons; nuclear and physical safety must be ensured; the nuclear material must remain under IAEA safeguards throughout its use in the recipient country; and the material must be used only for the declared purpose, that is, to produce electricity at a specific nuclear power station.

64. The material may be supplied to any non-nuclear IAEA member State that is not in breach of its safeguards agreement and has placed all its peaceful nuclear activities under IAEA safeguards.

65. The Russian proposal does not conflict with other well-known initiatives and in no way competes with them.

66. In March 2005, the State Duma of the Federal Assembly of the Russian Federation adopted a law ratifying the 1963 Vienna Convention on Civil Liability for Nuclear Damage. The Russian Federation thus acknowledged the primacy of international law in regulating civil liability for nuclear damage. This step will facilitate our cooperation with other countries with regard to the peaceful use of nuclear energy.

67. The Russian Federation attaches great importance to ensuring the safety of its nuclear facilities, viewing it as a condition sine qua non for developing the nuclear energy industry. It is an active party to the Convention on Nuclear Safety. As mandated by the Convention, the Russian Federation prepared national reports reflecting its compliance with the obligations to ensure nuclear safety in the country and submitted them at the meetings held in 2005 and 2008 for the review of national reports.

68. We attach great importance to the IAEA programme of technical assistance and cooperation. The Russian Federation makes and will continue to make full voluntary contributions to the Technical Cooperation Fund. We are in favour of retaining the existing funding mechanism through assessments of member States in their national currency in an amount determined by the United Nations scale of assessments in accordance with established practice. Over the course of many years the Russian Federation has actively cooperated with the Agency in implementing projects that seek effective use of applied nuclear technology in areas that are important for developing the economies of IAEA member States.

69. The Russian Federation has expanded its participation in safety- and security-related projects, including projects dealing with the safety of nuclear facilities, radiation security and the safety of transportation and radioactive waste management.

70. The Russian Federation has also been actively contributing to training skilled national personnel for other countries and conducting scientific research, which are important elements of technical assistance activities.

71. Large-scale training efforts are an important part of the Russian programme. Following a decision taken in 2008, the Moscow Engineering and Physics Institute (which is known for its history of excellence in training experts) and a number of regional educational institutions formed the National Nuclear Research University.

72. We will be pleased to accept foreign students and experts for training and retraining for the national nuclear energy programmes of IAEA member States.

73. The Russian Federation is assisting developing countries that are parties to the Non-Proliferation Treaty in building accelerators and neutron generators; it also supplies neutron radiography units, gamma-ray treatment equipment, liquid nitrogen production units, ionizing radiation sources, and other equipment and materials. We are willing to look into the possibility of cooperating in building low- and medium-power reactors, including mobile nuclear power stations with long-life no-reload operation. Such stations could be run and fully controlled by a supplying State. The Russian Federation is ready to proceed with the construction of a 70 MW offshore nuclear power station capable of both producing electricity and desalinating water.

74. The Russian Federation is taking part in the IAEA programme to develop a network of regional international training and demonstration centres for reprocessing and storage of radioactive waste produced as a result of applying nuclear methods in health care, scientific research and industry.

75. The Russian Federation attaches utmost importance to developing cooperation with States members of the Commonwealth of Independent States (CIS) — namely, Kazakhstan, Ukraine and Belarus — in the peaceful use of nuclear energy. This will establish the legal framework required for the implementation of specific bilateral projects.

76. The third Review Meeting of the Contracting Parties to the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, held in May 2009, highlighted the return of spent fuel from research reactors as a positive and effective practice. The repatriation of highly enriched uranium fuel from Russian- and American-designed research reactors in third countries takes place through cooperation between the Russian Federation and the United States with IAEA involvement. The Russian Federation supports the IAEA programme aimed at reducing the level of enrichment of nuclear fuel for research reactors to below 20 per cent. The implementation of this programme will significantly reduce the risk of proliferation of highly enriched uranium.

77. International cooperation will to a great extent determine the success of these costly projects, which often require the development of non-standard technological solutions but which are pressing from an environmental standpoint and in terms of nuclear and physical security. In this connection, the Russian Federation confirms its intention to become one of the donors to a project for the removal of spent nuclear fuel from the Vinča research reactor in Serbia. The Russian Federation has decided to assist Ukraine in enhancing safety at the Chernobyl nuclear power station and accelerating the decommissioning of the facility. To this end, in 2009 we donated $10 million to the Nuclear Safety Account and $7 million to the Chernobyl Shelter Fund.

78. As a practical contribution to strengthening safety, the Russian Federation has assisted Armenia in enhancing safety at the Armenian nuclear power station under the IAEA technical cooperation programme. We provided 240 million roubles for that purpose in 2008 and are participating very actively in the implementation of the Armenian projects.

79. Given the high level to which nuclear technology has been developed in the Russian Federation, we have declined virtually all technical assistance from IAEA through national projects.

Article V

80. In 1990, the Union of Soviet Socialist Republics declared a moratorium on nuclear testing. Since then, no nuclear weapons test explosion or any other nuclear explosion has been carried out in our country. We intend to pursue this course in the future. We hope that the other nuclear Powers will take a similar approach.

81. The Russian Federation ratified the Comprehensive Nuclear-Test-Ban Treaty (CTBT) in 2000. We remain committed to this Treaty, which makes an essential contribution to strengthening the nuclear non-proliferation regime. We are convinced that a comprehensive and no-threshold ban on any nuclear explosions is an effective means of restraining the qualitative improvement of nuclear warheads.

82. Progress towards a world free of nuclear weapons depends to a great extent on ensuring that the Comprehensive Nuclear-Test-Ban Treaty becomes universal and on the accession to it of all States possessing nuclear capability, that is, on the early entry into force of the Treaty and strict compliance with all its provisions.

83. We are making our contribution to the attainment of this objective. We are pursuing a consistent policy aimed at facilitating the early entry into force of the Nuclear-Test-Ban Treaty. Our view is that a moratorium on nuclear testing, important as it may be, cannot be a substitute for the international legal obligations set out in the Treaty.

84. In addition to bilateral work, we consistently participate in relevant multilateral activities. Our country has been a consistent sponsor of the resolutions in support of the Treaty adopted for a number of years by the United Nations General Assembly. We attend the “Friends of the CTBT” meetings of Ministers for Foreign Affairs that take place biennially on the margins of the General Assembly. One important element of efforts to ensure the entry into force of the Nuclear-Test-Ban Treaty is the Conference on Facilitating the Entry into Force of the Treaty convened biennially by the United Nations Secretary-General in accordance with article XIV of the Treaty. We participate actively in these conferences, the most recent of which was held in New York in 2009.

85. The Russian Federation fully supports the gradual and balanced creation of a verification mechanism within the framework of the Nuclear-Test-Ban Treaty. We are working on establishing the Russian segment of the International Monitoring System (IMS) envisaged by the Treaty. In accordance with the provisions of the Treaty, the Russian segment of IMS comprises 6 basic and 13 auxiliary seismic stations, as well as 4 infrasound stations, 8 radionuclide stations and 1 radionuclide laboratory (a total of 32 IMS facilities).

86. The Agreement between the Government of the Russian Federation and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO) on measures regarding facilities in the International Monitoring System provided for in the Treaty, entered into force in 2006. The Agreement provides a reliable legal framework for expanding cooperation between the Russian Federation and the CTBTO Preparatory Commission, and also enables us to speed up work to create a Russian IMS segment — a key element of verification of compliance with the Treaty — and ensure its operation until the Treaty enters into force.

87. We are also actively cooperating with the efforts of the CTBTO Preparatory Commission to establish another part of the Treaty verification mechanism: the on-site inspection regime. Russian inspectors and observers participated in the integrated on-site inspection exercise conducted in Kazakhstan in 2008. This exercise was an important milestone in the establishment of a unique global CTBT verification mechanism.

Article VI

88. Recognizing that it has special responsibility, both as a nuclear Power and as a permanent member of the United Nations Security Council, to meet its obligations on disarmament under article VI of the Non-Proliferation Treaty, the Russian Federation, in a spirit of goodwill, continues to carry out deep, irreversible and verifiable reductions of its strategic offensive arms.

89. The signing in Prague on 8 April 2010 of the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms was an important step in this direction.

90. This new Treaty replaces one of the most significant disarmament treaties in history: the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Reduction and Limitation of Strategic Offensive Arms (START I) of 31 July 1991, which expired on 4 December 2009.

91. START I performed a historic role in ensuring international peace, strategic stability and security. It laid the foundations for a qualitatively new atmosphere of trust, openness and predictability in the strategic offensive arms reduction process, which is now reflected in the new Treaty. The deep reductions undertaken by the two parties since the end of the Cold War have made the world more stable and secure and have dispelled the feeling of constant threat that was hanging over the people of our countries and others. They have allowed us to move from an era of "co-existence" to a stage of partnership and mutually beneficial cooperation, thus creating a completely different military and political environment in the world.

92. Under START I, the two parties undertook to reduce their number of deployed strategic delivery vehicles to no more than 1,600 each and the number of warheads attributed to them to no more than 6,000 each within seven years of the Treaty's entry into force. The Russian Federation fully met its arms reduction obligations and, by the verification date of 5 December 2001, it had actually reduced its aggregate number of deployed strategic delivery vehicles (intercontinental ballistic missiles (ICBMs), submarine-launched ballistic missiles (SLBMs) and heavy bombers) to 1,136 and the number of warheads attributed to them to 5,518.

93. Even though the Russian Federation had completely met its arms reduction obligations under START I, it continued to eliminate its strategic offensive arms. By 1 January 2010, it had eliminated some 1,600 ICBM and SLBM launchers, 3,100 ICBMs and SLBMs, 47 nuclear submarines and 67 heavy bombers. As at the beginning of this year, the Russian Federation had approximately 800 deployed delivery vehicles for strategic offensive arms and 3,900 warheads attributed to them under START I. A comparison of these figures with the data provided on article VI in our report to the 2005 Non-Proliferation Treaty Review Conference shows the growing contribution of the Russian Federation to fulfilling its Treaty obligations.

94. The provisions of the new Treaty on strategic offensive arms reduction stipulate that each party shall reduce and limit its strategic offensive arms so that, seven years after entry into force of the Treaty and thereafter, the aggregate numbers do not exceed:

– 700 for deployed ICBMs, SLBMs and heavy bombers;

– 1,550 for warheads on them;

– 800 for deployed and non-deployed ICBM and SLBM launchers and heavy bombers. This aggregate limit for deployed and non-deployed launchers and heavy bombers is thus established as a legal requirement in the Treaty. This makes it possible to limit the parties' "upload potential" (their capacity to swiftly build up the number of deployed warheads in times of crisis) and creates additional momentum for the elimination or conversion of the strategic offensive arms to be reduced.

95. With this Treaty, the Russian Federation and the United States have once again clearly demonstrated their desire for large-scale strategic offensive arms reductions. The parties have agreed to cut their aggregate number of warheads by one third (the "ceiling" under the Treaty on Strategic Offensive Reductions was 2,200 warheads) and to reduce the limit for strategic delivery vehicles by more than half (under START I the ceiling was 1,600, while the Treaty on Strategic Offensive Reductions placed no limits on them).

96. While negotiating the new Treaty on strategic offensive arms, we were mindful that nuclear disarmament is impossible without taking into account current trends in the sphere of strategic defence weapons and that at present there are no restrictions on the deployment of strategic missile defence systems.

97. Once the new Treaty enters into force, the Treaty on Strategic Offensive Reductions of 24 May 2002 between the Russian Federation and the United States will also cease to have effect. In fact the parties have already met their obligations under the latter Treaty.

98. Through the implementation of the 1987 Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of their Intermediate-range and Shorter-range Missiles, 1,846 land-based ballistic and cruise missiles with a range of 500-5,500 km and 825 launchers for such missiles were destroyed. In all, over 3,000 nuclear warheads with a total yield of over 500,000 kilotons have been deactivated. We have put forward a proposal to make the obligations under that Treaty universal.

99. In terms of nuclear non-proliferation, the withdrawal by the Russian Federation of tactical nuclear weapons from Eastern European countries and former Soviet republics to its own territory is highly significant.

100. Only now, years later, is it possible to truly appreciate the scope and extraordinary complexity of this operation. The Russian Federation withdrew all tactical nuclear weapons to its territory in a relatively short time while also duly ensuring their technical safety and secure storage.

101. Russian nuclear weapons are under reliable control. The effectiveness of this control is enhanced by both organizational and technical measures. Since 1991, the total number of nuclear weapons storage facilities has been reduced fourfold, and the number of nuclear weapons stockpiles has been cut more than fivefold.

102. The Russian Federation has developed and implemented a range of measures to counter terrorist acts, and comprehensive security inspections of all nuclear- and radiation-hazardous facilities are conducted regularly.

103. 2009 marked the fifteenth anniversary of implementation of the Agreement concerning the Disposition of Highly Enriched Uranium Extracted from Nuclear Weapons between the Governments of the Russian Federation and the United States of America, also known as the Megatons to Megawatts programme. So far under this Agreement, over 350 tons of weapons-grade uranium have been irreversibly converted into low-enriched uranium. That is equivalent to 14,000 nuclear warheads and represents about 76 per cent of the highly enriched uranium intended for conversion under the Agreement.

104. This year, under the Protocol to the Agreement between the Government of the United States of America and the Government of the Russian Federation on the Management and Disposition of Plutonium Designated as No Longer Required for Defense Purposes and Related Cooperation signed in April 2010, the last reactor in the Russian Federation producing weapons-grade plutonium was halted. The Russian Federation will dispose of 34 tons of excess weapons-grade plutonium through irradiation in a BN-800 reactor.

105. The above-mentioned facts and the practical steps taken by the Russian Federation to meet its obligations confirm our willingness to follow a steady course towards genuine nuclear disarmament in compliance with the requirements of article VI of the Non-Proliferation Treaty.

Article VII

106. The establishment of nuclear-weapon-free zones is one of the main tools for the consolidation of the nuclear non-proliferation regime as a whole and the Non-Proliferation Treaty in particular. By creating nuclear-weapon-free zones and thereby implementing article VII of the Treaty, States are in fact promoting the strengthening of regional and international stability and security and the enhancement of mutual trust. The Russian Federation consistently supports this process and cooperates with States' efforts to establish and formalize the status of such zones.

107. Considering the concern and desire of non-nuclear-weapon States parties to the Non-Proliferation Treaty to obtain legally binding assurances which would rule out

the use or threat of use of nuclear weapons against them, the Russian Federation, by signing the relevant Protocols, has provided such legally binding security assurances to all States which are parties to nuclear-weapon-free zone agreements. These assurances were confirmed by the Russian Federation under Security Council resolution 984 (1995). We confirm these commitments once again, as well as our intention to follow the same course as new nuclear-free zones are established.

108. The international community has gained considerable experience in the establishment of nuclear-weapon-free zones. We consider it vitally important to ensure that agreements institutionalizing them are fully compliant with the established principles and parameters for establishing such zones and with international law. Any breach of these requirements may cause complications with regard to the legal recognition of nuclear-weapon-free zones by nuclear Powers and their provision of the related security assurances. In this connection, we note the fundamental role of the principles and guidelines on the establishment and legalization of new nuclear-weapon-free zones adopted by the United Nations Disarmament Commission in 1999.

109. The Russian Federation welcomes the 40 years of effective functioning of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco), the first international legal instrument establishing the nuclear-free status of an extensive and densely populated region, as well as its contribution to the process of further establishing nuclear-weapon-free zones in the world.

110. The Russian Federation strictly complies with its commitments under Additional Protocol II to the Treaty of Tlatelolco, which sets out the obligations of the nuclear Powers with respect to the States in the zone.

111. The historical significance of this instrument is that it established a precedent for the establishment of nuclear-weapon-free zones that has largely determined the parameters for that process in other parts of the world.

112. We welcome the entry into force on 21 March 2009 of the Treaty on a Nuclear-Weapon-Free Zone in Central Asia (Treaty of Semipalatinsk). We are convinced that the Treaty will contribute to the strengthening of peace and stability in the region. Apart from the fact that the Treaty establishes the first nuclear-free zone in the northern hemisphere, which in itself is highly significant, it also sets out an obligation for the States parties to bring into effect an additional protocol to an IAEA safeguards agreement within 18 months after the entry into force of the Treaty. This is the first time that the application of additional protocols has been made a legal obligation. We consider that this is an important step in the strengthening of the IAEA safeguards system and the consolidation of the nuclear non-proliferation regime.

113. We note that the Treaty of Semipalatinsk and its Protocol providing security assurances from nuclear Powers to the States parties to the Treaty were developed in full compliance with international law and take into account the 1999 recommendations of the United Nations Disarmament Commission.

114. The signature and ratification of the Protocol by all five nuclear-weapon States can ensure the full and effective functioning of the Central Asian nuclear-weapon-free zone. We believe that easing States' concerns about the Treaty and its Protocol would assist the Central Asian States in furthering their consultations with States

that harbour doubts. The Russian Federation is prepared to cooperate further with such efforts.

115. The situation with respect to the non-proliferation of weapons of mass destruction in the Middle East, at a time when stability in the Middle East is important for both regional and international security, is a highly complicated matter. As in the past, there are States in the region which have not placed their nuclear capabilities under IAEA safeguards and which are not parties to the Non-Proliferation Treaty. A number of States are not parties to the Chemical Weapons Convention or the Biological Weapons Convention.

116. We believe that the optimal means of reaching a comprehensive solution to non-proliferation issues in the Middle East and achieving peace and stability in the region would be the establishment of a zone free of nuclear weapons and other weapons of mass destruction and the means for their delivery, as set out in the resolution on the Middle East adopted at the 1995 Non-Proliferation Treaty Review Conference and reaffirmed in the Final Document of the 2000 Review Conference.

117. The Russian Federation is committed to the provisions of the 1995 resolution. We are convinced that the implementation of this resolution in its entirety would contribute to strengthening the security of all Middle Eastern States and would certainly strengthen international security as well. In this connection, in 2009 at the third session of the Preparatory Committee for the 2010 Review Conference, the Russian Federation proposed that specific steps should be taken to implement the 1995 resolution and proposed a set of measures that might assist in advancing towards its implementation, in the first instance through the establishment of dialogue between all the States concerned. Our proposal was to hold an international conference or meeting with the participation of all the States concerned — the Middle Eastern States above all — in order to consider the prospects for implementing the resolution in its entirety.

118. We also believe that it would be appropriate to appoint a special coordinator who would be authorized to hold consultations on this issue with the States of the Middle East region and who, during the course of the further review process, would present a report on the results of this work.

119. Moreover, in order to create a favourable climate for progress towards the establishment of a zone free of weapons of mass destruction, all States in the region must sign and ratify the Comprehensive Nuclear-Test-Ban Treaty. The States on which the Treaty's entry into force depends could consider immediately the possibility of ratifying the Treaty as a first step in that process and a confidence-building measure.

120. As another confidence-building measure, we proposed that all Middle Eastern States should consider the possibility of voluntarily forgoing the establishment or development of capabilities in uranium enrichment and chemical reprocessing of spent nuclear fuel, while emphasizing that we do not question the right of States to produce and use nuclear energy for peaceful purposes. We believe that the best guarantee for the exercise of this right would be through multilateral approaches to the nuclear fuel cycle.

121. Undoubtedly, a key component for establishing a zone free of all weapons of mass destruction and the means for their delivery is to place under comprehensive

IAEA safeguards all nuclear facilities in the region that are not under such safeguards.

122. The Russian Federation welcomes the entry into force on 15 July 2009 of the African Nuclear-Weapon-Free Zone Treaty (Pelindaba Treaty). Our country signed Protocols I and II to the Treaty in 1996. In order to further assist the efforts of the African States along these lines, the Russian Federation has initiated the process of preparing for the ratification of the Protocols which it has signed.

123. The Russian Federation is ready to continue the process of settling the remaining issues relating to the Treaty on the Southeast Asia Nuclear-Weapon-Free Zone (Treaty of Bangkok) through dialogue between the nuclear Powers and the countries of the Association of Southeast Asian Nations (ASEAN).

Articles VIII, IX and X

124. The Russian Federation is pleased to note that 190 States are now parties to the Non-Proliferation Treaty, which makes it one of the most widely represented international agreements. In order to achieve universal adherence to the Treaty, the Russian Federation is working actively at both the bilateral and the multilateral levels to have India, Pakistan and Israel become parties to the Treaty as non-nuclear-weapon States. While strictly observing the provisions of article IX, the Russian Federation has not changed its position as regards the presence of nuclear weapons in India and Pakistan. We continue, in accordance with the Treaty, to consider them non-nuclear-weapon States and expect them to comply with Security Council resolution 1172 (1998).

125. As regards the announcement by the Democratic People's Republic of Korea of its withdrawal from the Treaty, the Russian Federation is taking an active part in the process of settling the nuclear issue of the Korean peninsula.

126. Recognizing its responsibility as a party to and depositary of the Treaty, the Russian Federation underlines the exceptional sensitivity of the issue of the withdrawal of States from the Treaty. We consider it necessary to minimize the possibility of situations in which States refuse to fulfil their obligations under the Treaty. We believe that making States more accountable for decisions to withdraw from the Treaty in accordance with article X could be one of the ways to strengthen the Treaty. This objective could be achieved by agreeing on a number of political measures and procedures which would be applied in such cases. However, such actions should not lead to a revision or reopening of the Treaty text.

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

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Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons

Report submitted by Brazil

1. Brazil decided to accede to the Treaty on the Non-Proliferation of Nuclear Weapons in 1998,[1] taking into consideration the easing of international tensions following the end of the cold war and the consolidation of the Treaty as the main international nuclear non-proliferation and disarmament regime, by virtue of the adoption of a strengthened, forward-looking review process at the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

2. In doing so, Brazil sought to join other parties to the Treaty in focusing its efforts on the complete elimination of nuclear arsenals as the only means of correcting the built-in asymmetry between States parties and the full and definitive achievement of the Treaty's goals.

3. The Congress of Brazil approved the country's accession to the Treaty on the understanding that effective measures would be taken with a view to the cessation of the nuclear arms race at an early date and the total elimination of nuclear weapons, as stated in the Legislative Decree[2] that approved the Treaty in 1998.

Article I

4. Brazil considers that non-proliferation efforts are but a means of fulfilling the highest aspirations and purposes of the Treaty, which are aimed at avoiding the risk of a nuclear war and achieving the goal of a safer, nuclear-weapon-free world. States possessing nuclear weapons have primary responsibility for avoiding the risk of nuclear conflagration and fulfilling the disarmament commitments made under the Treaty.

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* Reissued for technical reasons on 1 June 2010.

[1] Act 2864 of 7 December 1998.

[2] Legislative Decree 65 of 2 July 1998.

5. More than 40 years after the Treaty was concluded, and 20 years after the end of the cold war, the continued existence of nuclear weapons, both within and outside the Treaty's regime, runs counter to its provisions and remains a powerful stimulus for proliferation. As long as some States possess such weapons, other States will be tempted to acquire or develop them, just as proliferation occurred prior to the existence of the Treaty, generating the nuclear-weapon States recognized under the Treaty.

6. Brazil is not a member of any military alliance involving nuclear arsenals, nor is it protected by so-called nuclear umbrellas, which involve the deployment of nuclear weapons in the territories of some non-nuclear-weapon States.

7. Proliferation both within and outside the Treaty is stimulated not only by the existence of nuclear weapons, but also by the ongoing qualitative development of such weapons and their delivery systems. It is also spurred by doctrines that seek to justify and perpetuate a purported usefulness and need for such weapons and which admit the possible use of nuclear weapons against States not possessing nuclear weapons.

8. A world in which nuclear weapons are allowed will remain intrinsically insecure, under the threat of nuclear proliferation and nuclear annihilation itself. This, along with the moral unacceptability of any weapons of mass destruction, should provide the strongest argument for nuclear non-proliferation and disarmament.

9. Therefore, the five nuclear-weapon States are called upon to undo the effects of their original development, proliferation and accumulation of nuclear weapons by fulfilling their unique responsibility for achieving the total elimination of their nuclear arsenals.

10. Confidence that nuclear weapons are to be totally eliminated in the foreseeable future thus provides the most effective and credible bulwark against further proliferation.

11. Non-proliferation concerns cannot hamper the inalienable right to the development, research, production and use of nuclear energy or international cooperation related to peaceful nuclear activities. Non-proliferation concerns cannot be invoked as a pretext to impose additional obligations or new restrictions on States parties to the Treaty that have already forgone the nuclear-weapons option. Any new non-proliferation commitments, including in terms of enhanced verification procedures, must be considered in the light of the Treaty's overall implementation, particularly with regard to the nuclear-weapon States' nuclear disarmament obligations.

Article II

12. The Constitution of Brazil[3] expressly forbids all non-peaceful nuclear activities. Consequently, and consistent with Brazil's obligations under the Treaty, nuclear weapons and all activities related to them are prohibited within its territory.

[3] Article XXI, paragraph XXIII (a): "All nuclear activity within the national territory shall only be admitted for peaceful purposes and subject to approval by the National Congress".

13. Brazil does not possess nor has it ever developed nuclear weapons, and has always fulfilled its nuclear non-proliferation commitments. Legislation in force (see below) prohibits and prevents the testing, use, manufacture, production or acquisition by any means of any nuclear explosive device in its territory. Furthermore, Brazil abstains from carrying out, promoting or authorizing, directly or indirectly, or from participating, in any way, in any of the said activities. Moreover, Brazil is not a party to any military alliance or security system that foresees the possible use of nuclear weapons.

14. Brazil is concerned about possible non-compliance within the Treaty, as well as instances of proliferation outside the Treaty. Ensuring full compliance with the Treaty by its States parties and seeking its universality are goals that must be pursued in parallel. Complacency with proliferation outside the Treaty runs counter to efforts aiming at strengthening its regime and achieving non-proliferation goals and the total elimination of nuclear weapons.

15. Brazil shares the concern about the risk that nuclear weapons and other weapons of mass destruction and related technologies may fall into the hands of unauthorized non-State actors or terrorists. Such risk highlights not only the need to promote nuclear safety and security, but also, most importantly, to make steady progress towards completing nuclear disarmament and outlawing those weapons entirely. The use or threat of use of nuclear weapons is obviously no deterrent to terrorist threats. Only the complete elimination of weapons of mass destruction can ensure that such weapons will never be obtained by unauthorized non-State actors or terrorists.

16. Besides the obligations derived from the Treaty and the incorporation into its national legislation of the guidelines adopted in the context of the Nuclear Suppliers Group, Brazil has enacted legislation for the control of every nuclear activity in its territory, defining specific penalties for activities not authorized by the Government in this field. This legislation, set out below, is also in line with Security Council resolutions 1373 (2001), 1540 (2004) and 1887 (2009):

(a) Act 4118 of 27 August 1962 created the National Commission for Nuclear Energy (CNEN). It determines that all activities related to the nuclear field are a monopoly of the State. It establishes that control of these activities is incumbent upon CNEN. It defines as a crime against national security the clandestine export or import of nuclear materials (article 39). Furthermore, it prohibits the possession or transfer of nuclear materials, including by-products, without explicit authorization from CNEN, even within the domestic market (article 40);

(b) Act 6453 of 17 October 1977 established civil responsibility for nuclear damages and criminal responsibility for acts related to nuclear activities. It defined and penalized the production, processing, supplying and use of nuclear material without necessary authorization or for other purposes than those allowed by law (article 20), as well as the export and import of nuclear material without due official licence (article 25). If related to terrorist acts, the penalties associated with these offences are cumulative to those provided for crimes of terrorism;

(c) Act 1065 of 24 February 1994 approved the 1991 Agreement between the Federative Republic of Brazil, the Argentine Republic, the Brazilian-Argentine

Agency for Accounting and Control of Nuclear Materials (ABACC)[4] and the International Atomic Energy Agency (IAEA) for the Application of Safeguards. The Quadripartite Agreement is a result of a historic, successful political process of integration and confidence-building between Brazil and Argentina. The two countries decided to follow an unprecedented path in the peaceful uses of nuclear energy by creating ABACC and submitting all their nuclear facilities to IAEA and ABACC comprehensive safeguards. The satisfactory implementation of this unique safeguards system is recognized by IAEA and ABACC in their annual reports, without ever having given rise to any doubt with respect to the complete fulfilment of commitments and obligations in accordance with all relevant international instruments on nuclear non-proliferation to which Brazil and Argentina are parties;

(d) Act 1246 of 16 September 1994 approved the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) and resolutions 267 (E-V) of 3 July 1990; 268 (XII) of 10 May 1991; and 290 (E-VII) of 26 August 1992, adopted at the General Conference of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL);

(e) Act 9112 of 10 October 1995 established controls on international exports of materials and services with possible application to weapons of mass destruction. It defines as sensitive goods all those with dual use in the nuclear, chemical and biological fields. The implementation of controls is supervised by an Interministerial Commission for Export Control of Sensitive Goods, established within the presidency of the Republic.

Article III

17. All nuclear material in Brazil is accounted for by the National Commission for Nuclear Energy, established in 1962. CNEN regulates and supervises all nuclear activities in Brazil. It is also responsible for primary interaction with ABACC and for the implementation of the 1991 Quadripartite Agreement between Brazil, Argentina, ABACC and IAEA.

18. ABACC is responsible for the administration and application of the Common System of Accounting and Control of all nuclear materials in Brazil and Argentina, with a view to ensuring that no material is diverted or used in an inappropriate or unauthorized manner, in conformity with the purposes of the bilateral Agreement that created the Agency.

19. The Quadripartite Agreement between Brazil, Argentina, ABACC and IAEA subjects all nuclear materials in Brazil to IAEA comprehensive safeguards. The physical monitoring of nuclear activities, as mandated under the Non-Proliferation Treaty, is conducted by both IAEA and ABACC under the terms of the Quadripartite Agreement. Such monitoring started before Brazil's accession to the Treaty in 1998.

20. All 25 nuclear facilities in Brazil are placed under international ABACC and IAEA comprehensive safeguards, including one uranium isotopic enrichment laboratory and one uranium enrichment pilot plant that are located at military facilities. About 60 IAEA and ABACC on-site inspections are conducted every year.

[4] ABACC was created by the Agreement between the Republic of Argentina and the Federative Republic of Brazil for the Exclusively Peaceful Use of Nuclear Energy, signed in Guadalajara on 18 July 1991. The Agreement established the Common System of Accounting and Control of Nuclear Materials, implemented by ABACC.

21. Cooperation between the international safeguards system (IAEA), the regional system (ABACC) and the national system under CNEN has contributed substantially to enhancing the effectiveness and efficiency of the implementation of safeguards in Brazil. Brazil has repeatedly stressed the need for increased integration of the implementation of safeguards at the international and regional levels. Brazil attaches great importance to the cooperation between ABACC and IAEA with a view to avoiding any duplication of effort and achieving cost-effectiveness in the application of safeguards in Brazil and Argentina.

22. The satisfactory implementation of the unique, comprehensive safeguards system in place in Brazil and Argentina is clearly recognized by IAEA and ABACC in their annual reports, without ever having given rise to any form of doubt with respect to the complete fulfilment of the commitments and obligations of the two countries in accordance with all relevant international instruments on nuclear non-proliferation and disarmament to which they are parties: the 1991 Quadripartite Agreement between Brazil, Argentina, IAEA and ABACC; the 1967 Treaty of Tlatelolco; the 1968 Non-Proliferation Treaty; and the 1996 Comprehensive Nuclear-Test-Ban Treaty.

23. That impeccable track record has prompted the Government of Brazil to state, in its national defence strategy,[5] that it will not adhere to increased safeguards commitments that are additional to those prescribed in the Non-Proliferation Treaty and geared to imposing new restrictions on States not possessing nuclear weapons, unless the nuclear-weapon States have advanced in the Treaty's main objective: their own nuclear disarmament. Brazil has developed uranium enrichment technology indigenously and, like other States, is determined to continue the development of nuclear-fuel-related technologies and, in so doing, exercise its right to protect related proprietary and commercial information. Moreover, Brazil has a nuclear-propelled-submarine project, the completion of which will imply the start of negotiations with IAEA for the application of comprehensive safeguards on the nuclear material to be utilized.

24. Since the end of 2005, Brazil, having accepted the invitation of IAEA, has participated in the Member State support programme to provide voluntary technical support to the IAEA Department of Safeguards. The Brazilian support programme cooperates with the IAEA Department of Safeguards by providing human resources and logistical support for the application of safeguards with a view to improving the effectiveness and efficiency of safeguards implementation. The Brazilian support programme includes participation in field tests and the evaluation of new technologies as requested by IAEA for its safeguards applications, the training of safeguards personnel, the analysis of safeguards issues and the provision of human resources, including experts and consultants, to work directly with the secretariat.

Article IV

25. The inalienable right to the development and use of nuclear energy for peaceful purposes was not established by the Non-Proliferation Treaty, since it pre-existed the Treaty. The Treaty excludes the possibility of any interpretation that would affect this right, recognized in article IV, which plays a pivotal role under the Treaty, together with the obligations contained in articles I, II and VI. Respect for

[5] Executive Decree 6703 of 18 December 2008.

this right and the undertaking by States parties to facilitate the fullest possible exchange of nuclear technology for peaceful purposes are key elements of the effectiveness and credibility of the Treaty regime. Therefore, any proposals aimed at limiting the exercise of this inalienable right should be firmly rejected.

26. The development and uses of nuclear energy for peaceful purposes is a fundamental principle enshrined in the Constitution of Brazil. Nuclear technologies are an indispensable tool in modern economies and play an important role in global endeavours to reduce carbon emissions and combat climate change. International cooperation in the nuclear field is a key component of efforts aimed at sustainable economic development. IAEA plays an essential role in that respect.

27. Brazil is a founding member of IAEA. Since 1957, it has participated in an active and constructive manner in the work of the Agency with the aim of strengthening the exercise of the right to the peaceful uses of nuclear technology and promoting international cooperation in this field. Brazil receives significant benefits from international cooperation and also assists other States by providing technical cooperation on nuclear science and nuclear technology applications. Brazil maintains nearly 20 bilateral nuclear cooperation agreements, with both developed and developing countries. Brazil attaches particular relevance to the IAEA Technical Cooperation Programme, in which it is an active participant, as both a beneficiary and a donor country.

28. Under the auspices of the Programme, Brazil sends 50 technicians for training abroad every year. Furthermore, it offers more than 40 scholarships for nationals of Latin American and Caribbean, African and Asian countries to receive training at Brazilian institutions and facilities. Brazil also makes available about two dozen nuclear specialists every year to serve in the context of IAEA expert missions abroad.

29. Since the 1980s, Brazil has been an active participant in the Regional Cooperative Agreement for the Promotion of Nuclear Science and Technology in Latin America and the Caribbean (ARCAL), mainly as a donor country, both by making available scholarships at its nuclear institutions for the training of Latin American and Caribbean experts and by making available Brazilian experts and instructors to assist other countries in the region.

30. Brazil operates two nuclear power plants, and a third one is under a licensing process. Altogether, they will generate approximately 3,000 megawatts. Brazil is endowed with the world's sixth-largest uranium ore reserves, with 70 per cent of the territory still to be prospected, and has developed wide-ranging production capabilities, from the mining and processing of uranium to UO_2 and isotopic uranium enrichment, all the way to nuclear fuel element production. Uranium enrichment activities were started in 1987 at the Aramar Experimental Centre, which developed the technology indigenously. The industrial enrichment facility and the fuel fabrication plant, located at Resende, are now fully operational.

31. Besides electrical-power generation, Brazil's nuclear activities extend to wide-ranging applications in medicine, agriculture, industry and environmental protection. More than 700 hospitals and clinics use nuclear techniques in medical applications, including radiotherapy and nuclear medicine. More than 450 clinical facilities apply radiopharmaceutical products in over 2.5 million medical procedures every year. Furthermore, there are approximately 200 specialized laboratories which

conduct radioimmune assays. Nearly 700 industrial plants use radioisotopes, for instance, in food irradiation, polymerization, industrial radiography and oil-well operations.

Article V

32. The Final Document of the 2000 Review Conference affirms that the provisions of article V are to be interpreted in the light of the Comprehensive Nuclear-Test-Ban Treaty. Brazil participated actively in negotiations on the Treaty, signed it on the day it was opened for signature — 24 September 1996 — and ratified it on 24 July 1998. Since then, Brazil has been actively participating in the work of the Vienna-based Preparatory Commission for the future Comprehensive Nuclear-Test-Ban Treaty Organization.

33. In line with that Treaty as well as with previous commitments made under the above-mentioned bilateral and quadripartite nuclear agreements signed with Argentina, ABACC and IAEA in 1991, Brazil revoked its reservations under the Tlatelolco Treaty concerning peaceful nuclear explosions, thus relinquishing the right to conduct them.

34. Brazil has consistently called for the universalization of the Comprehensive Nuclear-Test-Ban Treaty and welcomes the fact that, so far, 182 States have signed and 151 have ratified the Treaty. However, it continues to call on States, particularly the nine States listed in annex 2 to the Treaty that have not yet done so, to ratify it as soon as possible.

Article VI

35. As highlighted in the preamble to the Non-Proliferation Treaty, in considering the devastation that would be visited upon all mankind by a nuclear war, States parties need to make every effort to avert the danger of such a war. The risk of a global nuclear war did not disappear with the end of the cold war. Whereas one might assume that that risk has decreased, the risk of a nuclear attack, either by design or accident, persists, and may even have increased.

36. Full compliance with article VI is thus key to the attainment of the Treaty's goals. Forty years after the Treaty's entry into force, and 20 years after the end of the cold war, it is disconcerting that it has not yet been possible to give concrete expression to achieving nuclear disarmament at an early date, as stipulated in article VI.

37. The International Court of Justice, in its landmark 1996 advisory opinion, stressed the need to implement article VI fully and completely, stating that there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.

38. The achievement of the objectives of the Treaty is contingent upon addressing the issues of disarmament and non-proliferation in an interrelated and mutually reinforcing way. Article VI-related decisions taken at Treaty Review Conferences are the multilaterally agreed framework for the implementation of nuclear disarmament measures. The forward-looking, realistic action programme adopted at the 2000 Review Conference, known as the "thirteen steps", is the agreed blueprint

for nuclear disarmament and must be implemented forthwith. Regrettably, however, most of those pledges remain on paper.

39. The last decade did not see meaningful progress towards nuclear disarmament. Particularly disturbing trends have continued or were aggravated, such as the giving of greater prominence or ambiguities to nuclear weapons in security strategies; the persistence of nuclear doctrines that admit first use, including against States that do not possess nuclear weapons; studies on the possible deployment of low-yield nuclear weapons; plans related to their tactical uses, including against conventional forces; ongoing research on nuclear explosives, including "subcritical" tests; readiness to resume full-scale explosive tests; and new investment in the modernization of nuclear weapons and their delivery systems. Such developments undermine the credibility of the Treaty and stoke the flames of proliferation by suggesting that nuclear weapons are and will remain indispensable to the security needs of some States.

40. Brazil is convinced that nuclear weapons do not enhance, but rather diminish, the security of all States, including of those that believe they are more secure by virtue of possessing such weapons or of participating in nuclear-weapon-based military alliances. Reducing stockpiles will not lead to true nuclear disarmament as long as nuclear weapons are seen as strategic assets and qualitative arms races continue, although in less visible or disguised forms.

41. The "unequivocal undertaking" by the nuclear-weapon States to accomplish the total elimination of nuclear arsenals, adopted at the 2000 Review Conference, must be taken in all seriousness. Nuclear-weapon States are called upon to demonstrate an unflinching commitment to the speedy implementation of the agreed path towards a nuclear-weapon-free world. Although unilateral and bilateral reductions are an indispensable part of the overall nuclear disarmament effort, they cannot substitute for a framework of multilaterally agreed measures. The time is therefore ripe for nuclear disarmament measures that are comprehensive, irreversible and verifiable, within a phased process leading to the total elimination of nuclear arsenals.

Article VII

42. Brazil is a founding member of the first nuclear-weapon-free zone in an inhabited region of the world, established by the Treaty of Tlatelolco, which was adopted by all Latin American and Caribbean States in 1967. The Treaty, which predates the Non-Proliferation Treaty itself, has been ratified by every country in the region and is considered a model for all other initiatives that have resulted in nuclear-weapon-free zones.

43. Brazil strongly supports the implementation of nuclear-weapon-free zones and considers that they play an increasingly important role in efforts to bring about a nuclear-weapon-free world. In that spirit, Brazil participated in the first Conference of Nuclear-Weapon-Free Zones, held in April 2005 in Mexico City, where the Treaty of Tlatelolco was signed, and in the second Conference, held in New York on 30 April 2010. Today, 113 countries belong to nuclear-weapon-free zones in the southern hemisphere and adjacent areas.

44. In 2004, the States parties to the Treaty of Tlatelolco renewed their call to the nuclear-weapon States to review the negative security assurances extended to them

under the auspices of the Protocols to the Treaty. Unfortunately, the nuclear-weapon States' response was once again disappointing, inasmuch as they have chosen to retain their reservations to the Protocols. Brazil, both bilaterally and as a State party to the Treaty of Tlatelolco, continues to call upon the nuclear-weapon States to review their position on this issue, with a view to providing the members of such zones with unequivocal assurances against the use of nuclear weapons.

45. Together with New Zealand, Brazil has since 1996 sponsored a resolution in the General Assembly entitled "Nuclear-Weapon-Free southern hemisphere and adjacent areas", which recognizes that nuclear-weapon-free zones are gradually freeing the entire southern hemisphere of nuclear weapons. The resolution also affirms the contribution of this effort to the strengthening of the non-proliferation and disarmament regime, as an example to the nuclear-weapon States and to those States that have joined them in nuclear-weapon-based military alliances. In this regard, the resolution calls upon the nuclear-weapon States to support the process of nuclear disarmament and to work expeditiously for the total elimination of their nuclear arsenals.

Article VIII

46. The strengthened review process agreed in 1995 ascribed a forward-looking role to the review conferences. Among other significant achievements of that process was the adoption in 2000 of the thirteen practical steps leading to nuclear disarmament. Insufficient results over the last decade make it even more important, at the 2010 Review Conference, to strengthen the Non-Proliferation Treaty's accountability, credibility and sustainability over the long run. Confidence in the strengthened review process as a guarantor of treaty implementation should not be allowed to erode.

47. The decision taken at the 1995 Review and Extension Conference to extend the Treaty indefinitely does not signify that nuclear weapons are to be retained indefinitely. Such a misconception would encourage nuclear proliferation and defeat the Treaty's goal of achieving a nuclear-weapon-free world. The Treaty must logically and ultimately be superseded by a convention on the elimination and prohibition of nuclear weapons.

48. At the 2000 Review Conference, Brazil and its partners (Egypt, Ireland, Mexico, New Zealand, South Africa and Sweden) in the New Agenda Coalition, established in 1998, worked closely on the elaboration and discussion of the thirteen practical steps for systematic and progressive efforts on nuclear disarmament, which came to be the most important achievement of that Conference.

49. In 2005, regrettably, it was not possible to reach consensus on a final document. Ambassador Sérgio de Queiroz Duarte was elected President of the Review Conference, as a signal of Brazil's credentials and commitment to nuclear non-proliferation and disarmament, and made every effort to lead the Conference to a positive outcome.

50. As in the other multilateral disarmament-related forums, mainly the Conference on Disarmament, the First Committee of the General Assembly and the Disarmament Commission, Brazil participated actively in the three Preparatory Committees (2007, 2008 and 2009) leading up to the eighth Review Conference, at which it will occupy one of the vice-presidencies.

51. Brazil considers that the challenges facing the implementation of the Treaty are of a political nature and not the result of deficiencies in the machinery or administration of the Treaty. The creation of new bureaucratic structures seems unnecessary and could duplicate work already done at the United Nations and IAEA. Although the strengthened review process could always be streamlined and made more efficient, it is sufficient for the purpose of ascertaining the full implementation of the Treaty. Political will by all parties is of the essence, as was the case at the 2000 Review Conference.

Article IX

52. The universalization of the Treaty remains an important challenge for the future of the Treaty. Brazil has repeatedly called on those States not yet party to the Treaty to accede to it without delay as non-nuclear-weapon States parties. The establishment of new nuclear-weapon-free zones, particularly in the Middle East and South Asia, would greatly contribute to the integrity and sustainability of the Treaty regime.

53. Non-State parties should refrain from any action that might undermine the fulfilment of the objectives of the Treaty as well as of relevant United Nations resolutions. At the same time, unequivocal, concrete steps by the nuclear-weapon States to expedite nuclear disarmament and achieve the total elimination of nuclear arsenals in the foreseeable future would play a major part in encouraging nuclear-weapon-capable States outside the Treaty to reconsider their options and join the Treaty as non-nuclear-weapon States.

Article X

54. Brazil considers that the decision to withdraw from the Treaty — as from any treaty freely subscribed to — is a sovereign right recognized under international law. The indefinite extension of the Treaty adopted at the 1995 Review and Extension Conference did not alter the procedure laid out in article X concerning withdrawal, in case a State party "decides that extraordinary events, related to the subject matter of this Treaty, have jeopardized the supreme interests of its country".

55. Notwithstanding the already rigorous procedure established under article X, and in view of the Treaty's relevance to international peace and security, the case could be made for a deeper and broader consideration of any announcement of intention from a State party to withdraw from the Treaty. This would allow for an open and transparent discussion in the Security Council on the causes invoked as the basis for such an intention. The objective is to avoid, to the extent possible, resorting to article X, especially if it is clear that such withdrawal is associated with the intent to engage in nuclear proliferation or in any other way to erode the Treaty's effectiveness. Such consideration should take into account the implications that actions discouraging withdrawal might have for legitimate rights under other treaties and agreements, including those of a commercial nature.

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

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

Report of Kazakhstan

1. Since gaining independence, Kazakhstan has consistently spoken out against the production, testing and deployment of nuclear, biological and chemical weapons. In 15 years of strict adherence to the global non-proliferation regime, Kazakhstan has achieved definite results that have been welcomed by the international community.

2. Today there is a real threat that terrorist organizations might acquire nuclear weapons; the world must take the necessary measures to ensure the non-proliferation of such weapons.

Need for reform of the international security system

3. The Treaty on the Non-Proliferation of Nuclear Weapons is the foundation and cornerstone of the current nuclear non-proliferation regime.

4. The constituent elements of the non-proliferation regime are: the Treaty on the Non-Proliferation of Nuclear Weapons, nuclear-weapon-free zones, nuclear export control mechanisms (the Nuclear Suppliers Group and the Zangger Committee), the Comprehensive Nuclear-Test-Ban Treaty and the safeguards system of the International Atomic Energy Agency (IAEA).

5. At present there are two serious problems with respect to the Nuclear Non-Proliferation Treaty:

Universality: not all countries have signed the Treaty; and

Compliance: not all States comply with the provisions of the Treaty.

6. Nevertheless, the Treaty is necessary because it ensures a mechanism for cooperation, a guarantee of international stability and security, and a balance of mutual obligations.

7. The contradictions within the Treaty serve as a motivation for some States that still aspire to possess nuclear weapons, which is unacceptable.

8. There is a serious need for reform of the international security system along the following lines:

Strengthening of the non-proliferation regime:

– Ensure universal accession to the Treaty on the Non-Proliferation of Nuclear Weapons;

– Enhance the efficiency and effectiveness of the IAEA safeguards system;

– Establish new nuclear-weapon-free zones.

Progress towards disarmament:

– Achieve reductions in and halt the upgrading of nuclear weapons;

– Ensure the entry into force of the Comprehensive Nuclear-Test-Ban Treaty;

– Agree on a treaty banning the production of fissile material for nuclear weapons;

– Move towards the complete elimination of nuclear arsenals.

Cooperative Threat Reduction programme

9. International cooperation programmes to support the countries of the Commonwealth of Independent States in the safe dismantling of nuclear weapons and related infrastructure, as well as the protection of nuclear facilities and materials, have played a crucial role in strengthening the global nuclear non-proliferation regime.

10. The Cooperative Threat Reduction programme coordinates efforts to reduce the military threat and is one of the main instruments for addressing that danger.

11. In December 1993, Kazakhstan and the United States of America signed a framework agreement on the dismantling of intercontinental ballistic missile launch facilities, environmental rehabilitation and prevention of the proliferation of nuclear weapons. At the same time, pursuant to that framework agreement, five agreements on the practical implementation of specific areas of cooperation were signed. From 1995 to 2000, the programme details were developed and the scope of cooperative action was broadened. Some 10 implementing agreements are currently in effect between the United States and Kazakhstan under the framework agreement. During the same period, the Russian Federation participated in the work being performed at the former Semipalatinsk nuclear test site.

12. The dismantling of nuclear-testing infrastructure is particularly important. This work, which is being carried out at the former Semipalatinsk test site, is of great socio-economic significance as it involves the clean-up of all contamination resulting from nuclear tests, which is a prerequisite for the rehabilitation of the test site itself and of the region as a whole.

13. It should be recalled that between 1949 and 1989 all types of nuclear tests — atmospheric, above-ground, underground, high-altitude and in space — were conducted in the territory of Kazakhstan. In other words, virtually all its territory was a testing range for nuclear explosions. More specifically, of the 715 nuclear

explosions conducted in the Soviet Union, 489 explosions — or 68.4 per cent — were in Kazakhstan, and 456 at the Semipalatinsk test site. Explosions were also conducted in the territory of seven provinces: Aktyubinsk, Akmolinsk, Aktau, Atyrau, Qostanay, Uralsk and Shymkent.

14. As a consequence of the work carried out from 1996 to 2001 to dismantle the nuclear-testing infrastructure at the Semipalatinsk test site, 181 tunnels, 13 unused boreholes and a complex made up of 12 launch facilities were destroyed. The results of radioecological testing carried out before and after the elimination of the tunnels, boreholes and launch facilities showed that, on the whole, radiation levels at the test site had improved.

15. The range of joint projects for the exchange of scientific information and technologies used in civilian activities was also expanded. The secure storage of spent fuel from the BN-350 reactor and the safe decommissioning of the reactor were thus added to the programme.

16. The work performed in this area under Cooperative Threat Reduction projects was facilitated by an agreement on the long-term disposition of nuclear material from the BN-350 reactor concluded between the United States Department of Energy and the Ministry of Energy and Mineral Resources of Kazakhstan on 17 November 1997, which provides for the long-term storage of spent fuel from the BN-350 reactor.

The Treaty on the Non-Proliferation of Nuclear Weapons and the development of nuclear energy for peaceful purposes

17. Issues relating to the development of nuclear energy for peaceful purposes and their relationship with the Non-Proliferation Treaty are highly relevant to Kazakhstan.

18. Clearly, continued development of nuclear energy is inevitable. With the Treaty now in effect, IAEA has an even greater role to play. IAEA has two principal functions: monitoring and cooperation.

19. IAEA discharges its monitoring function by implementing a system of technical verification measures in order to obtain assurances that a State party to the Treaty is not using nuclear material, facilities or equipment for undeclared purposes related to the development of nuclear weapons. These measures apply to non-nuclear-weapon States parties, which are subject to comprehensive safeguards.

20. Nuclear-weapon States do not place under IAEA safeguards the nuclear material, equipment or facilities they use in the military nuclear cycle. Safeguards for these countries take the form of voluntary assurances. Hence the fundamental asymmetry of the Treaty, since no one can reliably assure the international community that the five nuclear-weapon States will fulfil their Treaty obligations. We believe that the time has come to develop an international safeguards mechanism that also covers nuclear-weapon States. This could consist of a special Security Council committee that would issue an annual report on the implementation by the five nuclear-weapon States of their obligations under the Treaty, similar to the annual safeguards implementation report prepared by IAEA.

21. IAEA control activities, or safeguards, have evolved substantially over time. The events in Iraq and Korea in the early 1990s demonstrated to the world the

serious shortcomings of the existing safeguards system, which did not enable IAEA to detect undeclared, secret nuclear activities. IAEA therefore began to enhance the safeguards system in 1993, and by 1997 the additional protocol had been developed to substantially strengthen the Agency's capability to detect undeclared nuclear material and activities by providing it with greater access to information, nuclear facilities and other sites at which material is located.

22. It must be understood, however, that the IAEA safeguards system cannot physically prevent the diversion of nuclear material from peaceful to military uses, but merely makes it possible to detect the diversion of material under safeguards or the improper use of facilities that have been placed under safeguards, and to initiate an investigation. To some extent, then, the practical significance and effectiveness of IAEA controls depend on how States — and in particular States that may intend to engage in diversion in the future — assess the Agency's capability to detect such illicit activity.

23. Many countries advocate the further enhancement of the IAEA controls system, as the Non-Proliferation Treaty has, unfortunately, undergone a crisis of compliance in recent times. This calls for thorough consideration by the international community of how to tighten controls to prevent the diversion of nuclear energy from peaceful uses to military uses. A number of States have made accusations that a number of non-nuclear-weapon States parties are using their participation in the Treaty as a cover for developing military nuclear programmes while declaring that they are strictly peaceful in nature.

24. As the largest producer of uranium, and given its experience and capabilities in reprocessing highly enriched uranium into low-enriched form, Kazakhstan is prepared to make its contribution to the development of civilian nuclear power. That is why we proposed to IAEA that an international nuclear fuel bank should be located in Kazakhstan. The idea is that the bank would store a guaranteed reserve of low-enriched uranium for the production of fuel assemblies for nuclear power plants which IAEA member States could access in the event that they encounter problems with nuclear fuel deliveries for non-commercial reasons. The initiative to establish a nuclear fuel bank would in no way affect the legal and inalienable right of every State party to the Treaty, under article IV, to develop nuclear energy for peaceful purposes, provided that it fully meets IAEA requirements.

The establishment in the Republic of Kazakhstan of a system to monitor radioactive fallout from nuclear explosions

25. One means of implementing the Treaty is to monitor radionuclide air pollution from nuclear tests or other nuclear activity. Such monitoring would make it possible both to detect undeclared nuclear activity and to identify it using the radionuclide composition. In order to conduct such monitoring in Asia, we believe that it is necessary to establish a system in Kazakhstan to monitor the radioactive aerosol content in the atmosphere. The network of air sampling stations could be located alongside the existing network of seismic monitoring stations of the Geophysics Research Institute of Kazakhstan's National Nuclear Centre, thus allowing existing infrastructure to be used and reducing the cost of implementing the project. The results of analyses of radionuclide content in samples of airborne aerosols would be transmitted to the information collection centre through existing communication channels.

26. The monitoring system could be housed in Kazakhstan's National Nuclear Centre, which has experience in radiation research as well as existing analytical facilities and qualified personnel.

Nuclear disarmament: the example of Kazakhstan

27. The process of nuclear disarmament in Kazakhstan can serve as a global model for the creation of a peaceful world.

28. After the break-up of the Soviet Union, the Republic of Kazakhstan inherited a significant portion of its nuclear potential. In December 1991, when the Republic declared independence, there were 1,040 nuclear warheads mounted on 104 land-based SS-18 intercontinental ballistic missiles, as well as a group of Tu-95 strategic bombers equipped with cruise missiles, in the territory of Kazakhstan. The nuclear facilities of the military-industrial complex included the Baikonur test centre for nuclear weapon launchers and the production facilities at Kurchatov in the territory of the Semipalatinsk nuclear test site. The site itself was closed in August 1991 by decree of President Nursultan Nazarbayev of the Republic of Kazakhstan.

29. Taking into account domestic and foreign political factors as well as geostrategic considerations, and based on his vision for achieving national and international security, President Nazarbayev chose the only valid course of action when he decided to rid the country of nuclear weapons in the shortest possible time frame.

30. Having made that highly responsible decision, Kazakhstan adhered strictly to the commitments made. As early as December 1993, the Supreme Council ratified the Treaty on the Non-Proliferation of Nuclear Weapons and Kazakhstan became a non-nuclear-weapon party to the Treaty. Having become a party, as a successor State of the former Soviet Union, to the Treaties between the United States of America and the Union of Soviet Socialist Republics on the Elimination of their Intermediate-Range and Shorter-Range Missiles and on the Reduction and Limitation of Strategic Offensive Arms (START I), Kazakhstan participates in all meetings of the special commissions for verification of compliance with the provisions of these treaties and undergoes regular inspections.

31. Below is a chronology setting out the milestones in Kazakhstan's path towards nuclear disarmament and in its support for the international regime for the non-proliferation of weapons of mass destruction.

29 August 1991 — By decree of President Nursultan Nazarbayev of the Kazakh Soviet Socialist Republic, the Semipalatinsk Nuclear Test Site is closed four months before the break-up of the Soviet Union.

16 December 1991 — Kazakhstan declares independence.

30 December 1991 — The Soviet Union officially ceases to exist. Kazakhstan inherits the fourth largest nuclear arsenal in the world.

23 May 1992 — Kazakhstan signs the Lisbon Protocol to the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Reduction and Limitation of Strategic Offensive Arms (START I Treaty), setting out its undertaking not to possess nuclear weapons and its obligations with respect to the non-proliferation of nuclear weapons.

2 July 1992 — The Parliament of Kazakhstan ratifies the START I Treaty.

14 January 1993 — Kazakhstan signs the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction.

13 December 1993 — The Parliament of Kazakhstan ratifies the Treaty on the Non-Proliferation of Nuclear Weapons. On the same day, in Almaty, President Nursultan Nazarbayev and Vice-President Al Gore of the United States of America sign a framework agreement that opens the way for implementation of the (Nunn-Lugar) Cooperative Threat Reduction Programme in Kazakhstan (agreement between the Republic of Kazakhstan and the United States of America on the dismantling of intercontinental ballistic missile launch facilities, environmental rehabilitation and prevention of the proliferation of nuclear weapons).

14 February 1994 — In Washington, President Nazarbayev presents the ratification documents to President Clinton, thereby officially making Kazakhstan a non-nuclear-weapon State party to the Non-Proliferation Treaty.

February 1994 — Kazakhstan becomes a member of IAEA. All 40 Tu-95 strategic bombers are withdrawn from Kazakhstan to the Russian Federation.

November 1994 — Under Project Sapphire, a joint Kazakhstan-United States project, highly enriched uranium is transported from the Ulbinsk metallurgical plant to the United States.

December 1994 — The United States of America, the United Kingdom of Great Britain and Northern Ireland and the Russian Federation, the depositaries of the Nuclear Non-Proliferation Treaty, sign Memorandums on Security Assurances with Kazakhstan, Belarus and Ukraine, which are non-nuclear-weapon States. Shortly afterwards, Kazakhstan is given similar assurances by France and China, the two other nuclear-weapon Powers.

April 1995 — All 1,040 nuclear warheads for intercontinental ballistic missiles and 370 warheads for cruise missiles are removed from Kazakhstan to the Russian Federation.

May 1995 — The last nuclear explosive remaining at the Semipalatinsk test site since 1990 is destroyed.

September 1996 — Kazakhstan becomes one of the first signatories of the Comprehensive Nuclear-Test-Ban Treaty.

September 1996 — All 104 intercontinental ballistic missiles are transported from Kazakhstan to the Russian Federation for subsequent dismantling, three years ahead of the deadline under the START I Treaty.

September 1999 — All 148 intercontinental ballistic missile launch facilities in four districts of Kazakhstan are destroyed, including 61 launch facilities in the Derzhavinsk district, 61 launch facilities in the Zhangiz-Tobe district, 14 test launch facilities at the Semipalatinsk test site and 12 test launch facilities in the Leninsk district.

March 2000 — Kazakhstan ratifies the Chemical Weapons Convention. On 22 April, Kazakhstan becomes the 132nd State party to the Convention after depositing its instrument of ratification with the United Nations Secretary-General.

July 2000 — The entrance to the last tunnel in the Degelen Mountains at the former Semipalatinsk test site is destroyed. In total, 181 tunnels and 13 unused testing boreholes are destroyed at the site.

September 2000 — In Stepnogorsk, the production capability of the world's largest anthrax production plant is dismantled. The plant had the capability to produce 300 metric tons of anthrax within a seven-month period of military mobilization.

July 2001 — Implementation of a joint Kazakhstan-United States project to secure the weapons-grade plutonium at the BN-350 fast neutron reactor in Aktau is completed. The reactor was halted in 1999.

January 2002 — Implementation begins of a joint Kazakhstan-United States project at the Ulbinsk metallurgical plant using unique technology to separate low-enriched uranium from uranium concentrate for subsequent commercialization.

February 2002 — Implementation begins of a joint project of the Nuclear Threat Initiative, Kazatomprom (a State-owned nuclear company), the Ulbinsk metallurgical plant and the Centre for Non-proliferation Support for the safe transfer of fresh highly enriched uranium fuel from the BN-350 reactor to the Ulbinsk metallurgical plant for reprocessing into low-enriched uranium.

May 2002 — Kazakhstan becomes a member of the Nuclear Suppliers Group, which has 40 member States and establishes guidelines on export controls for nuclear trade.

6 February 2004 — Kazakhstan signs the Additional Protocol to its Safeguards Agreement with IAEA with respect to the Non-Proliferation Treaty.

September 2005 — Following its adherence to all 12 United Nations counter-terrorism instruments, Kazakhstan becomes a State party to the International Convention for the Suppression of Acts of Nuclear Terrorism.

February 2006 — The project of the Nuclear Threat Initiative and Kazatomprom for the safe transfer of fresh highly enriched uranium fuel from the BN-350 reactor and its reprocessing into low-enriched uranium at the Ulbinsk metallurgical plant is completed. Almost three tons of highly enriched uranium — enough to produce more than 20 nuclear bombs — are diluted and converted into low-enriched uranium to be used solely for peaceful purposes.

May 2006 — Kazakhstan and the United States sign an agreement under the Second Line of Defense programme of the United States Department of Energy providing for broader cooperation on the prevention of illicit trade in nuclear and radioactive material through the delivery and installation of special radiation detection equipment.

July 2006 — Kazakhstan supports the Global Initiative to Combat Nuclear Terrorism launched by the Russian Federation and the United States.

8 September 2006 — Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan sign the Treaty on a Nuclear-Weapon-Free Zone in Central Asia in Semipalatinsk.

19 February 2007 — Kazakhstan ratifies the Additional Protocol to its Safeguards Agreement with IAEA with respect to the Non-Proliferation Treaty.

32. The foregoing chronology amply demonstrates an important outcome of Kazakhstan's nuclear policy: the Republic, having taken a clear position on the problem of nuclear non-proliferation, has made a substantial contribution to nuclear disarmament. The world community's favourable reaction to the country's actions is reflected by the international assistance being provided to Kazakhstan by nuclear-weapon States, particularly with respect to the dismantling of nuclear-weapon infrastructure.

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Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons

Report submitted by China

China strictly abides by the provisions of the Treaty on the Non-Proliferation of Nuclear Weapons and has been making unremitting efforts to achieve the three objectives of the non-proliferation of nuclear weapons, nuclear disarmament and the peaceful use of nuclear energy, and to promote the universality, authority and effectiveness of the Treaty. In response to the request of the 2000 Review Conference, the Chinese Government hereby submits to the 2010 Review Conference the following report on its implementation of the Treaty.

I. Non-proliferation of nuclear weapons

China firmly opposes the proliferation of weapons of mass destruction and their means of delivery and has strictly fulfilled its non-proliferation obligations under the Treaty on the Non-Proliferation of Nuclear Weapons.

1. China has earnestly undertaken its international obligations and fulfilled its commitment to strengthening the international nuclear non-proliferation regime

Upon joining the International Atomic Energy Agency (IAEA) in 1984, China undertook to fulfil the safeguards obligations under the IAEA statute. In 1985, China voluntarily agreed to subject its civilian nuclear facilities to IAEA safeguards. In 1988, the Chinese Government signed the Agreement between the People's Republic of China and the International Atomic Energy Agency for the Application of Safeguards in China. Thus far, China has agreed to place 15 nuclear facilities under IAEA safeguards. In March 2002, China ratified the Protocol Additional to the International Atomic Energy Agency Safeguards Agreement and thus became the first nuclear-weapon State to bring the Additional Protocol into effect.

In November 1991, the Chinese Government announced that it would notify IAEA on a continuing basis of its export to or import from non-nuclear-weapon States of any nuclear material of over one effective kilogram. In July 1993, China voluntarily notified IAEA of all its import and export of nuclear material as well as its export of nuclear equipment and related non-nuclear material.

In May 1996, China pledged not to provide assistance to any foreign nuclear facilities not under IAEA safeguards, including nuclear export, personnel exchanges and technical cooperation. In October 1997, China became a full member of the Zangger Committee. In June 2004, China joined the Nuclear Suppliers Group.

China supports and strictly implements Security Council resolution 1540 (2004), and has submitted its national report on its implementation of the resolution in a timely fashion. China actively participated in the Security Council summit on nuclear non-proliferation and nuclear disarmament in September 2009 and supported the adoption of Security Council resolution 1887 (2009).

2. The Chinese Government has established and improved the legal system of nuclear export control to ensure the effective enforcement of its non-proliferation policy

China has exercised stringent control and administration over nuclear exports, abiding by the three principles governing nuclear exports, peaceful uses only; acceptance of IAEA safeguards; and no retransfers to any third party without the prior consent of the Chinese side.

In September 1997, the Chinese Government promulgated its regulations on the control of nuclear exports, stipulating that no assistance, in whatever form, should be provided to nuclear facilities that are not under IAEA safeguards; that nuclear exports should be handled by companies designated by the State Council; and that the State should implement a nuclear export licensing system. The regulations also provide for a rigorous examination system for nuclear export, severe punishment for violations and a comprehensive and detailed control list.

In June 1998, the Chinese Government promulgated its regulations on export control of nuclear dual-use items and related technologies, instituting strict controls over the export of nuclear dual-use items and related technologies and a licensing system for related exports. It established an exporters' registration system, procedures for the processing and approval of exports and punishment for violations of the regulations.

With regard to nuclear export control system, China has now adopted internationally accepted practices, including exporters' registration, end-user and end-use certification, a licensing system, examination and approval principles taking nuclear non-proliferation as a starting point, a list control method and a "catch-all" principle. These principles are consistent with international practices. The control lists under the regulations on the control of nuclear exports and on the export control of nuclear dual-use items and related technologies encompass all the items and the technologies listed by the Zangger Committee and the Nuclear Suppliers Group.

The amendments to the criminal law of the People's Republic of China adopted in December 2001 define illegally manufacturing, trafficking and transporting radioactive substances as criminal offences and punishable by the

Criminal Law. In February 2002, the Chinese Government promulgated its provisions on the safeguard and supervision of nuclear imports and exports and nuclear cooperation with foreign countries.

The Chinese Government issued two white papers on China's non-proliferation policies and measures and China's efforts on arms control, disarmament and non-proliferation in December 2003 and in September 2005, which gave a comprehensive account of its policies on the prevention of nuclear proliferation, including its non-proliferation policy and measures, export control systems, export control laws and regulations, the responsibilities of relevant departments for export controls and mechanisms for their coordination and for the investigation and handling of violations.

In November 2006, China amended its regulations on the control of nuclear exports; in January 2007 it also amended its regulations on export control of dual-use nuclear items and related technologies.

II. Nuclear disarmament

China has taken a consistent stand for the complete prohibition and thorough destruction of all nuclear weapons and the conclusion of an international legal instrument for that purpose. To eliminate nuclear weapons, China proposes the following:

First, all parties should foster a new security concept based on mutual trust, mutual benefit, equality and coordination in order to create a favourable regional and international environment for nuclear disarmament;

Second, nuclear disarmament should adhere to the important principles of the maintenance of international strategic stability and undiminished security for all;

Third, States possessing the largest nuclear arsenals bear special responsibility for nuclear disarmament and should continue to take the lead in reducing their nuclear arsenals drastically and substantially, in order to create conditions for complete and thorough nuclear disarmament.

As a permanent member of the Security Council and a nuclear-weapon State under the Treaty on the Non-Proliferation of Nuclear Weapons, China has never shunned its obligations in the field of nuclear disarmament. It has adopted the following open, transparent and responsible nuclear policy, unique among all nuclear-weapon States.

1. China advocates the complete prohibition and thorough destruction of nuclear weapons and exercises utmost restraint in scale and development of its nuclear weapons

China is the only nuclear-weapon State to advocate the complete prohibition and thorough destruction of nuclear weapons. As early as 1964, on the very first day when it possessed nuclear weapons, China solemnly proposed to hold a world summit to discuss the issue of complete prohibition and thorough destruction of nuclear weapons.

China is firmly committed to a nuclear strategy of self-defence. China's nuclear weapons are solely for the purpose of defence against possible nuclear

attack and will never be used to threaten any other country. China has never deployed nuclear weapons on foreign territory or taken part in any nuclear arms race in any form. It never seeks nuclear advantage, nor competes with other countries in terms of input, number or scale. China has kept its nuclear force at the minimum level required for national security. In recent years, China has maintained a limited input of the lowest level in the development of its nuclear force, which is solely for the purpose of ensuring the safety and reliability of its nuclear weapons and preventing accidental launching or nuclear safety accidents.

From China's first nuclear test in 1964 to its declaration on the moratorium on nuclear weapon tests in 1996, China conducted fewer nuclear tests than any other nuclear-weapon State. In the 1980s, China officially closed its nuclear weapon research and development site in Qinghai.

2. China sticks to its commitment of not to be the first to use nuclear weapons and opposes the nuclear deterrence policy based on the first use of nuclear weapons

China is the only nuclear-weapon State that has adopted the policy of no first use at any time or under any circumstances. Whether confronted with nuclear threat or nuclear blackmail during the Cold War, or faced with the drastic changes in the post-Cold War international environment, China has never deviated from its commitment and will never do so.

China has been actively promoting the conclusion of a multilateral treaty on no first use of nuclear weapons among nuclear-weapon States, and formally presented a draft "Treaty on mutual no first use of nuclear weapons" to the other four nuclear-weapon States in January 1994. In September 1994, the Heads of State of China and the Russian Federation issued a statement in which they committed to mutual no first use of nuclear weapons and non-targeting of such weapons against each other. In June 1998, the Heads of State of China and the United States of America announced their decision not to target each other using the strategic nuclear weapons under their respective control. In May 2000, the five nuclear-weapon States issued a joint statement announcing that they would not target their nuclear weapons at any country. In November 2009, the Heads of State of China and the United States reaffirmed, in a joint statement, their commitment not to target each other using the strategic nuclear weapons under their respective control.

China calls on all nuclear-weapon States to renounce their nuclear deterrence policy based on the first use of nuclear weapons in order to reduce the threat of nuclear weapons in earnest.

3. China also undertakes unconditionally not to use or threaten to use nuclear weapons against non-nuclear-weapon States or nuclear-weapon-free zones

China is the only nuclear-weapon State which has committed unconditionally not to use or threaten to use nuclear weapons against non-nuclear-weapon States and nuclear-weapon-free zones. In April 1995, the Chinese Government issued a statement reaffirming its unconditional negative security assurances to all non-nuclear-weapon States and its commitment to offering them positive security assurances. In 2000, China and the other four nuclear-weapon States issued a joint statement, reaffirming their security assurance commitment made in Security Council resolution 984 (1995).

At the request of Ukraine and Kazakhstan, the Chinese Government issued statements on security assurances to those two countries in December 1994 and February 1995, respectively.

China actively advocates the conclusion by the international community of an international legal instrument to unconditionally provide both negative and positive security assurances to all non-nuclear-weapon States at an early date and support the efforts by Conference on Disarmament in Geneva to immediately commence substantive work and negotiations in this regard.

4. China supports the efforts of non-nuclear-weapon States to establish nuclear-weapon-free zones

China has always respected and supported the efforts of countries and regions to establish nuclear-weapon-free zones or zones free of weapons of mass destruction on the basis of voluntary consultations and according to their respective situation.

To date, China has ratified Protocol II to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, Protocol II and III to the South Pacific Nuclear Free Zone Treaty, Protocol I and II to the African Nuclear-Weapon-Free Zone Treaty. China also joined the Antarctic Treaty, the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies and the Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof.

China supports the efforts made by the countries members of the Association of Southeast Asian Nations (ASEAN) to establish a nuclear-weapon-free zone, and reached agreement in principle with ASEAN on the relevant issues concerning the Treaty on the South-East Asia Nuclear Weapon Free Zone. China also welcomes the entry into force of the Treaty on a Nuclear-Weapon-Free Zone in Central Asia, and has no difficulty with the current text of the Treaty and its protocol. China is willing to sign the relevant protocols at an early date when the above-mentioned treaties are open for signature.

China supports endeavours to establish a zone free of nuclear weapons as well as other weapons of mass destruction in the Middle East, and hopes to see its early realization. China joined the consensus at the various sessions of the General Assembly on resolutions on establishing a nuclear-weapon-free zone in the Middle East.

China respects Mongolia's nuclear-weapon-free status and supported the adoption of relevant resolutions at the various sessions of the General Assembly. In 2000, China, together with the other four nuclear-weapon States, issued a statement undertaking to provide security assurance to Mongolia.

5. China firmly supports the Comprehensive Nuclear-Test-Ban Treaty and actively participates in the work of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization

China supports the Comprehensive Nuclear-Test-Ban Treaty and was one of the first countries to sign it. China has strictly abided by its commitment to a moratorium on nuclear testing. China supports the early entry into force of the Treaty and co-sponsored the resolutions on it at the First Committee of the General

Assembly. China has also actively participated in all the conferences on facilitating the entry into force of the Treaty.

China has taken an active role in all the work of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization and is steadily preparing for the national implementation of the Treaty, for which it has established a competent national agency to prepare for its implementation. China has undertaken the construction of 11 stations and 1 laboratory of the International Monitoring System, of which 6 seismic stations, 3 radionuclide stations, the Beijing radionuclide laboratory, as well as the National Data Centre, have been completed. The other two infrasound stations are under construction. China has also completed the domestic communications infrastructure, and conducted a full-fledged joint testing of the whole system. At present, China is working with the Provisional Technical Secretariat to prepare for the certification of the stations already completed.

China has taken an active part in the negotiations of the on-site inspection operational manual and other operational manuals. Chinese experts have carefully studied the on-site inspection techniques and developed a movable Ar-37 rapid detection system that can be used to quickly detect gases from underground nuclear tests. China actively supplied the system for the integrated field exercise held in Kazakhstan in 2008.

China has hosted several seminars and training courses in cooperation with the Provisional Technical Secretariat, including a successful seminar on national data centres in Beijing in May 2009.

6. China attaches great importance to the safety of its nuclear weapons and has taken concrete measures to prevent the unauthorized or accidental launching of nuclear weapons

China attaches great importance to the safety management of its nuclear arsenals and has established sound regulations and procedures in this regard. To ensure the absolute safety of nuclear weapons, China: strictly implements rules and regulations for nuclear safety controls and the accreditation of personnel dealing with nuclear weapons; has adopted reliable technical means and methods; strengthens the safe management of nuclear weapons in the process of storage, transportation and training; continuously improves mechanisms and methods for emergency response to nuclear accidents; and has put special safety measures in place to avoid unauthorized and accidental launches. No accident concerning nuclear weapons has ever happened in China.

The decision-making and operational command authority of the Chinese nuclear force is highly centralized. The operations of the force must follow the orders from the Central Military Committee in the strictest and most precise manner.

7. China actively supports multilateral efforts on nuclear disarmament, and has made significant contribution to the multilateral nuclear disarmament process

China advocates that all nuclear-weapon States fulfil, in good faith, their obligations under article VI of the Treaty on the Non-Proliferation of Nuclear Weapons, and publicly undertake not to seek permanent possession of nuclear weapons. When conditions are ripe, all nuclear-weapon States should join the multilateral negotiations on nuclear disarmament. To attain the ultimate goal of

complete and thorough nuclear disarmament, the international community should develop, at an appropriate time, a viable, long-term plan composed of phased actions, including the conclusion of a convention on the complete prohibition of nuclear weapons.

Over the years, China has voted for important nuclear disarmament resolutions at the General Assembly, including, most recently, resolution 64/57, "Towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments", resolution 64/53, "Nuclear disarmament", and resolution 64/27, "Conclusion of Effective International Arrangements to Assure Non-Nuclear-Weapon States against the Use or Threat of Use of Nuclear Weapons".

China supports the work of the Conference on Disarmament in Geneva in its substantive work on nuclear disarmament, security assurances to non-nuclear-weapon States, a treaty banning the production of fissile material for nuclear weapon or other nuclear explosive devices (fissile material cut-off treaty) and the prevention of an arms race in outer space in a comprehensive and balanced manner. In May 2009, China joined the consensus in the adoption by the Conference on Disarmament of its programme of work. China also supports the early commencement, within the Conference on Disarmament, of the negotiation and conclusion of a non-discriminating, multilateral and internationally and effectively verifiable fissile material cut-off treaty, in accordance with the mandate contained in the Shannon report.

Chinese nuclear experts have been conducting extensive and fruitful research on verification measures and the technical means necessary for bringing about nuclear disarmament, such as nuclear warhead/components authentication technology and information barrier technology.

8. China continuously increases its nuclear transparency and improves strategic mutual trust with relevant countries

China's nuclear strategy and nuclear policy has been consistent, open and transparent. China unswervingly follows the path of peaceful development, pursues an independent foreign policy of peace and a defence policy that is defensive in nature. China holds the view that nuclear transparency should be guided by the principle of "undiminished security for all" and that relevant measures should be adopted by countries on voluntary basis in line with their national situation, taking into consideration their specific security conditions. With the precondition of safeguarding national security, China has made continuous efforts and taken positive measures to ensure nuclear transparency.

Since 1998, China has published six white papers on national defence, clearly explaining its defence policy, military policy, force building and the nature and responsibility of the strategic missile force, its history of development and its structure and organization. China also actively promotes strategic mutual trust with relevant countries. Since 2006, the headquarters of the Chinese strategic missile force has received various visits from countries, including the United States and the Russian Federation. In September 2009, China participated in the permanent five conference on confidence-building measures towards disarmament and non-proliferation issues. These multilateral and bilateral exchanges fully demonstrate China's sincerity on the issue of nuclear transparency and have played a positive role in building strategic mutual trust between China and other nuclear-weapon States.

9. Missile defence and outer space

China is of the view that maintaining global strategic balance and stability will lay a sound foundation for the international nuclear disarmament process. To that end, China is against the deployment of missile defence systems and relevant international cooperation that disrupt global strategic balance and stability. It also actively promotes the multilateral process of preventing the weaponization of and arms race in outer space.

Since 2005, China has continuously urged the international community to negotiate an international legally binding instrument to prevent the weaponization of and arms race in outer space. In 2006, China, together with the Russian Federation, submitted working papers to the Conference on Disarmament on transparency and confidence-building measures, definition issues, existing international legal instruments and verification aspects (see CD/1778, CD/1779, CD/1780, CD/1781, respectively). In February 2008, China and the Russian Federation jointly submitted a draft Treaty on Prevention of the Placement of Weapons in Outer Space and of the Threat or Use of Force against Outer Space Objects (CD/1839), and actively called for discussions in the Conference on Disarmament on the issue. In August 2009, China and the Russian Federation submitted a joint working paper entitled "Principal questions and comments on the draft Treaty on Prevention of the Placement of Weapons in Outer Space and of the Threat or Use of Force Against Outer Space Objects and Answers to Them" (CD/1872), answering questions from various parties regarding definition, application, verification and other aspects of the draft Treaty.

China has for years co-sponsored the General Assembly resolution on prevention of an arms race in outer space at the First Committee of the General Assembly. Every year since 2005, China has co-organized with the United Nations Institute for Disarmament Research (UNIDIR), the Russian Federation and Canada, seminars on outer space security in Geneva, facilitating extensive and in-depth discussion on issues relating to outer space security, such as prevention of arms race in outer space, outer space transparency and confidence-building measures and sustainability of outer space.

III. Peaceful uses of nuclear energy

China is actively dedicated to international cooperation on peaceful uses of nuclear energy, and holds the view that non-proliferation should not undermine the rights to the peaceful uses of the nuclear energy by any country, in particular developing countries.

1. China earnestly implements the statute of IAEA and actively participates in various activities of IAEA

Promotion of peaceful uses of nuclear energy is one of the important objectives set out in the Treaty on the Non-Proliferation of Nuclear Weapons and the statute of IAEA. China supports and actively takes part in IAEA technical cooperation activities and pays its assessed contribution to the Technical Cooperation Fund in full and on time every year. Following the principle of "active participation, give and take", China has contributed human, material and financial resources to the Agency's technical cooperation activities, while receiving the

Agency's assistance. By the end of 2009, China had provided voluntary contributions of $35 million. China has also provided 800 person-days of expert service and 1,400 person-days on training and visits of foreign experts in China.

China actively participates in the negotiation and drafting process of relevant international conventions in the nuclear field. China has signed or acceded to 14 international conventions and agreements in this field, including the Convention on Early Notification of a Nuclear Accident and the Convention on Nuclear Safety. In April 2006, China acceded to the Joint Convention on the Safety of Spent Fuel Management Safety and on the Safety of Radioactive Waste Management.

In April 2009, the Chinese Government co-hosted, with IAEA, the International Ministerial Conference on Nuclear Energy in the 21st Century, which facilitated exchanges and cooperation among the international community of nuclear energy and contributed to the development of nuclear energy in the world.

2. China is consistent in upholding the principle of mutual respect for sovereignty, equality and mutual benefit as it actively engages in international cooperation in the peaceful uses of nuclear energy

China has signed intergovernmental agreements of cooperation in the peaceful uses of nuclear energy providing the foundation for exchanges and cooperation in the nuclear field between China and more than 20 countries.

China has also carried out extensive and fruitful exchanges and cooperation, including personnel exchanges, equipment and technology acquisition and trade, with countries including the United States, Japan, Canada, the Russian Federation, the Republic of Korea and Australia. China has exported nuclear materials to the United States, Japan and Canada, among others, and has acquired nuclear power equipment and technology from France, Canada, the Russian Federation and the United States.

China attaches great importance to cooperation with other developing countries and always provides them with assistance, within its capability. All the cooperation in this area has been carried out either under the strict IAEA safeguards or as IAEA technical cooperation projects.

The Chinese Government actively supports multilateral cooperation in promoting nuclear technology development and peaceful uses of nuclear energy. In November 2006, the Chinese Government signed the Charter of the Generation IV International Forum. In August 2007, it ratified the Joint Implementation Agreement on the International Thermonuclear Experimental Reactor. In 2007, China joined the Global Nuclear Energy Partnership. In March 2008, China joined the Framework Agreement for International Collaboration on Research and Development of Generation IV Nuclear Energy Systems. In October 2009, it hosted the third executive committee ministerial meeting of the Global Nuclear Energy Partnership, promoting more common understanding among the international community on peaceful uses of nuclear energy.

3. China vigorously promotes its domestic peaceful uses of nuclear energy, to serve the sustainable economic and social development

China attaches great importance to the development of peaceful uses of nuclear energy, coordinates the scale of development of nuclear energy with that of

other energy sources and pays attention to the rational utilization of resources and the treatment and disposal of radioactive waste. It also strives to balance economic efficiency with technological progress, and short-term with mid-term and long-term development. The development of nuclear energy will drive the development of related domestic industries and technological progress, thus promoting all-round progress in science and technology as well as economic and social development.

China has now established a fairly complete nuclear industry with certain scale of productivity. The peaceful uses of nuclear energy in China have entered a fast track of development. At present, nuclear power plants in operation in China have a total capacity of 9,100,000 kilowatts and have been running well. In addition, 28 nuclear power units are under construction, with a total capacity of 31,400,000 kilowatts. To achieve sustainable economic and environmental development, nuclear power, as a clean and safe source of energy, will play an increasingly important role in China's future energy structure. In nuclear power development, China will stick to the principle of "rely mainly on independent efforts while cooperating with foreign partners, promote domestic production while importing technologies", actively carry out international cooperation, study and acquire advanced technologies in various ways.

4. China attaches great importance to nuclear safety and security, firmly opposes nuclear proliferation and nuclear terrorism and actively fulfils its relevant international obligations

China participated in the drafting of the International Convention for the Suppression of Acts of Nuclear Terrorism. China has started the domestic ratification process for the Convention and will actively move this process forward. In 2008, China ratified the amendment to the Convention on the Physical Protection of Nuclear Material, further improving its safety and security system for nuclear materials, in compliance with the Convention. China strictly abides by Security Council resolutions 1373 (2001), 1540 (2004) and 1887 (2009), and takes concrete measures to prevent non-State actors from acquiring sensitive materials. China actively participates in international efforts to strengthen the management of radioactive sources, and supports the IAEA Code of Conduct on the Safety and Security of Radioactive Sources. According to the requirements and principles contained in the code of conduct, China amended its regulation on the safety and protection of radioisotopes and radiation devices, which came into force on 1 December 2005. The Chinese Government actively promotes the nuclear industry in increasing their inputs in nuclear security, widely adopting internationally accepted norms and practices, and fostering a nuclear security culture within civil society.

China takes strict and effective measures in nuclear safety. It has established fully functional nuclear safety legal systems, management, monitoring and emergency response systems and has maintained a good record in terms of nuclear safety. China has enacted a series of laws and regulations in this regard, including the regulations on civil nuclear establishment safety surveillance, the regulations on the control of nuclear material, the regulations for the emergency management of nuclear accidents at nuclear power plants and the law on radioactive pollution prevention and control.

China actively supports and participates in the nuclear security cooperation of IAEA and other multilateral, regional and bilateral cooperation in this regard. As an initial partner of the Global Initiative to Combat Nuclear Terrorism, China always actively participates in various activities under the initiative. During the 2008 Beijing Olympic Games, China had good cooperation with IAEA and relevant countries in the field of nuclear security. In recent years, China actively provides nuclear security assistance to other developing countries. China has provided assistance within the realm of its capabilities to other countries in the region by way of technological demonstrations and personnel training. China actively participated in the Global Nuclear Security Summit held in the United States in April 2010. China is considering setting up a national nuclear security "Centre of Excellence" through cooperation with relevant countries in order to play a larger role in regional nuclear security cooperation.

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Steps to advance the Middle East peace process and to promote the establishment of a nuclear-weapon-free zone in the Middle East

Report submitted by China

China has always closely followed the development of the situation in the Middle East, attached importance to advancing the Middle East peace process and actively supported the efforts to establish a nuclear-weapon-free zone in the Middle East. In accordance with provisions of the Final Document of the 2000 Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons, China hereby submits its report on the steps it has taken to advance the Middle East peace process and to promote the establishment of a nuclear-weapon-free zone in the Middle East.

I. China supports and is committed to bilateral and multilateral efforts in advancing the Middle East peace process

As a permanent member of the Security Council, China has always closely followed the development of the Middle East situation and worked vigorously to promote and facilitate the Middle East peace process. China has advocated peace and talks through bilateral and multilateral channels and by various means, urging Arab countries and Israel to resolve their territorial disputes through political negotiations, and has played a unique role in promoting the Middle East peace process.

1. Actively working with Palestine and Israel through bilateral channels

In recent years, China has kept intensive exchanges and communications with countries in the Middle East to vigorously promote resolution of disputes of the relevant parties in the region through peaceful dialogues.

During high-level exchanges between China and relevant Middle East countries, the Chinese leaders attach great importance to the Middle East peace process and other important issues bearing on the peace and stability of the region. They have extensively exchanged views with various parties and worked on relevant countries while taking into consideration their specific concerns.

In May 2007, Chairman Wu Bangguo of the Standing Committee of the National People's Congress visited Egypt. In June 2008, Vice-President Xi Jinping visited Saudi Arabia, Qatar and Yemen. In December 2008, Vice Premier Li Keqiang visited Egypt and Kuwait. In February 2009, President Hu Jintao visited Saudi Arabia. In June 2009, He Guoqiang, member of the Standing Committee of the Political Bureau and Secretary of the Central Commission for Discipline Inspection of the Chinese Communist Party, visited Egypt and Jordan. In November 2009, Premier Wen Jiabao visited Egypt and the Headquarters of the League of Arab States. In the same month, Vice Premier Hui Liangyu visited the Syrian Arab Republic. In March 2010, Vice Premier Hui Liangyu visited Israel and Palestine.

In January 2007, Prime Minister of Israel Ehud Olmert visited China. In July 2007, Deputy Prime Minister of the Syrian Arab Republic Abdullah Al-Dardari visited China. In October 2007, Vice Prime Minister and Minister of Foreign Affairs of Israel Tzipi Livni visited China. In November 2007 and September 2008, King Abudullah II of Jordan visited China. In April 2009, Speaker of the People's Assembly of the Syrian Arab Republic Mahmoud al-Abrash visited China. In February 2010, Vice Prime Minister and Minister of Strategic Affairs of Israel Moshe Ya'alon visited China.

Various ministries of the Chinese Government have also carried out intensive exchanges with their counterparts in the Middle East. In late November and early December 2008, Liu Yunshan, member of the Political Bureau of the Central Committee of the Chinese Communist Party, member of the Secretariat of the Chinese Communist Party and head of the Publicity Department of the Central Committee, visited Egypt, Palestine and Israel. In April and September 2009, Foreign Minister Yang Jiechi visited Egypt, Palestine, Israel and Jordan. In May 2009, State Councillor and Minister of Public Security Meng Jianzhu visited Jordan. In January 2010, Foreign Minister Yang Jiechi visited Saudi Arabia.

In June 2007, Minister of Foreign Affairs of the Palestinian National Authority Ziad Abu-Amr visited China. In November 2008, Egyptian Foreign Minister Ahmed Aboul Gheit visited China. In October 2009, Chairman of the Israeli Knesset's Foreign Affairs and Defense Committee Tzachi Hanegbi visited China.

Foreign Minister Yang Jiechi has, on various occasions, exchanged views with leaders or foreign ministers of Middle East countries on the Middle East issue through telephone calls and exchanges of letters. The Chinese Ministry of Foreign Affairs has also held political consultations with its counterparts from the United States, the Russian Federation, France and relevant Middle East countries on the Middle East issue and other hotspot issues in the region.

China continues to render assistance to Palestine within its capability. In December 2007, China announced that it would provide 80 million renminbi in non-reimbursable assistance to Palestine from 2008 to 2010. During the Gaza conflicts in late 2008 and early 2009, China provided the Palestinian National Authority with $1 million in emergency humanitarian aid in cash. In its official

assistance to Palestine, China has provided medical equipment and office utilities, implemented training programmes for a large number of personnel and carried out construction projects. In 2007 and 2008, China provided $500,000 in cash and donated 5 million renminbi in kind for the reconstruction of Palestine refugee camp in Nahr al-Bared through the Lebanese Government.

2. Actively promoting peace and dialogues in multilateral forum

In May 2007, Foreign Minister Yang Jiechi attended the Conference of International Compact with Iraq in Egypt and put forward a four-point proposal on the implementation of the compact. During the Conference, he also met with representatives from various participating parties.

In November 2007, Foreign Minister Yang Jiechi attended the Annapolis Conference on the Middle East issue. He put forward a five-point proposal: keeping peace talks on the right track; committing to peace talks; creating an environment conducive to peace talks; consolidating foundations for peace talks; and enhancing support for peace talks.

China has actively participated in conferences and programmes on the Middle East issue in such multilateral frameworks of the Security Council, the General Assembly and the Human Rights Council. China supports the work of the Committee on the Exercise of the Inalienable Rights of the Palestinian People of the General Assembly and the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA).

Since March 2006, the Chinese Government has sent six batches of peacekeeping forces to the United Nations Interim Force in Lebanon (UNIFIL). China's engineering battalion and medical team have been commended by UNIFIL for their outstanding performance in peacekeeping operations in Lebanon.

In June 2009, the sixth meeting of Senior Officials of the China-Arab Cooperation Forum was held in Beijing. Diplomats from 22 member States of the Arab League and officials from the secretariat of the Arab League attended the meeting. The two sides held political consultations on the Middle East peace process and other issues.

3. Using the mechanism of special envoy to actively participate in international efforts to promote peace in the Middle East

In July 2007, Sun Bigan, Chinese Special Envoy on the Middle East Affairs, visited Egypt, Jordan, Israel and Palestine, and held in-depth exchange of views on the situation in the Middle East with relevant parties. In December, on behalf of Foreign Minister Yang Jiechi, Special Envoy Sun Bigan attended the International Donors Conference for the Palestinian State in Paris. He announced that China would donate 80 million renminbi to Palestine from 2008 to 2010. The Special Envoy also visited Lebanon, Israel, Palestine and the Syrian Arab Republic after the Conference.

In March 2008, as representative of Foreign Minister Yang Jiechi, Special Envoy Sun Bigan attended the twentieth Summit of the Arab League held in Damascus, and visited Saudi Arabia. In May, the Special Envoy attended the Palestine Investment Conference held in Bethlehem, Palestine, and visited Egypt and the Russian Federation. In July, the Special Envoy attended the new Asia-Africa

Strategic Partnership Ministerial Conference on Capacity-Building for Palestine held in Jakarta.

In January 2009, Special Envoy Sun Bigan visited Egypt, Israel and Palestine to work on relevant parties concerning the Gaza conflicts. In March, the special envoy attended the Donors Conference on Gaza Reconstruction held in Sharm El-Sheikh, Egypt, announcing that China would donate 15 million renminbi to Palestine for the reconstruction of schools that were destroyed during the Gaza conflicts. In March, Ambassador Wu Sike succeeded Ambassador Sun Bigan as Chinese Special Envoy on Middle East affairs. In June, Special Envoy Wu Sike visited Egypt, Palestine, Israel, Lebanon and the Russian Federation. In July, the Special Envoy visited Qatar, Algeria, the Syrian Arab Republic and the Islamic Republic of Iran.

In January 2010, Special Envoy Wu Sike visited Egypt, Jordan and Saudi Arabia and exchanged views with relevant parties on the situation in Palestine, Israel and the Middle East.

4. Expounding Chinese positions on the Middle East issue through leaders' speeches, Foreign Ministry's press conferences and briefings, and advocating a political settlement of the Middle East issue

In November 2009, Premier Wen Jiabao delivered a speech at the headquarters of the Arab League, expounding China's position on a peaceful settlement of the Middle East issue.

In April 2009, after his visit to Egypt, Palestine, Israel and the Syrian Arab Republic, Foreign Minister Yang Jiechi, in an interview with Xinhua News Agency, elaborated China's position on promoting the Middle East peace process. In October, Assistant Foreign Minister Zhai Jun was interviewed on the Arabic-language channel of China Central Television.

II. China supports efforts to establish a nuclear-weapon-free zone in the Middle East

China has always believed that the establishment of nuclear-weapon-free zones contributes to preventing proliferation of nuclear weapons and strengthening the international non-proliferation regime. China has always supported the efforts of countries in various regions to establish nuclear-weapon-free zones on the basis of consultations among themselves and voluntary agreements, in the light of actual regional conditions. China also advocates that nuclear-weapon States commit themselves to supporting efforts to establish nuclear-weapon-free zones, respecting the status of such zones and undertaking corresponding obligations.

In the Middle East region, where the political and security situation is complicated, establishing a nuclear-weapon-free zone is of special significance in efforts to ease the tensions of the regional situation and to maintain regional peace, security and stability. China has always actively supported relevant initiatives proposed by countries in the Middle East and has voted for all the resolutions on the establishment of a nuclear-weapon-free zone in the Middle East adopted by the General Assembly every year since 1974. China believes that the resolution on the Middle East adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons is of great importance and

should be implemented effectively and earnestly at an early date. China appreciates the efforts of relevant countries in the region in this regard and calls on the international community to adopt more active measures to promote the implementation of the resolution.

China believes that, in order to promote the universality of the Treaty on the Non-Proliferation of Nuclear Weapons and strengthen the international non-proliferation regime, Israel should accede to the Treaty at an early date as a non-nuclear-weapon State and place all its nuclear facilities under the comprehensive safeguards of IAEA. Accordingly, China voted for the resolution on Israel's nuclear capabilities proposed by Arab countries at the fifty-third General Conference of IAEA held in September 2009. China also believes that relevant countries in the region should sign and ratify the IAEA safeguards agreements as soon as possible, and encourages them to accept the Additional Protocol to the safeguards agreements.

China always maintains that the nuclear issue in the Islamic Republic of Iran should be solved in a peaceful manner through diplomatic negotiations. To that end, China calls on parties concerned to enhance diplomatic efforts and actively pursue a long-term, comprehensive and proper solution to the Iranian nuclear issue. China has maintained close communications and coordination with relevant countries, and will continue to play a constructive role in properly resolving the Iranian nuclear issue.

China has taken note of the reports of the Director General of IAEA on the implementation of the Safeguards Agreement in the Syrian Arab Republic. China supports IAEA in the continuation of its work in accordance with its mandate of safeguards, and expects further cooperation between the relevant parties and IAEA.

China is ready to work with the international community to make further efforts and contributions to the achievement of comprehensive and lasting peace in the Middle East and the establishment of a nuclear-weapon-free zone in the Middle East at an early date.

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Establishment of a nuclear-weapon-free zone in the Middle East

Report submitted by the Islamic Republic of Iran

1. In order to achieve the goal of the establishment of a nuclear-weapon-free zone in the important region of the Middle East and the realization of the goals and objectives of the 1995 resolution on the Middle East that were supported in the Final Document of the 2000 Review Conference and generally referred to in article VII of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), the Islamic Republic of Iran reports the following.

2. The Islamic Republic of Iran first initiated the idea of the establishment of a nuclear-weapon-free zone as an important disarmament measure in the region of the Middle East in 1974, followed by the resolution of the General Assembly. Since 1980, the Assembly has annually adopted, by consensus, a resolution on this issue. Continuous adoption of this resolution by the Assembly is the manifestation of the global support for the promotion of peace, security and stability in the Middle East through the realization of a nuclear-weapon-free zone in the region.

Israeli nuclear weapon programme as the main obstacle to the nuclear-weapon-free zone in the region

3. As a State party to the Treaty on the Non-Proliferation of Nuclear Weapons, the Islamic Republic of Iran is fully committed to its international undertakings and believes that this international instrument is the cornerstone of nuclear disarmament and non-proliferation. Universal adherence to this Treaty, in particular in the region of the Middle East, would effectively ensure the establishment of a nuclear-weapon-free zone in the region. Currently, the Zionist regime is the only non-party to NPT in the region. Despite repeated calls by the international community, demonstrated in the resolution on the Middle East adopted by the 1995 Review and Extension Conference of the parties to NPT, related resolutions of the General Assembly and

those of the International Atomic Energy Agency (IAEA) and the Organization of the Islamic Conference, the Zionist regime, confident of the political and military support of the United States of America, has neither acceded to NPT, nor placed its unwarranted nuclear facilities under IAEA full-scope safeguards. It has continued to refuse to even declare its intention to accede to the Treaty. Its nuclear weapon activities, with the support of the United States of America, seriously threaten both regional and international peace and security, and endanger the non-proliferation regime.

4. The 2000 Review Conference of the parties to NPT reaffirmed the importance of the 1995 resolution on the Middle East. Owing to the significant provisions of that resolution, the Islamic Republic of Iran and other States in the region truly expect that the resolution should be swiftly implemented, especially by its sponsors, the Russian Federation, the United States of America and the United Kingdom of Great Britain and Northern Ireland, as depositories of NPT. Based on the package agreed to by the 1995 Review and Extension Conference, they have the main responsibility to take concrete steps to implement their commitments under this resolution.

5. The 2000 Review Conference of the parties to NPT reaffirmed "the importance of Israel's accession to the Non-Proliferation Treaty and the placement of all its nuclear facilities under comprehensive International Atomic Energy Agency safeguards, in realizing the goal of universal adherence to the Treaty in the Middle East". Unconditional adherence by the Zionist regime to NPT and the conclusion of a full-scope safeguards agreement with IAEA would, undoubtedly, lead to the early realization of a nuclear-weapon-free zone in the Middle East. Neglecting the commitments undertaken by States parties to NPT with the adoption of this important resolution can only embolden that regime to continue to remain a source of threat and instability in the Middle East by flouting the aspirations of the international community and remaining outside the fold of NPT and the full-scope safeguards regime. In this context, we believe that some of the submitted national reports do not address the negative implications of the Zionist regime's intransigence to join NPT and are not as effective as they ought to be with regard to the 1995 resolution on the Middle East.

6. The Islamic Republic of Iran, in implementing its obligations under NPT, specifically articles II and III of the Treaty, reaffirms that all its nuclear facilities are devoted to peaceful purposes and are under the full-scope safeguards of IAEA. Furthermore, contributing to the realization of a world free from weapons of mass destruction, in particular in the Middle East, the Islamic Republic of Iran has signed the Comprehensive Nuclear-Test-Ban Treaty and ratified the Chemical Weapons Convention, the Biological Weapons Convention and the 1925 Geneva Protocol. Its high record of accession, among the Middle East countries, to the non-proliferation and disarmament instruments is not only a clear manifestation of its firm commitment to the cause of disarmament and non-proliferation, but is also evidence of its dedicated efforts towards the noble goal of the realization of a nuclear-weapon-free zone in the Middle East.

7. The Islamic Republic of Iran, in its bilateral and multilateral dialogues with other States parties to the Treaty, has always urged their active contribution towards the establishment of a nuclear-weapon-free zone in the Middle East. In order to promote the cause of nuclear disarmament and non-proliferation, the Islamic

Republic of Iran also held an International Conference on Disarmament and Non-Proliferation in Tehran on 17 and 18 April 2010, which, inter alia, examined ways and means to realize the nuclear-weapon-free zone in the Middle East and the existing challenges and obstacles, in particular the nuclear weapons programme of the Zionist regime in the region.

8. The Islamic Republic of Iran is of the firm belief that an agreed plan of action and timetable for the universality of NPT, especially in the Middle East, should be a top priority on the agenda of all parties to NPT, in particular nuclear weapon States. There should be greater pressure on the Zionist regime to accede to NPT, promptly and without conditions, and to place all of its nuclear facilities under the IAEA full-scope safeguards to pave the way for the long-sought goal of the establishment of the nuclear-weapon-free zone in the Middle East.

9. Unfortunately, the inaction imposed upon the Security Council over the past several decades in addressing the well-documented nuclear weapons programme implemented by the Zionist regime, has given the audacity to this regime to explicitly acknowledge possession of nuclear weapons, as has been divulged by its Prime Minister in an interview with German television on 12 December 2006, in contradiction to the long-sought idea of the establishment of a nuclear-weapon-free zone in the Middle East. Moreover, this regime's development and possession of nuclear weapons not only violate basic principles of international law, the Charter of the United Nations, NPT and numerous General Assembly, Security Council and IAEA General Conference resolutions, but also clearly defy the demands and concerns of the overwhelming majority of the States Members of the United Nations, and constantly and obstinately disregard the international community, which has, time and again, called upon this regime to renounce nuclear weapons and accede to NPT. Over and above the foregoing, the Non-Aligned Movement, in New York, in its statement dated 5 February 2007, expressed its great concern over the acquisition of nuclear capability by the Zionist regime, which poses a serious and continuing threat to the security of neighbouring and other States, and condemned that regime on its action and the said statement in this regard, and for continuing to develop and stockpile nuclear arsenals.

10. The brutal attacks and aggressions by the Israeli regime against its neighbours under absurd excuses, killing civilians, including women and children, in Gaza by prohibited and devastating weapons and defying any call by the international community to stop the bloodshed of innocent people, are all evidence of the grave threat posed by such an aggressive regime. Needless to say, nuclear weapons in the hands of such a regime could significantly endanger regional and international peace and security. This regime is the only one with the dark record of attacking nuclear facilities of NPT States parties and continues to threaten to attack the IAEA-safeguarded peaceful nuclear facilities of other States in the region.

11. The Security Council should fulfil its Charter-based responsibility to address such a clear and serious threat to international peace and security, and take prompt and appropriate actions accordingly. The Zionist regime is the only obstacle to the establishment of a nuclear-weapon-free zone in the Middle East. Peace and stability cannot be achieved in the Middle East while the massive nuclear arsenal of this regime continues to threaten the region and beyond. In this context the recent resolutions of the IAEA General Conference on the nuclear capabilities of the Zionist regime (GC(53)/RES/17) and the application of IAEA safeguards in the

Middle East (GC(53)/RES/16) could be recalled. These resolutions are another manifestation of the international concern about the threat posed by the nuclear weapons programme of this regime to regional and international peace and security, and the main obstacle to the establishment of a nuclear-weapon-free zone in the Middle East.

12. The Islamic Republic of Iran is of the opinion that, pending the realization of the nuclear-weapon-free zone in the region, no country of the region must acquire nuclear weapons or permit the stationing of nuclear weapons or nuclear explosive devices on its territory or under its jurisdiction or control, and countries should refrain from actions that run counter to both the letter and the spirit of NPT and other international resolutions and documents relating to the establishment of a nuclear-weapon-free zone in the Middle East.

13. The Islamic Republic of Iran believes that the conferences to review the Treaty on the Non-Proliferation of Nuclear Weapons have a significant role in the realization of a nuclear-weapon-free zone in the Middle East. The Review Conference of 2010 should establish a subsidiary body under Main Committee II to consider this issue and make concrete recommendations on urgent and practical steps for the implementation of the resolution on the Middle East adopted by the 1995 Review and Extension Conference, as well as the Final Document of the 2000 Review Conference. In this context, proposals such as those suggesting to convene a conference of all members of the region are not in line with the 1995 resolution and, as the futile experience of IAEA to convene a forum in this regard shows, such initiatives could not be fruitful, but are a setback to previous agreements and undermine the achievement of this aim. Instead, the Review Conference should also make recommendations on the tangible measures to compel the Zionist regime to accede to the Treaty on the Non-Proliferation of Nuclear Weapons and place its unsafeguarded nuclear facilities under the full scope of IAEA safeguards to pave the way for the establishment of the nuclear-weapon-free zone in the Middle East region.

14. Owing to the importance of the Middle East region and in order to strengthen the realization of the 1995 resolution on the Middle East as well as the agreements contained in the Final Document of the 2000 Review Conference and article VII of NPT, the Islamic Republic of Iran is of the view that all States parties to the Treaty, in particular the nuclear weapon States, as sponsors of the 1995 Middle East resolution, should continue to report on the implementation of the resolution through the United Nations Secretariat to the President of the Review Conference of the Parties to the Treaty, as agreed in the 2000 Final Document.

15. The Review Conference should also establish a standing committee to monitor the implementation of the 1995 resolution on the Middle East and the agreements of the 2000 NPT Review Conference in this regard, and to report to the States parties to the Treaty.

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Implementation of article VI

Report submitted by the Islamic Republic of Iran

1. The present report is submitted in accordance with subparagraph 12 of paragraph 15 in the chapter on article VI of the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and deals with measures that have been taken by the Islamic Republic of Iran to implement article VI of the Treaty and paragraph 4 (c) of the 1995 decision on principles and objectives for nuclear disarmament and non-proliferation.

2. The Islamic Republic of Iran believes that reporting, as envisaged in step 12 of the agreed practical steps, provides an essential element to ascertain the implementation of obligations assumed under article VI of the Treaty on the Non-Proliferation of Nuclear Weapons. The Islamic Republic of Iran holds the view that the objectivity of our analysis on the progress towards the goal of nuclear disarmament would be best served through adoption of a format properly defining categories of information required within the review strengthening process.

3. One of the important elements of step 12 is that the 2000 Review Conference recalled the advisory opinion of 8 July 1996 of the International Court of Justice in conjunction with the implementation of article VI of the Treaty. As the Court stipulated in its advisory opinion in 1996, “the threat or use of nuclear weapons would generally be contrary to the rules of international law”, and “there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control”. The Islamic Republic of Iran emphasizes the importance and validity of the advisory opinion of the Court as a universal disarmament obligation of States parties and non-parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and accordingly believes that, while reporting on the implementation of article VI of the Treaty is important, it shall not substitute the fulfilment of the obligation of nuclear disarmament under article VI. It is disappointing that 40 years after the entry into force of the Treaty on the Non-Proliferation of Nuclear Weapons, the

obligations under article VI have yet to be fulfilled. More than 60 years after Hiroshima and Nagasaki, the long-lasting threat to human survival from nuclear weapons continues to be the greatest one to humanity. The international community is gravely concerned about the lack of progress in achieving nuclear disarmament. Unfortunately, long after the end of the cold war, some tens of thousands of nuclear weapons still exist, many on high-alert status.

Iran's approach towards the Treaty on the Non-Proliferation of Nuclear Weapons

4. The Islamic Republic of Iran signed and ratified the Treaty on the Non-Proliferation of Nuclear Weapons in 1969 and 1970. In June 1973, in accordance with paragraph 1 of article III of the Treaty, Iran concluded a Comprehensive Safeguards Agreement with the International Atomic Energy Agency (IAEA). Ratification of the Treaty on the Non-Proliferation of Nuclear Weapons before its entry into force and early conclusion of the Safeguards Agreement clearly demonstrate our long-standing support and commitment as a non-nuclear-weapon State to this fundamental instrument.

5. In 1974, Iran was the first country in the Middle East region to initiate the idea of the establishment of a nuclear-weapon-free zone, which was followed vigourously by the resolutions of the General Assembly.

6. The Islamic Republic of Iran has fulfilled its obligations under all provisions of the Treaty with the hope of helping the integrity and universality of the Treaty regime and achieving its fundamental objectives. Iran's position to renounce the nuclear option, as a matter of principle, and place its peaceful nuclear facilities under the full scope of the Safeguards Agreement is a clear manifestation of our commitment to a strong Treaty on the Non-Proliferation of Nuclear Weapons. Iran considers the acquiring, development and use or threat of use of nuclear weapons inhuman, immoral, illegal and against its very basic principles. Nuclear weapons have no place in Iran's defence doctrine because of our commitment to our contractual obligations under the Treaty on the Non-Proliferation of Nuclear Weapons, and we believe they do not add to Iran's security.

7. The Islamic Republic of Iran believes that all provisions of the Treaty on the Non-Proliferation of Nuclear Weapons are of equal importance. Maintaining the balance of the rights and obligations enshrined in the Treaty preserves its integrity, enhances its credibility and encourages the Treaty's universality and full implementation. In this context, the Islamic Republic of Iran believes that the current selective, discriminatory and non-balanced approach towards the Treaty, reflected in particular in the recent decision of the Nuclear Suppliers Group and through instrumental use of the Security Council by some veto-holders such as in the adoption of resolution 1887 (2009), has seriously jeopardized this fundamental regime on nuclear non-proliferation and disarmament.

8. In accordance with the Final Document of the 2000 Review Conference, nuclear-weapon States made an unequivocal undertaking to accomplish the total elimination of their nuclear arsenals. The practical steps for the systematic and progressive implementation of article VI of the Treaty, as agreed in the 2000 Review Conference, should be vigourously pursued by nuclear-weapon States. Therefore, no action shall be made by nuclear-weapon States, in contravention of those obligations. Regrettably, and despite the pledges on nuclear disarmament made by the new Administration of the United States of America, a review of the new United

States nuclear policy shows a reverse trend. The continued emphasis of the new United States Nuclear Posture Review on maintaining nuclear weapons and the obsolete deterrence policy, new extraordinary budget allocations to the modernization of the United States arsenals, no movement towards ratification of the Comprehensive Nuclear-Test-Ban Treaty, and raising new excuses for keeping nuclear weapons in the new Nuclear Posture Review, are clear indications of the continued policy of the United States to evade its obligation to eliminate its nuclear arsenals. Furthermore, the United Kingdom Trident Project to build a new generation of nuclear armed submarines and the announced policy of France to modernize all branches of its nuclear forces including producing new nuclear-powered ballistic missile submarines, and its announcement that it would develop new nuclear plans to modernize nuclear arsenals and the army and will spend 377 billion euros on this plan until 2020, are all flagrant violations of international law, obligations under article VI of the Treaty and the 1995 decision on principles and objectives for nuclear disarmament and non-proliferation as well as the commitments made by the nuclear-weapon States in the 2000 Review Conference.

9. Another negative development in the framework of joint research on nuclear warheads between two nuclear-weapon States, the United States and the United Kingdom of Great Britain and Northern Ireland, is another grave concern for non-nuclear-weapon States and demonstrates serious non-compliance with article I of the Treaty. According to the data published on 9 February 2009, the United States military has been using Britain's atomic weapons facility to carry out research into its own warhead programme. In this regard, the United States defence officials have declared that "very valuable" warhead research has been taking place at the Atomic Weapon Establishment at Aldermaston in Berkshire as part of an ongoing and secretive deal between British and American Governments. Such events clearly demonstrate the non-compliance of both countries and their reluctance in discharging their legal obligations under the Treaty provisions.

10. The States parties to the Treaty are also concerned about the efforts of some nuclear-weapon States to reinterpret article VI of the Treaty and to make their obligations conditional, including the statements of the United States representative in the First Committee during the sixty-second session of the General Assembly and that of the United Kingdom Secretary of Defence in February 2008 at the Conference on Disarmament.

11. In addition, the United States has continuously refrained from giving positive response to the demand of the international community to start negotiations on the treaty of negative security assurances and the treaty on nuclear disarmament. Instead, the United States is increasingly devoting billions of dollars for programmes of vertical proliferation of its nuclear arsenals. Furthermore, by continuing the deployment of hundreds of nuclear weapons, planning for the deployment of nuclear warheads and defence missile systems in other countries and training the air forces of those countries to deliver these weapons in the framework of military alliances, which are violations of the Treaty confessed to in the new United States Nuclear Posture Review, and by transferring nuclear technology and materials to the non-parties to the Treaty on the Non-Proliferation of Nuclear Weapons whose nuclear facilities are operating outside IAEA full-scope safeguards monitoring, the United States is in non-compliance with article I of the Treaty, which stipulates that each nuclear-weapon State party to the Treaty undertakes not

to transfer to any recipient whatsoever nuclear weapons, and with article VI, which sets out the complete disarmament commitments of the nuclear-weapon States.

12. It should be highlighted that any reduction of nuclear weapons, whether strategic or non-strategic, should be in an internationally verifiable and irreversible manner. Needless to say, that such a reduction in nuclear weapons can never be a substitute to the main obligation of nuclear-weapon States, namely, total elimination of nuclear weapons. As reiterated and as a first step, a real change was expected to the aggressive Nuclear Posture Review and removal of the emphasis on the old doctrine of nuclear deterrence but the new United States Nuclear Posture Review failed to do so and, while placing emphasis on maintaining nuclear weapons, repeated the obsolete doctrine of deterrence. Since there is no mechanism to internationally verify the unilateral, bilateral and multilateral declarations or agreements regarding the fulfilment of nuclear disarmament obligations, the Review Conference should also establish a standing committee for monitoring and verifying the implementation of the commitments of nuclear-weapon States under article VI of the Treaty.

Measures taken to implement article VI of the Treaty

13. The Islamic Republic of Iran has actively participated in international efforts to promote nuclear disarmament and non-proliferation. Initiatives taken towards this noble goal have always enjoyed our full support. In this regard, the Islamic Republic of Iran sponsored General Assembly resolution 64/31 entitled "Follow-up to nuclear disarmament obligations agreed to at the 1995 and 2000 Review Conferences of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons". In adopting this resolution, the Assembly called, inter alia, for practical steps to be taken by all nuclear-weapon States that would lead to nuclear disarmament in a way that promotes international stability and, based on the principle of undiminished security for all:

(a) Further efforts to be made by the nuclear-weapon States to reduce their nuclear arsenals unilaterally;

(b) Increased transparency by the nuclear-weapon States with regard to nuclear weapons capabilities and the implementation of agreements pursuant to article VI of the Treaty and as a voluntary confidence-building measure to support further progress in nuclear disarmament;

(c) The further reduction of non-strategic nuclear weapons, based on unilateral initiatives and as an integral part of the nuclear arms reduction and disarmament process;

(d) Concrete agreed measures to reduce further the operational status of nuclear weapons systems;

(e) A diminishing role for nuclear weapons in security policies so as to minimize the risk that these weapons will ever be used and to facilitate the process of their total elimination;

(f) The engagement, as soon as appropriate, of all the nuclear-weapon States in the process leading to the total elimination of their nuclear weapons.

14. Iran has also voted in favour of the relevant General Assembly resolutions such as resolution 64/59 entitled "Convention on the Prohibition of the Use of

Nuclear Weapons"; resolution 64/26 on the establishment of a nuclear-weapon-free zone in the region of the Middle East; resolution 64/27 on the conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons; resolution 64/57 entitled "Towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments"; resolution 64/53 on nuclear disarmament; resolution 64/37 on reducing nuclear danger; resolution 64/29 entitled "Treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices"; resolution 64/66 on the risk of nuclear proliferation in the Middle East; resolution 64/69 on the Comprehensive Nuclear-Test-Ban Treaty; resolution 64/55 on follow-up to the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*; resolution 63/41 entitled "Decreasing the operational readiness of nuclear weapons systems"; resolution 64/44 entitled "Nuclear-weapon-free southern hemisphere and adjacent areas"; resolution 63/63 entitled "Establishment of a nuclear-weapon-free zone in Central Asia"; resolution 64/39 entitled "Treaty on the South-East Asia Nuclear-Weapon-Free Zone (Bangkok Treaty)"; resolution 62/16 entitled "Consolidation of the regime established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)"; resolution 62/15 entitled "African Nuclear-Weapon-Free Zone Treaty"; resolution 64/35 entitled "International Day against Nuclear Tests"; resolution 64/52 entitled "Second Conference of States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones and Mongolia"; and relevant resolutions adopted in other international forums.

15. In order to promote the cause of nuclear disarmament and non-proliferation, the Islamic Republic of Iran also held an International Conference on Disarmament and Non-Proliferation on 17 and 18 April 2010 in Tehran, which, inter alia, examined the current challenges towards the implementation of nuclear disarmament commitments and finding mechanisms to realize the lofty goal of a nuclear-weapon-free world.

16. In line with other members of the Non-Aligned Movement, the Islamic Republic of Iran has in various forums, including the International Court of Justice, made its position clear that the use or threat of use of nuclear weapons is contrary to international law and is therefore illegal. The Islamic Republic of Iran has continuously supported the resolution adopted annually since 1999, on follow-up to the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*.

17. Iran fully supports the early establishment of a subsidiary body in the Conference on Disarmament, with a mandate to start negotiations on a phased programme for the complete elimination of nuclear weapons within a specified time limit, including through a nuclear weapons convention, as a concrete step for nuclear disarmament. In this regard, we reiterate our call for the establishment, as the highest priority and as soon as possible, of an ad hoc committee with a negotiating mandate on nuclear disarmament in the Conference on Disarmament. Such negotiations must lead to legally prohibit, once and for all, the possession, development and stockpiling of nuclear weapons by any country and provide for the destruction of such inhuman weapons. Until the conclusion of a nuclear weapons convention the nuclear-weapon States must fulfil their obligations under the Treaty on the Non-Proliferation of Nuclear Weapons and refrain from:

– Any kind of development and research on nuclear weapons

– Any threat of use of nuclear weapons against non-nuclear-weapon States

– Any modernization of nuclear weapons and their facilities

– Deployment of nuclear weapons in the territories of other countries

– Maintaining their nuclear weapons in the trigger-alert situation.

18. Owing to the significant role that the establishment of nuclear-weapon-free zones plays in achieving a world entirely free from nuclear weapons, Iran, in 1974, initiated the resolution for the establishment of a nuclear-weapon-free zone in the Middle East. Since 1980, this resolution has been adopted annually by consensus in the General Assembly. However, the Zionist regime, confident of the political and military support of the United States through its persistent rejection of accession to any international disarmament instrument, and in particular the Treaty on the Non-Proliferation of Nuclear Weapons, remains the main obstacle to the establishment of such a zone.

19. The Islamic Republic of Iran believes that due to lack of any mechanism to implement article VI and to verify the compliance of nuclear-weapon States, in particular in the light of the current behaviour of some nuclear-weapon States in developing new types of nuclear weapons, one of the pillars of the Treaty is in danger. Therefore, a verifiable mechanism should be established to verify the compliance of nuclear-weapon States to the Treaty.

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

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Note verbale dated 5 May 2010 from the Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Conference

The Permanent Mission of the United Kingdom to the United Nations presents its compliments to the President of the 2010 Non-Proliferation Treaty Review Conference and has the honour to attach a statement on behalf of China, France, the Russian Federation, the United Kingdom and the United States of America for inclusion as a document of the Conference (see annex).

Annex to the note verbale dated 5 May 2010 from the Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Conference

Statement by the People's Republic of China, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America to the 2010 Non-Proliferation Treaty Review Conference

1. The People's Republic of China, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America reaffirm their strong and unswerving support for the Treaty on the Non-Proliferation of Nuclear Weapons on the occasion of the eighth Review Conference of the Treaty.

2. The Treaty is fundamental in protecting global peace and security from the threat of the proliferation of nuclear weapons. It has served the international community well for the past four decades. It remains the bedrock of the nuclear non-proliferation regime, the collective pursuit of nuclear disarmament and the peaceful uses of nuclear energy. We stress the importance that all States parties fully implement and comply with the Treaty, and we reaffirm our unequivocal commitment to the Treaty and to strengthening the Treaty at the Review Conference so that it can effectively address the current and pressing challenges that we face.

3. We also reaffirm our commitment to carry on the results of the 1995 and 2000 Review Conferences. We welcome the constructive discussions and positive atmosphere at the preparatory committees of the eighth review cycle and the agreement in New York in May 2009 of an agenda and rules of procedure for this Review Conference. We believe this, together with the success of the Security Council summit on nuclear non-proliferation and nuclear disarmament and the unanimous adoption of resolution 1887 (2009), demonstrates the international community's shared commitment to seeking a safer world for all and to creating the conditions for a world without nuclear weapons, in accordance with the goals of the Treaty, in a way that promotes international stability, and based on the principle of undiminished security for all.

4. We attach great importance to achieving the universality of the Treaty. We urge those States that are not parties to the Treaty to accede as non-nuclear-weapon States and, pending accession to the Treaty, to adhere to its terms. We stand ready to work with parties to engage the non-parties with a view to achieving this goal.

5. As nuclear-weapon States, we reaffirm our enduring commitment to the fulfilment of our obligations under article VI of the Treaty and our continuing responsibility to take concrete and credible steps towards irreversible disarmament, including provisions for verification. We recall our wide-ranging discussion in London in September 2009 of the confidence-building, verification and compliance challenges associated with achieving further progress towards disarmament and non-proliferation and steps to address those challenges. We recall the unprecedented progress and efforts made by the nuclear-weapon States in nuclear arms reduction, disarmament, confidence-building and transparency since the end of the Cold War and note with satisfaction that stocks of nuclear weapons are now at far lower levels

than at any time in the past half-century. Our individual contributions to systematic and progressive efforts in this respect have been and will be highlighted by each of us nationally. All other States must contribute to fulfilling these disarmament goals by creating the necessary security environment, resolving regional tensions, promoting collective security and making progress in all the areas of disarmament.

6. We support the Treaty between the United States of America and the Russian Federation on measures for the further reduction and limitation of strategic offensive arms signed on 8 April 2010 in Prague. When it is fully implemented, the Treaty will result in the lowest number of deployed nuclear weapons since the 1950s. We believe it to be a significant step in the implementation of article VI that will promote international stability and undiminished security for all through mutual trust, openness, predictability and cooperation, and thus help create the conditions for moving towards our disarmament goals and build a strong basis for addressing the threats of nuclear proliferation and nuclear terrorism.

7. We reaffirm our determination to abide by our respective moratoriums on nuclear test explosions before the entry into force of the Comprehensive Nuclear-Test-Ban Treaty and call on all States to refrain from conducting a nuclear test explosion. The moratoriums, though important, are not a substitute for legally binding commitments under the Test-Ban Treaty. We will continue our efforts aimed at early entry into force of the Treaty and achievement of its universality and call upon all States that have not yet done so to sign and ratify this Treaty. We recognize that one key element in the effective implementation of article VI and in the prevention of nuclear proliferation is the negotiation of a fissile material cut-off treaty. Such a treaty would help cut off the most important building blocks needed for nuclear weapons. We call for early commencement of negotiations on the fissile material cut-off treaty at the Conference on Disarmament.

8. We emphasize the importance of the prohibition of chemical, biological and toxin weapons in realizing the objective of article VI and urge all countries which have yet to do so to sign, ratify and bring into force the Chemical Weapons Convention and the Biological and Toxin Weapons Convention.

9. The proliferation of nuclear weapons undermines the security of all nations. It sets back the cause of disarmament, in particular nuclear disarmament, and imperils the prospects for strengthening international cooperation in nuclear energy, including the role we wish to see such cooperation play in combating climate change and ensuring sustainable development of nuclear energy. We reaffirm that all States parties must ensure strict compliance with their non-proliferation obligations under the Treaty on the Non-Proliferation of Nuclear Weapons and work actively to ensure that others comply with their non-proliferation obligations.

10. The proliferation risks presented by the Iranian nuclear programme remain of serious concern to us. We underscore the importance of the full and immediate compliance of the Islamic Republic of Iran with its international obligations. We urge the Islamic Republic of Iran to respond to the concerns of the international community by complying promptly and fully with the relevant Security Council resolutions and with the requirements of the International Atomic Energy Agency (IAEA). We strongly urge the Democratic People's Republic of Korea to fulfil the commitments under the Six-Party Talks, including the complete and verifiable denuclearization of the Korean Peninsula in accordance with the September 2005 Joint Statement, and we reaffirm our firm support for the Six-Party Talks. We

remain determined to achieve the satisfactory resolution of these dossiers through diplomatic means.

11. We underline the fundamental importance of an effective IAEA safeguards system to prevent nuclear proliferation and to facilitate cooperation in the peaceful uses of nuclear energy. We call on all non-nuclear-weapon States that have not yet done so to bring into force a comprehensive safeguards agreement, as provided for in article III, or a modified small quantities protocol at the earliest opportunity. We welcome the fact that 131 States have signed an additional protocol and that 98 States have an additional protocol in force. We note the view of IAEA that it cannot credibly verify the absence of undeclared nuclear activities without an additional protocol and call on all States that have yet to do so to take the necessary steps to bring the protocol into force. We believe that the comprehensive safeguards agreement with an additional protocol should become the universally recognized verification norm and are ready to offer the necessary support. We affirm our support for the new Director General of IAEA and will work with him to enhance the Agency's capabilities. We remain committed to ensuring that IAEA has the necessary resources and authority to fulfil its safeguards responsibilities, including deterring and detecting non-compliance. Where non-compliance is established by the IAEA Board of Governors, the case should in accordance with the IAEA statute be brought to the immediate attention of the Security Council to determine whether it constitutes a threat to international peace and security. We emphasize the Security Council's primary responsibility in addressing such threats.

12. Nuclear-weapon-free zones that are established in accordance with article VII of the Treaty and the guidelines from the Disarmament Commission's 1999 session and are fully complied with have made and continue to make an important contribution to the strengthening of the international nuclear non-proliferation regime in all its aspects and to achieving nuclear disarmament and the ultimate objective of general and complete disarmament under effective international control. We support enhanced consultation and cooperation among the parties to existing treaties establishing zones and call for the consideration of the establishment of new zones where appropriate and in conformity with the wishes of regional States. We recognize the importance of establishing regional zones free of weapons of mass destruction. We welcome dialogue to resolve the outstanding issues related to nuclear-weapon-free zones.

13. We are committed to the full implementation of the 1995 resolution of the Review Conference on the Middle East and we support all ongoing efforts to this end. We are ready to consider all relevant proposals in the course of the Review Conference in order to come to an agreed decision aimed at taking concrete steps in this direction.

14. We urge all States to take all appropriate national measures in accordance with their national authorities and legislation and consistent with international law to prevent proliferation financing and shipments, to strengthen export controls, to secure sensitive materials and to control transfers of intangible technology. We reaffirm our support of the Nuclear Suppliers Group and Zangger Committee and note the important role of these two international export control mechanisms in securing the nuclear non-proliferation regime.

15. In 1995 we issued separate statements on security assurances as noted in Security Council resolution 984 (1995). Some of us have subsequently issued

statements about their assurances. We note the importance attached by non-nuclear-weapon States to security assurances and their role in strengthening the non-proliferation regime. We stand ready to engage in substantive discussions on security assurances in the Conference on Disarmament.

16. We believe that the threat from non-State actors' ambitions to acquire fissile material or nuclear weapons has altered the nature of the proliferation challenge. The threat is both real and urgent. We emphasize that the acquisition of nuclear weapons or related materials and technical expertise by non-State actors would constitute a threat to international peace and security. We reaffirm the importance of full implementation of Security Council resolutions 1540 (2004), 1673 (2006) and 1810 (2008), as well as the International Convention for the Suppression of Acts of Nuclear Terrorism. We call for all States parties to ratify the amendment to the Convention on the Physical Protection of Nuclear Material, to achieve the necessary two thirds ratification status so that this amendment can come into force. We call for States parties to develop and support a coordinated global nuclear security effort as an integral element of the international community's approach to the broader nuclear agenda. We renew our commitment made at the 2010 Nuclear Security Summit to strengthen nuclear security and reduce the threat of nuclear terrorism. We welcome and join President Obama's call to secure all vulnerable nuclear materials within four years.

17. We recognize the inalienable right of all States parties to the Treaty on the Non-Proliferation of Nuclear Weapons reflected in article IV to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in accordance with the relevant provisions of the Treaty and the relevant principles on safeguards. We note the increasing demand for nuclear energy and stress its potential in addressing climate change, in facilitating achievement of the Millennium Development Goals and sustainable development, in providing energy security and in addressing vital non-power applications such as nuclear medicine, agriculture and industry. We underline the particular importance of international cooperation, both through IAEA and bilaterally, for States parties new to nuclear technology. We are ready to work actively with States parties wishing to develop nuclear energy for peaceful uses consistent with their Treaty on the Non-Proliferation of Nuclear Weapons and IAEA safeguards obligations. We welcome the outcome of the March 2010 Paris Conference on Access to Civil Nuclear Energy and the fruitful exchanges on the challenges and opportunities associated with the sustainable development of nuclear energy.

18. We call for the development of nuclear energy in a culture of openness and transparency, which builds confidence among neighbours, and stress the importance of promoting the sustainable development of peaceful nuclear energy within a framework that ensures effective safety, security, non-proliferation conditions and arrangements for civil nuclear liability for the benefit of all. We welcome the work of the International Atomic Energy Agency on multilateral approaches to the nuclear fuel cycle, including assurance of fuel supply and related measures, as effective means for facilitating nuclear cooperation in accordance with article IV and addressing the expanding need for nuclear fuel and nuclear fuel services, preserving the competitive open market, responding to the real needs of customers and strengthening non-proliferation. We note the various related proposals that have been put forward and welcome the IAEA Board of Governors' approval of the Russian Federation's initiative and signing on 29 March 2010 of the agreement

between IAEA and the Russian Federation to establish a reserve of low-enriched uranium for supply to IAEA for its Member States. We urge the Board of Governors to agree upon further measures to this end as soon as possible.

19. States parties have the right to withdraw from the Treaty on the Non-Proliferation of Nuclear Weapons under article X. However, we call for the Security Council to address without delay any State party's notice of withdrawal from the Treaty, including the events described in the required withdrawal statement by the State pursuant to article X. A State party remains responsible under international law for violations of the Treaty committed prior to its withdrawal. We welcome discussion of modalities under which States parties could respond collectively to a notification of withdrawal, including the disposition of equipment and materials acquired or developed during membership. At the same time we are convinced that any decision taken in relation to withdrawal from the Treaty should not lead to the revision of article X, reopen the text of the Treaty or undermine the commonly recognized principles and norms of international law.

20. Seeking a safer world for all and creating the conditions for a world without nuclear weapons in accordance with the goals of the Treaty will require determined, long-term international cooperation based on common interest. Our commitment to this goal is unshakable. We call on all States parties to seize the opportunity of the Review Conference to strengthen further the international nuclear non-proliferation regime by taking forward a set of concrete, realistic and workable measures, based on a balance across the three mutually reinforcing pillars of the Treaty, for stepping up international efforts against proliferation, making demonstrable progress on disarmament and sharing in the benefits of peaceful nuclear cooperation. We will work closely with States parties at and beyond this Conference towards achieving the objectives of the Treaty and the goals agreed at the Conference.

NPT/CONF.2010/36

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

7 May 2010

Original: English

New York, 3-28 May 2010

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

Report submitted by Australia

1. The Treaty on the Non-Proliferation of Nuclear Weapons underpins the international community's shared and enduring interests in achieving a world free of nuclear weapons. The Treaty remains essential to international efforts to prevent the spread of nuclear weapons, facilitate access to the peaceful uses of nuclear energy and progress nuclear disarmament. Universality remains a key objective. Australia calls on those States yet to join the Treaty to accede as non-nuclear-weapon States as soon as possible and without preconditions.

2. Australia welcomed the signature on 8 April 2010 by the United States of America and the Russian Federation of the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms. This Treaty provides for substantial reductions in the numbers of nuclear weapons and ballistic missile launchers deployed by the United States and the Russian Federation. Australia also welcomed steps taken unilaterally by France and the United Kingdom of Great Britain and Northern Ireland to reduce their nuclear arsenals.

3. Without diminishing these very positive developments, Australia believes there is much more nuclear-weapon States can do to fulfil their obligations under Article VI, including by reaffirming commitments made to disarm under the Non-Proliferation Treaty and at previous Review Conferences. Nuclear-weapon States that have not ratified the Comprehensive Nuclear-Test-Ban Treaty should do so as soon as possible and all nuclear-weapon States should actively work towards the Treaty's entry into force. In addition, all nuclear-weapon States should strive for

the commencement of negotiations on a legally binding and verifiable fissile material cut-off treaty.

4. Australia would welcome confirmation by nuclear-weapon States of a reduced role for nuclear weapons in national security policies and commitment by all nuclear-weapon States to pursue further reductions in the operational status of nuclear weapon systems in ways that promote international stability and security. Australia welcomed the United States' recent commitment, in the context of its nuclear posture review, to provide strengthened negative security assurances to non-nuclear-weapon States parties to the Non-Proliferation Treaty in compliance with its obligations and encourage other nuclear-weapon States to provide similar assurances. The nuclear posture review also contains a welcome commitment by the United States that it will continue to reduce the role of nuclear weapons in deterring non-nuclear attacks, with the objective of making deterrence of nuclear attack on the United States or its allies and partners the sole purpose of United States nuclear weapons.

5. Australia is firmly committed to the goal of a world without nuclear weapons. We hold ourselves to the highest standards of compliance with our own non-proliferation commitments and obligations.

6. In 2008, Australia and Japan established the independent International Commission on Nuclear Non-Proliferation and Disarmament. The Commission — co-chaired by former Australian Minister for Foreign Affairs Gareth Evans and former Japanese Minister for Foreign Affairs Yoriko Kawaguchi — released its report on 15 December 2009. The report provides an important framework for discussions and debate on non-proliferation and nuclear disarmament, and contains recommendations for action on the issues to be considered by the Review Conference.

7. Also with Japan, Australia has brought to the Review Conference a package of a practical nuclear disarmament and non-proliferation measures that we hope will help achieve consensus on steps to strengthen the Treaty. And we have tabled with New Zealand a joint working paper that builds on the decisions of the 1995 and 2000 Review Conferences by recommending that all States parties submit systematized and regular reports on their efforts to bring about nuclear disarmament.

8. Entry into force of the Comprehensive Nuclear-Test-Ban Treaty remains a priority for Australia and we continue to urge States yet to sign or ratify, especially annex II States and States in our own Asia-Pacific region, to do so without delay. Australia, Mexico and New Zealand comprised the core group that put forward the Comprehensive Nuclear-Test-Ban Treaty resolution adopted by the General Assembly at its sixty-fourth session. This resolution stressed the fundamental importance of the Comprehensive Nuclear-Test-Ban Treaty to nuclear disarmament and non-proliferation and urged all States that have not yet signed the Treaty to sign and ratify it as soon as possible. In 2009, for the first time, this resolution was co-sponsored by all five nuclear-weapon States. Australia is an active participant in the development of the verification system for the Comprehensive Nuclear-Test-Ban Treaty, including on-site inspection procedures, and welcomes the continued progress being made — especially in relation to the International Monitoring System. Australia will host the third highest number of International Monitoring System facilities (after the United States of America and the Russian Federation).

9. A legally binding and non-discriminatory fissile material cut-off treaty, with effective verification mechanisms, is also a priority for Australia. As one of the six presidents of the Conference on Disarmament in 2009, Australia was pleased to preside over the consensus adoption by the Conference of a programme of work for the first time in over a decade. The programme included a negotiating mandate for a fissile material cut-off treaty and also called for substantive discussion on the prevention of an arms race in outer space, negative security assurances and nuclear disarmament. We were disappointed that the Conference could not reach agreement on implementing its own decision. Australia hopes the Conference will reach agreement this year on a programme of work based on that agreed in 2009, including earliest possible commencement of negotiations on a fissile material cut-off treaty.

10. Effective non-proliferation is crucial to establishing a climate conducive to nuclear disarmament. Such a climate will only be established when all States are in compliance with their non-proliferation commitments, including those under this Treaty.

Outreach and regional assistance

11. Australia is a regular contributor to regional workshops and seminars on agreements such as the Comprehensive Nuclear-Test-Ban Treaty. Australia also works with regional countries on practical outreach in key areas such as export controls, nuclear security and safeguards training, all of which help progressively to establish a political climate conducive to disarmament.

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

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Steps to promote the achievement of a nuclear-weapon-free zone in the Middle East and the realization of the goals and objectives of the 1995 resolution on the Middle East

Report submitted by Australia to the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

1. Australia fully supports the establishment of an effectively verifiable Middle East zone free of weapons of mass destruction and their means of delivery.

2. Australia is ready to join constructive efforts at the 2010 Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) by States parties to advance implementation of the 1995 resolution calling for such a zone, including by supporting the proposal to convene a conference of all regional States on all issues covered by the 1995 Review and Extension Conference resolution calling for a verifiable Middle East zone free of all weapons of mass destruction and their delivery systems.

3. Australia annually supports the General Assembly resolution calling for the establishment of a nuclear-weapon-free zone in the region of the Middle East freely arrived at among States of the region.

4. Australia has also joined consensus on the annual resolution entitled "Application of IAEA safeguards in the Middle East" of the General Conference of the International Atomic Energy Agency (IAEA). Australia actively supports efforts to achieve universal application of nuclear safeguards measures — in the Middle East and elsewhere.

5. Australia supports universality of the Treaty on the Non-Proliferation of Nuclear Weapons and consistently calls upon Israel — the only regional State not to have joined the Treaty — to accede to it as a non-nuclear-weapon State.

6. Australia believes that meaningful progress towards a Middle East free of weapons of mass destruction is unlikely to be achieved unless all regional States are in full compliance with their existing non-proliferation and disarmament obligations. It urges the Islamic Republic of Iran to comply with the five Security Council resolutions which require the suspension of its enrichment-related activities as a means of returning the Islamic Republic of Iran to compliance with its safeguards obligations under article III of NPT. Australia calls upon the Islamic Republic of Iran to provide the cooperation required by IAEA to allow the Agency to resolve all outstanding issues and provide credible assurances that the Islamic Republic of Iran does not have further undeclared facilities.

7. Similarly, full transparency and cooperation with IAEA by the Syrian Arab Republic, allowing IAEA to provide credible assurances that the Syrian Arab Republic is not undertaking any undeclared nuclear activities, would make a strong contribution to regional stability.

8. Universal membership of and adherence to existing treaties and instruments would greatly facilitate the establishment of a Middle East zone free of weapons of mass destruction and their means of delivery. Australia is contributing to this objective through its efforts to achieve universal membership of the Treaty on the Non-Proliferation of Nuclear Weapons, the Comprehensive Nuclear-Test-Ban Treaty, the Biological Weapons Convention and the Chemical Weapons Convention, and its active support for the International Code of Conduct against Ballistic Missile Proliferation.

9. The Additional Protocol on strengthened IAEA safeguards offers Middle East States an important confidence-building opportunity. Australia encourages the adoption by all States of an Additional Protocol with IAEA, without delay or preconditions. Stronger safeguards are in the interests of all countries if they can prevent the emergence of more nuclear-weapons-capable States.

10. Australia acknowledges the difficulty of achieving disarmament and non-proliferation goals without concurrent efforts to address the underlying political tensions that drive international conflicts. It urges all States parties to work to secure a regional political environment that is conducive to disarmament, non-proliferation and the creation of a Middle East zone free of weapons of mass destruction and their means of delivery.

NPT/CONF.2010/38

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

7 May 2010
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New York, 3-28 May 2010

Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons and of paragraph 4 (c) of the 1995 decision on the principles and objectives for nuclear non-proliferation and disarmament

Report by Morocco

1. The eighth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, to be held in New York from 3 to 28 May 2010, in a relatively favourable international context, comes at a crucial time for the future of the non-proliferation regime.

2. Indeed, the current review process, which began in 2007, has been marked by an awareness of the importance of avoiding a repeat of the devastating 2005 setback, which would only serve to undermine the international non-proliferation regime. However, developments since 2009 indicate that prospects for a successful outcome of the 2010 Conference are bright.

3. In that regard, the following positive developments are particularly noteworthy:

- The revival of disarmament efforts, after a protracted impasse, with the adoption of a programme of work for the Conference on Disarmament, which would begin negotiations on a fissile material cut-off treaty.
- The announcement by the new United States administration of its new vision of a world without nuclear weapons outlined by President Barack Obama in his April 2009 speech in Prague.
- The optimism generated by the article XIV Conference on facilitating the entry into force of the Comprehensive Nuclear-Test-Ban Treaty and the announcement by President Obama of his determination to accelerate the ratification by Washington of the Treaty.

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- The signature at Prague on 8 April 2010 of a new START Treaty between the United States of America and the Russian Federation on the reduction of strategic nuclear weapons.
- The success of the summit on nuclear security held at Washington on 12 and 13 April 2010.

However, these positive developments should not obscure the fact that there are challenges to a successful outcome of the Review Conference.

4. A successful outcome to the upcoming Conference will require great flexibility and political will in search for common ground for the adoption of a balanced concrete final document with a realistic plan of action establishing an appropriate balance among the three pillars of the Treaty.

5. The Kingdom of Morocco is deeply committed to the Treaty on the Non-Proliferation of Nuclear Weapons, its underlying principles and to the strict implementation of all its provisions.

6. The Kingdom of Morocco believes that the Treaty is the cornerstone of the nuclear non-proliferation regime and a key instrument for the maintenance of peace and security in the world.

7. Developments in the international security situation have demonstrated the enormous importance of the Treaty and the need to preserve its strength and credibility in order to confront the threats associated with nuclear terrorism and the proliferation of weapons of mass destruction and their means of delivery.

8. The Kingdom of Morocco stresses the vital importance for all States parties to abide by the provisions of the Treaty and the obligations arising thereunder.

9. The Kingdom of Morocco, which has signed and ratified all the multilateral instruments relating to weapons of mass destruction, remains committed to general and complete disarmament and, in particular, to nuclear disarmament. Since its accession to the Treaty in 1970, the Kingdom of Morocco has consistently worked for the total elimination of nuclear weapons and their non-proliferation.

10. As a Contracting Party, the Kingdom of Morocco has consistently supported the decisions aimed at strengthening the review process of the Treaty, just as it has always supported initiatives to strengthen the authority of this regime and promote its universalization.

11. For this reason, the Kingdom of Morocco fully supports the positive conclusions of the 1995 and 2000 review conferences of the Parties to the Non-Proliferation Treaty and reaffirms the importance of their implementation by the States Parties, in a transparent, balanced and irreversible manner.

12. It believes that the multilateral non-proliferation regime must be strengthened in order to combat nuclear proliferation, the illicit transfer of nuclear devices and material, and the risks of nuclear terrorism.

13. Likewise, at the level of the General Assembly, the Kingdom of Morocco has always supported the adoption of resolutions aimed at promoting nuclear disarmament and non-proliferation.

14. The Kingdom of Morocco endorses action aimed at ending the deadlock in the work of the Conference on Disarmament and continues to support the undertaking

of negotiations for the development of a treaty to ban the production of fissile material for nuclear weapons, a legal instrument on negative security assurances and a convention on nuclear disarmament.

15. Pursuant to article IV of the Treaty, the Kingdom of Morocco reaffirms its commitment to the inalienable right of the States Parties to the Treaty to carry out research, and develop the production and utilization of nuclear energy and technologies for peaceful purposes, particularly through international cooperation under monitoring by the International Atomic Energy Agency (IAEA).

16. Morocco also stresses that such right should be exercised in full compliance with the safeguards, safety and security obligations.

17. Morocco supports the establishment of nuclear-weapon-free zones in all regions of the world, as provided for by article VII of the Treaty, and considers the establishment of such zones as an effective and useful contribution to the strengthening of the nuclear non-proliferation regime, to nuclear disarmament efforts and to the strengthening of regional and international peace and security.

18. Morocco welcomes the entry into force, in July 2009, of the Pelindaba Treaty, which made Africa a nuclear-weapon-free zone, and calls for the strengthening of efforts to establish a zone free of nuclear weapons and weapons of mass destruction in the Middle East.

19. The Kingdom of Morocco, which supports a total ban on nuclear tests, signed the Comprehensive Nuclear-Test-Ban Treaty in September 1996 and ratified it in April 2000. It deplores the fact that this Treaty, which was opened for signature on 24 September 1996, has still not entered into force. In that regard, Morocco has seized every opportunity to reiterate its appeal to all States which have not yet done so to accede to the Treaty without delay.

20. In that spirit, Morocco served as Co-President with France of the Article XIV Conference held on 24 and 25 September 2009; it was widely attended by high-level representatives of States Signatories. As part of the efforts to implement the final declaration of the conference, adopted by consensus, Morocco and France are coordinating international action to promote the ratification and entry into force of the Treaty.

21. While the Kingdom of Morocco stresses the importance of respect for moratoriums on nuclear tests, it believes that they are not an alternative to the ratification and entry into force of the Treaty.

22. In addition, in implementation of the Non-Proliferation Treaty, the Kingdom of Morocco concluded a comprehensive safeguards agreement with IAEA as of 1973. On 22 September 2004, it concluded an additional protocol to its safeguards agreement with the Agency, pursuant to the Treaty. The ratification process for the protocol is under way.

23. Morocco supports the strengthening of the IAEA safeguards regime and has contributed to all efforts aimed at achieving that objective. Morocco has consistently stressed the need to provide the Agency with adequate resources to enable it to effectively discharge its mandate in the area of safeguards.

24. Morocco also contributes to efforts aimed at achieving the universality of the Treaty and of the IAEA safeguards. Such universality is vital if the non-proliferation regime is to be effective.

25. The Kingdom of Morocco is party to the Convention on the Physical Protection of Nuclear Material, which it ratified in 2002. Convinced of the importance of nuclear security, Morocco supported the strengthening of that Convention through the 2005 amendment.

26. In that regard, Morocco accepted the Code of Conduct on the Safety and Security of Radioactive Sources and contributed to the exchange of experiences with respect to its implementation.

27. The efforts made by the Kingdom of Morocco to supplement its legal arsenal for combating the proliferation of and trafficking in devices and material that could help non-State actors to manufacture, acquire, possess, develop or transport nuclear, biological or chemical weapons, demonstrate the Kingdom's unshakeable commitment to the campaign waged by the international community to confront terrorism and the proliferation of weapons of mass destruction.

28. In that regard, a bill on civil liability in the event of nuclear damage was adopted on 20 January 2005, while the relevant implementing legislation was adopted in 2006 at the same time as a decree guaranteeing State support for the Centre national de l'énergie, des sciences et des techniques nucléaires (National Centre for Nuclear Energy, Sciences and Technology) which runs the research reactor.

29. Other draft regulations pertaining to transport safety and waste management are in the process of being finalized. Moreover, a draft joint decree on the physical protection of nuclear material is being prepared. This text, conceived in the form of a regulation, complies with the provisions of the Convention on the Physical Protection of Nuclear Material.

30. In order to unify the national legal framework, a draft law on nuclear and radiological safety and security, developed in collaboration with IAEA experts, is in the process of being promulgated. Key provisions of this draft law include the establishment of a regulatory agency responsible for controlling nuclear material and radioactive sources, keeping an inventory thereof and implementing safety and security measures in accordance with national legislation and basic international standards.

31. The Kingdom of Morocco, being convinced that the international effort to combat terrorism should cover all aspects of that complex phenomenon, fully shares the concerns of the international community concerning the proliferation of weapons of mass destruction. Thus, on 26 October 2004, it submitted its national report pursuant to paragraph 4 of Security Council resolution 1540 (2004) and submitted updates and additional information in 2005 and 2007, respectively.

32. On 19 April 2006, the Kingdom of Morocco signed the International Convention for the Suppression of Acts of Nuclear Terrorism adopted by the General Assembly in 2005 as a significant step forward in the international struggle against terrorism in all its forms.

33. Morocco contributes to the IAEA database on illicit trafficking and is currently working, in cooperation with the European Union and the United States of America, to establish an export control regime for dual-use goods.

34. Morocco is convinced that a wider multilateral approach and international cooperation are the basis of any global and effective responses to emerging global threats.

35. In that context, given the importance of nuclear security and its impact on enhancing non-proliferation efforts, Morocco is participating in the Global Initiative to Combat Nuclear Terrorism and hosted the initial meeting of that Initiative in October 2006. It also joined the Proliferation Security Initiative in May 2008.

NPT/CONF.2010/39

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

7 May 2010
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New York, 3-28 May 2010

Implementation of the 1995 resolution on the establishment of a nuclear-weapon-free zone in the Middle East

National report of Morocco

1. The Kingdom of Morocco remains convinced that the creation of nuclear-weapon-free zones contributes to strengthening the non-proliferation and nuclear disarmament regime. For that reason, it has always supported the creation of such zones where they did not exist.

2. The Kingdom of Morocco ascribes particular importance to the establishment of a nuclear-weapon-free zone in the Middle East. Morocco was one of the first countries to call for the establishment of such a zone, because it believes that such a zone is not only necessary in order to banish proliferation and insecurity in this region, but is also an international objective and a factor in the consolidation of peace and security in the world.

3. Establishing such a zone in the Middle East, in accordance with the commitments made by the international community in adopting, by consensus, the 1995 resolution on the Middle East, is of vital importance in maintaining regional and international stability and security.

4. Establishment of a nuclear-weapon-free zone in the Middle East requires that Israel, the only State in the region that is not yet a party to the Non-Proliferation Treaty, accede thereto and submit its nuclear installations to the IAEA safeguards regime. This concern was specifically mentioned in the decisions of the review conferences of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons held in 1995 and 2000.

5. Morocco calls on all States of the Middle East region, including Israel, to conclude comprehensive safeguard agreements with IAEA, as an important step towards the creation of a climate of trust between the States of the region, and a

preliminary measure for the establishment of a nuclear-weapon-free zone in the Middle East.

6. Morocco stresses the need for all the parties concerned to take concrete measures, as a matter of urgency, to establish a nuclear-weapon-free zone in the Middle East and, pending the establishment of such a zone, to declare solemnly their intention to refrain, on the basis of reciprocity, from manufacturing, acquiring or in any other way possessing nuclear weapons and nuclear explosive devices, and not to allow the stationing of nuclear weapons in their territories by any third party.

7. The Kingdom of Morocco is engaged in sustained action, at both regional and international levels, to encourage all States in the region to undertake the establishment of a zone free of weapons of mass destruction in the Middle East.

8. In this connection, Morocco is one of the sponsors of the General Assembly resolution entitled "The risk of nuclear proliferation in the Middle East" and has always voted in favour of General Assembly resolutions calling for the creation of a nuclear-weapon-free zone in the Middle East. It has also supported IAEA resolutions GC(53)/RES/16 and GC(53)/RES/17 on the application of IAEA safeguards in the Middle East and on Israeli nuclear capabilities, respectively.

9. At the level of the League of Arab States, Morocco is participating in the development of a legal and technical mechanism for the establishment of a zone free of weapons of mass destruction in the Middle East.

10. Within IAEA, Morocco is engaged in promoting the application of the comprehensive safeguards regime throughout the Middle East region, because it believes that this is an essential international security measure.

11. Morocco has also expressed its support for all initiatives designed to facilitate the establishment of such a zone, including the IAEA proposal to organize a forum with the participation of the countries of the region.

12. The Kingdom of Morocco continues to call on the nuclear Powers, and particularly the depositaries of the Non-Proliferation Treaty, the international community and international organizations to live up to their responsibilities with a view to establishing a nuclear-weapon-free zone in the Middle East.

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

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Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Cuba

Introduction

1. On 4 November 2002, the Government of the Republic of Cuba deposited its instrument of accession to the Treaty on the Non-Proliferation of Nuclear Weapons with the Government of the Russian Federation, thereby becoming a State party to that Treaty.

2. Cuba maintains the declaration it made upon accession to the Treaty. We consider this to be a discriminatory international regime conducive to the existence of a "club of nuclear-weapon-States", and because these countries have failed, over all the years that have elapsed since the Treaty entered into force on 5 March 1970, to attain the ultimate objective of the total elimination of such weapons.

3. On becoming a State party to the Treaty Cuba's position of principle did not change. Our country has decided to work from within the Treaty in order to further what we regard to be our priority in the area of disarmament, namely, achieving the total elimination of nuclear weapons.

Specific considerations relating to article III of the Treaty on the Non-Proliferation of Nuclear Weapons and its national implementation

4. Cuba's interest in nuclear energy relates solely to the peaceful uses of such energy subject to verification by the International Atomic Energy Agency (IAEA), which Cuba recognizes as the authority responsible for verifying compliance with the Treaty.

5. All of Cuba's programmes involving nuclear energy have strictly peaceful uses. They are subject to strict control by the competent national authorities and have been monitored on a permanent basis by IAEA, even before Cuba acceded to the Treaty.

6. In accordance with its commitments as a State party to the Treaty, Cuba began negotiations with IAEA, of which it is an active member and on whose Board of Governors it has held a post on several occasions, in order to establish the agreements enabling the Agency to verify the country's nuclear activities.

7. As a result of those negotiations, on 9 September 2003, the Board of Governors approved the Agreement between the Republic of Cuba and the International Atomic Energy Agency for the Application of Safeguards (INFCIRC/633), and the Protocol Additional to that safeguards agreement (INFCIRC/633/Add.1), which were signed by Cuba on 18 September 2003 and ratified on 27 May 2004, entering into force on 3 June 2004.

8. As part of its compliance with these responsibilities, the following actions have been carried out:

(a) The initial report required by the comprehensive safeguards agreement has been submitted to IAEA giving information about the nuclear materials and activities being developed by our country;

(b) Following the final decision to close down the Juraguá nuclear facility, whose construction had been halted in the 1990s, it was agreed to terminate the safeguards and reduce the material balance area established by that nuclear facility;

(c) Negotiations about the structure of our safeguards have been concluded with two material balance areas as locations outside facilities and the key measurement points have been established, although no nuclear facilities exist;

(d) Annual inspections have been carried out, including additional access to the main sites of interest to IAEA;

(e) All the reports and declarations pertaining to the comprehensive safeguards agreement and the additional protocol have been submitted, as well as all responses to the clarifications and communications requested from Cuba by the IAEA Department of Safeguards;

(f) Requests for exemption of 100 per cent of small quantities of nuclear material subject to IAEA safeguards have been made, as established in the comprehensive safeguards agreement;

(g) IAEA has granted exemption requests made by our country;

(h) A procedure has been agreed with IAEA to issue multiple-entry visas to safeguards inspectors approved by Cuba.

9. As a result of these actions, in its Safeguards Implementation Report for 2007, issued in 2008, IAEA reported that it was able to draw conclusions about safeguards in Cuba, that is to say that it had verified all the information about Cuba's nuclear programme provided to the Agency, all the declared nuclear material was destined for peaceful activities and there were no undeclared activities.

10. Cuba numbered among the 47 States that year with double certification from IAEA. In the Safeguards Implementation Report for 2008, issued in 2009, Cuba was among 51 States with that status.

11. Cuba has an effective, predictable and reliable system for the national implementation of the international obligations incumbent upon it as a State party to the Treaty and as a member of IAEA.

12. Cuba has a body of legislation and other procedures which govern all the activities of the various national bodies and institutions whose work relates, in one way or another, to the nuclear sphere.

13. Current national legislation in this area ensures the strictly peaceful use of nuclear energy and associated equipment and technology.

Specific considerations relating to article IV

14. In Cuba, the use of nuclear technologies in critical areas of the economy is greatly appreciated and particular importance is given to technical cooperation from IAEA since, for developing countries, there is a growing need to make use of nuclear technologies in resolving their problems.

15. Cuba's first technical cooperation programme with IAEA was established in 1977 and there has been continuing and free-flowing cooperation ever since. The principal outcomes achieved through the implementation of IAEA technical cooperation programmes in Cuba have been focused on improvements in national capacity in radiotherapy and nuclear medicine; an increase in the quality of production of radiopharmaceuticals and labelled compounds; strengthening the infrastructure of the nuclear regulatory body and the technical basis for radiological protection; the establishment and strengthening of a regional centre for repairs and maintenance of nuclear instrumentation; improvement of the services of nuclear analysis laboratories at the national level; and further development of other applications of nuclear technologies in agriculture, hydrology and industry.

16. However, as we have reported on previous occasions and in other international forums, the IAEA Secretariat faces continued and increasing difficulties in acquiring approved scientific equipment for projects in Cuba, due to the fact that companies in the United States of America, or those with capital investment from that country, cannot sell such equipment for use in Cuba and face the real possibility of sanctions, as a result of the unilateral and unjust economic, commercial and financial blockade imposed by the Government of the United States against Cuba. Among the consequences of that situation, the execution of our projects is more expensive, since the equipment has to be purchased from further away.

17. Cuba confirms its belief that IAEA technical cooperation should be free of political conditions, as reflected unequivocally in the Statute on which the Agency was conceived and established 50 years ago.

Specific considerations relating to article V

18. Cuba is firmly opposed to nuclear testing through explosions or any other means. Nuclear tests, as well as being contrary to the objective of nuclear disarmament and non-proliferation in all its aspects, are themselves a threat to international peace and security.

19. Accordingly, and in keeping with its principled positions on disarmament, Cuba actively participated in negotiations on the Comprehensive Nuclear-Test-Ban Treaty at the Conference on Disarmament, where it clearly stated what should be the letter and the spirit of the Treaty being negotiated.

20. However, the end result did not respond to the interests and expectations of a group of countries, including Cuba, as the Comprehensive Nuclear-Test-Ban Treaty does not place the commitment to eliminate nuclear weapons within a specific time frame nor does it prohibit States from developing or improving nuclear weapons.

21. However, none of this changes Cuba's definitive position as regards the Treaty. For several consecutive years, Cuba has voted in favour of the resolution on the Comprehensive Nuclear-Test-Ban Treaty that has been submitted to the United Nations General Assembly's First Committee each year and adopted with the support of the vast majority of Member States. Pending the entry into force of the Treaty, Cuba believes that all States must refrain from carrying out actions that are contrary to the objectives and aims of that Treaty.

22. Despite the uncertainty surrounding the future of this international instrument, the relevant national authorities continue to give careful consideration to the possibility of Cuba's accession.

23. Whatever the decision with regard to the ratification of the Comprehensive Nuclear-Test-Ban Treaty, it will be taken in the context of the pacifist and multilateral stance of the Cuban Government and people, and will be brought to the international community's attention at the appropriate time.

Specific considerations relating to article VI

24. The Treaty on the Non-Proliferation of Nuclear Weapons is not an end in itself; it is only one step on the path towards nuclear disarmament. Nuclear-weapon States are obliged, pursuant to the provisions of article VI of the Treaty and together with the other States parties, to pursue negotiations in order to achieve nuclear disarmament.

25. The five nuclear powers recognized in the Treaty currently possess over 23,300 nuclear weapons in their arsenals. Cuba deeply regrets the lack of real progress towards fulfilling the unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament and that, since the 2000 Review Conference, there have been serious setbacks to the implementation of that commitment.

26. The advisory opinion of the International Court of Justice of 8 July 1996, with regard to the legality of the threat or use of nuclear weapons, is an important legal precedent that requires adequate follow-up.

27. Although it was not a Party to the Treaty when the sixth Review Conference took place in 2000, Cuba welcomed the adoption of the "thirteen practical steps for the implementation of article VI". Cuba deeply regrets the lack of tangible progress in implementing most of those steps.

28. In that regard, the outcome document of the eighth Review Conference, in 2010, must contain practical commitments that clearly reflect the role and responsibility of the nuclear powers in the disarmament process, which must be undertaken with full respect for the principles of transparency, verification and irreversibility.

29. Historically, Cuba has supported the establishment of an ad hoc committee on nuclear disarmament within the Conference on Disarmament, as a matter of priority.

As a member of the Movement of Non-Aligned Countries, Cuba has called for the achievement of that objective and, in that connection, for the immediate commencement of negotiations on a phased programme for the total elimination of nuclear weapons within a specific time frame, including a convention on nuclear weapons.

30. Cuba is prepared to undertake this exercise and is of the view that the inflexible position of some nuclear Powers is continuing to prevent the Conference on Disarmament from establishing an ad hoc committee on nuclear disarmament.

31. Likewise, Cuba is in favour of beginning negotiations within the Conference on Disarmament on a non-discriminatory, multilateral and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices. Cuba is of the opinion that this treaty should represent a new step towards achieving the objective of the total elimination of nuclear weapons and, accordingly, that it must contain both non-proliferation and nuclear disarmament measures.

32. Cuba supports the establishment within the Conference on Disarmament of an ad hoc committee mandated with negotiating a treaty similar to that described in the preceding paragraph, in the context of the adoption of a programme of work for the Conference which accurately reflects the legitimate interests and priorities of all its member countries.

33. Pending the total elimination of nuclear weapons, a legally binding international instrument must be concluded, as a matter of priority, whereby nuclear-weapon States commit not to use or threaten to use such weapons against non-nuclear-weapon States under any circumstances. The Conference on Disarmament would be an appropriate forum for the negotiation and adoption of such an instrument.

34. Year after year in the United Nations General Assembly, Cuba has supported many resolutions which, directly or indirectly, call for compliance with the objective of nuclear disarmament.

35. Cuba sees the signing of a treaty on the reduction of strategic nuclear weapons between the Governments of the Russian Federation and the United States in April 2010 as a positive sign and believes that these reductions should be irreversible and verifiable. In addition, such commitments should not promote a generalized sense of complacency or divert attention away from our ultimate goal of nuclear disarmament.

Specific considerations relating to article VII

36. In 2002, Cuba not only acceded to the Treaty on the Non-Proliferation of Nuclear Weapons but also decided to ratify the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco), despite the fact that the only nuclear power in the Americas maintains towards Cuba a policy of hostility that does not exclude the use of force.

37. This step constitutes an additional contribution towards strengthening and consolidating multilateralism and international treaties on weapons of mass destruction, and a redoubling of efforts in favour of nuclear disarmament.

38. Cuba strongly supports the establishment of nuclear-weapon-free zones in various countries and regions of the world, on the basis of agreements freely negotiated between the States of the region concerned. Nuclear-weapon-free zones reinforce nuclear non-proliferation and contribute to achieving the objective of nuclear disarmament.

39. Cuba reiterates its support for the establishment of a Middle East zone free of weapons of mass destruction. As a first step, we support the rapid establishment of a nuclear-weapon-free zone in the Middle East.

40. Cuba welcomes the two Conferences of States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones that were held in Mexico in 2005 and in New York in 2010, since they provided an opportunity to explore and implement concrete methods of cooperation between the various zones and with other interested States.

Other considerations of interest to Cuba with regard to compliance with the Treaty on the Non-Proliferation of Nuclear Weapons

41. As a State party to the Treaty, Cuba maintains that the isolated and selective application of the principle of non-proliferation is insufficient to eliminate nuclear weapons. Only the application of a systematic approach, which would also include the components of disarmament, verification, assistance and cooperation, will be able to guarantee the total elimination of nuclear weapons.

42. Because of the threat that it poses to international peace and security, Cuba is extremely concerned about the development of new types of nuclear weapons and the existence of strategic defence doctrines that are underpinned by the possession and use of such weapons, such as the United States' Nuclear Posture Review and the NATO strategic concept. In addition, the deployment of nuclear weapons by nuclear-weapon States within the territory of non-nuclear-weapon States is a concern.

43. As for concerns that weapons of mass destruction, including nuclear weapons, could be used in terrorist acts, Cuba is firmly convinced that the most effective and sustainable way of preventing this from happening is to achieve the total elimination of these weapons. Against this backdrop, the full, immediate and unconditional implementation of article VI of the Treaty is fundamental.

44. Cuba also considers that such concerns should be addressed within the framework of legally binding international instruments on disarmament and non-proliferation that already exist and in the relevant international organizations, in which the vast majority of countries participate. Cuba will therefore continue to cooperate and take concrete action in connection with these international treaties and bodies, particularly the Treaty on the Non-Proliferation of Nuclear Weapons and IAEA.

45. Imposing non-transparent mechanisms of selective composition that operate outside the United Nations and international treaties is definitely not the right way to tackle the phenomenon of international terrorism, including that relating to the use of weapons of mass destruction, their means of delivery or related materials.

46. Cuba therefore considers that the Proliferation Security Initiative (PSI) erodes the international unity that should exist in the area of non-proliferation and counter-terrorism and, in practice, seeks to usurp the role of the United Nations and the international treaties and intergovernmental bodies that already exist in the area of disarmament and arms control.

47. This Initiative violates — in its design and in the way in which it is implemented — the fundamental principles enshrined in the Charter of the United Nations and recognized in international law, such as non-interference in the internal affairs of States, sovereign equality between all States and the non-use or threat of use of force against the territorial integrity or political independence of any State. It also violates the basic provisions of a number of international treaties, such as the United Nations Convention on the Law of the Sea.

48. The so-called Nuclear Security Summit, organized by the United States for a limited group of countries on 12 and 13 April 2010, has made no contribution to the real efforts being made by the international community to deal with those issues in a transparent and open manner, with the participation of all States and within the framework of such multilateral forums as IAEA that have been established for that purpose.

Conclusions

49. Cuba fully complies with all the obligations and commitments undertaken since its accession to the Treaty on the Non-Proliferation of Nuclear Weapons, as demonstrated by its immediate negotiation and entry into force of safeguards agreements with IAEA and all the actions taken to ensure their full implementation.

50. This demonstrates, through concrete acts, our political will strictly to comply with each and every one of its provisions, including those relating to article VI, with the firm conviction that achieving the objective of nuclear disarmament must continue to be the international community's top priority in the area of disarmament and arms control.

51. Cuba reiterates its willingness to work together with the other States parties to the Treaty, particularly those belonging to the Movement of Non-Aligned Countries, to achieve compliance with all the provisions of this legal instrument and thereby contribute to the international community's efforts in favour of peace, security and a world free from nuclear weapons and the enormous danger that their mere existence represents.

52. The eighth Review Conference, in 2010, could be the scene of real progress towards the elimination of nuclear weapons in a transparent, irreversible and verifiable manner, and for all States parties to the Treaty to set themselves new goals for achieving that objective. This requires the commitment, determined participation and full political will of the international community, especially that of the nuclear-weapon States.

NPT/CONF.2010/41

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

7 May 2010

Original: English

New York, 3-28 May 2010

Note verbale dated 6 May 2010 from the Permanent Mission of Chile to the United Nations addressed to the Secretary-General of the Conference

The Permanent Mission of Chile to the United Nations presents its compliments to the Secretary-General of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and has the honour to refer to the Second Conference of States Parties and Signatories of Treaties that Establish Nuclear-Weapon-Free Zones and Mongolia.

The Permanent Mission of Chile kindly requests that the Outcome Document of the Second Conference of States Parties and Signatories of Treaties that Establish Nuclear-Weapon-Free Zones and Mongolia, and the annex entitled "Recommendations of the Civil Society Forum on Nuclear-Weapon-Free Zones" (see attachment) be circulated as a working paper of the 2010 Review Conference.

Attachment

Outcome Document

Second Conference of Nuclear-Weapon-Free Zones and Mongolia

New York, 30 April 2010

On the occasion of the 2010 Review Conference of the Parties to the Treaty on Non-Proliferation of Nuclear Weapons we, the States parties and signatories to the Treaties of Tlatelolco (1967), Rarotonga (1985), Bangkok (1995), Pelindaba (1996) and Central Asia (2006) which have established nuclear-weapon-free zones, as well as Mongolia — a nuclear-weapon-free State — have met for the purpose of strengthening the nuclear-weapon-free zones regimes and contributing to the nuclear disarmament and nuclear non-proliferation process, and in particular to analyse ways of cooperating that can promote the achievement of the universal goal of a nuclear-weapon-free world.

Bearing this in mind:

1. We reaffirm the validity of the Declaration of the First Conference of States Parties and Signatories to Treaties that establish Nuclear-Weapon-Free Zones, adopted in Mexico on 28 April 2005;

2. We are firmly convinced that the mere existence of nuclear weapons constitutes a threat to the survival of mankind, that their use would have catastrophic consequences for life on Earth, and that the only guarantee against their use or threat of use is their total elimination;

3. We reiterate that the use or threat of use of nuclear weapons is a violation of international law and of the Charter of the United Nations, and a crime against humanity;

4. We reaffirm the urgent need to advance towards the priority goal of nuclear disarmament and the achievement of the total elimination and legally binding prohibition of nuclear weapons. In this regard, we stress that the establishment of nuclear-weapon-free zones is a major contribution to the non-proliferation efforts;

5. We reiterate our conviction that the achievement of the goal of a nuclear-weapon-free world requires the firm political will of all States, and particularly nuclear-weapon States;

6. We strongly support the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons* that there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects, under strict and effective international control;

7. We express our opposition to the improvement in existing nuclear weapons and the development of new types of nuclear weapons;

8. We reaffirm the inalienable right of States to develop, research, produce and use nuclear energy for peaceful purposes without discrimination in accordance with the Treaty on the Non-Proliferation of Nuclear Weapons;

9. We reaffirm that the Non-Proliferation Treaty remains the cornerstone of the nuclear disarmament and non-proliferation regime, which includes peaceful uses of nuclear energy, and reiterate the validity of all its principles, obligations and rights;

10. We reaffirm the importance of achieving the universality of the Non-Proliferation Treaty and a balanced and non-discriminatory implementation of its three pillars — nuclear disarmament, nuclear non-proliferation and the inalienable right to peaceful uses of nuclear energy — and urge those States that are not parties thereto to accede to the Treaty without delay and conditions as non-nuclear-weapon States;

11. Whereas we welcome some recent positive signs by some nuclear-weapon States in the disarmament field, we express our view that further concrete measures, to implement article VI of the Non-Proliferation Treaty, including the 13 practical steps enshrined in the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons are necessary in order to set in motion an effective and irreversible process of nuclear disarmament that leads to a nuclear-weapon-free world. In this regard, we urge States to seize the opportunities opened by the 2010 Non-Proliferation Treaty Review Conference to adopt further decisions to progress towards nuclear disarmament;

12. We underline the importance of nuclear-weapon States reducing their nuclear arsenals with a view to their total elimination. In this connection, we recognize the recent signature by the President of the Russian Federation and the President of the United States of America of a new Strategic Arms Reduction Treaty as an important step in reducing the number of their deployed nuclear arsenals and look forward to its early entry into force. This agreement constitutes an important step forward, but only one of many necessary steps needed to achieve nuclear disarmament. We call for further deep cuts, including in the area of non-deployed and non-strategic nuclear weapons;

13. We stress that all nuclear disarmament initiatives should be irreversible, transparent and verifiable;

14. We strongly reaffirm that nuclear disarmament and non-proliferation are mutually reinforcing processes;

15. We consider that the possession of nuclear weapons brings about neither peace nor international security. While stressing the need to eliminate the role of nuclear weapons in strategic doctrines and security policies, we call upon all nuclear-weapon States to review such doctrines and policies. We take note of the United States of America's Nuclear Posture Review. We also underline that further significant doctrinal shifts by all nuclear-weapon States are urgently needed to bring us closer to a nuclear-weapon-free world;

16. We urge the nuclear-weapon States to provide the non-nuclear-weapon States with effective security assurances not to use or threaten to use nuclear weapons against them, pending the elimination of all nuclear weapons. Furthermore,

we urge the nuclear-weapon States to negotiate and conclude a treaty on universal, unconditional, and legally binding security assurances to the non-nuclear-weapon States;

17. We are convinced that the establishment of internationally recognized nuclear-weapon-free zones on the basis of agreements entered into freely among the States of the zone concerned, strengthens world and regional peace and security, reinforces the nuclear non-proliferation regime, and contributes to the achievement of nuclear disarmament;

18. We urge the nuclear-weapon States and any other State mentioned in the relevant protocols to the treaties that established nuclear-weapon-free zones that have not yet signed or ratified such protocols, to do so as a matter of priority;

19. We also urge the nuclear-weapon States that, having signed or ratified any of the relevant protocols to treaties that established nuclear-weapon-free zones, have done so with reservations and unilateral interpretative declarations, to withdraw such reservations and/or declarations;

20. We are very pleased to note that 43 years after the signing of the Treaty of Tlatelolco, which established the first zone free of nuclear weapons in a densely populated area, the number of States covered by such zones has increased;

21. We welcome the entry into force of the Treaty on a Nuclear-Weapon-Free Zone in Central Asia on 21 March 2009, the first such zone solely in the northern hemisphere and covering an area where nuclear weapons were previously based and tested, and urge the States concerned to address any outstanding issues that may affect its operation. We support the aspirations of the region to intensify efforts to address the problems associated with the safety of radioactive waste;

22. We welcome the entry into force of the African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba) on 15 July 2009, and the steps being taken towards the establishment of the African Commission on Nuclear Energy, which would mark an important step towards attaining the objective of nuclear disarmament and non-proliferation;

23. We express full support for Mongolia's policy of institutionalizing its nuclear-weapon-free status and welcome the talks being held by this country with its two neighbours to that effect;

24. We welcome the heightened commitment of the Association of Southeast Asian Nations to preserve South-East Asia as a zone free of nuclear weapons and other weapons of mass destruction, as reaffirmed in the Association of Southeast Asian Nations Charter. We recognize the efforts of the Association of Southeast Asian Nations in promoting and strengthening the implementation of the Treaty on the South-East Asia Nuclear Weapon Free Zone as the region's contribution to achieving a nuclear-weapon-free world. We also note the progress made by the Treaty's Plan of Action (2007-2012) in sharpening the focus of regional collaboration against nuclear weapons and widening the opportunities of the Association of Southeast Asian Nations for participation in international efforts against nuclear weapons;

25. We strongly advocate for a denuclearized Korean Peninsula;

26. We also reiterate our support for the establishment — as a matter of urgency — of a nuclear-weapon-free zone in Central Europe;

27. We reiterate our support for the establishment — as a matter of urgency — of a nuclear-weapon-free zone in the Middle East, in conformity with the resolution on the Middle East adopted at the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, with a view to achieving the universality of the Non-Proliferation Treaty in the Middle East, and in accordance with relevant resolutions of the United Nations General Assembly;

28. We recognize the key importance of multilateralism and in particular the role played by the United Nations in the area of nuclear disarmament and non-proliferation and peaceful uses of nuclear energy and we reiterate our commitment to strengthen that role;

29. We support the United Nations Secretary-General's call in his five-point proposal on nuclear disarmament for all Non-Proliferation Treaty parties, in particular the nuclear-weapon States, to fulfil their obligation under the Treaty to undertake negotiations on effective measures leading to nuclear disarmament;

30. We recognize the fundamental role of the International Atomic Energy Agency (IAEA) in the application and verification of compliance with the international safeguards regime provided for in the Non-Proliferation Treaty and the relevant nuclear-weapon-free zone treaties as well as efforts to strengthen the effectiveness of the IAEA safeguards system. We urge all States that have not yet concluded comprehensive safeguards agreements to do so as soon as possible;

31. We urge all Member States of the Conference on Disarmament to adopt and implement a balanced and comprehensive programme of work, bearing in mind the primary role of the Conference as the single multilateral disarmament negotiating forum;

32. We reiterate our demand for the total ban of all nuclear tests and the need for reaching universal adherence to the Comprehensive Nuclear-Test-Ban Treaty, particularly by all nuclear-weapon States and Annex 2 States, and in that regard we call for the upholding and maintenance of the moratorium on such tests or any other nuclear explosions pending the entry into force of the Treaty;

33. We reiterate our deep concern over the potential serious ecological and security risks of transporting radioactive material and other dangerous wastes by sea or other navigable waters and urge all States, particularly those that transport such materials, to strengthen the international legal code as regards security and responsibility measures applicable to this mode of transportation, through the effective application of the commitments adopted within the International Atomic Energy Agency and the International Maritime Organization, and other international forums. We also urge all States to exchange information at the Government level on the transport of radioactive material and urge all States shipping radioactive materials to work with potentially affected States to address their concerns in this regard;

34. We are convinced of the benefit that the use of the resources devoted to nuclear-weapon programmes could have for humanity if they were utilized for supporting social and economic development;

35. We express our interest in promoting initiatives aiming to strengthen national capacities and education in order to increase public understanding of the dangers posed by nuclear weapons and to promote their total elimination;

36. We will continue to pursue international efforts to achieve a nuclear-weapon-free world. In this regard, we intend to foster cooperation among the nuclear-weapon-free zones to fully implement the principles and objectives of the treaties and to exchange relevant ideas and best practices in areas of mutual interest. To maintain continuity in the enhanced interaction among the nuclear-weapon-free zones generated at this Conference, we will explore, through diplomatic channels, the appropriate modalities for maintaining contact and disseminating relevant information among the nuclear-weapon-free zones during the inter-sessional period.

Declaration and recommendations for the Second Conference of States Parties and Signatories of Treaties that Establish Nuclear-Weapon-Free Zones and Mongolia (30 April 2010), and the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

Adopted by the Civil Society Forum for Nuclear-Weapon-Free Zones, United Nations, 29 April 2010

The citizens listed below, participants of the Civil Society Forum for Nuclear Weapon Free Zones, held on 29 April 2010 at the United Nations in New York:

1. Affirm the role that local, national and regional nuclear-weapon-free zones play in delegitimizing nuclear weapons, constraining nuclear proliferation, building cooperative security and paving the way for a nuclear-weapon-free world;

2. Express their continued support for the nuclear-weapon-free zones established in Antarctica, Latin America and the Caribbean, the Seabed, Outer Space, the South Pacific, Africa, South-East Asia, Mongolia and Central Asia;

3. Call upon all States, in particular the nuclear-weapon States, to fully respect existing nuclear-weapon-free zones, including to ratify the respective protocols and remove reservations to current ratifications, in order to guarantee the zones remain free of nuclear weapons and the threat of their use;

4. Support the exploration of possibilities for establishing nuclear-weapon-free zones in the Middle East, North-East Asia, the Arctic and Central Europe, and call upon Governments in these regions to undertake multilateral dialogue, deliberations and negotiations to establish such zones;

5. Commend States — including Austria, Mongolia and New Zealand — which have taken national legislative measures to prohibit nuclear weapons, and encourage other national legislatures to adopt similar measures;

6. Believe that technical and financial resources dedicated to producing and deploying nuclear weapons — including most of the $100 billion global nuclear-weapons budget — should be converted for civilian purposes, including meeting United Nations Millennium Development Goals and combating climate change;

7. Support actions, whether by Governments or private investors, to divest from corporations involved in the manufacture and deployment of nuclear weapons and their delivery systems, and commend the Governments of New Zealand and Norway and cities that have undertaken such divestment actions;

8. Commend the Governments in the regional nuclear-weapon-free zones for joining together in the inaugural Conference of States Parties and Signatories of Treaties that Establish Nuclear-Weapon-Free Zones, in Mexico in 2005 and again at the United Nations in 2010, and encourage the States parties to enhance their communication and collaboration and to establish institutional arrangements to facilitate this;

9. Encourage States parties to nuclear-weapon-free zone treaties to expand their collaboration in strengthening existing nuclear-weapon-free zones, supporting the establishment of additional zones, including single-State nuclear-weapon-free

zones, and advancing the achievement of a nuclear-weapon-free world, and commend the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean for their leadership in this area;

10. Encourage States which host foreign nuclear weapons to exercise their sovereign right to have such weapons withdrawn, enabling them to establish or join nuclear-weapon-free zones;

11. Commend United Nations Secretary-General Ban Ki-moon for his five-point plan for nuclear disarmament, which supports nuclear-weapon-free zones and proposes a number of other measures, including a call upon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons to undertake negotiations on a nuclear-weapons convention or a package of agreements;

12. Call on the 2010 Treaty on the Non-Proliferation of Nuclear Weapons Review Conference to agree to a preparatory process for a nuclear-weapons convention that would pave the way for negotiations while simultaneously advancing technical, political and legal aspects such as verification, confidence-building and diminishing the role of nuclear weapons;

13. Note that, as work proceeds to negotiate new measures leading to nuclear disarmament in all its aspects, it is vital that already-agreed measures be brought into force and implemented. Thus, commend the nuclear-weapon-free-zone States on their leadership promoting entry into force of the Comprehensive Nuclear-Test-Ban Treaty and developing its global verification system;

14. Affirm the role of civil society in the establishment of local, national and regional nuclear-weapon-free zones, and in collaborating with Governments for the achievement of a nuclear-weapon-free world.

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

7 May 2010
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Original: Spanish

New York, 3-28 May 2010

Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons

Report submitted by Uruguay

Article I

1. Since its accession to the Treaty on the Non-Proliferation of Nuclear Weapons, Uruguay has consistently called on the five nuclear-weapon States recognized by the Treaty not to transfer any such weapons, or control over the same, to non-nuclear-weapon States, and not in any way to encourage any non-nuclear-weapon State to manufacture or acquire such weapons. Uruguay will continue to do so in all international forums addressing disarmament, non-proliferation and arms control.

2. Uruguay values the Treaty as the cornerstone of the disarmament and nuclear non-proliferation regime. The very existence of nuclear weapons threatens the survival of humanity, and use of such weapons would have catastrophic consequences. The only way to make sure that no State uses or threatens to use them against non-nuclear-weapon States is to totally eliminate such weapons.

Article II

3. Uruguay complies faithfully and strictly with the obligation set forth in article II. The Treaty was ratified by Parliament by Act No. 13.859 of 4 June 1970 and as a State party, Uruguay has undertaken not to receive the transfer — from any transferor whatsoever — of nuclear weapons, or control over such weapons, and not to manufacture or acquire nuclear weapons.

4. Uruguay has never, at any point during its existence as a nation, received any materials for the manufacture of nuclear weapons or acquired such weapons in order to ensure its survival as a State.

Article III

5. At the time of its accession to the Treaty, Uruguay concluded a safeguards agreement with the International Atomic Energy Agency (IAEA). In accordance with article III, paragraph 1 of the Treaty concerning the application of safeguards, Uruguay agreed, back in 1976, to accept safeguards with respect to source and special fissionable materials. The safeguards apply to all nuclear activities for peaceful purposes taking place on Uruguayan soil. Their objective is to ensure that such materials are not diverted to produce nuclear weapons or other nuclear explosive devices. The Agreement was ratified by Decree-Law No. 14.541 of 20 July 1976.

6. In addition, Uruguay is a State party to an agreement — concluded pursuant to article 13 of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) — which states that the provisions of the Safeguards Agreement apply to Uruguay also by virtue of its belonging to the nuclear-weapon-free zone of Latin America.

7. In order to further strengthen the IAEA safeguards regime as an effective measure to counter the proliferation of nuclear weapons, the country ratified Act No. 17.750 of 2004 enacting the Additional Protocol to the Safeguards Agreement between Uruguay and IAEA.

8. With a comprehensive safeguards agreement and an additional protocol, IAEA is in a position to adopt annually the conclusion that no declared nuclear materials are being diverted and that there are no undeclared nuclear materials or activities on Uruguayan territory.

Article IV

9. Uruguay reaffirms that one of the three pillars of the Treaty on the Non-Proliferation of Nuclear Weapons is the inalienable right of all States to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II. Uruguay therefore stresses the role of IAEA in verifying that nuclear energy is used exclusively for peaceful purposes.

10. While emphasizing that inalienable right in various forums, Uruguay has thus far not used nuclear energy to generate electricity, does not have research reactors, and does not use nuclear fuels consisting of uranium or plutonium radioisotopes.

11. Article 27 of Act No. 16.832 of June 1997 prohibits the use of nuclear energy in the national territory, and states that electrical energy providers shall not conclude contracts for the supply of such energy with nuclear power plants or foreign power plants that contaminate the national territory.

Article V

12. Uruguay participates actively and constructively in promoting the entry into force of the Comprehensive Nuclear-Test-Ban Treaty, which it ratified by virtue of Act No. 17.348 of 2001. At the conferences on facilitating the entry into force of the Comprehensive Nuclear-Test-Ban Treaty convened pursuant to article XIV of the

Treaty, Uruguay has contributed to the formulation of measures consistent with international law that could accelerate the process of ratification, thereby facilitating the timely entry into force of the Treaty and ridding the world of nuclear tests.

13. Nine of the States listed in Annex 2 to the Comprehensive Nuclear-Test-Ban Treaty must ratify the Treaty in order for it to enter into force. At the various international regional forums, Uruguay has continued to encourage those States to ratify the Treaty without delay. Such action would allow that vitally important and legally binding instrument on disarmament and non-proliferation to become a reality once and for all.

14. Uruguay continues to call on all States to refrain from nuclear testing or carrying out any nuclear explosion. States should maintain the existing moratoriums in that regard, and should refrain from any action contrary to the object and purpose of the Comprehensive Nuclear-Test-Ban Treaty. However, Uruguay believes that those measures would not have the same permanent and legally binding effect as the entry into force of that Treaty. A legally binding regime with an international monitoring system comprising seismological, hydroacoustic and infrasound monitoring as provided for by the Treaty would be the best guarantee for the verification of such explosions.

Article VI

15. As a State party to the Treaty on the Non-Proliferation of Nuclear Weapons, Uruguay is fully committed to pursuing negotiations in good faith leading to the cessation of the nuclear arms race, and supports all initiatives aimed at general and complete disarmament under strict and effective international control. In addition to drawing on the staunchly pacifist orientation of its foreign policy, Uruguay bases that view on the advisory opinion of the International Court of Justice concerning the legality of the threat or use of nuclear weapons, which unanimously stresses the obligation to pursue in good faith negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.

16. In the General Assembly, Uruguay has supported the resolution concerning the Convention on the Prohibition of the Use of Nuclear Weapons, which requests the Conference on Disarmament to commence negotiations in order to conclude that important instrument. Uruguay is convinced that a multilateral, universal and binding agreement prohibiting the use or threat of use of nuclear weapons would help to dispel the nuclear threat and create a climate conducive to negotiations aimed at the total elimination of nuclear weapons throughout the world.

17. Uruguay is therefore firmly convinced of the need to reduce the prominence of nuclear weapons in the strategic and political security doctrines of nuclear-weapon States and of States not yet parties to the Treaty. Such action would minimize the risk of such weapons being used.

18. In the General Assembly, Uruguay supports all measures to lower the operational readiness of nuclear-weapon systems. Maintaining nuclear weapons in a state of high alert was a hallmark of cold war nuclear postures. Although that period has come to an end, thousands of nuclear weapons remain in a state of high alert and are ready for immediate deployment.

19. Uruguay is one of many States that have pressed for negotiations in the Conference on Disarmament towards a fissile material cut-off treaty. The country has called on all nuclear-weapon States and States not yet parties to the Treaty to maintain moratoriums on the production of fissile materials for any form of nuclear weapons or other nuclear explosive devices, pending the entry into force of a fissile material cut-off treaty.

20. As a member of the Board of Governors of IAEA, Uruguay calls for the improvement of the Agency's safeguards regime; the universalization of IAEA comprehensive safeguards agreements and the Model Additional Protocol; and the full implementation of the relevant Security Council resolutions, including resolution 1540 (2004).

21. Uruguay firmly supports the adoption of additional measures conducive to nuclear disarmament in accordance with article VI of the Treaty. Any nuclear disarmament measures must comply with the principles of transparency, irreversibility and verifiability.

Article VII

22. As a State party to the Treaty of Tlatelolco, which established the first nuclear-weapon-free zone in the world, Uruguay calls on all States to conclude regional treaties in order to ensure the total absence of nuclear weapons in their respective territories. Nuclear-weapon-free zones contribute to the promotion of nuclear disarmament.

23. Uruguay urges all nuclear-weapon States, as a matter of priority, to sign or ratify the protocols to the treaties establishing nuclear-weapon-free zones. Uruguay calls on those States to withdraw or amend reservations or unilateral interpretive declarations that affect the denuclearization of any zone.

24. The establishment of a nuclear-weapon-free zone in the southern hemisphere continues to be a priority objective for Uruguay. It therefore welcomes the Antarctic Treaty, the Treaty of Tlatelolco, the South Pacific Nuclear Free Zone Treaty (Treaty of Rarotonga), the Treaty on the Southeast Asia Nuclear-Weapon-Free Zone (Bangkok Treaty) and the African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba), which are helping to rid the southern hemisphere and the relevant adjacent areas of nuclear weapons.

25. Uruguay urges nuclear-weapon States to provide other States with effective assurances that they will not use, and will not threaten to use such weapons against them. Uruguay complies with the commitments enshrined in Security Council resolution 984 (1995) and the legally binding negative security assurances contained in the relevant protocols of the instruments establishing nuclear-weapon-free zones. Uruguay calls on nuclear-weapon States to conclude a treaty on universal, unconditional and legally binding security assurances for non-nuclear-weapon States.

26. Uruguay believes that it is vitally important to establish of a zone free of nuclear weapons and other weapons of mass destruction in the Middle East, in accordance with the Final Document of the 2000 Review Conference. At the 2010 Review Conference, the nuclear-weapon States should cooperate closely with the States of the Middle East in order to agree on a phased plan of action to establish a zone free of nuclear weapons and other weapons of mass destruction in the Middle East.

Article VIII

27. Uruguay believes that the current global situation can contribute to a satisfactory outcome for the 2010 Review Conference. It notes with approval the renewed interest in nuclear disarmament expressed by international leaders during the Security Council summit on nuclear non-proliferation and nuclear disarmament held on 24 September 2009. It welcomes the outcome of the third session of the Preparatory Committee of the 2010 Review Conference, which made it possible to adopt the provisional agenda and organize the work of the Review Conference.

28. Uruguay understands that the final document of the 2010 Review Conference should build on the positive results of the 1995 and 2000 Review Conferences. It should contribute significantly to the practical implementation of the Final Documents of both conferences; promote the objective of a nuclear-weapon-free world; strengthen the Treaty on the Non-Proliferation of Nuclear Weapons in all its aspects; and contribute to the universality and full implementation of the Treaty.

Article IX

29. Uruguay remains convinced of the importance of universalizing the Treaty and strengthening and consolidating the multilateral nuclear disarmament and non-proliferation regime. The fact that the Treaty is not yet universal highlights and emphasizes more than ever before the need to fully implement the Final Documents of the 1995 and 2000 Review Conferences, including the decision to extend the Treaty indefinitely.

30. Uruguay continues to call on India, Israel and Pakistan to accede to the Treaty as non-nuclear-weapon States in accordance with article IX. Uruguay believes that in order to preserve the credibility of the Treaty and its indefinite extension, the 2010 Review Conference should agree on an effective plan of action to ensure universal accession to the Treaty, and determine a series of practical measures towards that goal.

31. Uruguay firmly supports the six party talks with the Democratic People's Republic of Korea, and hopes that the process will lead that country to go back to being a State party to the Treaty, and, that it will consequently meet its obligations under the Treaty, and resume cooperation with IAEA.

Article X

32. Uruguay helped — as did all the other States parties to the Treaty — to bring about the indefinite extension of the Treaty in accordance with article X.

33. Uruguay recognizes that each State party has the right, in exercising its national sovereignty, to withdraw from the Treaty if it decides that extraordinary events, related to the subject matter of the Treaty, have jeopardized the supreme interests of its country. Article X recognizes that such cases are particularly sensitive, and provides that notice of withdrawal should be given to all other States parties to the Treaty and to the Security Council, including a statement of the extraordinary events that the State regards as having jeopardized its supreme interests.

34. There are two positions on the matter. The first is that withdrawal from the Treaty does not allow the State to cease compliance with the obligations contained therein. The legal basis for that view is article 70 of the Vienna Convention on the Law of Treaties, which provides that withdrawal from a treaty does not absolve the State party from any obligation it had prior to exercising its right to withdrawal. According to that position, a State that withdraws from the Treaty cannot use nuclear materials that were acquired for peaceful purposes while the State was subject to the non-proliferation assurances arising from the Treaty. It follows that States parties to the Treaty should confirm that nuclear materials, equipment and technology acquired by a State for peaceful purposes would remain subject to peaceful use obligations even if the State withdrew from the Treaty.

35. The second position is that the right to withdraw is recognized by the Treaty, and that proposals to reinterpret article X require close consideration. Any modification of that article constitutes a legal amendment to the Treaty, and must take place in accordance with the procedures set forth in article VII. According to that view, States parties to the Treaty should focus on other matters, such as the universality of the Treaty, rather than on issues pertaining to article X.

36. While recognizing the right to withdraw from the Treaty, Uruguay believes that the legal and political consequences of withdrawal should be defined more precisely. The 2010 Review Conference provides a unique opportunity to do so.

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

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Note verbale dated 6 May 2010 from the International Committee of the Red Cross to the United Nations addressed to the Secretary-General of the Conference

The delegation of the International Committee of the Red Cross to the United Nations presents its compliments to Thomas Markram, head of the Weapons of Mass Destruction Branch, Office for Disarmament Affairs, at United Nations Headquarters in New York, and has the honour to request that the speech on nuclear weapons (see annex) delivered by Jakob Kellenberger, President of the International Committee of the Red Cross, on 20 April 2010, be distributed as a document of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

Annex

Nuclear weapons: statement to the Geneva diplomatic corps by Jakob Kellenberger, President of the International Committee of the Red Cross

Headquarters of the International Committee of the Red Cross, Geneva, 20 April 2010

In recent weeks and months, the issues of nuclear disarmament and nuclear non-proliferation have assumed a new urgency on the world stage. Energetic diplomatic efforts are heralding long overdue progress on nuclear-weapons issues in the post-cold war era.

The International Committee of the Red Cross (ICRC) firmly believes that the debate about nuclear weapons must be conducted not only on the basis of military doctrines and power politics. The existence of nuclear weapons poses some of the most profound questions about the point at which the rights of States must yield to the interests of humanity, the capacity of our species to master the technology it creates, the reach of international humanitarian law and the extent of human suffering we are willing to inflict, or to permit, in warfare.

The currency of this debate must ultimately be about human beings, about the fundamental rules of international humanitarian law and about the collective future of humanity.

ICRC has a legitimate voice in this debate. In its 150-year history, the organization has witnessed immeasurable human suffering caused by war and understands the potential of international humanitarian law to limit such suffering. ICRC also brings to the debate its own direct testimony to the consequences of the use of nuclear weapons and their potential to render impossible the mission of humanitarian assistance that this organization exists to fulfil. Dr. Marcel Junod, an ICRC delegate, was the first foreign doctor in Hiroshima to assess the effects of the atomic bombing and to assist its victims. His testimony in an article entitled "The Hiroshima Disaster", stored in the ICRC archives and first published in 1982, told of the human reality of this weapon.

> We … witnessed a sight totally unlike anything we had ever seen before. The centre of the city was a sort of white patch, flattened and smooth like the palm of a hand. Nothing remained. The slightest trace of houses seemed to have disappeared. The white patch was about two kilometres in diameter. Around its edge was a red belt, marking the area where houses had burned, extending quite a long way further … covering almost all the rest of the city.
>
> According to witnesses encountered by Junod, in a few seconds after the blast
>
> thousands of human beings in the streets and gardens in the town centre, struck by a wave of intense heat, died like flies. Others lay writhing like worms, atrociously burned. All private houses, warehouses, etc., disappeared as if swept away by a supernatural power. Trams were picked up and hurled yards away, as if they were weightless; trains were flung off the rails ... Every living thing was petrified in an attitude of acute pain.

As Junod recounts, destruction of this magnitude does not spare medical infrastructure or doctors and their materials. Of 300 doctors in Hiroshima, 270 were reported dead; of 1,780 nurses, 1,654 were dead; of 140 pharmacists, 112 were dead. Miraculously, the Japanese Red Cross hospital that Junod visited was built of stone and remained largely intact. However, it could no longer function, as its laboratory equipment was unusable, a third of its staff had been killed and there was no possibility of blood transfusion, as the donors were either dead or had disappeared. Of a thousand patients who had taken refuge there on the first day, 600 rapidly died.

The suffering caused by the use of nuclear weapons is increased exponentially by devastation of the emergency and medical assistance infrastructure. The specific characteristics of nuclear weapons, that is, the effects on human beings of the radiation they generate, also cause suffering and death for years after the initial explosion. For survivors, the immediate future may include life-threatening dehydration and diarrhoea from injuries to the gastrointestinal tract, and life-threatening infections and severe bleeding caused by bone marrow suppression. If they survive these threats, they face an increased risk of developing certain cancers and of passing on genetic damage to future generations. Thus, over time, many more lives are lost. In Hiroshima and Nagasaki, fatalities increased two to threefold over the following five years.

Although nuclear weapons' potential for destructive force increased by a factor of many thousands during the cold war, the ability of States and international agencies to assist potential victims did not. ICRC has recently completed a thorough analysis of its capacity and that of other international agencies to bring aid to the victims of the use of nuclear, radiological, chemical or biological weapons. Despite the existence of some response capacity in certain countries, at the international level there is little such capacity and no realistic, coordinated plan. Almost certainly, the images seen in Hiroshima and Nagasaki will be those resulting from any future use of nuclear weapons.

We now know that the destructive capacity of the nuclear weapons used in Hiroshima and Nagasaki pales in comparison to those in current arsenals. According to many scenarios of nuclear-weapon use, the human and societal destruction would be much worse. We also know that use of a fraction of the weapons held in current arsenals would affect the environment for many years and render agriculture impossible in vast areas. The implications for human life are indeed sobering.

Excellencies, ladies and gentlemen,

The International Committee of the Red Cross has long been preoccupied by nuclear weapons, by the immense threat they pose to civilians and by their implications for international humanitarian law. Already on 5 September 1945, ICRC publicly expressed the wish that nuclear weapons be banned. From 1948 on, the entire International Red Cross and Red Crescent Movement, through its International Conferences, called for the prohibition of weapons of mass destruction, in general, and of nuclear weapons, in particular. In a communication to States parties to the Geneva Conventions in 1950, ICRC stated that before the atomic age:

> War still presupposed certain restrictive rules; above all … it presuppose[d] discrimination between combatants and non-combatants. With atomic bombs and non-directed missiles, discrimination became impossible. Such arms will

> not spare hospitals, prisoner of war camps and civilians. Their inevitable consequence is extermination, pure and simple ... [Their] effects, immediate and lasting, prevent access to the wounded and their treatment. In these conditions, the mere assumption that atomic weapons may be used, for whatever reason, is enough to make illusory any attempt to protect non-combatants by legal texts. Law, written or unwritten, is powerless when confronted with the total destruction the use of this arm implies.

On this basis, the International Committee called on States to take "all steps to reach an agreement on the prohibition of atomic weapons".

In 1996 ICRC welcomed the fact that the International Court of Justice, in its Advisory Opinion on nuclear weapons, confirmed that the principles of distinction and proportionality found in international humanitarian law are "intransgressible" and apply also to nuclear weapons. In applying those principles to nuclear weapons the Court concluded that "the use of nuclear weapons would generally be contrary to the principles and rules of international humanitarian law". It was unable to decide whether, even in the extreme circumstance of a threat to the very survival of the State, the use of nuclear weapons would be legitimate.

Some have cited specific, narrowly defined scenarios to support the view that nuclear weapons could be used legally in some circumstances. However, the Court found that "... The destructive power of nuclear weapons cannot be contained in either space or time ... the radiation released by a nuclear explosion would affect health, agriculture, natural resources and demography over a very wide area. Further, the use of nuclear weapons would be a serious danger to future generations ...". In the light of this finding, ICRC finds it difficult to envisage how any use of nuclear weapons could be compatible with the rules of international humanitarian law.

The position of ICRC, as a humanitarian organization, goes — and must go — beyond a purely legal analysis. Nuclear weapons are unique in their destructive power, in the unspeakable human suffering they cause, in the impossibility of controlling their effects in space and time, in the risks of escalation they create and in the threat they pose to the environment, to future generations and indeed to the survival of humanity. ICRC therefore appeals today to all States to ensure that such weapons are never used again, regardless of their views on the legality of such use.

The international community now has at hand a unique opportunity to reduce and eliminate the threat of nuclear weapons for this and succeeding generations. The United Nations Security Council, meeting at summit level in September 2009, endorsed the objective of "a world without nuclear weapons". Four months earlier the Conference on Disarmament, in Geneva, unanimously agreed upon a programme of work and negotiations on nuclear-weapon issues, including nuclear disarmament. Some of the most renowned political and military leaders of recent decades have concluded that nuclear weapons undermine national and international security and support their elimination. Presidents Obama and Medvedev have recognized their countries' special responsibility for the reduction of nuclear weapons. The Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, to be held in New York next month, provides an historic opportunity for both nuclear- and non-nuclear-weapon States to agree on concrete plans for the fulfilment of all the Treaty's obligations, including those concerning nuclear disarmament.

In the view of ICRC, preventing the use of nuclear weapons requires fulfilment of existing obligations to pursue negotiations aimed at prohibiting and completely eliminating such weapons through a legally binding international treaty. It also means preventing their proliferation and controlling access to materials and technology that can be used to produce them.

The opening sentences of Marcel Junod's testimony began: "The physical impact of the bomb was beyond belief, beyond all apprehension, beyond imagination. Its moral impact was appalling". We must never allow ourselves to become morally indifferent to the terrifying effects of a weapon that defies our common humanity, calls into question the most fundamental principles of international humanitarian law and can threaten the continued existence of the human species.

ICRC today appeals to all States, and to all in a position to influence them, to seize with determination and urgency the unique opportunities now at hand to bring the era of nuclear weapons to an end.

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

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Implementation of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons and of paragraph 4 (c) of the 1995 decision on principles and objectives for nuclear non-proliferation and disarmament

National report of Mexico

I. Submission of regular reports

1. Mexico is submitting its report on the steps it has taken as a non-nuclear-weapon State to comply with article VI of the Treaty on the Non-Proliferation of Nuclear Weapons, with a view to encouraging greater efforts towards this end, and in order to promote the reporting of such information by the nuclear-weapon States.

2. Mexico is convinced that the Treaty on the Non-Proliferation of Nuclear Weapons continues to be the cornerstone of the global non-proliferation regime and is crucial to achieving the objective of nuclear disarmament. The agreements adopted at the 1995 and 2000 Review Conferences of the Parties to the Treaty remain fully valid. With this understanding, Mexico stresses that accountability is an essential factor for assessing the level of compliance with the Treaty and the commitments made within that framework, and for promoting transparency and trust between the parties.

3. Mexico stresses that, given the commitment undertaken by the nuclear-weapon States to destroy their nuclear arsenals, those States have a greater responsibility for submitting information about steps taken to comply with the obligation to pursue negotiations in good faith on effective measures for nuclear disarmament, in accordance with article VI of the Treaty, and with the nuclear disarmament measures agreed upon in 2000.

4. This is an updated report on steps taken by Mexico since the submission of its national report during the first session of the Preparatory Committee for the 2010 Review Conference of the Parties to the Treaty, held in Vienna from 30 April to 11 May 2007 (NPT/CONF.2010/PC.I/5).

II. Comprehensive Nuclear-Test-Ban Treaty

5. Mexico has actively promoted international activities designed to achieve the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty. In that connection, it participated in the sixth conference, held in New York on 24 and 25 September 2009, for the purpose of analysing specific strategies designed to achieve the universality, implementation and entry into force of the Treaty.

6. At the sixty-second, sixty-third and sixty-fourth sessions of the General Assembly, Australia, Mexico and New Zealand submitted the annual resolution entitled "Comprehensive Nuclear Test-Ban Treaty" with a view to promoting its entry into force, which was adopted by a large majority of Member States. It should be noted that Mexico will continue to promote this issue at future sessions of the General Assembly.

7. Mexico has held bilateral and multilateral meetings at which it has consistently called for the Treaty's early entry into force.

8. With regard to the entry into operation of the International Monitoring System, it should be noted that four of the five Mexican monitoring stations are certified and operating, sending data to the International Data Centre in Vienna. The radionuclide station is being equipped, and will shortly conduct the testing phase leading to certification.

III. Negotiations in the Conference on Disarmament on a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices

9. Mexico reiterates its support for efforts within the Conference on Disarmament to negotiate a non-discriminatory, multilateral, and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, which should also consider the issue of existing stockpiles with a view to their destruction.

10. On 29 May 2009, after more than 12 years, the Conference on Disarmament adopted draft decision CD/1863 by consensus. The draft decision contemplates the establishment of four working groups, including one devoted to the negotiation of a treaty banning the production of fissile material; however, during the first session of the Conference held this year, an impasse set in once again and the Conference could not begin its substantive work. In the light of this situation, Mexico will continue to demonstrate flexibility and the will to achieve a consensus regarding the early adoption of a programme of work for the Conference.

IV. Principle of irreversibility to apply to nuclear disarmament, nuclear and other related arms control and reduction measures

11. Both individually and as part of the New Agenda Coalition (Brazil, Egypt, Ireland, Mexico, New Zealand, South Africa and Sweden), Mexico will continue to promote nuclear disarmament in all relevant forums in which it participates, and in

its bilateral meetings, placing particular emphasis on the need to apply the principle of irreversibility, transparency and verification, including measures for nuclear arms reduction and elimination. Thus, every year, it submits, together with the New Agenda Coalition, a resolution on the total elimination of nuclear weapons in the context of the work of the First Committee of the General Assembly, and will continue supporting that approach.

V. An unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their arsenals leading to nuclear disarmament, to which all States parties are committed under article VI

12. During the sixty-second, sixty-third and sixty-fourth sessions of the General Assembly, Mexico, together with other New Agenda Coalition countries, promoted the adoption of a resolution entitled "Towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments", which, in paragraph 3, renewed its call upon the nuclear-weapon States to accelerate the implementation of the practical steps towards nuclear disarmament that were agreed upon at the 2000 Review Conference, thereby contributing to a safer world for all.

13. The resolution also calls upon States to comply with all commitments made regarding nuclear disarmament and nuclear non-proliferation and not to act in any way that may compromise that objective or that may lead to a new nuclear arms race. It also calls upon all States to spare no effort to achieve universal accession to the Nuclear Non-Proliferation Treaty.

14. Mexico has stressed that the obligation to conclude a treaty on nuclear disarmament was recognized by the International Court of Justice in its Advisory Opinion of 8 July 1996 concerning the legality of the threat or use of nuclear weapons.

15. Also, on 11 September 2009, Mexico hosted the sixty-second annual conference of the Department of Public Information and non-governmental organizations (DPI/NGO conference) entitled "For Peace and Development: Disarm Now!", which was attended by 1,300 persons representing more than 340 NGOs from more than 55 countries. A final declaration was adopted at the Conference.

16. On 24 September 2009, Mexico participated in the Security Council Summit convened by the President of the United States of America with the aim of supporting full compliance with the multilateral disarmament and arms control treaties, including the Nuclear Non-Proliferation Treaty. At the Summit, Mexico promoted balanced treatment of disarmament and non-proliferation, being of the view that they are interlinked and mutually reinforcing, and supported resolution 1887 (2009) which, inter alia, calls upon all States to accede to the Treaty, to comply fully with their obligations under it and the relevant Security Council resolutions, and to set realistic and achievable goals for the 2010 Review Conference.

17. As a peace-loving country that promotes nuclear disarmament, Mexico welcomed the bilateral agreement between the United States and the Russian Federation, signed in Prague on 8 April, and calls upon the other nuclear Powers to

take similar action to reduce their stockpiles. It should be noted that bilateral agreements are no substitute for conducting multilateral negotiations in accordance with article VI of the Nuclear Non-Proliferation Treaty.

18. Mexico will also continue to work within the context of the Security Council for the elimination of nuclear weapons, on the understanding that nuclear non-proliferation is but one step on the path to disarmament.

VI. Development of the 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

19. Mexico has continued to participate actively in the various forums on disarmament, arms control and non-proliferation, maintaining a firm position that international verification and therefore accountability perform a crucial role in the negotiation and implementation of agreements on nuclear disarmament and non-proliferation, as well as in all efforts designed to bring about general and complete disarmament under strict and effective international control.

20. As a sign of its commitment to this goal, Mexico participates actively in efforts to establish the international monitoring system of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization and complies with and supports the strengthening of the International Atomic Energy Agency safeguards regime.

21. In March 2004, Mexico signed the Additional Protocol to its Safeguards Agreement with IAEA, and the Senate of the Republic is currently considering its ratification, which would confirm our country's commitment to implementing safeguards at our nuclear facilities.

22. Mexico has formally expressed interest in joining the Nuclear Suppliers Group as a means of promoting the adoption of additional measures to complement existing international legal instruments with a view to avoiding nuclear proliferation and promoting the safe transfer of nuclear and related sensitive material.

23. On 5 February 2010, it joined the Global Initiative to Combat Nuclear Terrorism, which will enable it to benefit from the knowledge and experience forming the basis for partner States' best practices to ensure that non-State actors do not gain access to sensitive nuclear material and technology.

NPT/CONF.2010/45

7 May 2010

English only

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

New York, 3-28 May 2010

United States information pertaining to the Treaty on the Non-Proliferation of Nuclear Weapons

2010

The Treaty on the Non-Proliferation of Nuclear Weapons (NPT) entered into force on March 5, 1970. In 1995, the Parties indefinitely extended the Treaty, and in doing so also provided for a conference to review the operation of the Treaty every five years, with a view to assuring that the purposes and provisions of the NPT are being realized. From 3-28 May 2010, the NPT Parties convene the Treaty's Eighth Review Conference.

The NPT is the only legally binding agreement that provides on a global basis a barrier to the spread of nuclear weapons and has the broadest support of any arms control agreement in history. The Treaty has three interrelated and interdependent objectives:

- To stop the further spread of nuclear weapons;
- To provide a sound basis for international cooperation in the peaceful uses of nuclear energy; and
- To commit all Parties to undertake negotiations in good faith on disarmament.

These objectives are embedded in the Treaty's three mutually reinforcing pillars.

This paper records U.S. actions in support of its obligation under the NPT, as well as U.S. efforts to strengthen the Treaty in all its aspects, during the period from 2000 to 2010. The United States has prepared this paper to assist the 2010 Review Conference in its efforts to review the operation of the NPT and to strengthen the Treaty.

I. Preventing the further spread of nuclear weapons

Articles I and II of the NPT seek to prevent the further spread of nuclear weapons, thereby strengthening the security of all states. Article I requires each nuclear

weapon State Party not to transfer nuclear weapons or other explosive devices to any other recipient and not in any way to assist, encourage or induce non-nuclear weapon states to manufacture or otherwise acquire such devices. Article II requires each non-nuclear weapon State Party not to acquire or exercise control over nuclear weapons or other explosive devices and not to seek or receive assistance in the manufacture of such devices.

Article III requires the non-nuclear weapon States Parties to enter into an agreement with the International Atomic Energy Agency (IAEA) setting out safeguards to be applied to the nuclear material in all peaceful nuclear activities. These "comprehensive safeguards" are intended to provide necessary assurance that nuclear materials in non-nuclear weapon states are not diverted from peaceful purposes to the development of nuclear explosive devices. In September 1997 the IAEA Board of Governors adopted the Model Additional Protocol (AP), which provides the IAEA with additional tools to address diversion of declared as well as undeclared nuclear material. More than 120 states have signed an AP with the Agency, and almost 100 states have brought Protocols into force.

Article VII of the Treaty states: "[n]othing in this Treaty affects the right of any group of States to conclude regional treaties in order to assure the total absence of nuclear weapons in their respective territories." Five such treaties have been concluded.

Article IX prescribes the steps that a state must take to accede to the Treaty.

Article X outlines the requirements for a Party to withdraw from the Treaty.

A. Article I: The Non-Proliferation Commitment by Nuclear Weapon States Party

The United States takes very seriously its Article I obligations as a Nuclear Weapon State to not transfer to any recipient whatsoever nuclear weapons or nuclear explosive devices or to assist or encourage any non-nuclear weapon state to manufacture or otherwise acquire nuclear explosive devices. Moreover, U.S. law, policy and regulations are intended to prevent unauthorized transfers of nuclear equipment, material and technology. The United States has established and implemented a comprehensive system of export controls for both nuclear and dual-use items and technology that could be used for nuclear explosive purposes. This system of export controls is designed to provide assurance that exports from the United States of nuclear facilities, equipment, material and technology, including nuclear-related dual-use items, are not diverted or misused for nuclear weapons activities. These controls include:

- U.S. Nuclear Regulatory Commission controls exports of nuclear reactors, equipment, components and materials under the U.S. Atomic Energy Act, as amended (Act);
- U.S. Department of Energy controls exports of nuclear technology transfers under the Act; and
- U.S. Department of Commerce controls exports of nuclear-related dual-use commodities and technologies pursuant to the U.S. Nuclear Non-Proliferation Act of 1978.

The U.S. system of export controls is an essential element of U.S. compliance with its obligations under Article I of the NPT and also under UN Security Council Resolution 1540.

United Nations Security Council Resolution 1540 (2004)

In April 2004, the UN Security Council, acting under Chapter VII of the UN Charter, unanimously passed Resolution 1540. UNSCR 1540 obligates all UN Member States to develop and enforce appropriate legal and regulatory measures against the proliferation of weapons of mass destruction (WMD) and their means of delivery. Specifically, Resolution 1540 requires states to refrain from providing support to non-state actors attempting to develop or in any way acquire WMD and their means of delivery; to adopt and enforce effective laws prohibiting non-state actors from engaging in such activities; and to take and enforce effective measures to establish domestic controls to prevent proliferation of WMD and their means of delivery. The resolution established a Committee to implement its measures and mandated reporting by Member States to the Committee on their implementation of the resolution. Subsequent resolutions have extended the Committee's mandate. The United States helped initiate UNSCR 1540 and has taken a number of measures to carry out its obligations under it as well as to help other states to meet their obligations.

- The United States over many years has built an extensive legal and regulatory framework addressing many 1540 requirements and continues to strengthen that framework. For example, in June 2005, U.S. Executive Order 13382 froze U.S. assets of individuals or entities designated as WMD proliferators and their supporters, and it prohibited U.S. persons from engaging in transactions with them.
- In accordance with UNSCR 1540, the United States completed its National Action Plan on May 31, 2006.
- The United States has supported other states' efforts to implement Resolution 1540 in a variety of ways, including providing technical assistance and financial support. The United States spends more than $2 billion annually on programs designed to assist other states in developing 1540-related capacities. The United States and other States have initiated an emerging process for matching requests for assistance with donors.

UN Security Council Resolution 1887(2009)

At a summit meeting chaired by President Obama in September 2009, the United Nations Security Council unanimously adopted UNSCR 1887. The Resolution reaffirms that the proliferation of weapons of mass destruction and their means of delivery are threats to international peace and security and shows agreement on a broad range of actions to address nuclear proliferation.

The Resolution has specific relevance for the 2010 Review Conference.

- It calls for NPT Parties to cooperate so that the 2010 Review Conference results in a strengthened Treaty, and it sets realistic and achievable goals in all of the NPT's three pillars.

- It supports NPT universality and calls on all states to adhere to the NPT's terms. It makes clear the Council's intent to address immediately any notice of intent to withdraw from the Treaty and affirms that states will be held responsible for any violations of the NPT committed prior to their withdrawal from the Treaty.
- The Resolution notes ongoing efforts in the NPT review process to identify mechanisms for responding collectively to any notification of withdrawal.

Nuclear Security Summit

As the President stated in his April 2009 Prague speech, nuclear terrorism is the most immediate and extreme threat to global security. He announced that he would host a Nuclear Security Summit in 2010 in Washington, D.C., with leaders of 47 states, plus the United Nations, European Union, and the International Atomic Energy Agency (IAEA) participating.

The Summit Communiqué accomplishes the following:

- Endorses President Obama's call to secure all vulnerable nuclear material in four years, and pledges to work together toward this end;
- Calls for focused national efforts to improve security and accounting of nuclear materials and strengthen regulations — with a special focus on plutonium and highly enriched uranium;
- Seeks consolidation of stocks of highly enriched uranium and plutonium and reduction in the use of highly enriched uranium;
- Promotes universality of key international treaties on nuclear security and nuclear terrorism;
- Notes the positive contributions of mechanisms such as the Global Initiative to Combat Nuclear Terrorism, to build capacity among law enforcement, industry, and technical personnel;
- Calls for the IAEA to receive the resources it needs to develop security guidelines and provide advice to its members on how to implement them;
- Seeks to ensure that bilateral and multilateral security assistance will be applied effectively; and
- Encourages the nuclear industry to share best practices for nuclear security, at the same time making sure that security measures do not prevent countries from enjoying the benefits of peaceful nuclear energy.

Global Initiative to Combat Nuclear Terrorism (GICNT)

The Global Initiative to Combat Nuclear Terrorism (GICNT) is an international partnership of 79 partner nations and 4 official observers and is co-chaired by the United States and Russia. All partners have endorsed a set of core nuclear security principles encompassing the full spectrum of deterrence, prevention, detection, and response objectives.

In response to President Obama's call in his 2009 Prague speech for the GICNT to become a "durable international institution," the U.S. and Russian Co-Chairs are taking tangible steps to transform the GICNT into an action-oriented and

institutionalized program. They have proposed revisions to the Terms of Reference document to give GICNT activities new momentum and enhance partner roles and implementation mechanisms.

Amended Convention on the Physical Protection of Nuclear Material (CPPNM)

Beginning in the late 1990s, the United States led the initiative to expand the CPPNM to cover physical protection of nuclear material in domestic use, storage and transport and of nuclear facilities. The Convention on the Physical Protection of Nuclear Material (CPPNM), which entered into force in 1987, provides obligatory physical protection standards for the international transport of nuclear material, but it did not cover domestic, use, storage and transport unless related to international transport.

The Amendment to the CPPNM, adopted on July 8, 2005 at a conference held under the auspices of the International Atomic Energy Agency (IAEA) in Vienna, Austria, is the result of those efforts. The Amendment significantly expands the scope of the original CPPNM and will, in effect, globalize U.S. physical protection practices. It establishes new international norms for physical protection of nuclear material and nuclear facilities and builds upon the penal regime provided for in the CPPNM by adding two new principal offenses — nuclear smuggling and sabotage of a nuclear facility — as well as certain ancillary offenses, which Parties must criminalize domestically. The Amendment has not yet entered into force.

The U.S. Senate provided its advice and consent to ratification in September 2008. Implementing legislation was forwarded to Congress in February 2010.

INFCIRC/225 Revision

Following the 2005 amendment to the CPPNM, the United States invited a workable number of other States (a "Core Group") to join an effort to revise INFCIRC/225, based on the Amendment to the CPPNM. The Amendment established four objectives and 12 Fundamental Principles for a physical protection regime, but additional guidance is necessary.

In 2007, the United States and the Core States met with the Director of the IAEA Office of Nuclear Security and provided a first draft of a revised INFCIRC/225. The United States continues to play an active leadership role in a series of IAEA Consultants Meetings and a Technical Meeting for INFCIRC/225 revision. In February 2010, Member States agreed on draft text, which has been circulated for a 120-day final Member State review before publication

B. Article II: U.S. Actions to Support Fulfillment of Article II Obligations, Including Strengthening Compliance

The United States believes it is essential that all Parties fully comply with their obligations under the Treaty. Otherwise, the confidence in their security that the Treaty provides its Parties will be undermined, with negative consequences for the maintenance of international peace and security. Nearly all NPT Parties have observed their Treaty obligations. Unfortunately, some states, including the Democratic Peoples Republic of Korea (DPRK) and Iran, have not complied with the Treaty's rules. NPT Parties which violate their Treaty obligations must come

back into compliance and remain responsible under international law for violations of the NPT even if subsequently withdrawing from the Treaty. The United States is committed to working diplomatically with others to resolve such compliance challenges as those posed by the actions of the DPRK and Iran.

DPRK

The United States has worked for years toward the resolution of concerns regarding the DPRK's compliance with the NPT.

In August 2003, the United States helped to initiate the Six-Party Talks, involving China, Russia, Japan, the Republic of Korea (ROK), the DPRK, and the United States. In the September 2005 Joint Statement of the Six-Party Talks the Six Parties unanimously reaffirmed the goal of "the verifiable denuclearization of the Korean Peninsula in a peaceful manner," and the DPRK committed to returning, at an early date, to the NPT and to IAEA safeguards. In subsequent months, discussions on implementation of the Joint Statement continued, but progress was hindered by disagreements with the DPRK and a series of provocative steps by the DPRK.

In October 2006, the DPRK announced that it had conducted a nuclear test. In response, the UN Security Council unanimously adopted Resolution 1718, under Chapter VII, condemning the nuclear test and demanding that North Korea return to the NPT and to IAEA safeguards.

In 2007, the Six Parties reached agreement on the shut down and disablement of the DPRK's core nuclear facilities under IAEA and U.S. monitoring, respectively, and a commitment by the DPRK to submit a declaration of its nuclear programs. Disablement activities commenced in late 2007.

In April 2009, North Korea launched another Taepo Dong-2, prompting the UN Security Council to issue a Presidential Statement condemning the launch as a violation of Resolutions 1695 and 1718. North Korea subsequently expelled U.S. and IAEA monitors from the country, announced its intention to withdraw from the Six-Party Talks, and announced its intent to reactivate its core nuclear facilities. In May 2009 the DPRK announced that it had conducted a second nuclear test.

On June 12, 2009, the UN Security Council unanimously adopted Resolution 1874 to address the threat posed by North Korea's nuclear and missile programs, as well as its proliferation activities. The new measures under Resolution 1874 are also aimed at limiting North Korea's ability to further its nuclear, ballistic missile, and other WMD-related activities and preventing proliferation to and from North Korea.

The United States has taken concrete steps to implement Resolutions 1718 and 1874 fully and transparently and to urge all UN Member States to do the same. As part of this effort, the United States has sought to strengthen its capabilities and those of its partner states to enforce UN sanctions on North Korea. In addition to UN sanctions, the United States has a number of laws that prohibit transfers to or acquisition from North Korea of equipment and technology that could be used in its nuclear, missile or other WMD programs.

In December 2009, U.S. Special Representative for North Korea Policy Stephen Bosworth led an interagency delegation to Pyongyang for extensive talks that took place within the context of the Six-Party Talks. The United States and North Korea agreed on the importance of the Six-Party Talks and the need to implement the 2005

Joint Statement, but did not agree on when and how the DPRK would return to denuclearization talks.

The United States continues to consult closely with China, the ROK, Japan, and Russia on next steps in the Six-Party Talks. There is broad consensus among the Five Parties that irreversible denuclearization remains the core objective and essential goal of our engagement with North Korea; the Six-Party Talks is the best mechanism for achieving denuclearization; and we remain committed to the full and transparent implementation of UN Security Council Resolutions 1718 and 1874.

The United States will not accept North Korea as a nuclear weapon state. We remain committed to ensuring that the DPRK fulfills its commitments under the 2005 Joint Statement and its obligations under UN Security Council Resolutions 1718 and 1874, including returning, at an early date, to the NPT and IAEA safeguards.

Iran

The IAEA has been working to clarify the nature of Iran's nuclear program since 2002, when the existence of two nuclear sites under construction was revealed publicly. Since then, the IAEA Board of Governors has adopted ten resolutions on Iran that, among other things, have pointed to Iran's failure to report, as required, on its nuclear activities, failure to provide information to resolve questions about its past and current activities, failure to provide the IAEA full, unfettered access to information, individuals and facilities, and (after 2006) failure to suspend all enrichment-related, reprocessing and heavy water related activities, as directed by the UN Security Council and the IAEA Board of Governors. In 2005, the IAEA Board found that Iran's actions constituted non-compliance under Article XII.C of the Agency's Statute because of its "many failures and breaches of its obligations to comply with its NPT Safeguards Agreement." As requested by the Board, in 2006, the IAEA Director General reported the IAEA reports and resolutions on Iran to the UN Security Council.

In response to the IAEA Board's report of noncompliance, the UN Security Council has adopted a Presidential Statement (S/PRST/2006, March 2006) and five resolutions on Iran: UNSCR 1696 (July 2006), UNSCR 1737 (December 2006), UNSCR 1747 (March 2007), UNSCR 1803 (March 2008), and UNSCR 1835 (September 2008).

President Obama has made an unprecedented effort to engage Iran in an attempt to resolve the international community's concerns about its nuclear program. On October 1, 2009, Iran met with the P5+1 (United States, United Kingdom, France, Russia, China, and Germany) to discuss its nuclear program. At the meeting Iran agreed in principle to allow the IAEA access to a recently revealed nuclear facility near Qom and to support an IAEA proposal to refuel the Teheran Research Reactor (used for production of medical isotopes). To date, however, Iran has not provided the IAEA with all requested access associated with Qom and has declined to proceed with the TRR.

From the beginning, President Obama has called on Iran to take constructive action and to fulfill its responsibilities under the NPT. He has called out two areas in particular. First, Iran must be transparent about its nuclear program and cooperate fully with the IAEA. Unfortunately, Iran's refusal to facilitate the IAEA's investigation in Iran and the revelation of a covert nuclear facility near Qom

demonstrate that Iran has not taken this step. Second, Iran must take concrete steps to build confidence in the international community that its nuclear program is exclusively peaceful. The IAEA's February 2010 report states bluntly that "while the Agency continues to verify the non-diversion of declared nuclear material in Iran, Iran has not provided the necessary cooperation to permit the Agency to confirm that all nuclear material in Iran is in peaceful activities."

President Obama also made clear that while the United States is committed to serious and meaningful engagement with Iran on this issue, the United States will not negotiate indefinitely. The United States is prepared to increase pressure on Iran until it lives up to its international nuclear nonproliferation obligations.

C. Article III: Safeguards

1. IAEA Safeguards and the Additional Protocol

Article III requires that all non-nuclear weapon States Party to the NPT accept IAEA safeguards that are applied "to all source or special fissionable material in all peaceful nuclear activities …." The model NPT-mandated safeguards agreement (also known as a comprehensive safeguards agreement) was established by INFCIRC/153 in 1972. The United States brought into force its voluntary NPT safeguards agreement with the IAEA in 1980.

It has become evident, however, that the comprehensive safeguards agreement, alone, is not adequate. In 1997 IAEA Member States agreed on the model Additional Protocol to comprehensive safeguards agreements (INFCIRC/540). The Additional Protocol gives the IAEA more tools for assuring the absence of undeclared activities. It is particularly important in cases of demonstrated or suspected noncompliance, but its fundamental value is that it serves as a confidence-building measure for all states that have accepted it.

The United States brought its Additional Protocol into force in January 2009 and is now implementing it. The United States believes that all NPT Parties should conclude and bring into force an Additional Protocol and that a comprehensive safeguards agreement together with an Additional Protocol should be considered an essential standard for IAEA safeguards.

The IAEA safeguards system is now confronting a growing imbalance between workload and resources. As the demand for the application of nuclear energy has grown, throughout the world more nuclear materials and facilities are coming under IAEA safeguards. Additionally, the IAEA has the burden of safeguards investigations in Iran and Syria.

In his 2009 Prague speech, President Obama called for "more resources" for international inspections. President Obama's message to the IAEA General Conference in September 2009 said: "We must ensure that the IAEA has the resources and authority it needs to verify that nuclear programs are peaceful, to facilitate access to a clean source of energy, and to improve the lives of citizens the world over — all without incurring new nuclear dangers."

In addition to paying its regular assessments for IAEA safeguards, the United States has made major extra-budgetary contributions. For example, since 2000, the U.S. extra-budgetary contributions have been more than $176 million for such activities

as technical assistance to safeguards, safeguards equipment, the Safeguards Information System, safeguarding declared weapons-grade excess fissile material, environmental sample analysis, and other safeguards projects. Appendix A contains a detailed description of the U.S. Program of Technical Assistance to Safeguards.

The United States has developed several programs designed to provide support for IAEA safeguards.

- In 2008 the National Nuclear Security Administration of the Department of Energy (DOE/NNSA) launched the Next Generation Safeguards Initiative (NGSI) to develop the technology, concepts and expertise necessary to strengthen the international safeguards system. The focus of NGSI is primarily on revitalizing the U.S. capability to provide technical support. The five-year plan for NGSI, formulated in 2008, outlines goals, requirements, and projects for five NGSI elements: safeguards policies and authorities, advanced safeguards concepts and approaches, safeguards technology development, human resources development, and international safeguards infrastructure development.
- The International Nuclear Safeguards and Engagement Program (INSEP), operated by DOE/NNSA, collaborates with international partners to strengthen international safeguards at all stages of nuclear development. Through bilateral and regional technical engagement between DOE/NNSA, National Laboratory personnel and their counterparts abroad, INSEP strengthens international safeguards at foreign nuclear facilities and helps to build safety, security, and nonproliferation infrastructures in states with credible plans for civil nuclear power.
- The United States also has been active in diplomacy to promote adherence to IAEA safeguards, including the Additional Protocol. The United States has consistently supported strong resolutions at the IAEA General Conference that stress the importance of Agency safeguards. When the United States held the G-8 Presidency in 2004, it led the G-8 effort to deliver high-level demarches to 72 countries which had not yet signed and brought into force comprehensive safeguards agreements and Additional Protocols.

D. Article VII: Regional Arrangements

The United States has long supported properly crafted nuclear-weapons-free zones (NWFZs), because, when rigorously implemented under appropriate conditions, NWFZs can contribute to regional and international peace, security and stability. These conditions include:

- The initiative for the creation of a nuclear weapons free zones comes from the states in the region concerned;
- All states whose participation is deemed important participate in the zone;
- The zone arrangement provides for adequate verification of compliance with the zone's provisions;
- The establishment of the zone does not disturb existing security arrangements to the detriment of regional and international security;

- The zone arrangement effectively prohibits the parties from developing or otherwise processing any nuclear explosive devices for whatever purpose;
- The zone arrangement does not seek to impose restrictions on the exercise of rights recognized under international law, particularly the high seas freedom of navigation and overflight, the right of innocent passage of territorial and archipelagic seas, the right of transit passage of international straits, and the right of archipelagic sea lanes passage of archipelagic waters;
- The establishment of the zone does not affect the existing rights of its parties under international law to grant or deny transit privileges, including port calls and overflights to other states.

The United States has signed and ratified the protocols to the Treaty of Tlatelolco, which created the NWFZ covering Latin America and the Caribbean. The United States has signed the protocols to the Treaty of Pelindaba, which covers Africa, and the Treaty of Rarotonga, which covers the South Pacific. In her statement to the NPT Review Conference on May 3, 2010, Secretary of State Clinton announced that the United States will seek U.S. Senate advice and consent to ratification of the protocols to the Treaties of Pelindaba and Rarotonga.

The Treaty of Bangkok, which covers Southeast Asia, and the Treaty of Semipalatinsk, which covers Central Asia, also are in force. The United States and other nuclear weapon states consulted closely with the parties to these treaties both before and after they were signed and entered into force. The United States continues to have significant concerns about both treaties, but we remain ready to discuss these concerns with the treaty parties at any time.

The United States believes that a Middle East free of all weapons of mass destruction and their delivery systems, as envisaged in the 1995 NPT Review and Extension Conference Middle East Resolution, is an achievable goal. The United States urges all states to take practical and concrete steps to remove the obstacles to accomplishing this goal.

E. Article IX: Adherence

The United States has been a Party to the NPT since the Treaty entered into force in 1970. The United States believes that all states not yet a party to the NPT should accede to the Treaty as non-nuclear-weapon states as soon as possible.

F. Article X: Withdrawal

Article X of the NPT states, “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 this Treaty, have jeopardized the supreme interests of its country.” Article X outlines how and to whom the Party shall give notice of its intention to withdraw.

The United States does not aim to amend the NPT or to limit the right to withdraw under Article X. Nonetheless, the United States, like many other NPT Parties, has grown concerned with the prospect of potential abuse of the NPT’s withdrawal provision, including by a Party which seeks to withdraw from the NPT while in

violation of its obligations. Also, like many other NPT parties, the United States has been working since the run-up to the 2005 NPT Review Conference to pursue measures, inside and outside NPT fora, to dissuade abuse of the withdrawal provision and, if necessary, to respond to a notice of withdrawal in a way that would help ensure maintenance of international peace and security.

Building on UNSC Resolution 1887 and the earlier work of concerned parties, the United States is pursuing specific measures to address withdrawal. The United States believes that the 2010 Review Conference could address four principal objectives:

- The right of return of nuclear material provided to a withdrawing NPT Party prior to withdrawal and/or the continued application of safeguards after withdrawal from the NPT;
- Consultations with a withdrawing Party prior to withdrawal;
- Verification, prior to the effective date of its withdrawal, that the withdrawing Party was in compliance with its comprehensive safeguards agreement prior to the effective date of its withdrawal; and
- Restrictions on the future supply of nuclear material to a withdrawing Party once it has withdrawn.

II. Fostering Peaceful Uses: Articles IV and V

A. Introduction: Pursuing the Peaceful Atom

On December 8, 1953 U.S. President Dwight Eisenhower delivered a landmark speech to the UN General Assembly calling for the dedicated pursuit of peaceful applications of nuclear material and technology. Eisenhower noted that "the United States knows that peaceful power from atomic energy is no dream of the future." He called for a mobilization of experts "to apply atomic energy to the needs of agriculture, medicine, and other peaceful activities." "A special purpose," he noted, "would be to provide abundant electrical energy in the power-starved areas of the world.

President Eisenhower's "Atoms for Peace" speech reflected the growing realization in the early 1950s that although nuclear material and technology can be used to create the most destructive force ever devised by mankind, it also can be used for a vast array of peaceful applications that benefit mankind. The enduring challenge for all states is to ensure that humanity can continue to benefit from the peaceful atom while minimizing the risk that nuclear materials can be used for non-peaceful explosive purposes.

Article IV of the NPT recognizes the inalienable right of NPT Parties to conduct research and pursue nuclear development for peaceful purposes without discrimination and in conformity with their nonproliferation Treaty obligations, and it calls on all Parties to "facilitate ... the fullest possible exchange of equipment, materials, and scientific and technical information" for such purposes. Finally, Article IV requires Parties in a position to do so to cooperate in developing peaceful nuclear applications, especially in non-nuclear-weapon states with "due consideration for the needs of developing areas of the world."

Over many years states have pursued nuclear cooperation pursuant to Article IV in a variety of ways. Through a vast web of bilateral arrangements states are engaged in nuclear exchange through both government-to-government agreements and also through commercial arrangements. Additional cooperation takes place at the multinational level, principally through regional arrangements and through the International Atomic Energy Agency (IAEA). For the majority of NPT parties, the non-power applications of nuclear techniques in medicine, agriculture, basic industry, and environmental protection are priorities.

B. Bilateral Cooperation with the United States:

Agreements for Cooperation

The United States is a pioneer of civil nuclear cooperation. In the years following President Eisenhower's "Atoms for Peace" address, the United States laid the foundation for civil nuclear cooperation between the United States and many other countries. By 1960, the United States had concluded nuclear cooperation agreements with more than 40 states. Currently, the United States has formal agreements that provide a framework for cooperation with nearly 50 states, plus the IAEA. In addition, U.S. technical agencies have in place cooperative arrangements with over 40 countries. The United States also has bilateral nuclear cooperation committees with Argentina, Brazil, Egypt, and the Republic of Korea. These Committees include to varying degrees exchanges on a broad range of civil nuclear policy issues and facilitate coordination projects in technology development, reactor and radioisotope safety, emergency management, security, and safeguards.

Cooperation with the Nuclear Regulatory Commission (NRC)

The NRC's legislatively-mandated international responsibilities are to license the export and import of nuclear materials and equipment, and to participate in activities that support U.S. Government compliance with international treaties and agreement obligations. The NRC has bilateral technical exchange agreements with nearly 40 countries, and, considers on a case-by-case basis that is subject to the availability of funding, assistance to other countries in areas such as development of national regulatory legislation, safety, safeguards, material accounting and control, physical protection, security, radiation protection, spent fuel and waste management, decommissioning, nuclear safety research, and liability. The NRC also actively participates in the activities of multinational organizations such as the IAEA and the Nuclear Energy Agency.

International Nuclear Safeguards and Engagement Program (INSEP)

As described in Section I.C above, the International Nuclear Safeguards and Engagement Program (INSEP), operated by DOE/NNSA, collaborates with international partners to strengthen international safeguards at all stages of nuclear development. Through bilateral and regional technical engagement between DOE/NNSA, National Laboratory personnel and their counterparts abroad, INSEP strengthens international safeguards at foreign nuclear facilities and helps to build safety, security, and nonproliferation infrastructures in states with credible plans for civil nuclear power.

Partnership for Nuclear Security (PNS)

PNS, operated by the U.S. Department of State's Office of Cooperative Threat Reduction, seeks to enhance global nuclear security through cooperative activities and engagement with the global nuclear technical community.

- PNS establishes sustainable linkages between nuclear experts and counterparts at United States and international institutions;
- Engages nuclear scientists, engineers and technicians in collaborative research projects with United States and other counterparts; and
- Provides opportunities for training to nuclear professionals through workshops, conferences, fellowship and exchange programs, and related activities.

PNS seeks to raise awareness of governments and the nuclear technical community about the threat of proliferation and to encourage effective nonproliferation practices and policies, specifically as applied to nuclear expertise; and to improve nuclear security and related safety best practices.

U.S. commercial cooperation

In addition to government-to-government cooperation, a variety of different arrangements have been developed to cover other types of bilateral, generally commercial, cooperation. The U.S. nuclear industry is active in many NPT states not only in the supply of nuclear material and reactors but also in project management, logistics, engineering and design, construction, specialty equipment manufacture, fuel services, consulting, and more. According to U.S. Census Bureau statistics, in 2009, the U.S. Government facilitated nuclear activities abroad totaling $2.4 billion and nuclear imports totaling $4.2 billion.

Tangible Examples of Bilateral Cooperation

Through these and other avenues of bilateral cooperation, U.S. experts are working closely with their counterparts from numerous NPT Parties on peaceful uses of nuclear energy, including developing and maintaining effective regulatory frameworks related to nuclear safety, security, and safeguards. Since 2000, NPT Parties have benefited from U.S. efforts to share U.S. nuclear technology, expertise, and experience in the following ways:

- PhD training of foreign nationals from more than 100 other NPT countries in nuclear physics, nuclear chemistry and nuclear engineering since 2000;
- Certification by the American Board of Nuclear Medicine of more than 180 medical doctors from 37 NPT parties in nuclear medicine;
- The Nuclear Regulatory Commission (NRC) reception of foreign assignees and visitors from 42 countries;
- NRC staff travel to 21 countries on technical assistance missions to offer support on nuclear regulatory and safety matters;
- Visits by scientists and engineers from 116 countries to Department of Energy facilities to receive training in the peaceful uses of nuclear energy; and
- Technical assistance missions by DOE specialists in 114 countries.

C. U.S. Support for Peaceful Uses through the IAEA

In addition to extensive bilateral nuclear cooperation the United States pursues peaceful nuclear cooperation pursuant to Article IV through the Technical Cooperation program of the International Atomic Energy Agency (IAEA). The United States is the largest donor to the IAEA and its Technical Cooperation program. Extensive U.S. support has enabled more than 100 developing IAEA Member States to pursue the peaceful uses of nuclear material and technology in many fields, including improving the quality of health care and nutrition, managing water resources, building food security, promoting sustainable development, and promoting nuclear safety and security.

IAEA Peaceful Uses Initiative

On May 3, 2010, Secretary of State Clinton announced a campaign to raise $100 million over the next five years to broaden access to peaceful uses of nuclear energy. The funds are to expand significantly access to projects sponsored by the IAEA that address peaceful applications of nuclear energy and important humanitarian purposes, such as cancer treatment and fighting infectious diseases, food and water security, and infrastructure development for the safe, secure use of civil nuclear power. These efforts will be aimed at assisting developing countries. The United States has pledged $50 million to this effort and will work with others to meet the announced $100 million target by the opening of the next NPT Review Conference, in 2015.

Technical Cooperation

The United States supports the IAEA's Technical Cooperation program in several ways. The first is through an annual voluntary pledge to the Technical Cooperation Fund (TCF), which supports the Department of Technical Cooperation's core projects. The second is through in-kind contributions in the form of services, such as fellowships and training, equipment and experts. Additionally, extra-budgetary contributions are made to Footnote A and other projects and programs. Footnote A projects are described below.

The annual TCF budget is determined by informal consultations between donor and developing IAEA Member States to reach an agreement on annual targets. The targets are apportioned among IAEA Member States, but are voluntary in nature, rather than being assessed. IAEA Member States are encouraged to pledge and pay their pledge in full. The United States provides approximately 25 percent of the total annual voluntary target. U.S. support to the TCF has been substantial, with over $191.5 million in contributions from 2000 to 2009. U.S. pledges have had a demonstrably beneficial effect on the willingness of other Member States to support funding for the Technical Cooperation program.

The United States exercises discretion concerning the distribution of its in-kind and extra-budgetary contributions. While TCF resources can be distributed to all requesting eligible IAEA Member States, in-kind and extra-budgetary contributions support is given, on a preferential basis, to parties to the NPT and the Treaty of Tlatelolco. The United States contributions from 2000 to 2009 amounted to $49.9 million and supported IAEA programs in the following areas:

- Footnote A projects and other non-safeguard programs;
- Training courses, technical support, and U.S.-placed IAEA fellowships; and
- Cost-free experts for Technical Cooperation and for other non-safeguard departments.

Footnote A Projects and Other Non-Safeguards Programs:

Footnote A Projects are those considered to be technically sound but are not funded by the TCF. Such projects are "footnoted" and made available for extra-budgetary funding (i.e., separate from the TCF) from donor IAEA Member States.

The United States has provided both financial contributions and in-kind assistance for new and on-going Footnote A projects during the period 2000-2009. These projects have benefited 57 countries in Africa, Asia, Europe, Latin America and the Middle East. Footnote A projects range from strengthening regulatory infrastructures to spent-fuel management and disposition, from reactor conversion to the use of Sterile Insect Technique (SIT). A small sample of these projects include:

- Fully converting the TRIGA 14-MW core from HEU to LEU fuel (Romania);
- Promoting self Assessment of regulatory infrastructures for safety and networking of regulatory bodies (African countries);
- Safely removing spent fuel from the Vinca RA Research Reactor (Serbia);
- Establishing a research reactor (Jordan);
- Enhancing the capabilities of national institutions supporting nuclear power development (China); and
- Strengthening national infrastructures for the control of radiation sources (Vietnam).

In addition, the United States has supported several projects involving SIT including:

- SIT for Area-wide Tsetse and Trypanosomosis Management for countries in the African Region;
- Area-Wide Application of SIT for Medfly Control in Palestine; and
- Establishing and Maintaining Fruit Fly Free and Low Prevalence Areas in Central America, Panama and Belize, using the SIT for countries in the Latin American Region.

U.S. support has included financial contributions, the purchase of equipment, and the provision of personnel such as technical and managerial experts. The United States has contributed over $3 million for the project to integrate SIT for tsetse fly eradication in Ethiopia. This program focuses on Ethiopia's lower Rift Valley. It will have a major impact on cattle production and effectively raise the standard of living for a large number of families who depend upon herding for their livelihood.

In the area of cancer therapy, the United States was the leading IAEA Member State in recognizing and supporting the Program of Action for Cancer Therapy (PACT) and its model for change.

- The United States contributed $330,000 to launch PACT and a further $500,000 in 2006.

- The United States contributed over $365,000 in cost-free experts to PACT from 2004 to 2006, bringing contributions from the United States to almost $1.2 million.

The United States has also provided funds for the establishment of PACT's Regional Cancer Training Networks and a Virtual University for Cancer Control, which are regional centers for multidisciplinary cancer control training. The total cost of this project for three years is $750,000. The first phase of implementation will include identification of training hubs and potential Centers of Excellence for Radiotherapy in Africa. This project will be implemented jointly between the PACT Program Office and the IAEA's Division of Human Health (NAHU).

Training Courses and Fellowships:

For many years the United States has hosted IAEA interregional training courses at Argonne National Laboratory near Chicago, Illinois. Over the past ten years Argonne has provided 50 courses in collaboration with the IAEA. Over 900 participants from more than 75 countries attended these courses which range in duration from two to nine weeks Areas of training include health, energy, hydrology, waste management, entomology, safety, food science and fuel management.

Between 2000 and 2009, over 690 professionals from more than 75 countries received fellowships to train up to ten months at over 180 institutions and facilities in the United States. These fellowships were in fields as diverse as energy planning, nuclear engineering and technology, and nuclear safety and waste management. Other areas of study included nuclear applications in agriculture, medicine, industry, and the environment. The United States provides the administrative support necessary to place fellows and also provides stipends and travel expenses.

Cost-Free Experts:

In-kind contributions also support requests from the IAEA for U.S. specialists in various technical fields. These individuals are provided at no cost to the IAEA. The cost-free experts (CFE) may work full or part-time in limited appointments for up to one year with the possibility of an extension. U.S.-sponsored cost-free experts use their expertise to support IAEA programs in nuclear safeguards, health, nuclear energy, nuclear safety, emergency preparedness and institutional management.

Nuclear Safety

The United States was one of the original sponsors of the IAEA's Extraordinary Program on the Safety of Nuclear Installations in the South East Asia, Pacific and Far East Countries (EPB), providing both funding and instructional support. The goal of this program is to develop nuclear safety infrastructure and promote information exchange among countries in the region that are building or considering developing nuclear power programs. The Asian Nuclear Safety Network (ANSN) was derived from the EPB in 2002 to combine, analyze and share nuclear safety information and practical experience among the participating countries. This work is expected to facilitate sustainable regional cooperation and create networks and cyber communities among specialists in the region.

Nuclear Power Infrastructure

The United States strongly supported IAEA General Conference resolutions in 2006, 2007, and 2008, regarding the Agency's role in nuclear power development. The United States provides important financial and technical assistance to the IAEA's infrastructure development efforts and was a major supporter of the guidance document "Milestones in the Development of a National Infrastructure for Nuclear Power," which lists 19 infrastructure areas that a non-nuclear-weapon state should consider developing to facilitate its pursuit of civil nuclear power. This document now is regarded as the definitive international guidance for the development of national civil nuclear infrastructure. The United States has also supported related workshops for countries considering nuclear energy in 2008, 2009 and 2010.

D. U.S. Support of the Global Nuclear Energy Partnership (GNEP)

The United States was a driving force behind the establishment of GNEP and continues to actively support its operations. GNEP provides a forum for cooperation among participating states to explore mutually beneficial approaches to ensure that the global use of nuclear energy for peaceful purposes proceeds in a manner that is efficient and meets the highest standards of safety, security, non-proliferation and safeguards. Through its expert-level working groups on Infrastructure Development and on Reliable Nuclear Fuel Services, participating countries seek to explore mutually beneficial approaches that support international civil nuclear cooperation, including enhanced international collaboration on nuclear power infrastructure, and assurances of nuclear fuel supply and services for used nuclear fuel management.

E. Towards a New Framework for Civil Nuclear Cooperation, Nuclear Fuel Assurances

In his April 2009 speech at Prague, President Obama stated: "We should build a new framework for civil nuclear cooperation, including an international fuel bank, so that countries can access peaceful power without increasing the risks of proliferation. That must be the right of every nation that renounces nuclear weapons, especially developing countries embarking on peaceful programs." The President made clear at Prague his view that, "no approach will succeed if it is based on the denial of rights to nations that play by the rules."

The establishment of fuel assurance mechanisms, such as an international fuel bank designed as a last resort option to supplement the well-functioning nuclear fuel market, will increase the security of fuel supply and thereby expand access to civil nuclear power while reducing the risk of nuclear weapons proliferation.

The United States has strongly supported the development of such mechanisms. At the 2005 IAEA General Conference, the U.S. Secretary of Energy announced plans to down-blend 17.4 metric tons of highly enriched uranium (HEU) excess to U.S. defense needs to low enriched uranium (LEU) to serve as a last resort fuel reserve thereby increasing the security of fuel supply for non-nuclear weapon states.

Since 2005, about a dozen other fuel assurance mechanisms have been proposed, mostly designed to offer assurance of LEU supply — the "front end" of the nuclear fuel cycle. The United States strongly supports the decision of the IAEA Board of

Governors at its November 2009 meeting to establish the first international LEU reserve at Angarsk, Russia. On March 29, 2010, the IAEA Director General and Russian Director General of the State Atomic Energy Corporation signed the agreement. If a country with good nonproliferation credentials is being denied access to its supply of fuel for non-commercial reasons, the IAEA Director General can call for the release of fuel to that NPT-compliant state from this reserve.

In September 2007, the nongovernmental organization Nuclear Threat Initiative (NTI) announced a $50 million challenge grant for the establishment of an International Nuclear Fuel Bank (INFB) under IAEA auspices. One condition for the use of NTI's challenge funds now has been met: an additional contribution of over $100 million from over 30 IAEA Member States, including a contribution of nearly $50 million from the United States. The second and final condition, that the IAEA Board take affirmative action to establish the INFB, remains to be completed. Only through constructive cooperation can an operational mechanism be developed that is acceptable to all.

In addition to these efforts aimed at assured supply of low-enriched uranium fuel, the United States has begun an effort to broaden the scope of fuel assurances. We envision a global framework that could include an integrated commercial approach to fuel-cycle services, including the provision of fresh nuclear fuel and the associated management of used fuel. If successfully deployed, this global framework of "cradle-to-grave" fuel services could expand access to civil nuclear power by obviating the need for states to develop and deploy costly and complex fuel-cycle technologies.

F. Article V: Nuclear Explosions for Peaceful Purposes (PNEs)

Article V of the NPT provides that under appropriate international observation and through appropriate international procedures the potential benefits from nuclear explosions for peaceful purposes will be made available to NPT non-nuclear weapon states on a non-discriminatory basis. The United States has not conducted a PNE since 1973, having determined that PNEs are not technically or economically worthwhile undertakings. In addition, the United States regatrds such explosions as indistinguishable from military tests.

III. Negotiations in good faith on nuclear and non-nuclear disarmament

Article VI: Ending the Nuclear Arms Race, Nuclear Disarmament, and Promoting General and Complete Disarmament

The NPT is important in two ways to efforts to conclude and implement effective measures that can lead to nuclear disarmament as well as to general and complete disarmament. First, the NPT serves as the principal legal barrier to the spread of nuclear weapons. The Treaty is a critical element in sustaining disarmament progress because continuing proliferation undermines the basis for eliminating nuclear weapons. Second, Article VI specifically calls for progress towards nuclear disarmament by stating that each of the Parties to the Treaty "undertakes to pursue

negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control."

The United States places great importance on its obligations under Article VI, recognizing also that nuclear disarmament progress which strengthens international stability and security also serves the security interests of the United States. Through negotiated agreements and through actions on its own, the United States is drawing down its deployed nuclear weapons and nuclear stockpile, reducing the role that nuclear weapons play in security policy, and removing from the stockpile excess highly enriched uranium and plutonium.

In his April 2009 speech in Prague, President Obama called the existence of thousands of nuclear weapons "the most dangerous legacy of the Cold War," and he stated clearly that the United States is committed "to seek the peace and security of a world without nuclear weapons." He spoke of concrete steps that the United States would take towards this goal, including:

- Reducing the role of nuclear weapons in national security strategy,
- Negotiation of a new Strategic Arms Reduction Treaty (START),
- Immediate and aggressive pursuit of ratification of the Comprehensive Nuclear Test-Ban Treaty (CTBT), and
- Negotiation of a treaty that will verifiably end the production of fissile materials intended for use in weapons (FMCT).

At the Sixth NPT Review Conference, in 2000, the United States, together with the other four NPT nuclear weapon states, reaffirmed its Article VI commitment to the elimination of nuclear weapons. President Obama's ambitious disarmament agenda has reinvigorated this commitment. In his Prague speech, President Obama acknowledged the responsibility of the United States to act, but he also noted the responsibility of others. "We cannot succeed in this endeavor alone," he said, "but we can lead it, we can start it."

We have started.

A. Strategic and Non-Strategic Nuclear Weapons

Treaties

Incorporating the vision of the 2001 Nuclear Posture Review, the United States and the Russian Federation in 2002 concluded and brought into force the **Strategic Offensive Reductions Treaty** (Moscow Treaty). According to Article I of this Treaty, by December 31, 2012 the United States and the Russian Federation will reduce and limit operationally deployed strategic nuclear warheads to 1700-2200 for each side. As of December 31, 2009 the United States had 1,968 operationally deployed strategic warheads. The Treaty remains in force until December 31, 2012 or until it is superseded by the New START Treaty.

Under the **Strategic Arms Reduction Treaty (START)**, which entered into force in December 1994, U.S. and Russian deployed strategic warheads were reduced from well over 10,000 each to 6,000 accountable warheads, with full reductions implemented, on schedule, at the end of 2001. START expired in December 2009.

On April 8, 2010 Presidents Obama and Medvedev signed a **New START Treaty** on strategic weapons to replace the previously expired START Treaty. When the New START Treaty is ratified by both sides and enters into force it will supersede the 2002 Moscow Treaty, which then will terminate. The Treaty's duration is ten years.

- The New START Treaty will limit each side to 1,550 deployed strategic warheads, which is approximately 30 percent lower than the upper limit of the 2002 Moscow Treaty and 74 percent lower than the limit of START.
- There will be a combined limit of 800 deployed and non-deployed ICBM launchers, SLBM launchers, and nuclear-capable heavy bombers.
- In addition, there is a separate limit of 700 deployed ICBMs, deployed SLBMs, and deployed nuclear-capable heavy bombers; this limit is less than half the corresponding strategic nuclear delivery vehicle limit of START.
- The New START treaty includes an effective verification regime that will help the United States and Russia build trust and reduce the risks of misunderstanding or surprise. Measures under the Treaty include on-site inspections and exhibitions, data exchanges and notifications related to strategic offensive arms and facilities covered by the Treaty, and provisions to facilitate the use of national technical means for treaty monitoring. To increase confidence and transparency, the Treaty also provides for the exchange of telemetry.

At the signing ceremony in Prague, President Obama noted that the conclusion of the New START Treaty "demonstrates the determination of the United States and Russia — the two nations that hold over 90 percent of the world's nuclear weapons — to pursue responsible global leadership. Together, we are keeping our commitments under the Nuclear Non-Proliferation Treaty, which must be the foundation for global nonproliferation." As the President observed, the New START Treaty "will set the stage for further cuts."

Nuclear Posture Review

The United States recently concluded the third Congressionally mandated Nuclear Posture Review (NPR). It is a key element of the U.S. Government's comprehensive approach to advancing the President's Prague agenda for reducing nuclear dangers and pursuing the peace and security of a world free of nuclear weapons. The NPR addressed the United States' nuclear deterrence policy and strategy, and analyzed the role of nuclear weapons in our national security strategy, including the size and composition of nuclear forces necessary to support that strategy. The NPR outlined the U.S. approach for reducing the potential for nuclear conflict, enhancing strategic stability worldwide, ensuring the security of our friends and allies and strengthening the global nuclear nonproliferation regime with the objective of creating the conditions that will allow us further to reduce numbers of nuclear weapons. As a result of the NPR, the United States will continue to take concrete steps to reduce the role and numbers of nuclear weapons in its national security strategy, in accordance with our long-term goal of a world free of nuclear weapons.

For the first time, the NPR places preventing nuclear proliferation and nuclear terrorism atop the U.S. agenda. It renews the U.S. commitment to hold fully accountable any state, terrorist group, or other non-state actor that supports or enables terrorist efforts to obtain or use weapons of mass destruction, whether by facilitating, financing, or providing expertise or safe haven for such efforts.

Regarding nuclear weapons, the NPR makes clear that the United States will not develop new nuclear warheads. There will be no nuclear testing. There will be no new military missions or new military capabilities for nuclear weapons.

The NPR strengthens the long-standing U.S. negative security assurance by stating: "The United States will not use or threaten to use nuclear weapons against non-nuclear weapons states that are party to the NPT and in compliance with their nonproliferation obligations."

Stockpile and Weapons Reductions

In addition to implementing and seeking new agreements on nuclear weapons and fissile material, the United States continues to make extraordinary progress in reducing its stockpile of nuclear weapons, strategic delivery systems, fissile materials for use in weapons, and the associated nuclear weapons infrastructure.

Weapons and Delivery System Reductions

- By 2012, or earlier, the U.S. stockpile of strategic nuclear warheads will be reduced to nearly one-half from its 2001 level — and three-quarters from its 1990 level — resulting in the smallest stockpile since the 1950s.
- Since 1988 the United States has dismantled more than 13,000 nuclear warheads. The United States has reduced the number of operationally deployed nuclear weapons from approximately 10,000 in 1991 to approximately 2,000 as of December 31, 2009.
- The United States is already below the dramatic reductions in active stockpile levels that it had planned for the year 2010, and we now will retire an additional 15 percent of the U.S. stockpile below originally planned levels.
- The United States also has retired over 1,000 strategic ballistic missiles, including the most modern ICBM (the Peacekeeper), the Minuteman III ICBM, 350 heavy bombers, and 28 ballistic missile submarines. The reductions in heavy bombers include all 91 B1-B heavy bombers, which now are equipped solely for non-nuclear weapons.
- Twenty-eight ballistic missile submarines have been eliminated. Four modern Ohio-class ballistic missile submarines have been taken out of strategic service, carrying a total of 96 Trident missiles.
- The most dramatic U.S. stockpile reductions, in proportional terms, have been in non-strategic nuclear weapons. These reductions amount to nearly 90 percent of non-strategic nuclear weapons in NATO. The types of non-strategic nuclear weapons in Europe have been reduced from five to one, and storage sites in Europe have been reduced by 80 percent.
- Since 1992, the United States has cooperated with Russia and other states of the former Soviet Union through its Cooperative Threat Reduction program to eliminate a large amount of strategic offensive arms that had been accumulated by the Soviet Union.
- On May 3, 2010, the U.S. Government released newly declassified information on the U.S. nuclear warhead stockpile. Increasing transparency of global nuclear stockpiles is important to nonproliferation efforts, and to pursuing

follow-on negotiations after the ratification and entry into force of the New START Treaty that cover all nuclear weapons: deployed and non-deployed, strategic and non-strategic.

Fissile Material Reductions

- In November 2005, the United States announced that in future decades it would remove an additional 200 metric tons (MT) of HEU from further use as fissile material in nuclear weapons. This is above and beyond the 174 MT of HEU removed from defense stocks in 1994. These HEU removals together will amount to the equivalent of approximately 11,500 nuclear weapons worth of material (according to IAEA equivalency figures).
- The United States and Russia have committed to down-blending more than 500 MT of HEU from Russia's dismantled nuclear weapons for use in U.S. civil power plants. More than 382 MT of this material has been downblended to date, enough for approximately 15,000 nuclear weapons.
- More than 17 metric tons of down-blended HEU is being set aside for a nuclear fuel reserve to support international efforts to provide states with a viable alternative to pursuing their own enrichment and reprocessing programs. Based on the IAEA definition of significant quantities of nuclear materials, this is enough material to produce more than 500 nuclear weapons.
- The United States has removed 61.5 MT of plutonium from defense stockpiles, of which at least 34 MT will be disposed under the Plutonium Management and Disposition Agreement (PMDA) by irradiating it as fuel in civil nuclear power plants. The United States also is cooperating with Russia to permanently dispose of 34 MT of Russian surplus weapon-grade plutonium similarly by irradiating it as fuel in nuclear reactors. On April 13, 2010 Secretary Clinton and Foreign Minister Lavrov signed a Protocol that amends and updates the 2000 Plutonium Management and Disposition Agreement in light of current conditions and nuclear power programs in each country. The monitoring and nonproliferation conditions of the Protocol contribute to the irreversibility of arms reductions and ensure that the United States and Russia will transparently dispose of such weapon-grade plutonium from their respective defense programs in a safe and transparent manner.

Comprehensive Nuclear Test-Ban Treaty

As President Obama stated in his speech in Prague in 2009, the United States supports the Comprehensive Nuclear Test-Ban Treaty (CTBT) and will "immediately and aggressively pursue" its ratification. The United States believes that the CTBT contributes to the global nonproliferation regime, strengthening the prospects for a peaceful, stable, and secure world.

The United States has not conducted a nuclear explosive test since September 1992. While working toward the entry into force of the CTBT, the United States reaffirms its nearly two-decade long moratorium on nuclear explosive testing and continues to call on all states publicly to declare similar moratoria of their own.

Since signing the CTBT in 1996, the United States has supported the development and deployment of the International Monitoring System, the infrastructure to support the operation and maintenance of these stations, and the infrastructure for

transmitting, analyzing, and storing the data collected by the monitoring stations. Since early 2009, the United States has re-engaged in other activities of the CTBT Organization Preparatory Commission, such as activities related to developing its On-Site Inspection Program.

Fissile Material Cut-Off Treaty

President Obama said in Prague last year that one of the concrete steps the United States will take toward a world without nuclear weapons is to seek a new treaty that verifiably ends the production of fissile materials intended for use in nuclear weapons, a Fissile Material Cut-Off Treaty (FMCT). Last year, for the first time since 1998, the Conference on Disarmament reached consensus on a program of work that included a mandate for the negotiation of an FMCT. To date, however, the Conference on Disarmament has been unable to move forward on FMCT negotiations because of procedural obstacles. The United States will continue to seek ways of making progress on FMCT in the Conference on Disarmament and to begin negotiations on the basis agreed to in 2009.

Pending the successful negotiation and entry-into-force of an FMCT, the United States reaffirms its decades-long unilateral moratorium on the production of fissile material for nuclear warheads, and we continue to call on other states which have yet to do so publicly to join us in this moratorium.

B. Non-Nuclear Weapons

Biological Weapons

The United States ratified the Biological Weapons Convention (BWC) in 1972; it entered into force in 1975. The United States continues to work for the universalization of the BWC, and for full implementation and compliance by all Treaty Parties. The United States supported the 2006 decision by the Sixth BWC Review Conference to establish a BWC Implementation Support Unit to facilitate the work of BWC Parties in various mandated activities.

The United States has contributed actively to the BWC Intersessional Work Program, initiated in 2002 following the Fifth BWC Review Conference, and extended and enhanced by the Sixth BWC Review Conference in 2006. Such work has focused on practical steps that BWC States Party can take to enhance BWC implementation and stem the threat from biological weapons.

During 2009, the Work Program focused on assistance related to disease surveillance capacity-building. Disease, regardless of its cause, does not respect national borders. The United States has provided more than $317 million in direct support, and an additional $260 million in indirect support, to activities related to the implementation of the World Health Organization's International Health Regulations (IHRs), as revised in 2005.

At the December 2009 meeting of BWC Parties, the United States launched a far-reaching Presidential policy initiative, the *National Strategy for Countering Biological Threats*. While the *Strategy* envisages comprehensive action by the United States and the other BWC Parties to mitigate the shared threat of biological weapons, its hallmark is that it reflects the first Government-wide effort by the United States aimed at *preventing* bio-threats.

Chemical Weapons

The United States has been a Party to the Chemical Weapons Convention (CWC), which established a global ban on chemical weapons, since its entry into force in 1997. The United States and 187 other States Party continue to work for universal membership in the CWC, and for full implementation and compliance by all CWC States Parties.

The United States is actively encouraging the seven remaining non-States Parties to adhere to the Convention as soon as possible. U.S. experts provide advice and technical assistance to other States Party in the areas of CWC-related legislation, setting up a National Authority, and Treaty implementation. The U.S. National Authority works closely with the Organization for the Prohibition of Chemical Weapons (OPCW), and bilaterally with States Parties, to provide training in these areas. The United States remains fully committed to the CWC and is in compliance with its Treaty obligations. The U.S. continues destruction of its national CW stockpile. As part of our overall CW destruction effort, we expect to spend a total of $32-34 billion dollars, which includes helping other possessor States Party to eliminate their CW stockpiles.

Conventional Armed Forces

Under the 1990 Treaty on Conventional Armed Forces in Europe (CFE), over 69,000 Cold War-era battle tanks, combat aircraft, and other major weapons have been eliminated in 30 countries from the Atlantic Ocean to the Ural Mountains in the Russian Federation. More than 6,000 on-site inspections have helped to build politico-military cooperation and openness in Europe. In 1999, the 30 CFE States Party concluded an “Agreement on Adaptation” to update the 1990 Treaty, in line with the current security environment in Europe. The United States and the great majority of Treaty Parties have made clear that we can ratify the adapted CFE Treaty, once Russia fulfills all of the commitments that it made at the at the time of signature, but some of those commitments remain unfulfilled. On December 12, 2007, Russia “suspended” its implementation of the current CFE Treaty; the United States and NATO Allies since have engaged Russia in an intensive dialogue to address Moscow’s concerns and the concerns of all other States Party.

A more detailed report of U.S. information pertaining to the Treaty on the Non-Proliferation of Nuclear Weapons will be posted at http://www.state.gov/t/isn/npt/index.htm.

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

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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

Report submitted by Ireland

Introduction

1. States parties agreed in the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) that there should be regular reports, within the framework of the NPT strengthened review process, by all States parties on the implementation of article VI and paragraph 4 (c) of the 1995 decision on principles and objectives for nuclear non-proliferation and disarmament.

2. Ireland hereby submits its report to the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

3. Since the submission of its last report to the first session of the Preparatory Committee in 2007, Ireland has participated actively in work on nuclear disarmament and non-proliferation, including as a member of the New Agenda Coalition, the European Union and the Vienna Group of 10, as well as in cooperation with other like-minded States.

4. The Minister for Foreign Affairs of Ireland, Micheál Martin, addressed the Conference on Disarmament on 2 March 2010. He noted that his address took place close to the fortieth anniversary of the entry into force of the Treaty and recalled that, through the actions of the Irish delegation at the General Assembly under one of his predecessors, Frank Aiken, Ireland had been instrumental in bringing the Treaty about. He also noted that despite the 40-year existence of the Treaty and the subsequent agreements reached by States parties on its implementation, significant unfinished business remained, that the threat from nuclear weapons remained very

real and that promises remained unfulfilled. He described the decade since the 2000 Review Conference as one of stagnation. He outlined some of the factors which would be important to ensure a successful Review Conference in 2010.

5. In his address to the current Review Conference on 3 May 2010, Mr. Martin described support for NPT as a cornerstone of Irish foreign policy and said that Ireland was a firm advocate of efforts to strengthen the Treaty and to ensure respect for its provisions. He noted that the 13 practical steps agreed in 2000 remained largely unimplemented and that selective approaches which stressed the urgency of non-proliferation while downplaying the need for progress in relation to disarmament served merely to weaken the Treaty. He stressed that all States had a part to play in order to ensure a successful outcome to the Review Conference.

6. At the sixty-fourth session of the General Assembly, Ireland, together with its partners in the New Agenda Coalition, sponsored resolution 64/57, entitled "Towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments". In that resolution, the Assembly noted with satisfaction the renewed interest in nuclear disarmament on the part of international leaders expressed, inter alia, during the Security Council summit on nuclear non-proliferation and nuclear disarmament held on 24 September 2009, reaffirmed that nuclear disarmament and nuclear non-proliferation were mutually reinforcing processes requiring urgent irreversible progress on both fronts and recalled the unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals, leading to nuclear disarmament, in accordance with commitments made under article VI of NPT. The resolution was supported by 169 States Members of the United Nations, demonstrating broad support for the nuclear disarmament pillar of the Treaty.

7. Also at the sixty-fourth session of the General Assembly, Ireland supported a number of resolutions on nuclear disarmament and non-proliferation, such as the resolutions on the establishment of a nuclear-weapon-free zone in the region of the Middle East (resolution 64/26), a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices (resolution 64/29), a nuclear-weapon-free southern hemisphere and adjacent areas (resolution 64/44), renewed determination towards the total elimination of nuclear weapons (resolution 64/47), the follow-up to the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons* (resolution 64/55), towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments (resolution 64/57), the risk of nuclear proliferation in the Middle East (resolution 64/66) and the Comprehensive Nuclear-Test-Ban Treaty (resolution 64/69).

8. Ireland is also committed to the effective implementation of the European Union strategy against the proliferation of weapons of mass destruction, adopted by the Heads of State and Government of the European Union in December 2003. Building further on this strategy, the Heads of State and Government of the European Union agreed in December 2008 on an action plan against the proliferation of weapons of mass destruction and their means of delivery. Furthermore, in December 2008 the Heads of State and Government of the European Union endorsed a declaration on international security, with a focus on issues related to disarmament and the non-proliferation of weapons of mass destruction, as well as the prevention of terrorism.

Implementation of the 13 practical steps 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, included in the Final Document adopted by consensus at the 2000 Review Conference

Step 1

The importance and urgency of signatures and ratifications, without delay and without conditions and in accordance with constitutional processes, to achieve the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty

9. Ireland ratified the Comprehensive Nuclear-Test-Ban Treaty in July 1999 and has advocated the urgent need for its entry into force without delay and without conditions. It has worked in support of this objective within the European Union and the New Agenda Coalition. Ireland continues to see the Treaty as one of the fundamental building blocks in a step-by-step approach on the road to nuclear disarmament.

Step 2

A moratorium on nuclear-weapon-test explosions or any other nuclear explosion pending entry into force of that Treaty

10. Ireland, together with its European Union partners, has urged all States to abide by a moratorium pending the entry into force of the Comprehensive Nuclear-Test-Ban Treaty and to refrain from any actions which are contrary to the obligations and provisions of the Treaty.

Step 3

The necessity of negotiations in the Conference on Disarmament 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 in accordance with the statement of the Special Coordinator in 1995 and the mandate contained therein, taking into consideration both nuclear disarmament and nuclear non-proliferation objectives. The Conference on Disarmament is urged to agree on a programme of work, which includes the immediate commencement of negotiations on such a treaty with a view to their conclusion within five years

11. Ireland has been a member of the Conference on Disarmament since 1999 and has actively supported efforts to break the deadlock in that body, including by participating actively in the collective effort which led to the adoption of a programme of work during the 2009 session. While disappointed that it has not proved possible to meet the deadline set for the conclusion of a fissile material treaty, Ireland has been encouraged by the broad support for the beginning of

negotiations, as expressed, inter alia, in consensus resolutions of the General Assembly. Ireland continues to support efforts by successive Presidents of the Conference to enable substantive work to resume. It maintains the view that the Conference on Disarmament should begin negotiations without preconditions on a treaty dealing with fissile material. Ireland believes that for such a treaty to be meaningful, it must include a verification mechanism and cover existing stocks.

Step 4

The necessity of establishing in the Conference on Disarmament an appropriate subsidiary body with a mandate to deal with nuclear disarmament. The Conference on Disarmament is urged to agree on a programme of work which includes the immediate establishment of such a body

12. In addition, Ireland continues to favour the early establishment of a subsidiary body to deal specifically with the issue of nuclear disarmament. It also sees merit in embarking on a process that will eventually lead to an agreement on the non-weaponization of outer space.

Step 5

The principle of irreversibility to apply to nuclear disarmament, nuclear and other related arms control and reduction measures

13. The principle of irreversibility is a fundamental one which must be applied to all disarmament and arms control measures (regardless of whether they are unilateral, bilateral or multilateral). Ireland considers that the application of this principle is the only guarantee against the possibility of redeployment.

Step 6

An unequivocal undertaking by 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

14. Ireland, as a member of the New Agenda Coalition, continues to press for verifiable progress under this step. The fulfilment, by the nuclear-weapon States, of this unequivocal undertaking is a basic necessity for the achievement of a nuclear-weapon-free world.

Step 7

The early entry into force and full implementation of START II and the conclusion of START III as soon as possible, while preserving and strengthening the Anti-Ballistic Missile Treaty as a cornerstone of strategic stability and as a basis for further reductions of strategic offensive weapons, in accordance with its provisions

15. Developments since 2000 have not removed the need for a basis for further reductions of strategic offensive weapons. Ireland notes the conclusion of the Treaty between the United States of America and the Russian Federation on Measures for

the Further Reduction and Limitation of Strategic Offensive Arms ("New START"), but questions its contribution to effective nuclear disarmament. As Ireland has emphasized, through the New Agenda Coalition, reductions in the number of deployed strategic nuclear warheads, while welcome, are not a substitute for irreversible cuts in, and the total elimination of, nuclear weapons.

Step 8

The completion and implementation of the Trilateral Initiative between the United States of America, the Russian Federation and the International Atomic Energy Agency

16. Ireland continues to support this initiative and sees value in it as an example for future work in the area of nuclear disarmament.

Step 9

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:

- *Further efforts by the nuclear-weapon States to reduce their nuclear arsenals unilaterally*
- *Increased transparency by the nuclear-weapon States with regard to their nuclear weapons capabilities and the implementation of agreements pursuant to article VI and as a voluntary confidence-building measure to support further progress on nuclear disarmament*
- *The further reduction of non-strategic nuclear weapons, based on unilateral initiatives and as an integral part of the nuclear arms reduction and disarmament process*
- *Concrete agreed measures to further reduce the operational status of nuclear weapons systems*
- *A diminishing role for nuclear weapons in security policies to minimize the risk that these weapons ever be used and to facilitate the process of their total elimination*
- *The engagement, as soon as appropriate, of all the nuclear-weapon States in the process leading to the total elimination of their nuclear weapons*

17. As a non-nuclear-weapon State, Ireland can only press for progress on the implementation of these steps. It has stressed, in particular, the importance of the principle of transparency contained in this step. In the interest of transparency and as a baseline for future disarmament measures, Ireland has called upon the nuclear-weapon States to publish their aggregate holdings of nuclear weapons on active and reserve status, and to do so in a consistent and uniform manner. Together with the principles of irreversibility and verification, this should apply to all disarmament and arms control efforts. The statements and working papers of the New Agenda Coalition at the meetings of the Preparatory Committee and the Review Conference

contain further information about the position of Ireland on the matters covered by step 9, including, inter alia, operational status and non-strategic nuclear weapons.

Step 10

Arrangements by all nuclear-weapon States to place, as soon as practicable, fissile material designated by each of them as no longer required for military purposes under the International Atomic Energy Agency (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

18. Ireland calls on nuclear-weapon States that have not yet done so to make such arrangements.

Step 11

Reaffirmation that the ultimate objective of the efforts of States in the disarmament process is general and complete disarmament under effective international control

19. Ireland works actively in a number of disarmament forums and is a State party, inter alia, to NPT, the Chemical Weapons Convention, the Biological and Toxin Weapons Convention, the Comprehensive Nuclear-Test-Ban Treaty, the Convention on Certain Conventional Weapons and the Anti-Personnel Landmine Convention. In addition, it hosted and presided over the negotiation of the Convention on Cluster Munitions, held in Dublin in May 2008, and was among the first States to ratify that Convention. Ireland is also active in work within the European Union on weapons of mass destruction as well as on conventional disarmament.

20. Ireland also participates in a number of multilateral export control forums, namely the Australia Group, the Missile Technology Control Regime, the Nuclear Suppliers Group, the Wassenaar Arrangement and the Zangger Committee. Ireland sees effective export control as complementary to multilateral disarmament, non-proliferation and arms control efforts.

Step 12

Regular reports, within the framework of the NPT strengthened review process, by all States parties on the implementation of article VI 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

21. Ireland considers regular reporting to be a key element of the 13 steps and has presented reports during the last and the current NPT review cycle. It views reporting not as an end in itself but as an important tool in strengthening the NPT process, through greater transparency.

Step 13

The further development of the 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

22. The 2000 Review Conference specifically endorsed the measures of the Model Additional Protocol approved by IAEA. Ireland fully supports IAEA in its verification tasks and strongly favours a system of strengthened IAEA safeguards. It has urged all States, regardless of the size or nature of their nuclear programme, which have not yet signed and ratified an Additional Protocol to do so.

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

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Schedule of division of costs

In accordance with the cost-sharing formula adopted by the Conference contained in the appendix to the draft rules of procedure (see NPT/CONF.2010/1, annex III), the following is the schedule for the division of costs based on the actual participation of States parties in the Conference:

State party	*Percentage share of estimated total costs*
Afghanistan	*0.001*
Albania	*0.004*
Algeria	*0.064*
Andorra	*0.006*
Angola	*0.002*
Antigua and Barbuda	*0.001*
Argentina	*0.243*
Armenia	*0.001*
Australia	*1.335*
Austria	*0.663*
Azerbaijan	*0.004*
Bahamas	*0.012*
Bahrain	*0.025*
Bangladesh	*0.007*
Barbados	*0.007*
Belarus	*0.015*
Belgium	*0.823*
Belize	*0.001*
Benin	*0.001*

Bhutan	*0.001*
Bolivia (Plurinational State of)	*0.004*
Bosnia and Herzegovina	*0.004*
Botswana	*0.010*
Brazil	*0.655*
Brunei Darussalam	*0.019*
Bulgaria	*0.015*
Burkina Faso	*0.001*
Cambodia	*0.001*
Cameroon	*0.007*
Canada	*2.224*
Cape Verde	*0.001*
Central African Republic	*0.001*
Chile	*0.120*
China	*0.910*
Colombia	*0.078*
Comoros	*0.001*
Congo	*0.001*
Costa Rica	*0.024*
Côte d'Ivoire	*0.007*
Croatia	*0.037*
Cuba	*0.040*
Cyprus	*0.033*
Czech Republic	*0.021*
Denmark	*0.552*
Djibouti	*0.001*
Dominican Republic	*0.018*
Ecuador	*0.016*
Egypt	*0.066*
El Salvador	*0.015*
Equatorial Guinea	*0.001*
Eritrea	*0.001*
Estonia	*0.012*
Ethiopia	*0.002*
Fiji	*0.002*
Finland	*0.421*

France	*7.140*
Gambia	*0.001*
Georgia	*0.002*
Germany	*6.409*
Ghana	*0.003*
Greece	*0.445*
Grenada	*0.001*
Guatemala	*0.024*
Guinea	*0.001*
Guyana	*0.001*
Haiti	*0.001*
Holy See	*0.001*
Hungary	*0.182*
Iceland	*0.028*
Indonesia	*0.120*
Iran (Islamic Republic of)	*0.134*
Iraq	*0.011*
Ireland	*0.333*
Italy	*3.795*
Jamaica	*0.007*
Japan	*12.421*
Jordan	*0.009*
Kazakhstan	*0.022*
Kenya	*0.007*
Kuwait	*0.136*
Kyrgyzstan	*0.001*
Lao People’s Democratic Republic	*0.001*
Latvia	*0.013*
Lebanon	*0.025*
Lesotho	*0.001*
Liberia	*0.001*
Libyan Arab Jamahiriya	*0.046*
Liechtenstein	*0.007*
Lithuania	*0.023*
Luxembourg	*0.064*
Madagascar	*0.001*

Malawi	*0.001*
Malaysia	*0.142*
Maldives	*0.001*
Mali	*0.001*
Malta	*0.013*
Marshall Islands	*0.001*
Mauritania	*0.001*
Mauritius	*0.008*
Mexico	*1.686*
Micronesia (Federated States of)	*0.001*
Monaco	*0.002*
Mongolia	*0.001*
Montenegro	*0.001*
Morocco	*0.031*
Mozambique	*0.001*
Myanmar	*0.004*
Namibia	*0.004*
Nauru	*0.001*
Nepal	*0.002*
Netherlands	*1.400*
New Zealand	*0.191*
Nicaragua	*0.001*
Niger	*0.001*
Nigeria	*0.036*
Norway	*0.584*
Oman	*0.055*
Panama	*0.017*
Papua New Guinea	*0.001*
Paraguay	*0.004*
Peru	*0.058*
Philippines	*0.058*
Poland	*0.374*
Portugal	*0.394*
Qatar	*0.064*
Republic of Korea	*1.624*
Republic of Moldova	*0.001*

Romania	*0.052*
Rwanda	*0.001*
Russian Federation	*8.000*
Saint Vincent and the Grenadines	*0.001*
Samoa	*0.001*
San Marino	*0.002*
Saudi Arabia	*0.559*
Senegal	*0.003*
Serbia	*0.016*
Sierra Leone	*0.001*
Singapore	*0.259*
Slovakia	*0.047*
Slovenia	*0.072*
Solomon Islands	*0.001*
South Africa	*0.217*
Spain	*2.218*
Sri Lanka	*0.012*
Sudan	*0.007*
Swaziland	*0.001*
Sweden	*0.800*
Switzerland	*0.909*
Syrian Arab Republic	*0.012*
Tajikistan	*0.001*
Thailand	*0.139*
The former Yugoslav Republic of Macedonia	*0.004*
Timor-Leste	*0.001*
Togo	*0.001*
Tonga	*0.001*
Trinidad and Tobago	*0.020*
Tunisia	*0.023*
Turkey	*0.285*
Turkmenistan	*0.004*
Uganda	*0.002*
Ukraine	*0.034*
United Arab Emirates	*0.226*

United Kingdom of Great Britain and Northern Ireland	*6.130*
United Republic of Tanzania	*0.004*
United States of America	*32.820*
Uruguay	*0.020*
Uzbekistan	*0.006*
Venezuela (Bolivarian Republic of)	*0.149*
Viet Nam	*0.018*
Yemen	*0.005*
Zambia	*0.001*
Zimbabwe	*0.006*

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

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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

Report submitted by Norway

1. The present report presents the steps taken by Norway to implement article VI of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and paragraph 4 (c) of the 1995 decision on principles and objectives for nuclear non-proliferation and disarmament. The report focuses on the 13 practical steps of the 2000 Final Document, which is the most recent elaboration of the obligations embodied in article VI and the principles and objectives.

Step 1: Comprehensive Nuclear-Test-Ban Treaty

2. Norway signed and ratified the Comprehensive Nuclear-Test-Ban Treaty at an early stage. Universal adherence to and early entry into force of the Treaty continues to be a high priority. Norway has worked towards this goal by actively promoting signature and ratification of the Treaty and by supporting the work of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization in Vienna in implementing the Treaty's verification mechanism. Norway has also supported the pilot project of the Comprehensive Nuclear-Test-Ban Treaty Organization, which enables participation of specialists from developing countries in technical meetings of that organization.

3. Norway has co-sponsored resolutions in the General Assembly calling for the early entry into force of the Treaty. It has on several occasions expressed the view, notably at the last three article XIV conferences, the meetings of the Preparatory Committee of the 2010 Review Conference and at the First Committee of the General Assembly, that it is of crucial importance that all the nuclear-weapon States

ratify the Treaty without delay and that the remaining non-nuclear-weapon States listed in annex II to the Treaty do so as well.

4. Norway has provided financial resources to workshops in States not parties to the Treaty and supported projects carried out by research institutions, including the United Nations Institute for Disarmament Research, for the promotion of Comprehensive Nuclear-Test-Ban Treaty universalization.

Step 2: test moratorium

5. Pending the entry into force of the Comprehensive Nuclear-Test-Ban Treaty, it is important that the moratorium on tests remains. Norway has stressed that such self-imposed moratoriums cannot, however, replace legally binding commitments through the signing and ratification of the Treaty.

6. The Comprehensive Nuclear-Test-Ban Treaty establishes a far-reaching global monitoring and verification system, capable of detecting all relevant nuclear explosions. The verification system is thus at the core of the Treaty. The full implementation of the international monitoring system as soon as possible would in itself represent a significant confidence- and security-building measure.

7. In Norway six monitoring stations comprising a total of 130 field instruments are set up as part of the international monitoring system. With Norway's ratification of the Comprehensive Nuclear-Test-Ban Treaty in 1999, NORSAR was established as the Norwegian National Data Centre for verification of compliance with the Treaty.

Step 3: fissile material cut-off treaty

8. At the General Assembly as well as in the Conference on Disarmament, Norway has consistently called for early negotiations on a treaty banning the production of fissile material for nuclear weapons. Such a treaty should also pave the way for reduced stockpiles of weapons-usable materials in the nuclear-weapon States.

9. Pending negotiations on such a treaty, it is important that the nuclear-weapon States uphold or introduce moratoriums on fissile material production. The nuclear-weapon States should, in addition, place more fissile material under irreversible International Atomic Energy Agency (IAEA) safeguards and show more transparency regarding all stockpiles of fissile material as well as any past or ongoing production and uses.

10. Norway has repeatedly stated its deep discontent that the Conference on Disarmament remains unable to negotiate this important treaty. If the Conference is unable to adopt a programme of work, other venues should be considered.

Step 4: nuclear disarmament in the Conference on Disarmament

11. Norway has supported a number of initiatives towards ending the deadlock in the Conference on Disarmament. If the Conference remains unable to do its work, the international community will be forced to find other ways to negotiate treaties.

Step 5: irreversibility

12. Norway has continued to argue that disarmament must be pursued on the basis of irreversibility: only undertakings that are irreversible will command the necessary confidence that the obligations under the Treaty are respected and complied with.

Step 6: unequivocal undertaking

13. Norway considers the unequivocal undertaking of the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals as essential for maintaining the compact of NPT.

Step 7: strategic arms agreements

14. Norway has welcomed the signing of the New START between the Russian Federation and the United States of America as an important step towards a world free of nuclear weapons. It has also welcomed the statements of the Presidents of the Russian Federation and the United States that their two countries will continue efforts to reduce nuclear weapon arsenals and remain committed to achieving a world free of nuclear weapons. Norway has underlined that future negotiations should include all categories of nuclear weapons and, in time, all nuclear-weapon States.

Step 8: Trilateral Initiative between the United States of America, the Russian Federation and the International Atomic Energy Agency

15. Norway has encouraged the Russian Federation and the United States to complete and implement the verification arrangement which was developed jointly between the two countries and IAEA in the years 1996 to 2002. If implemented, the trilateral verification system would enable IAEA to safeguard fissile materials coming directly from dismantled nuclear weapons, which would help accelerate the disarmament process. Moreover, it would strengthen the ability of the international community to verify that nuclear disarmament is taking place.

Step 9: steps by the nuclear-weapon States

16. Norway has welcomed efforts by some of the nuclear-weapon States to reduce their nuclear arsenals unilaterally.

17. Norway strongly supports increased transparency with regard to nuclear arsenals and has welcomed the recent disclosures by the United States and the United Kingdom of Great Britain and Northern Ireland of the total number of warheads in their nuclear arsenals. Other nuclear-weapon States should follow suit.

18. Together with North Atlantic Treaty Organization allies, Norway has advocated the removal and subsequent elimination of all tactical nuclear weapons on European soil as part of future arms control negotiations between the Russian

Federation and the United States. To this end, a process of developing and gradually implementing various measures for increased transparency, confidence-building and verification should be initiated.

19. Norway has emphasized the need to reduce the role of nuclear weapons in national security policies. Important ways of doing so are to significantly reduce the operational readiness of nuclear weapons and through declaratory policies.

Step 10: arrangements by all nuclear-weapon States on fissile material

20. Norway has consistently encouraged nuclear-weapon States to be more transparent about fissile materials holdings, dispositions and (if any) production. Increased transparency in fissile material stockpiles will reduce potential insecurities, foster confidence and lay important foundations for disarmament undertakings in the future.

21. Pending nuclear disarmament and final disposition of fissile materials in non-weapon usable forms, it is the responsibility of the nuclear-weapon States to secure nuclear weapons and nuclear-weapon materials.

22. Norway has encouraged the nuclear-weapon States to place more fissile material under irreversible IAEA safeguards so that it may never again be used for nuclear weapons. Implementation of the Trilateral Initiative, or similar verification arrangements, would enable IAEA to safeguard materials coming directly from dismantled nuclear weapons, thus proving increased confidence in the disarmament processes.

Step 11: general and complete disarmament

23. Norway has consistently stated and worked towards the ultimate goal of NPT, which is to reach and maintain a world free of nuclear weapons. Arms control, disarmament and non-proliferation remain central elements in Norwegian foreign and security policy.

24. In 2008 Norway hosted an international conference on “Achieving the vision of a world free of nuclear weapons”. The conference, which was held in cooperation with the Nuclear Threat Initiative and the Hoover Institution, gathered a worldwide group of policymakers and researchers. As Chair of the conference, the Norwegian Minister for Foreign Affairs, Jonas Gahr Støre, concluded that a series of steps would have to be taken by world leaders, in particular from the nuclear-weapon-capable States, in order to achieve a world free of nuclear weapons.

Step 12: reporting

25. Norway has asserted that national reports by States parties should contain regular, systematic and detailed information to the other States parties with the goal of improving the functioning of the Treaty’s strengthened review process. In submitting its national report, Norway reiterates that reporting should be done by all States parties and that it should be obligatory rather than optional.

Step 13: development of verification

26. Norway has supported the further development of the verification capabilities that will be required to provide necessary assurance of compliance with nuclear disarmament agreements for the achievement and maintenance of a nuclear-weapon-free world.

27. Under a joint technical project with the United Kingdom, Norwegian and United Kingdom institutes have explored the ways and means by which non-nuclear-weapon States can verify nuclear weapons dismantlement undertaken by nuclear-weapon States without violating their respective commitments under NPT. Although more research and tests would be required to implement such a system, research findings so far have demonstrated that it should be feasible for non-nuclear-weapon States to contribute to the chain of custody aspects of a verifiable nuclear dismantlement process. The United Kingdom and Norway held joint presentations on the project at the 2010 Review Conference as well as at the preceding Preparatory Committees in 2008 and 2009.

28. A strong supporter of IAEA, Norway has consistently argued that the Agency must be fully equipped to verify the peaceful nature of member States' nuclear programmes. IAEA comprehensive safeguards together with an Additional Protocol represents the current verification standard. Norway urges all States that have not yet signed and ratified the Additional Protocol to do so without delay.

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Steps to promote the achievement of a nuclear-weapon-free zone in the Middle East and the realization of the goals and objectives of the 1995 resolution on the Middle East

Report submitted by Norway

1. Norway is firmly committed to the resolution on the Middle East adopted at the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, which calls upon all States parties to extend their cooperation and to exert their utmost efforts to ensure the early establishment by regional parties of a zone in the Middle East free of nuclear and all other weapons of mass destruction and their delivery systems.

2. Norway has supported the annual General Assembly resolution calling for the establishment of a nuclear-weapon-free zone in the region of the Middle East. Norway has also supported the annual resolution of the General Conference of the International Atomic Energy Agency (IAEA) entitled "Application of IAEA safeguards in the Middle East".

3. Norway has encouraged all countries in the region to accept IAEA comprehensive safeguards, with the Additional Protocol as the current verification standard. As stated by IAEA, it is only through the Additional Protocol that the Agency can verify that a country's nuclear programme is exclusively for peaceful purposes.

4. Supporting universality of the Treaty, Norway has called upon Israel to join the Treaty as a non-nuclear-weapon State and to place all nuclear material under IAEA safeguards. Norway has encouraged all countries in the region to sign and ratify the Comprehensive Nuclear-Test-Ban Treaty.

5. In order for a zone to be established, it is clear that all countries in the region would have to contribute to fostering confidence. This also applies to the Islamic Republic of Iran. Norway has on a number of occasions urged the Islamic Republic

of Iran to comply with demands set by the United Nations, such as the suspension of sensitive nuclear activities and full cooperation with IAEA.

6. During the current review cycle, Norway has supported a number of projects exploring the modalities of a zone and facilitating its negotiation, among which are:

- The conferences on a weapons of mass destruction-free zone in the Middle East held by the School of Oriental and African Studies in London
- A scoping study and consultative process on the core elements of a zone undertaken by the Institute for Security Studies and the Center for Non-Proliferation Studies at the Monterey Institute of International Studies
- An international conference on nuclear energy and non-proliferation organized by the Arab Institute for Security Studies in Amman 2009
- Workshops on implementation of Security Council resolution 1540 (2004) organized by the Office for Disarmament Affairs

7. In a new project entitled "Developing arms control-related solutions for the Middle East in a cooperative setting", Norway is pleased to partner with the Peace Research Institute Frankfurt. Supported by a wide range of Middle East scholars, the Institute has undertaken to develop new concepts for arms control and regional security that will provide unique input to future arms control and disarmament processes in the region.

8. Norway encourages the concerned parties to engage on how to set up a weapons of mass destruction-free zone in the Middle East. Norway is hopeful that its efforts may contribute positively to the development of such a zone, as well as to the overall peace process.

NPT/CONF.2010/DEC.1

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Decision on subsidiary bodies

(Adopted at the fifth plenary meeting on 5 May 2010)

The 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons decides to establish, for the duration of the 2010 Review Conference, subsidiary bodies under Main Committee I, Main Committee II and Main Committee III, respectively, and that:

(a) The subsidiary body established under Main Committee I as subsidiary body 1 will focus on nuclear disarmament and security assurances. The subsidiary body will be chaired by Ambassador Alexander Marschik. The subsidiary body will be open ended. It will hold at least four meetings within the overall time allocated to the Main Committee. The meetings will be held in private;

(b) The subsidiary body established under Main Committee II as subsidiary body 2 will examine "Regional issues, including with respect to the Middle East and implementation of the 1995 Middle East resolution". The subsidiary body will be chaired by Ms. Alison Kelly. The subsidiary body will be open ended. It will hold at least four meetings within the overall time allocated to the Main Committee. The meetings will be held in private;

(c) The subsidiary body established under Main Committee III as subsidiary body 3 will address agenda item 16 (e), "Other provisions of the Treaty". The subsidiary body will be chaired by Ambassador José Luis Cancela. The subsidiary body will be open ended. It will hold at least four meetings within the overall time allocated to the Main Committee. The meetings will be held in private.

The outcome of the work of the subsidiary bodies will be reflected in the reports of the respective Main Committees to the Conference.

NPT/CONF.2010/WP.1

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

12 March 2010

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Multilateral nuclear supply principles of the Zangger Committee

Working paper submitted by Argentina, Australia, Austria, Belgium, Bulgaria, Canada, China, Croatia, the Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Kazakhstan, Luxembourg, the Netherlands, Norway, Poland, Portugal, the Republic of Korea, Romania, the Russian Federation, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Turkey, Ukraine, the United Kingdom of Great Britain and Northern Ireland and the United States of America as members of the Zangger Committee

Introduction

1. Previous review conferences of the parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), when reviewing the implementation of the Treaty in the area of export controls, have repeatedly noted the role of the Zangger Committee. The Committee, also known as the "NPT Exporters Committee", essentially contributes to the interpretation of article III, paragraph 2, of the Treaty and thereby offers guidance to all parties to the Treaty. The Committee and its work were mentioned in final documents or in Committee reports of review conferences from 1975, 1985, 1990 and 1995.

2. The purpose of this paper is to describe the work of the Zangger Committee in order to provide better insight into the Committee's objectives. Furthermore, it is consistent with one of the calls of the 1995 Review and Extension Conference, which in paragraph 17 of its decision on "Principles and objectives for nuclear non-proliferation and disarmament", stated that "transparency in nuclear export controls should be promoted within the framework of dialogue and cooperation among all interested States party to the Treaty".

3. Attached to this paper are the statements of previous NPT review conferences referring to the Zangger Committee.

Zangger Committee

Article III, paragraph 2

4. Article III, paragraph 2, of the NPT performs a vital function in helping to ensure the peaceful use of nuclear material and equipment. Specifically, it provides that:

> "Each State Party to the Treaty undertakes not to provide: (a) source or special fissionable material, or (b) equipment or material especially designed or prepared for the processing, use or production of special fissionable material, to any non-nuclear-weapon State for peaceful purposes, unless the source or special fissionable material shall be subject to the safeguards required by this article." (International Atomic Energy Agency (IAEA) safeguards as described in article III).

5. The main significance of this paragraph is that parties to the Treaty should not export, directly or indirectly, nuclear material and equipment or material especially designed or prepared for the processing, use, or production of special fissionable material to non-nuclear-weapon States not parties to the NPT unless the export is subject to IAEA safeguards as required by article III. This is an important provision because recipient countries not parties to the Treaty may not have accepted any other nuclear non-proliferation obligations. By interpreting and implementing article III, paragraph 2, the Zangger Committee helps to prevent the diversion of exported nuclear material and equipment or material from peaceful purposes to nuclear weapons or other nuclear explosive devices, which furthers the objectives of the Treaty and enhances the security of all States.

6. The Zangger Committee understandings, in line with article III, paragraph 2, also relate to exports to non-nuclear-weapon States parties to the Treaty insofar as the recipient should recognize the items on the trigger list as a basis for its export control decisions in the case of re-exports.

Zangger Committee understandings

7. Between 1971 and 1974 a group of 15 States — some already parties to the Treaty, others prospective parties — held a series of informal meetings in Vienna chaired by Professor Claude Zangger of Switzerland. As suppliers or potential suppliers of nuclear material and equipment, their objective was to reach a common understanding on:

(a) The definition of what constituted "equipment or material especially designed or prepared for the processing, use or production of special fissionable material" (as it was not defined anywhere in the Treaty);

(b) The conditions and procedures that would govern exports of such equipment or material in order to meet the obligations of article III, paragraph 2, on a basis of fair commercial competition.

8. The group, which came to be known as the Zangger Committee, decided that its status was informal and that its decisions would not be legally binding upon its members.

9. In 1972, the Committee reached consensus on basis "understandings" contained in two separate memorandums. Together, those memorandums form the guidelines of the Zangger Committee today. Each memorandum defines and provides for procedures for the export of materials and equipment described in article III, paragraph 2. The first memorandum concerns source and special fissionable material (article III, paragraph 2 (a)), the second, equipment and material especially designed or prepared for the processing, use or production of special fissionable material (article III, paragraph 2 (b)).

10. The consensus which formed the basis of the Committee's understandings was formally accepted by individual States members of the Committee by an exchange of notes among themselves. These amounted to unilateral declarations that the understandings would be given effect through respective domestic export control legislation. In parallel with this procedure, most member States wrote identical letters to the Director General of IAEA informing him of their decision to act in conformity with the conditions set out in the understandings. These letters also asked the Director General to communicate their decision to all States members of the Agency, which he did in INFCIRC/209, dated 3 September 1974.

11. Memorandum A defines the following categories of nuclear material:

(a) Source material: natural or depleted uranium and thorium;

(b) Special fissionable material: plutonium-239, uranium-233, uranium enriched in the isotopes 235 or 233.

12. Memorandum B, as clarified since 1974 (see below), contains plants, equipment and, as appropriate, material in the following categories: nuclear reactors, non-nuclear materials for reactors, reprocessing, fuel fabrication, uranium enrichment, heavy water production, and conversion.

13. To fulfil the requirements of article III, paragraph 2, the Zangger Committee understandings contain three basic conditions of supply for these items:

(a) For exports to a non-nuclear-weapon State not party to the Treaty, source or special fissionable material either directly transferred, or produced, processed, or used in the facility for which the transferred item is intended, shall not be diverted to nuclear weapons or other nuclear explosive devices;

(b) For exports to a non-nuclear-weapon State not party to the Treaty, such source or special fissionable material, as well as transferred equipment and non-nuclear material, shall be subject to safeguards under an agreement with IAEA;

(c) Source or special fissionable material, and equipment and non-nuclear material shall not be re-exported to a non-nuclear-weapon State not party to the Treaty unless the recipient State accepts safeguards on the re-exported item.

"Trigger list" and its clarification

14. The two memorandums became known as the "trigger list", since the export of listed items "triggers" IAEA safeguards. In other words, as described above, they

will be exported only if (a) the transferred equipment or source or special fissionable material, or (b) the material produced, processed or used in the facility for which the item is supplied, is subject to safeguards under an agreement with IAEA based on the IAEA safeguards system for NPT purposes.

15. Attached to the trigger list is an annex "clarifying", or defining, the equipment and material of memorandum B in some detail. The passage of time and successive developments in technology have meant that the Committee is periodically engaged in considering possible revisions to the trigger list, and the original annex has thus become increasingly detailed. To date, nine clarification exercises have taken place. Clarifications are conducted on the basis of consensus. In 2007, the Zangger Committee agreed on procedures for streamlining both its internal decision-making and notification of changes to the Director General of IAEA, and also for facilitating harmonization of its memorandums A and B with the trigger list of the Nuclear Suppliers Group.

16. A summary of these clarifications reflects both some detail on the contents of the trigger list and an idea of the work of the Zangger Committee (dates are for the publication of modifications and revisions of INFCIRC/209):

(a) In **December 1978**, the annex was updated to add heavy water production plants and equipment, and a few specific items of isotope separation equipment for uranium enrichment;

(b) In **February 1984**, further detail was added to the annex to take account of technological developments during the preceding decade in the area of uranium enrichment by the gas centrifuge process;

(c) In **August 1985**, a similar clarification was made to the annex section on irradiated fuel reprocessing;

(d) In **February 1990**, the uranium enrichment section was further elaborated by the identification of items of equipment used for isotope separation by the gaseous diffusion method;

(e) In **May 1992**, specific items of equipment were added to the section on heavy water production;

(f) In **April 1994**, the enrichment section of the annex was subject to its most significant expansion yet. Existing portions of the section were updated, and detailed lists of equipment were added for the enrichment processes of aerodynamic, chemical and ion exchange, laser-based plasma, and electromagnetic separation. A significant modification was also made to the entry for primary coolant pumps;

(g) In **May 1996**, the sections on reactors and reactor equipment, on non-nuclear materials, on the fabrication of fuel elements as well as on heavy water production were reviewed. Parts of these sections were updated and new, detailed equipment was added;

(h) In **March 2000**, a new section on uranium conversion was added. This section also contains elements transferred from section 3 (reprocessing).

All these changes to the list were included in the version of the Zangger Committee understandings published as IAEA document INFCIRC/209/Rev.2.

(i) In **February 2008**, INFCIRC/209/Rev.2 was modified to include expanded details on separation of isotopes of special fissionable material, with the addition of an explanatory note, an introductory note in the annex, and a technical amendment already agreed in June 2006. The annex was also amended to include text on valves especially designed or prepared for gas centrifuge enrichment plants;

(j) In **July 2009**, a correction was issued to INFCIRC/209/Rev.2 eliminating several minor errors in both memorandums A and B.

Membership

17. All Zangger Committee members are parties to the Treaty that are capable of supplying trigger list items. Currently there are 37 members (Argentina, Australia, Austria, Belgium, Bulgaria, Canada, China, Croatia, Czech Republic, Denmark, France, Finland, Germany, Greece, Hungary, Ireland, Italy, Japan, Kazakhstan, Luxembourg, Netherlands, Norway, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom, United States). The Commission of the European Union attends the meetings as a permanent observer. Any party that is an actual or potential nuclear supplier and is prepared to implement the Committee's understandings is eligible for membership. Decisions to invite new members of the Committee are taken by consensus of existing members. In the interest of strengthening the Treaty and the nuclear non-proliferation regime in general, Zangger Committee members have urged parties to the Treaty that are nuclear suppliers to consider seeking membership. NPT parties interested in doing so should visit the Committee's website (www.zanggercommittee.org) and may contact the Secretariat (the United Kingdom Mission in Vienna) or any State member of the Committee.

Outreach

18. Late in 2001, the Zangger Committee decided to launch an outreach programme between the Zangger Committee and third countries. The outreach programme has three objectives:

(a) To build a strong and sustainable relationship between the Zangger Committee and third countries;

(b) To increase the transparency of the activities of the Committee by explaining its role, purpose and functions, in particular its role as technical interpreter of article III, paragraph 2, of the Treaty;

(c) To provide opportunities for open dialogue on issues of common interest and concern on non-proliferation and nuclear export controls.

In conducting this exercise, the Zangger Committee wishes to underline that (a) the outreach programme reflects the fact that the Committee is a technical body with a remit to interpret article III, paragraph 2, of the Treaty and as such outreach will not be a political dialogue; (b) the programme is restricted to States parties to the Treaty; and (c) the programme is informal.

Subjects for discussion include:

- The role and purpose of the Zangger Committee
- The trigger list and its clarification
- Conditions of supply
- Membership of the Committee
- The Committee and NPT conferences.

In November 2008, the Zangger Committee agreed to expand its outreach programme, and, accordingly, the Chair wrote to a number of States parties to the Treaty, inviting each to participate in an outreach dialogue with the Committee.

Zangger Committee and NPT conferences

19. At the first NPT Review Conference, in 1975, a brief paragraph in the Final Document referenced the work of the Zangger Committee without naming it. Paraphrasing, this paragraph stated that, with regard to implementation of article III, paragraph 2, the Conference had noted that a number of nuclear suppliers had adopted certain minimum requirements for IAEA safeguards in connection with their nuclear exports to non-NPT non-nuclear-weapon States. The Conference went on to attach particular importance to the fact that those suppliers had established as a supply condition an undertaking of non-diversion to nuclear weapons.

20. In 1980, the Review Conference produced no consensus final document. However, in 1985, the Final Document contained a short reference to the Committee's activities, again without naming it. This time the Conference in effect endorsed the main activity of the Zangger Committee by indicating that further improvement of the trigger list should take account of advances in technology.

21. In 1990, the Zangger Committee was mentioned by name, and the Conference provided a brief description of its aims and practices. While the Conference did not adopt a final declaration, Main Committee II agreed on language pertaining to a number of ideas and proposals concerning implementation of the Treaty in the areas of the non-proliferation of nuclear weapons and safeguards. Main Committee II observed that Zangger Committee members had met regularly to coordinate the implementation of article III, paragraph 2, and had adopted nuclear supply requirements and a trigger list. It recommended that this list be reviewed periodically to take into account advances in technology and changes in procurement practices, a recommendation that the Zangger Committee has continued to pursue. Main Committee II also urged all States to adopt the Zangger Committee's requirements for any nuclear cooperation with a non-nuclear-weapon State not party to the Treaty.

22. At the 1995 NPT Review and Extension Conference, the work of the Zangger Committee was also referenced in Main Committee II and, more specifically, in the working group established by Main Committee II to consider export control issues. While the Conference did not adopt a final declaration similar to those of previous conferences, consensus text on the Zangger Committee was attained. (The unofficial text emerging from this exercise was subsequently published in IAEA document INFCIRC/482 for information purposes.) The working group noted that a number of States suppliers had formed an informal group known as the Zangger Committee and had adopted certain understandings. It invited States to consider applying these

understandings and recommended that the list of items and the procedures for implementation be reviewed from time to time. The working group further noted that the application by all States of the understandings of the Zangger Committee would contribute to the strengthening of the non-proliferation regime. At the same time, it called for international consultations among all interested States.

23. The Conference approved, inter alia, decision 2, which contains a set of principles and objectives, and decision 3, which provides the basis for the adopted "Enhanced Review Mechanism" of the implementation of the Treaty.

24. Decision 2 contains several principles of particular relevance to the work of the Zangger Committee, in the fields of safeguards and export controls (see annex II to this paper, principles 9 to 13). In particular, principle 17 calls upon all States to promote transparency in nuclear-related export controls through cooperation and dialogue. Members of the Committee have worked to promote transparency through international seminars and other forms of dialogue.

25. At the 2000 Review Conference, export control issues were discussed by an informal, open-ended working group established by Main Committee II. The Working Group did not reach final agreement on a text mentioning the Zangger Committee. In the end, only two paragraphs of the Final Document referenced indirectly the work of the Zangger Committee without naming it. The Conference recommended that the list of items triggering IAEA safeguards and the procedures for implementation be reviewed from time to time, and it requested that any supplier arrangement should be transparent.

26. At the 2005 Review Conference, export control issues were discussed in Main Committee II. Main Committee II did not, however, reach consensus on a text. No consensus was reached on a final document.

27. In the preparatory cycle for the 2010 Review Conference, the Zangger Committee issued a working paper entitled "Procedures in relation to exports of nuclear materials and certain categories of equipment and material in relation to article III (2) of the NPT" (NPT/CONF.2010/PC.II/WP.37, dated 8 May 2008), and subsequently invited all States parties to the Treaty to become additional co-sponsors of this working paper. A list of additional co-sponsors is contained in NPT/CONF.2010/PC.III/WP.40, dated 15 May 2009.

28. The statements of review conferences on the Zangger Committee are attached as annex I to this working paper.

Annex I

References to Zangger Committee activities in NPT Review Conference documents

First NPT Review Conference (1975)

A paragraph in the Final Document referenced the work of the Zangger Committee without naming it:

> "With regard to the implementation of article III (2) of the Treaty, the Conference notes that a number of States suppliers of material or equipment have adopted certain minimum, standard requirements for IAEA safeguards in connection with their exports of certain such items to non-nuclear-weapon States not party to the Treaty (IAEA document INFCIRC/209 and addenda). The Conference attaches particular importance to the condition, established by those states, of an undertaking of non-diversion to nuclear weapons or other nuclear explosive devices, as included in the said requirements" (NPT/CONF/35/I, annex I, p. 3).

Third NPT Review Conference (1985)

The 1980 NPT Review Conference produced no final document, but the 1985 Final Document contained a reference to the Committee without naming it:

> "The Conference believes that further improvement of the list of materials and equipment which, in accordance with article III (2) of the Treaty, calls for the application of IAEA safeguards should take account of advances in technology" (NPT/CONF.III/64/I, annex I, p. 5, para. 13).

Fourth NPT Review Conference (1990)

While the Conference did not adopt a final document, Main Committee II did agree on a number of ideas and proposals, including the following language on the Zangger Committee:

> "The Conference notes that a number of States parties engaged in the supply of nuclear material and equipment have met regularly as an informal group which has become known as the Zangger Committee in order to coordinate their implementation of article III, paragraph 2. To this end, these States have adopted certain requirements, including a list of items triggering IAEA safeguards, for their export to non-nuclear-weapon States not party to the Treaty, as set forth in the IAEA document INFCIRC/209 as revised. The Conference urges all States to adopt these requirements in connection with any nuclear cooperation with non-nuclear-weapon States not party to the Treaty. The Conference recommends that the list of items triggering IAEA safeguards and the procedures for implementation be reviewed from time to time to take into account advances in technology and changes in procurement practices. The Conference recommends the States parties to consider further ways to improve the measures to prevent diversion of nuclear technology for nuclear weapons, other nuclear explosive purposes or nuclear weapon capabilities. While recognizing the efforts of the Zangger Committee in the non-proliferation regime, the Conference also notes that items included in the 'trigger list' are essential in the development of nuclear energy programmes for peaceful uses.

In this regard, the Conference requests that the Zangger Committee should continue to take appropriate measures to ensure that the export requirements laid down by it do not hamper the acquisition of such items by States parties for the development of nuclear energy for peaceful uses" (NPT/CONF.IV/DC/1/Add.3(a), p. 5, para. 27).

NPT Review and Extension Conference (1995)

While the Conference did not adopt a final declaration similar to those of previous conferences, Main Committee II and its subsequent working group did agree on a number of ideas and proposals, including the following language on the Zangger Committee, which reached informal consensus in the working group of Main Committee II and was separately published in IAEA document INFCIRC/482:

"The Conference notes that a number of States parties engaged in the supply of nuclear material and equipment have met regularly as an informal group known as the Zangger Committee. These States have adopted certain understandings, including a list of items triggering IAEA safeguards, for their export to non-nuclear weapon States not parties to the Treaty, as set forth in IAEA document INFCIRC/209, as amended. The Conference invites all States to consider applying these understandings of the Zangger Committee in connection with any nuclear cooperation with non-nuclear-weapon States not parties to the Treaty. The Conference recommends that the list of items triggering IAEA safeguards and the procedures for implementation be reviewed from time to time to take into account advances in technology and changes in procurement practices."

"The Conference notes that the application by all States of the understandings of the Zangger Committee would contribute to the strengthening of the non-proliferation regime. The Conference calls for wider participation in international consultations among all interested States parties concerning the formulation and review of such guidelines, which relate to the implementation of States parties' obligations under article III, paragraph 2" (INFCIRC/482, attachment, paras. 5 and 7).

The Conference adopted in decision 2 a number of principles and objectives related to safeguards and export controls, which are reproduced in annex II below.

Sixth NPT Review Conference (2000)

Main Committee II and its subsequent working group discussed a number of ideas and proposals, including the following language on the Zangger Committee, without reaching final agreement:

"The Conference notes that a number of States parties engaged in the supply of nuclear material and equipment have met regularly as an informal group known as the Zangger Committee, in order to coordinate their implementation of article III, paragraph 2, of the Treaty. To this end, these States have adopted certain understandings, including a list of items triggering IAEA safeguards, for their export to non-nuclear-weapon States not parties to the Treaty, as set forth in IAEA document INFCIRC/209 as amended. The Conference invites all States to adopt the understandings of the Zangger Committee in connection with any nuclear cooperation with non-nuclear-weapon States not parties to the Treaty."

In the Final Document, two paragraphs referenced indirectly the work of the Zangger Committee without naming it:

> "52. The Conference recommends that the list of items triggering IAEA safeguards and the procedures for implementation, in accordance with article III (2), be reviewed from time to time to take into account advances in technology, the proliferation sensitivity, and changes in procurement practices.
>
> "53. The Conference requests that any supplier arrangement should be transparent and should continue to take appropriate measures to ensure that the export guidelines formulated by them do not hamper the development of nuclear energy for peaceful uses by States parties, in conformity with articles I, II, III and IV of the Treaty."

Annex II

Principles and objectives related to safeguards and export controls, as contained in decision 2 of the 1995 NPT Review and Extension Conference

Safeguards

9. The International Atomic Energy Agency is the competent authority responsible to verify and assure, in accordance with the statute of the Agency and the Agency's safeguards system, compliance with its safeguards agreements with States parties undertaken in fulfilment 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. Nothing should be done to undermine the authority of the International Atomic Energy Agency 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 Agency to consider, investigate, draw conclusions and decide on necessary actions in accordance with its mandate.

10. All States parties required by article III of the Treaty to sign and bring into force comprehensive safeguards agreements and which have not yet done so should do so without delay.

11. International Atomic Energy Agency safeguards should be regularly assessed and evaluated. Decisions adopted by its Board of Governors aimed at further strengthening the effectiveness of Agency safeguards should be supported and implemented and the Agency's capability to detect undeclared nuclear activities should be increased. Also, States not party to the Treaty on the Non-Proliferation of Nuclear Weapons should be urged to enter into comprehensive safeguards agreements with the Agency.

12. 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 Agency's full-scope safeguards and internationally legally binding commitments not to acquire nuclear weapons or other nuclear explosive devices.

13. Nuclear fissile material transferred from military use to peaceful nuclear activities should, as soon as practicable, be placed under Agency safeguards in the framework of the voluntary safeguards agreements in place with the nuclear-weapon States. Safeguards should be universally applied once the complete elimination of nuclear weapons has been achieved.

NPT/CONF.2010/WP.2

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

17 March 2010
English
Original: Russian

New York, 3-28 May 2010

Working paper prepared by Ukraine and the Russian Federation regarding recommendations on the procedures for, and consequences of, possible exercise by a State of the right to withdraw from the Treaty on the Non-Proliferation of Nuclear Weapons

No decisions on withdrawal from the Treaty on the Non-Proliferation of Nuclear Weapons should lead to the revision of article X, amendments to the text of the Treaty or compromise the generally recognized principles and standards of international law.

The consequences of withdrawal from treaties are regulated by international law, in particular article 70 of the 1969 Vienna Convention on the Law of Treaties, which establishes that, unless the treaty otherwise provides or the parties otherwise agree, withdrawal from the treaty (a) releases the party from any obligation further to perform the treaty and (b) does not affect any right, obligation or legal situation of the party created through the execution of the treaty prior to its termination. In other words, the State will remain internationally liable for violations of the treaty committed prior to withdrawal.

The Treaty does not have explicit provisions specifying the potential consequences of withdrawal from the Treaty. Article X, which covers "the right to withdraw" from the Treaty, establishes only the conditions for withdrawal and content requirements for appropriate notification. A party to the Treaty may not withdraw from the Treaty unless it decides that "extraordinary events, related to the subject matter of this Treaty, have jeopardized the supreme interests of its country". However, in that case the Treaty provides that, prior to withdrawal, the party must give notice three months in advance to the more than 180 other States parties to the Treaty and to the United Nations Security Council. Such notice must include "a statement of the extraordinary events it [the State party] regards as having jeopardized its supreme interests". It is therefore clear from this provision that the justification given by the withdrawing party may be considered and discussed by the Security Council and by other parties to the Treaty.

Thus, the aforementioned standards of international law are applicable to withdrawal from the Treaty. There is no doubt that a State withdrawing from the Treaty must strictly observe the conditions set out in article X. However, the Review Conference needs to develop agreed recommendations on the procedures for, and consequences of, possible withdrawal from the Treaty.

1. We propose enshrining in 2010 Review Conference documents the following understanding of the commitments contained in article X:

(a) A "notice of withdrawal" should be given in writing, the usual format being a note verbale to the Governments of all States parties to the Treaty and the President of the United Nations Security Council;

(b) This note verbale should be given three months in advance of an intended withdrawal and include the statement of the extraordinary events the country regards as having jeopardized its supreme interests; the statement should be as detailed and specific as possible;

(c) The three-month period starts from the date of transmission of the note verbale to the Governments of all States parties to the Treaty and the President of the United Nations Security Council. No declarations, public statements or letters of intention are in any way valid in shortening this period.

2. In the event of a notice of withdrawal from the Treaty, the depositaries should hold consultations with all States parties to the Treaty in order to assess the consequences of such withdrawal, taking into account the conclusion of the International Atomic Energy Agency (IAEA) regarding compliance of the notifying party with its obligations under the safeguards agreement during the period in which it was a party to the Treaty.

3. In the event of a notice of withdrawal from the Treaty, the IAEA Board of Governors should be convened in the shortest possible time in order to authorize the Agency to verify compliance of the State withdrawing from the Treaty with its obligations under the safeguards agreement. Furthermore, in the event of the State's non-compliance, the Board of Governors, in accordance with article 12 of the IAEA Statute, shall report this to the United Nations Security Council.

4. It must be reaffirmed that the premeditation and preparation of the withdrawal decision are contrary to the purpose of the Treaty.

5. It must be reaffirmed that withdrawal from the Treaty does not affect any right, obligation or legal situation of the party created through the execution of the treaty prior to its termination (in accordance with article 70 of the Vienna Convention on the Law of Treaties). In other words, the State will remain responsible under international law for violations of the treaty committed prior to withdrawal.

6. All nuclear materials, equipment, technologies and facilities established for peaceful purposes of a State withdrawing from the Treaty should be restricted to peaceful uses only and remain subject to IAEA safeguards.

7. A State withdrawing from the Treaty should return nuclear materials, equipment and technologies received from abroad prior to withdrawal, if so requested by the supplier State. If the supplier State does not make such a request, or if for technical reasons the nuclear facilities, equipment and materials cannot be returned, they must be subject to IAEA lifetime safeguards.

These undertakings should be enshrined in 2010 Review Conference documents regarding the exercise by a State of the right to withdraw from the Treaty.

NPT/CONF.2010/WP.3

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

17 March 2010

Original: English

New York, 3-28 May 2010

Repatriation of all Russian-origin fresh highly enriched uranium as well as spent fuel from Romania

Working paper submitted by Romania and the Russian Federation

1. In June 2009, all Russian-origin fresh highly enriched uranium and spent fuel in Romania were repatriated. The material was removed and returned to the Russian Federation by air for storage at secure nuclear facilities. Those activities resulted in a permanent threat reduction, since sensitive nuclear material at civilian sites was eliminated.

2. The repatriation of Russian-origin highly enriched uranium was achieved under the Global Threat Reduction Initiative (GTRI) programme, through a bilateral agreement between the Russian Federation and Romania and in close cooperation with the International Atomic Energy Agency (IAEA) and the United States of America.

3. The safe and secure management of spent fuel and radioactive waste as well as fresh fuel represents a challenge for all States. Solutions have been engineered, and the matter is subject to further research. International initiatives such as the Global Threat Reduction Initiative have been launched and have proved their relevance in improving security in the nuclear field. Activities carried out under the GTRI programme have significantly reduced and protected vulnerable nuclear and radiological materials located at civilian sites worldwide. The successful completion of shipments from Romania has led to the repatriation of an important quantity of Russian-origin highly enriched uranium fresh fuel from several countries, including Serbia, Bulgaria, Hungary, the Libyan Arab Jamahiriya, Uzbekistan, Kazakhstan, Poland, Germany, the Czech Republic, Latvia and Viet Nam, since the GTRI programmes started to be considered.

4. The development of nuclear power programmes needs to be pursued with due consideration for nuclear safety, in particular, with respect to the application of IAEA safety standards, in order to maintain and promote a high standard of safety at

the international level. States should take into account the importance of international cooperation for the enhancement of nuclear safety and, in this regard, adhere to the international safety conventions concluded under the auspices of IAEA, in particular the Convention on Nuclear Safety and the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management.

5. Nuclear and radioactive materials are transported by all means of transportation. This process needs to be safe and secure. Therefore, all States should take the necessary measures and provide for the respective arrangements with the purpose of ensuring the highest standards of security for nuclear material and facilities. High priority should be given to international, regional and bilateral cooperation within the appropriate legal framework, in particular through adherence to the Convention on the Physical Protection of Nuclear Material and through the implementation of the IAEA Regulations for the Safe Transport of Radioactive Materials.

NPT/CONF.2010/WP.4

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

18 March 2010

Original: English

New York, 3-28 May 2010

Further strengthening the review process of the Treaty on the Non-Proliferation of Nuclear Weapons

Working paper submitted by Canada, Australia, Austria, Chile, Germany, Ireland, Italy, Japan, Mexico, the Netherlands, New Zealand, Nigeria, Poland, Sweden, Switzerland, Thailand and Ukraine

1. Purpose

1. We recognize the need for political will to energize the review process of the Treaty on the Non-Proliferation of Nuclear Weapons. We also recognize that the ultimate purpose of the review process is to make progress on substantive issues facing the Treaty. With this in mind, the following proposals are designed to support the achievement of substantive outcomes. In the light of the implementation of the related decisions adopted by the 1995 Review and Extension Conference and the 2000 Review Conference over the past 10 years, the present working paper proposes specific decisions to further strengthen the review process of the Treaty on the Non-Proliferation of Nuclear Weapons and to make it more responsive to States parties. The importance we attach to the review cycle's role in support of the full implementation of the Treaty is not intended to distract us from the important substantive issues to be considered at the 2010 Review Conference; rather, these proposals are designed to facilitate this work.

2. Specifically, this paper proposes three sets of decisions to: (a) modify the practice of Preparatory Committee meetings to provide for shorter but more frequent annual meetings that may take both procedural and substantive decisions, and to set out the possibility of extraordinary meetings; (b) form a Chairs' Circle of past, incumbent and future Chairs to better sustain the Treaty's work during and between meetings; and (c) bolster the administrative capacity of the review process with a small support unit.

3. None of these proposed decisions would require an amendment of the Treaty on the Non-Proliferation of Nuclear Weapons nor would they affect the existing responsibilities and relationships between the Treaty and the Security Council or the International Atomic Energy Agency (IAEA). Furthermore, all of the proposals are "modular" to the extent that each is presented individually for consideration and not as a package. In order to implement some of the measures — such as the creation of a support unit — without increasing the overall United Nations budget for the Treaty, the paper identifies some areas where economies can be achieved. These proposals are not, however, put forward as a cost-savings exercise.

2. Rationale

4. The experience of the past 10 years has shown that the decisions made to strengthen the review process have not yielded the outcomes that were envisioned in 1995 and 2000. Building on the spirit and intentions of the 1995 and 2000 decisions, the proposals in this paper would make the process more sustainable and responsive to States parties. Since the decision of the 2000 Review Conference in particular, the first two meetings of the Treaty's preparatory cycle have become "disengaged" from the review process. More broadly, States parties have forgone opportunities to make decisions and to send clear messages on subjects of critical importance during the Preparatory Committee meetings. Rather, they have chosen to wait until the Review Conference for collective action, even though at that time, as evinced in 2005, these subjects may be addressed inadequately.

5. As currently practised, the first two of the three 10-working-day Preparatory Committee meetings do not negotiate recommendations, and rarely take substantive decisions even though the Treaty text does not prohibit them from doing so, and only the last Preparatory Committee meeting is devoted to preparing directly for a review conference. If States parties were able to react more rapidly to challenges posed to the Treaty, through annual meetings and the possibility of extraordinary meetings, their engagement would reinforce the credibility of the Treaty.

6. Moreover, the Treaty does not currently capitalize on the collective experience of current, former and future Chairs. The work of the Treaty suffers from a lack of continuity as there is no continuous support mechanism for Chairs between meetings, no systematic transmission of experience from outgoing to incoming Chairs and, as a result, limited ongoing political stewardship. For this reason, a grouping of past, present and subsequent Chairs is proposed.

7. The Treaty lacks a permanent administrative staff, or support unit, with which to prepare for more effective decision-making at Preparatory Committee meetings and review conferences. Treaty meetings also lack the capacity to respond optimally to the administrative needs of Chairs as well as of States parties. To remedy this, steps towards a small Treaty support unit are proposed, and at the same time cost-saving measures are advanced to offset the costs associated with this modest new expense.

3. Proposed decisions

8. In view of the challenges identified above inherent in the current review process, this paper recommends that the 2010 Review Conference: (a) move to

annual meetings which may take both procedural and substantive decisions;[1] (b) promote the formation of a Chairs' Circle comprising the past, incumbent and subsequent Chairs of the Treaty; and (c) establish a dedicated support unit. The Treaty is silent on the subject of Preparatory Committee meetings, which in their most recent format date from the 2000 Review Conference. The draft decisions in this paper would not detract from the intentions of the decisions and the resolution adopted by the 1995 Review and Extension Conference; the modifications relate to the duration and frequency of the Preparatory Committee meetings. The introduction of annual general conferences would change only those specific decisions indicated below (in parentheses) from the 2000 Review Conference "Improving the effectiveness of the strengthened review process for the Treaty".

3.1 Introduction of annual general conferences; provision for extraordinary meetings

Decision 1: Annual general conferences

9. The States parties agreed that the current practice of three Preparatory Committee meetings should be replaced by three annual general conferences of States parties lasting five working days, and one Preparatory Committee of seven working days held in the year prior to the Review Conference. *(This decision would be understood to replace: decision 2 of the section entitled "Improving the effectiveness of the strengthened review process for the Treaty" of the 2000 Review Conference, and decision 1 (3), "Strengthening the review process for the Treaty".)*

Decision 2: Purpose and organization of annual general conferences in 2011, 2012 and 2013

10. The States parties reaffirmed the ongoing relevance of the intended purpose of Preparatory Committee meetings, as set out in decision 5 of "Improving the effectiveness of the strengthened review process for the Treaty" of the 2000 Review Conference and decision 1, paragraph 4, of the 1995 Review and Extension Conference. That stated purpose, "to consider principles, objectives and ways in order to promote the full implementation of the Treaty, as well as its universality", would guide the preparation and work of new annual general conferences, which would also take both procedural and substantive decisions. The new annual general conference agendas would be comprised of the following: (a) focused discussion in turn each year on one of the three specific clusters of issues (Main Committees I, II and III, along with their respective subsidiary bodies); or (b) consideration of all Treaty issues, with substantive output carried forward annually by three parallel working groups addressing the three main pillars, including to the Review Conference; and (c) procedural and substantive decisions as necessary, including identifying the Chair for the following meeting. In order to focus its work in the limited number of days set out for annual general conferences, general debate will be discouraged, and will be limited to two minutes per national statement and four minutes per statement on behalf of groups of countries. Time will continue to be set aside for civil society participation in all Treaty meetings including the annual

[1] Rule 28 of the rules of procedure (NPT/CONF.2000/1, annex VI) sets out the procedures concerning the adoption of decisions, including voting on matters of substance, although this option has not proved necessary to date.

general conferences, and the Chair(s) will invite civil society to submit and briefly present papers on the specific topics under consideration. *(This decision would serve to substitute the words "annual general conferences" for the existing words "the first two sessions of the Preparatory Committee" in the first sentence of decision 5, referred to above; and would add the words "annual general conferences and" before the existing words "Preparatory Committee" in the sentence that follows, with all the remaining text of decision 5 unchanged.)*

Decision 3: The Preparatory Committee in 2014

11. The States parties agreed that the purpose of the Preparatory Committee meetings set out in decision 1, paragraph 4, of the 1995 Review and Extension Conference remained valid, and that every effort should continue to be made towards consensus, but that the Preparatory Committee would henceforth take both such procedural and substantive decisions as might be necessary. Such decisions would normally include the provisional agenda and the identification of the President of the subsequent Review Conference, and could include whether circumstances warranted an additional, second Preparatory Committee session prior to the Review Conference, or whether the duration of the subsequent Review Conference needed to be of three or four weeks' duration. *(This decision would modify decision 7 (1995), in particular with reference to the numbering of the sessions.)*

Decision 4: The Review Conference in 2015

12. The States parties stressed that the purpose and intended outcomes of the Review Conference would not change. With regard to its agenda, by reducing the time allocated for a general debate, a decision would be taken as to whether the Review Conference could be shortened from four weeks to three. By encouraging the print form circulation of longer texts, general debate statements would be oral summaries limited to three minutes each, with dignitaries or individuals speaking on behalf of groups of countries allotted five minutes each. Review conferences will agree on the location(s), the rotation of regional groups to nominate Chairs, and the provisional agendas, respectively, for each of the subsequent four Treaty meetings of the review cycle which follows. Additionally, the Review Conference will agree on the Chair of the subsequent year's annual general conference. *(This decision, and henceforth all of the decisions that follow below, do not affect the 1995 and 2000 Treaty decisions referred to above.)*

Decision 5: Rules of procedure

13. The States parties noted that giving effect to one or more decisions in this document would not automatically change the rules of procedure of Preparatory Committee meetings and review conferences, and agreed that annual general conferences would use the existing rules of procedure with any changes applied mutatis mutandis.

Decision 6: Extraordinary meeting

14. The States parties were of the view that, notwithstanding the specific roles set out in the Treaty for both the Security Council and the International Atomic Energy Agency, all States parties would potentially be affected by — and should therefore

have input towards — a *situation* that threatens the integrity or viability of the Treaty, and decided that under such circumstances provision would be made for an extraordinary meeting. In such a situation identified above, and independent of actions taken by the Security Council or IAEA, one or more of the Depositary Governments would call an extraordinary meeting of States parties in New York, to be chaired by the Chair of the annual meeting of the corresponding year, if the next scheduled meeting of the Treaty on the Non-Proliferation of Nuclear Weapons were more than three months away. An extraordinary meeting would also be called by one or more of the Depositary Governments in such a situation, once a State or States presented documents to indicate that a majority of States parties had requested such a meeting.

3.2 Passing on the torch with coordination: Chairs' Circle

Decision 7: Chairs' Circle

15. The States parties recommended that the past, incumbent and incoming Chairs (or President in the case of a review conference) meet as often as deemed necessary and as circumstances allow, either in person or virtually, in order to ensure optimal coordination and continuity throughout the review cycle of the Treaty on the Non-Proliferation of Nuclear Weapons. The Chairs' Circle would share best practices and provide advice to the incumbent and incoming Chairs. The transfer of information, knowledge and support would encourage good stewardship of the Treaty at all times.

3.3 A Treaty support unit — funded through the new review process and modernization

Decision 8: Treaty support unit

16. The States parties decided that a Treaty support unit would be established, comprised initially of one Treaty officer, who would be responsible for assisting and facilitating Treaty meetings and intersessional work on a full-time basis, in order to provide 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 and IAEA, prepare for annual general conferences, the Preparatory Committee and the review conferences. If it were deemed desirable by States parties in the future, this unit could be bolstered by one or two other officers, but the intention of the present decision would be neither to create a burdensome administrative structure nor to conduct any work other than support to the Treaty. The incremental staffing costs of up to three officers in this new unit would be covered, in accordance with the annex to this paper, by the streamlined, shortened review process (to 37 days vs. 50 now) and the cost reductions identified in decision 9 below (summary records).

Decision 9: Summary records in the digital age

17. The States parties determined that summary records for meetings of the Treaty on the Non-Proliferation of Nuclear Weapons would be eliminated as of 2011, as this historic tool no longer served its intended purpose as a document of reference. The Secretariat is requested to continue the recent practice of issuing decisions taken at meetings as official documentation in all six languages, and States parties are urged to provide at least one copy of their statement in the general debate for placement on the website of the Office for Disarmament Affairs. Additionally, as technical upgrades are completed, digital sound recordings of open meetings may also be placed in all official languages on that website.

4. Evaluation of the 2010 decisions regarding the review process

Decision 10: Evaluation of the review process decisions in 2015, or earlier

18. The States parties requested the Secretariat to propose, early in the course of the 2011-2015 review cycle, a mechanism to consider and evaluate whether the decisions adopted in 2010 had fulfilled the intended goal of enhancing the Treaty's review process, and whether further changes were warranted, with findings to be provided to States parties no later than at the 2015 Review Conference.

Annex

The changes proposed in this paper could yield *funds available for reallocation* (savings) of between $3.5 and $2.9 million per review cycle (see table below), depending on a three-week or four-week review conference. **This amount would be sufficient to create a new Treaty support unit (see below).**

The following figures are based on the estimated costs of the 2010 Review Conference, including the sessions of its Preparatory Committee as provided for in annex I to document NPT/CONF.2010/PC.II/1.

Estimated cost savings

Cost item	*Current review cycle costs (US dollars)*	*37-day cycle Savings (US dollars)*	*42-day cycle Savings (US dollars)*	*Explanation*
Pre-session, in-session and post-session documentation	3 374 500	877 370[a]	539 920[a]	Focused meetings should result in a reduction in working papers
Meeting services	1 076 200	279 812[a]	172 192[a]	Reduction in meeting days
Summary records	1 062 600	1 062 600	1 062 600	Elimination of summary records
Background papers to be prepared and translated by IAEA	157 700	—	—	Applies to the Review Conference and so will not be affected
Other requirements	364 200	364 200	364 200	Although in the budget, this item was generously paid for by the host country
Central support costs	217 400	56 524[a]	34 784[a]	Reduction in meeting days
Security requirements	106 600	27 716[a]	17 056[a]	Reduction in meeting days
Temporary assistance	90 800	—	—	Applies to administrative duties, which we anticipate will remain unaffected
Travel and daily subsistence allowance for substantive staff from the Office for Disarmament Affairs and IAEA	175 000	—	—	We anticipate this item to be cost-neutral, as the savings to the daily subsistence allowance will offset the costs of travel to one additional meeting per five-year review cycle
Consultants' fees, travel and daily subsistence allowance	78 600	78 600	78 600	Work to be performed by the proposed support unit
Press coverage and public information activities	93 600	—	—	Applies to the Review Conference and so will not be affected
Overtime	5 000	1 300[a]	800[a]	Reduction in meeting days
Miscellaneous supplies and services	2 000	520[a]	320[a]	Reduction in meeting days
Subtotal	**6 804 200**	**2 748 642**	**2 270 472**	
Programme support costs	884 600	357 323[b]	295 161[b]	Reduction in meeting days and other cost savings
Reserve for contingency	1 020 600	412 296[c]	340 570[c]	Reduction in meeting days and other cost savings
Grand total	**8 709 400**	**3 518 261**	**2 906 203**	

[a] Current review cycle costs [current review cycle costs/50 (days of current review cycle) x 37 or 42 (days of proposed review cycle)].
[b] Savings subtotal x 13 per cent.
[c] Savings subtotal x 15 per cent.

Estimated cost of a full-time Treaty Officer for a Treaty support unit

Classification	*Estimated annual salary (United States dollars)*
P-3 full-time	175 000 (including salary, office space and information technology support)
2 P-3 officers	350 000
3 P-3 officers	525 000
Grand total over five-year review cycle for one P-3 officer	**875 000**
Grand total over five-year review cycle for two P-3 officers	**1 750 000**
Grand total over five-year review cycle for three P-3 officers	**2 625 000**

Source: United Nations Common System of Salaries, Allowances and Benefits, January 2009.

Currently, the budgetary and administrative aspects of the Treaty are just one of many responsibilities of the three staff members in the Weapons of Mass Destruction Branch at the Office for Disarmament Affairs. Officers in that Office currently split their time between the Treaty and other files. As a result, almost $175,000 is spent per cycle on temporary assistance, consultants' fees and overtime.[2] During Treaty Preparatory Committee meetings or review conferences, a task force of 10 to 12 officials is assembled from within the Office for Disarmament Affairs and with the help of the International Atomic Energy Agency.[3]

This arrangement would be tangibly improved by the establishment of a Treaty officer whose sole responsibility it would be to support and facilitate Treaty meetings and intersessional work on a full-time basis. The new officer's salary would derive from assessed contributions from States parties to the Treaty rather than from the United Nations Secretariat budget. The annual costs of such a full-time Treaty officer would be roughly $175,000 (see table above), and estimates are also provided for a two- and three-person support unit.

[2] Annex I of NPT/CONF.2010/PC.II/I (as noted in the annex above).

[3] The task force operates alongside those additional personnel responsible for conferences services, the media and protocol.

NPT/CONF.2010/WP.5/Rev.1

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

7 May 2010

Original: English

New York, 3-28 May 2010

Proposed elements for a final document of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons on strengthening the International Atomic Energy Agency safeguards

Working paper submitted by Japan, Australia, Austria, Belgium, Finland, France, Hungary, Ireland, Italy, New Zealand, Norway, Peru, the Republic of Korea, Singapore and Uruguay

The Review Conference:

1. Notes that the International Atomic Energy Agency (IAEA) is the sole competent authority responsible for verifying and assuring the non-diversion of declared nuclear materials and activities and the absence of undeclared nuclear materials and activities through the application of safeguards, including the Additional Protocol, and stresses the importance for all States to ensure that IAEA continue to have all the necessary resources and authority to this end;

2. Reaffirms that the implementation of the measures specified in the Comprehensive Safeguards Agreement and the Model Additional Protocol to the Agreement(s) between State(s) and IAEA for the Application of Safeguards (INFCIRC/540(Corrected)) will provide, in an effective and efficient manner, credible assurances about the absence of undeclared nuclear material and activities in a State as a whole and that those measures are now being introduced as an integral part of the IAEA safeguards system;

3. Affirms that the safeguards standard of the Treaty on the Non-Proliferation of Nuclear Weapons as required by article III, paragraph 1, of the Treaty should be a Comprehensive Safeguards Agreement together with an Additional Protocol based on the Model Additional Protocol;

4. Notes with satisfaction that, since 2000, __ States have signed the Comprehensive Safeguards Agreements with IAEA, and __ States have brought the agreements into force;

5. Welcomes the fact that __ States have signed the Additional Protocol to their Comprehensive Safeguards Agreement with IAEA since 2000 and __ States have brought the protocols into force;

6. Urges all States that have not yet concluded a Comprehensive Safeguards Agreement and an Additional Protocol to do so as soon as possible, while implementing their provisions pending ratification;

7. Strongly encourages further works for achieving the universalization of the Model Additional Protocol;

8. Welcomes the application of integrated safeguards to __ States as of [day/month/year] that have achieved a good track record on safeguards implementation based on both Comprehensive Safeguards Agreements and Additional Protocols, and notes that the application of integrated safeguards provides, to great benefit of the State where it is applied, the clearest confirmation of the peaceful nature of its nuclear activities;

9. Emphasizes the importance for IAEA and States to assist other States in concluding, bringing into force and implementing a Comprehensive Safeguards Agreement and an Additional Protocol in such a way as to provide technical assistance, including by holding seminars;

10. Further emphasizes the importance of such assistance for the establishment and maintenance of the State systems of accounting for and control of nuclear material, as a key to the enhancement of effectiveness and efficiency in the IAEA safeguards;

11. Recognizes the need for IAEA to further develop state-of-the-art safeguards technology and a system that efficiently and effectively collects, analyses, shares and archives all the relevant information, thus enhancing effectiveness, efficiency and sustainability of the IAEA safeguards system as a whole;

12. Welcomes the important work being undertaken by IAEA in the conceptualization and the development of State-level approaches to safeguards implementation and evaluation, and the implementation of State-level integrated safeguards approaches.

NPT/CONF.2010/WP.5/Rev.1/Add.1

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

20 May 2010

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New York, 3-28 May 2010

Proposed elements for a final document of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons on strengthening the International Atomic Energy Agency safeguards

Working paper submitted by Japan, Australia, Austria, Belgium, Finland, France, Hungary, Ireland, Italy, New Zealand, Norway, Peru, the Republic of Korea, Singapore and Uruguay

Addendum

Add the following countries to the list of sponsors of the working paper:

Czech Republic, Romania and Ukraine

NPT/CONF.2010/WP.6

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

19 March 2010

Original: English

New York, 3-28 May 2010

Disarmament and non-proliferation education: promoting cooperation with civil society towards a world without nuclear weapons

Joint working paper submitted by Japan and the United Nations University

I. Introduction

1. Japan and the United Nations University (UNU), headquartered in Japan, welcome the renewed global attention to achieving a peaceful and safe world without nuclear weapons. We need to seize this growing momentum to advance nuclear disarmament and non-proliferation. For this purpose, it is crucial to provide adequate knowledge of the immense destructive power of nuclear weapons and to increase awareness and understanding of the dangers of their proliferation. Disarmament and non-proliferation education, therefore, plays a significant role in this respect. Japan believes that it has the moral responsibility to convey to all people around the world the horrific consequences of nuclear devastation based on its first-hand experience and has been at the forefront of such endeavours with a strong determination that these experiences shall never be repeated.

2. However, the task is so enormous that Governments alone cannot take on this role. We need action at both the grassroots and the governmental levels. The report of the Secretary-General on disarmament and non-proliferation education (A/63/158) stated: “Some of the most effective past and current efforts involve partnerships among Governments, international, regional and civil society organizations. They can serve as a model for future activities.” Japan’s working paper entitled “Disarmament and non-proliferation education” (NPT/CONF.2010/PC.II/WP.9) also alluded to this point, stating: “Civil society is already active in recording, compiling, preserving and further disseminating information using various tools, including narratives, visual media and other forms of communication. Governments should support, where necessary and appropriate, such efforts by civil society.”

3. Japan and UNU, recognizing the invaluable contribution made by civil society to date, submit this joint working paper in order to underscore the importance of coordinated and sustained cooperation with civil society in promoting disarmament and non-proliferation education and to examine ways to enhance such cooperation, with a view to strengthening Non-Proliferation Treaty norms and taking concrete steps to move towards a world without nuclear weapons.

II. Necessity for sustained and stronger cooperation with civil society

4. Sustained and stronger cooperation between Governments and civil society is essential to promote disarmament and non-proliferation education for the following reasons.

5. First, civil society can play a dual role: it can be a public watchdog and critic, where necessary, exerting influence on Governments to meet people's expectations, or it can act as a partner and supporter for Governments' actions in the furtherance of a common cause.

6. Second, there is global recognition of the role played by civil society in generating public awareness, mobilizing public opinion, taking creative initiatives and assisting governmental efforts in various tasks, including in disarmament and non-proliferation education. Civil society has engaged in a full range of society-wide and multidirectional education activities, which cut across generational lines.

7. Finally, the process of globalization has made civil society a constant partner of Governments in addressing global issues such as nuclear disarmament and non-proliferation. The role of civil society thus has to be taken into serious consideration by policymakers.

III. Engaging and working with civil society

8. In the light of the necessity described above, we should first look at what kind of cooperation has been carried out in the past. The following are a few examples of activities initiated by the Japanese Government and UNU in recent years that engaged civil society.

A. Japanese Government initiatives

9. Various activities have been carried out in collaboration with non-governmental organizations to pass on the experiences of Hiroshima and Nagasaki to people around the world and to future generations. Specific activities include:

Seminars engaging civil society

Japan co-organized seminars on the sidelines of the Preparatory Committees in 2008 and 2009, with the participation of non-governmental organizations and citizens including *Hibakusha* (atomic bomb victims) from Hiroshima and Nagasaki. Last year, Member States and a wide range of participants from civil society exchanged views on the theme "Practical ways and tools to raise public awareness through education and its role in strengthening the NPT".

Hiroshima and Nagasaki atomic bomb exhibitions

Japan has supported a number of efforts by local governments, universities, non-governmental organizations and various organizations to organize exhibitions relating to atomic bombs in foreign countries.

10. Disseminating information on current disarmament issues to the general public and raising public awareness is also an important task for the Government. Since 1989, Japan has sponsored the United Nations Conference on Disarmament Issues, which is open to the public and held in a different local city in Japan. Last year's Conference, which was held in Niigata City, devoted one session to the discussion of the role of civil society and the media.

11. Governments can create opportunities for non-governmental organizations to initiate discussion on specific topics. In September 2008, the Governments of Australia and Japan launched an independent initiative, called the International Commission on Nuclear Non-Proliferation and Disarmament, involving outstanding individuals from around the world. The Commission engaged in discussions with representatives of non-governmental organizations and industries and produced a report in December 2009 with action-oriented recommendations towards a world free of nuclear weapons, which will involve all relevant players, including policymakers, think tanks and civil societies alike, in their implementation.

B. UNU initiatives

12. UNU integrates research, education and dissemination on disarmament and non-proliferation issues and cooperates closely with civil society organizations in most of its activities. The following are a few examples:

(a) UNU has completed several projects that illustrate its high-quality, policy-relevant research and the priority it gives to civil society engagement and to disarmament and non-proliferation. Among its most recent projects are: *Engaging Civil Society in Global Governance* (Eds. S. Cheema and V. Popovski, UNU Press 2010) and *The United Nations and Nuclear Orders* (Eds. J. Boulden, R. Thakur and T. Weiss, UNU Press 2009).

(b) UNU addresses disarmament and non-proliferation issues in its educational and capacity-building activities, including in the curricula for some of the new UNU postgraduate degree programmes, which will soon accept their first postgraduate students.

(c) UNU organizes academic conferences and forums on a regular basis, facilitating interaction between Governments and civil society organizations. The growing networks of UNU Research and Training Centres and Programmes and UNU Associated Institutions are partnering with universities and think tanks around the world — effectively with the global academic civil society — to identify and recommend policy solutions on pressing global problems.

(d) The UNU Institute for Sustainability and Peace, based in Tokyo, has been working closely with Hiroshima University to engage in peace education and enhance a culture of peace. The Institute's staff supported and participated in the International Network of Universities Student Seminar on Global Citizenship, tackling the theme of the legality of nuclear weapons. The Institute has also been supporting and co-organizing workshops and events of the Hiroshima Peacebuilders

Center under the Program for Human Resource Development in Asia for Peacebuilding, which is commissioned by the Ministry of Foreign Affairs of Japan. Through these activities, UNU continues to bring global and contemporary perspectives into Japanese debates on nuclear weapons, and helps raise global awareness of nuclear-related problems by engaging with students and researchers worldwide.

IV. Proposals for further action

13. The above examples illustrate the benefits and synergies gained through cooperating with civil society for a non-nuclear world. There is still a lot of room for strengthening and improving this cooperation. Governments can learn more from civil society's innovative ideas and tools used for nuclear disarmament education. Civil society, on the other hand, can benefit from working with Governments, for instance, in gaining increased access to information and other resources. Civil society can also support governmental efforts in capacity-building and education. In addition, Governments and civil society can cooperate more in using modern information and communication technologies and innovative methods for education. Japan and UNU, therefore, propose the following for further action.

14. Japan and UNU will initiate dialogue among Member States of the United Nations and members of civil society on how to enhance cooperation between Governments and civil society in strengthening disarmament and non-proliferation education. Such dialogue will be instrumental in identifying tools to inject a culture of peace into educational activities worldwide. The United Nations Conference on Disarmament Issues, to be held in Japan in 2010, will provide a timely opportunity for such dialogue.

15. The dialogue should lead to a global forum that brings together civil society and Governments, compiles best practices and ideally produces a declaration and a joint plan for capacity-building for enhanced disarmament and non-proliferation education.

16. To integrate modern technologies and innovative methods for education into traditional education, joint educational activities between Governments and civil society should prepare joint educational manuals and materials. In particular, considering the ageing of the *Hibakusha*, the efforts need to be redoubled to digitally record their testimonies and to disseminate them to future generations by employing modern technologies.

V. Conclusion

17. With this joint paper, Japan and UNU express their commitment to work cooperatively with civil society and appeal to the international community to take concerted actions to strengthen partnerships with civil society in promoting disarmament and non-proliferation education and make progress towards a world without nuclear weapons.

NPT/CONF.2010/WP.6/Add.1

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

28 May 2010

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New York, 3-28 May 2010

Disarmament and non-proliferation education: promoting cooperation with civil society towards a world without nuclear weapons

Joint working paper submitted by Japan and the United Nations University

Addendum

Add the following countries as co-sponsors of the working paper:

Belgium, Estonia, Mongolia and Romania

NPT/CONF.2010/WP.7

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

19 March 2010

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Multilateral approaches to the nuclear fuel cycle

Working paper submitted by Sweden

1. The concept of multilateral nuclear fuel assurances (MNA) has been on the international nuclear agenda for a long time, as part of the International Atomic Energy Agency (IAEA) discussions to improve the assurance of supply of low-enriched uranium (LEU) to States engaging in the peaceful uses of nuclear energy and, within the context of non-proliferation, as a means of limiting the unwarranted and uncontrolled spread of sensitive nuclear technologies (enrichment and reprocessing). The international commercial market for nuclear fuel services generally functions well, but there is perceived interest in adding a safety net by way of LEU reserves and, in the longer term, considering new joint undertakings to take care of an increasing demand. It is therefore an issue of considerable interest within the context of article IV of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT).

2. Against the backdrop of increased global interest in the development of nuclear energy in a situation of perceived looming energy scarcity, the MNA discussion has intensified, and a large number of more or less concrete proposals have been presented to implement the MNA concept, some for limited, immediate application, some more complex and long term. The details of the proposals, numbering at least 12, made so far can be found in the IAEA document GOV/INF/2007/11.

3. The MNA issue is of direct relevance to the statutory right of IAEA to assist member States in acquiring nuclear fuel for peaceful uses and to the implementation of relevant articles of the NPT, in particular article IV, on the right of every State party to develop a national fuel cycle in conformity with its safeguards obligations under the Treaty and relevant IAEA agreements. The fact that important national interests are perceived to be at stake has tended to make the debate on MNA somewhat complicated. However, a closer look at the factors involved seems to indicate that it should be possible to reconcile differences of view. As a matter of

fact, while MNA may not suit the needs of all States, for the vast majority of States members of IAEA parties to the NPT, MNA arrangements could, in Sweden's view, be beneficial in adding to the generally desirable goals of increased supply assurance and non-proliferation.

4. For the purposes of the current discussion on MNA, it seems desirable to make the following general observations. Existing proposals and ambitions are of very differing scopes and time horizons. The most concrete but also most limited, such as the Russian Angarsk project recently approved by the IAEA Board of Governors and the proposed IAEA LEU Bank, are small-scale, last-resort backup mechanisms aimed at offsetting an unexpected, politically motivated loss of nuclear fuel supply from a customary commercial provider.

5. More ambitious projects which discuss the creation of new, additional, multilateral production facilities, even the total multilateralization or internationalization of all enrichment (and possibly reprocessing), are obviously a much more complex undertaking which presupposes a new sense of trust between nuclear suppliers and recipients and new cooperative, commercial forms of peaceful nuclear cooperation.

6. While these more ambitious goals certainly remain desirable and should be further pursued, it seems advisable, for the present, to concentrate on the more immediate implementation of the Angarsk project and a possible decision on the IAEA LEU Bank concepts, deriving from them some generally applicable principles which might also be useful in the context of later developments. For the purpose of the present NPT discussion on article IV of the Treaty in particular, some of the following points should be kept in mind (cf. also IAEA secretariat information note 2010/1).

7. It has been unequivocally and repeatedly confirmed that such backup mechanisms would not require a State to give up its national rights regarding any parts of the nuclear fuel cycle. The use of the reserve mechanisms would be apolitical and non-discriminatory and based on previously agreed eligibility criteria to be applied independently by the Director General of IAEA. It would be available to all States that are in compliance with their safeguards obligations. It would also be market neutral.

8. Recourse to the backup mechanism would be entirely voluntary, for any State to use or not to use in an emergency. Indeed, States engaging in the peaceful use of nuclear energy would, as a rule, have contracted an assured long-term supply of LEU and nuclear fuel on the international commercial market. It is only in the event of the failure of this supply, for some political reason unconnected with proliferation concerns, that the backup mechanism would become operative as a limited last resort. In the most likely and ideal case, the LEU reserve would only rarely need to be used. Even so, the very existence of such a safety net, administered and, in the case of the IAEA LEU Bank, owned by IAEA, can be seen as a useful unilateral offer of technical cooperation, financed wholly or in large part by contributing States and at no or very limited additional cost to the potential user (besides the cost of the fuel itself) or to IAEA.

9. In spite of manifold assurances that the various MNA schemes will not affect national rights to develop the various parts of the fuel cycle, this concern still seems to be prevalent. However, from a practical point of view the situation presents itself very differently for the vast majority of States engaging in or planning to engage in

the peaceful use of nuclear energy, mainly for electricity production. Any country embarking on a complex and costly nuclear energy production programme, which for the power-producing reactors alone would run into tens of billions of dollars, will carefully consider the extra industrial, technological, environmental and other costs, including perhaps political, for developing related parts of the fuel cycle such as enrichment. This is true both for industrialized and newly industrializing States. The case of Sweden might serve as an illuminating example.

10. Sweden is a highly industrialized State with advanced technological know-how, including in the nuclear field. It depends on nuclear energy for about 45 per cent of its electricity needs. This is produced in 10 reactors, some Swedish built (our per capita use of nuclear energy is among the highest in Europe and in the world). When embarking on nuclear power in the 1950s, Sweden had ambitious plans and the technical capacity to master and utilize the whole nuclear fuel cycle from uranium milling to reprocessing. But for a number of reasons, including economies of scale, industrial and market demands as well as environmental and political considerations, such plans were gradually abandoned in favour of utilizing a reliable international market for nuclear fuel services and, in the case of spent fuel, important national final storage schemes.

11. This Swedish example shows that even in the case of a fairly large national nuclear programme, reliance on a well-functioning international market has proved more advantageous than initiating costly and uncertain national schemes of doubtful value. A number of other countries, in Europe and elsewhere, have come to the same conclusion, which will in all likelihood also hold true for new countries considering the nuclear road (cf. also the submission by the Republic of Korea in document NPT/CONF.2010/PC.III/WP.28, para. 6). As a matter of fact, out of the 12 countries in the world having the highest share of electricity produced in nuclear reactors, only one, France, also engages in uranium enrichment activities. None of them has experienced problems with the timely supply of LEU from the commercial market. Generally, disruptions in the market, for any reason, have been rare. None of these States has given up, or will give up, its formal rights under article IV of the NPT. As such States have as a rule concluded long-term international agreements to satisfy their needs for nuclear services, it is to be expected that they would rarely have to apply for help from an emergency LEU storage facility. Nevertheless, it is Sweden's conviction that the availability of such facilities would be a useful, albeit limited, instrument to ensure supply to a State where an unforeseen need for LEU has arisen.

12. Critics of the LEU storage schemes have voiced doubts as to whether any such mechanism can ever be totally reliable and whether there will not always be a danger of exerting political influence on the Director General of IAEA in his supposedly independent decision to release the LEU to a requesting State in conformity with pre-established criteria. The IAEA secretariat has offered valuable suggestions on how to overcome this perceived problem.

13. It has been pointed out as a weakness of the LEU reserve proposals (Angarsk and the IAEA Fuel Bank) that they do not provide assurances in regard to the individual fuel fabrication needs of requesting States. In this respect, Sweden shares the view of the IAEA secretariat that this additional supply aspect could be resolved in a second stage and should not be considered as an obstacle to agreement on the basic LEU reserve arrangement.

14. The two LEU reserve mechanisms do not involve any transfer of technology and are therefore simple and non-prejudicial to any future multilateral, new production facilities, which may well have to find innovative ways of handling the relevant "sensitive" technology aspects (cf. the suggestions made by Germany in its proposal on the Multilateral Enrichment Sanctuary Project (MESP) — International Atomic Energy Agency, INFCIRC735.

15. The vast majority of small and medium-sized nuclear power States ("reactor States") would see advantages in relying on a well-functioning commercial market to supply LEU and other services, backed up by the extra security of reserve capacity, as discussed above. However, a very few large non-nuclear-weapon States with important nuclear power generating programmes, perhaps counting several tens of reactors, might well have a rationale for developing a full national fuel cycle. There is little reason to believe that this would not be considered legitimate, as long as it were done in accordance with international obligations and standards relating to safety, security and non-proliferation.

16. Such States and groups of States might also wish to cooperate in the construction of new production facilities, when and if additional capacity seems necessary. In due course this may lead to an increased interest in the more advanced types of MNA installations discussed in some proposals. Such new production arrangements would, fundamentally, be based on the same rules and values as the limited LEU storage concepts. They would equally be voluntary, they would not infringe on the formal rights of States under article IV of the NPT and they could make industrial, economic and environmental sense. IAEA could, and should, play a role as administrator and supervisor to ensure that the plant operates in accordance with agreed safety, security and non-proliferation standards, thus adding to the international credibility of the undertaking. Although it will in all likelihood still be some time until such new capacity is called for, it is desirable to prepare the ground for such new common endeavours, which by sharing ownership and management of installations could go a long way towards defusing the present distrust between suppliers and recipient States. The so-called MESP proposal presented by Germany already provides a number of valuable suggestions to build on for such common efforts.

17. It would also be desirable to pay attention to joint multilateral schemes in relation to the back-end of the fuel cycle, i.e., reprocessing of spent fuel and/or final storage of spent fuel, including from other States. Final storage is a difficult proposition considering public opinion in most countries, but it is possible that in large supplier States and in certain regional contexts such cooperative schemes for intermediate and perhaps final storage could be achievable.

18. As can be seen, MNA arrangements, whether in their more rudimentary form of a backup reserve or in a more developed future form of new enrichment (and, possibly, reprocessing) capacity, can play a very useful role for various categories of States. They will not negatively affect anybody's rights or interests. In the NPT context, there would be at least two desirable consequences: MNA will make a contribution to enhanced security of supply, which will increase the stability and confidence of States embarking on the peaceful nuclear road; at the same time, such arrangements will have positive non-proliferation and confidence-building effects in regard to important parts of the nuclear fuel cycle.

19. All of this would seem to be in the general interest of all States parties to the NPT, whether they wish to be directly involved with MNA projects or not. Positive agreement on the potential benefits of MNA could be one important contribution of the NPT Review Conference within the scope of article IV.

20. The 2010 NPT Review Conference should, therefore, take note of the important work that has been carried out in the IAEA on MNA and encourage States parties to make further efforts in this area.

NPT/CONF.2010/WP.8

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

23 March 2010

Original: English

New York, 3-28 May 2010

Working paper submitted by Egypt on behalf of Brazil, Egypt, Ireland, Mexico, New Zealand, South Africa and Sweden as members of the New Agenda Coalition

In the pursuit of the full and effective implementation of the agreements reached at the 1995 Review and Extension Conference and the 2000 Review Conference, the New Agenda Coalition reaffirms and augments its positions and recommendations contained in documents NPT/CONF.2010/PC.III/WP.11, NPT/CONF.2010/PC.II/WP.26 and NPT/CONF.2010/PC.I/WP.15 to the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons through the following recommendations:

1. To reaffirm the unequivocal undertaking by nuclear-weapon States to accomplish the total elimination of their nuclear arsenals, and in this context to call upon all States parties to the Treaty on the Non-Proliferation of Nuclear Weapons to accelerate the implementation of the practical steps for systematic and progressive efforts to achieve nuclear disarmament that were agreed upon at the 2000 Review Conference.

2. To call upon all States parties to pursue policies that are fully compatible with the objective of achieving a world free from nuclear weapons.

3. To reiterate that each article of the Treaty on the Non-Proliferation of Nuclear Weapons is binding on the respective States parties at all times and in all circumstances and that all States parties should be held fully accountable with respect to strict compliance with their obligations under the Treaty.

4. To call upon all States parties to spare no effort to achieve the universality of the Treaty on the Non-Proliferation of Nuclear Weapons, and in that regard to urge India, Israel and Pakistan, which are not yet parties to the Treaty, to accede to it as non-nuclear-weapon States promptly and without any conditions, and pending their accession, to adhere to its terms.

5. To urge the Democratic People's Republic of Korea to rescind its announced withdrawal from the Treaty, to re-establish cooperation with the International Atomic Energy Agency (IAEA) and to rejoin the Six-Party Talks, with a view to achieving the denuclearization of the Korean Peninsula in a peaceful manner.

6. To call upon all nuclear-weapon States, in accordance with their commitment to diminish the role of nuclear weapons in their security policies pending their total elimination, to take further steps to reduce their non-strategic and strategic nuclear arsenals and to declare a moratorium on upgrading, and developing new types of, nuclear weapons, or developing new missions for nuclear weapons.

7. To reaffirm that nuclear disarmament and nuclear non-proliferation are mutually reinforcing processes requiring urgent irreversible, verifiable and transparent progress on both fronts, and in this respect to underline the need to develop further adequate and efficient nuclear disarmament verification capabilities.

8. To stress the need for all five nuclear-weapon States to make arrangements for the placing of their fissile material no longer required for military purposes under IAEA or other relevant international verification and to make arrangements for the disposition of such material for peaceful purposes in a manner which ensures that such material remains permanently outside military programmes.

9. To support, consistent with the principles of irreversibility and verification and in furthering the establishment of safeguarded worldwide nuclear disarmament, the development of appropriate legally binding verification arrangements, within the context of IAEA, to ensure the irreversible removal of fissile material from nuclear weapons or other nuclear explosive devices.

10. To encourage States that are part of regional alliances which include nuclear-weapon States to report as a significant transparency and confidence-building measure, on steps taken or future steps planned to reduce and eliminate the role of nuclear weapons in collective security doctrines.

11. To urge nuclear-weapon States to refrain from pursuing military doctrines which emphasize the importance of nuclear weapons or which lower the threshold for their use.

12. To agree that the nuclear-weapon States take further action towards increasing their transparency and accountability with regard to their nuclear weapons arsenals and their implementation of disarmament measures, and in this context to recall the obligation to report as agreed at the 2000 Review Conference.

13. To call for further concrete measures to be taken to decrease the operational readiness of nuclear weapons systems, with a view to ensuring that all nuclear weapons are removed from high alert status.

14. To reiterate the necessity of negotiations in the Conference on Disarmament 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 in accordance with the statement of the Special Coordinator in 1995 and the mandate contained therein, taking into consideration both nuclear disarmament and non-proliferation objectives.

15. To agree on the vital importance of the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty as a core element of the international non-proliferation and disarmament regime, and in that regard to call for the upholding and maintenance of the moratorium on nuclear-weapon test explosions or any other nuclear explosions pending the entry into force of the Treaty.

16. To urge all concerned States to take all necessary measures to bring about the entry into force of the relevant protocols to treaties establishing nuclear-weapon-free zones, and the withdrawal of any related reservations or unilateral interpretative declarations that are incompatible with the object and purpose of such treaties.

17. To encourage the establishment of further additional nuclear-weapon-free zones, on the basis of arrangements freely arrived at among States of the region concerned, in order to contribute to the implementation of the Treaty on the Non-Proliferation of Nuclear Weapons.

18. To welcome the entry into force of the Treaty of Pelindaba on 15 July 2009.

19. To recall that, despite the adoption of the resolution on the Middle East by the 1995 Review and Extension Conference, no progress has yet been achieved on the establishment of a nuclear-weapon-free zone in that region.

20. To renew its support for the establishment of a Middle East zone free of nuclear weapons as well as other weapons of mass destruction, and for the taking of concrete and practical steps towards the full implementation of the 1995 resolution on the Middle East, and in this context, to renew its call to Israel, as the only State of the region not yet a party to the Treaty on the Non-Proliferation of Nuclear Weapons, to accede to the Treaty as a non-nuclear-weapon State promptly and without conditions, and to place all of its nuclear facilities under comprehensive IAEA safeguards.

21. To reiterate that while the total elimination of nuclear weapons is the only absolute guarantee against the use or threat of use of nuclear weapons, interim measures should be considered, including providing non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons with legally binding security assurances.

22. To call upon the nuclear-weapon States to respect fully their existing commitments with regard to security assurances pending the conclusion of multilaterally negotiated, legally binding security assurances for all non-nuclear-weapon States parties.

NPT/CONF.2010/WP.9

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

24 March 2010

Original: English

New York, 3-28 May 2010

New package of practical nuclear disarmament and non-proliferation measures for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

Working paper submitted by Australia and Japan

The Government of Japan and the Government of Australia propose that States parties to the Treaty on the Non-Proliferation of Nuclear Weapons endorse the following practical nuclear disarmament and non-proliferation measures at the 2010 Review Conference, while reaffirming the importance of the Treaty and stressing the necessity to strengthen the international nuclear disarmament and non-proliferation regimes through the universalization of the Treaty:

1. Reaffirm an unequivocal undertaking by 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 of the Treaty.

2. Welcome the nuclear disarmament steps taken by France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America, including the progress of negotiations for the START follow-on treaty between the United States and the Russian Federation, and call on all States possessing nuclear weapons to pursue negotiations on nuclear disarmament bilaterally and/or multilaterally.

3. Call on all States possessing nuclear weapons to make an early commitment to reducing, or at least not increasing, their nuclear arsenals, pending the conclusion of such negotiations, in a way that promotes international stability, and based on the principle of undiminished security for all.

4. Call on the nuclear-weapon States and on all other States possessing nuclear weapons to commit themselves to reducing the role of nuclear weapons in

their national security strategies, and call on the nuclear-weapon States to take, as soon as possible, such measures as providing stronger negative security assurances that they will not use nuclear weapons against non-nuclear-weapon States that comply with the Non-Proliferation Treaty.

5. Call on all States possessing nuclear weapons to take measures to reduce the risk of their accidental or unauthorized launch and to further reduce the operational status of nuclear weapon systems in ways that promote international stability and security.

6. Emphasize the importance of applying the principles of irreversibility and verifiability to the process of reducing nuclear weapons.

7. Call for increased transparency by all States possessing nuclear weapons with regard to their nuclear weapons capabilities, including by reporting regularly such information as the numbers of nuclear weapons and their delivery systems, and on their deployment status in a format to be agreed among States parties to the Treaty.

8. Urge all States that have not yet done so to sign and ratify the Comprehensive Nuclear-Test-Ban Treaty at the earliest opportunity with a view to its early entry into force, and emphasize the importance of maintaining the moratorium on nuclear weapons testing pending the entry into force of the Comprehensive Nuclear-Test-Ban Treaty.

9. Call for the immediate commencement and early conclusion of negotiations on a fissile material cut-off treaty, while urging all States possessing nuclear weapons to declare and maintain a moratorium on the production of fissile material for weapons purposes, to declare voluntarily fissile material that is no longer required for military purposes and to place such material under International Atomic Energy Agency safeguards or other relevant international verification.

10. Reaffirm the threat posed to international peace and security by the proliferation of nuclear weapons and the need for strict compliance by all States with their non-proliferation obligations, including compliance with their IAEA safeguards agreements and relevant Security Council resolutions.

11. Emphasize that a Comprehensive Safeguards Agreement accompanied by an Additional Protocol based on the model additional protocol should be the internationally recognized safeguards standard, urge all States that have yet to do so to conclude and bring into force a Comprehensive Safeguards Agreement and an additional protocol as soon as possible and call on all States to apply this safeguards standard to the supply of nuclear material and equipment.

12. Underline the importance of appropriate international responses to notice of withdrawal from the Treaty, including consultations on a bilateral, regional or international basis. In particular, in the case of notice of withdrawal by a State which has been found by IAEA to be in non-compliance with its safeguards obligations, the Security Council should convene immediately in accordance with the body's role under the Charter of the United Nations.

13. Emphasize that a State withdrawing from the Non-Proliferation Treaty is not free to use for non-peaceful purposes nuclear materials or equipment acquired while party to the Treaty, as well as special nuclear material produced through the use of such material or equipment.

14. Reaffirm the right of all States 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, and support the work of IAEA in assisting States, particularly developing countries, in the peaceful use of nuclear energy.

15. Urge all States commissioning, constructing or planning nuclear power reactors to become parties to the four international conventions relating to nuclear safety, namely, the Convention on Nuclear Safety, the Convention on Early Notification of a Nuclear Accident, the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, and the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management.

16. Urge all States to take further measures to strengthen the security of nuclear materials and facilities, such as conclusion of the Convention on the Physical Protection of Nuclear Material including its 2005 Amendment and the International Convention for the Suppression of Acts of Nuclear Terrorism as soon as practicable.

NPT/CONF.2010/WP.9/Add.1

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

28 May 2010

English only

New York, 3-28 May 2010

New package of practical nuclear disarmament and non-proliferation measures for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

Working paper submitted by Australia and Japan

Addendum

Add the following countries to the list of sponsors of the working paper:

Italy, Romania and Ukraine

NPT/CONF.2010/WP.10

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

23 March 2010

Original: English

New York, 3-28 May 2010

Working paper submitted by New Zealand on behalf of Chile, Malaysia, Nigeria and Switzerland

I. Background

1. In 2000, States parties agreed on 13 practical steps, which constituted "systematic and progressive efforts" to implement article VI of the Treaty on the Non-Proliferation of Nuclear Weapons. One of these agreed steps was that all nuclear-weapon States should "further reduce the operational status of nuclear weapons systems".

2. In its resolutions 62/36 and 63/41, the General Assembly also called for reductions in the operational readiness of nuclear weapons systems, with a view to ensuring that all nuclear weapons were removed from high alert status.

3. Despite the end of the cold war, large numbers of nuclear weapons still remain on high levels of readiness. The decision-making process with respect to the launch of any nuclear weapon must be substantially lengthened not only to minimize the risk of use in error but also to improve levels of mutual confidence and in order to indicate a diminished role for nuclear weapons in military doctrines.

4. Lowering the operational readiness of nuclear weapons systems is consistent with the imperative expressed in the first preambular paragraph of the Treaty to make every effort to avert the danger of nuclear war and to take measures to safeguard the security of peoples from the devastation of such conflict. Lowering the operational readiness of nuclear weapons systems will also contribute to the climate in which reliance on nuclear weapons is reduced, benefiting the causes of both nuclear disarmament and non-proliferation.

II. Progress regarding operational readiness at the 2010 Review Conference

5. States parties at the 2010 Review Conference should approve an ambitious outcome on decreasing operational readiness as a tangible demonstration of the implementation of article VI commitments and as an interim step towards the complete elimination of nuclear weapons. We recommend that the Conference:

1. Recognize that reductions in alert levels would contribute to the process of nuclear disarmament through the enhancement of confidence-building and transparency measures and a diminishing role for nuclear weapons;

2. Urge that further concrete measures be taken to decrease the operational readiness of nuclear weapons systems, with a view to ensuring that all nuclear weapons are removed from high alert status;

3. Call on the nuclear-weapon States to regularly report on measures taken to lower the operational readiness of their nuclear weapons systems.

NPT/CONF.2010/WP.11

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

24 March 2010
English
Original: Arabic

New York, 3-28 May 2010

Implementation of the 1995 resolution concerning the establishment of a nuclear-weapon-free zone in the region of the Middle East

Working paper submitted by the Libyan Arab Jamahiriya

1. The Libyan Arab Jamahiriya affirms the utmost importance of the resolution concerning the establishment of a nuclear-weapon-free zone in the region of the Middle East that was adopted at the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. That resolution is organically and legally linked to that Treaty, in that its adoption was part of a package whereby it was agreed to indefinitely extend the Treaty. It is disturbing that no serious attempt has been made to implement that resolution in the 15 years since it was adopted. At stake is the credibility of the international community and, in particular, the Depositary States who adopted the resolution at the time.

2. The Libyan Arab Jamahiriya affirms that swift implementation of the resolution and establishment of a nuclear-weapon-free zone in the region of the Middle East will have a decisive impact on maintaining security and stability in the region and the world, and represents the only practical means of ensuring the non-proliferation of nuclear weapons in the Middle East. If the goal is to be achieved, a non-selective and unbiased international course will have to be adopted, together with a comprehensive regional approach that will guarantee security for all parties in the region.

3. Security and stability in the Middle East will not be achieved as long as Israel possesses nuclear weapons. On 11 December 2006, the Prime Minister of Israel admitted that his country possesses nuclear weapons. Israel is the only State in the Middle East that has neither acceded to nor announced its intention to accede to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). With a view to the establishment of a nuclear-weapon-free zone in the region of the Middle East, the international community and its institutions and, in particular, the Depositary States, are demanding that pressure should be brought to bear on Israel to accede to the Treaty without delay as a non-nuclear-weapon Party, place all its nuclear facilities

and activities under the International Atomic Energy Agency (IAEA) Comprehensive Safeguards System, and renounce its nuclear weapons in accordance with United Nations Security Council resolution 487 (1981). It is therefore essential that practical steps should be taken at the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons towards the implementation of the resolution on the Middle East that was adopted at the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. At that Conference, the following goals were agreed:

– To reinforce non-proliferation.

– To achieve universal adherence to NPT.

– To establish a nuclear-weapon-free zone in the Middle East.

4. It was affirmed at the 2000 NPT Review Conference that the resolution on the Middle East that was adopted at the 1995 Review and Extension Conference remains valid until the goals and objectives are achieved. The resolution was an essential element of the basis on which NPT had been indefinitely extended in 1995. Nevertheless, the Israelis continue to defy the international community by not acceding to NPT and refusing to place all their nuclear facilities under the IAEA Comprehensive Safeguards System. That is a source of the most serious concern and has a negative impact on regional and international peace and security. The Libyan Arab Jamahiriya recalls that in recent years the United Nations General Assembly has repeatedly adopted by consensus a resolution calling for the establishment of a nuclear-weapon-free zone in the region of the Middle East and has continued to support the resolution entitled “The risk of nuclear proliferation in the Middle East”. At its sixty-fourth session, that resolution (A/RES/64/66) was adopted by an overwhelming majority. In it, the General Assembly expressed concern about the threats posed by the proliferation of nuclear weapons to the security and stability of the Middle East region, noted that Israel remains the only State in the Middle East that has not yet become party to NPT, and reaffirmed the importance of placement of all Israeli nuclear facilities under comprehensive IAEA safeguards.

5. Each nuclear-weapon State Party to NPT must honour its undertaking 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. That undertaking cannot be fulfilled when certain nuclear-weapon States ignore their obligations under the Treaty and flout all the relevant international resolutions and legislation by continuing to export nuclear technology to Israel, thereby reinforcing its nuclear arsenal. While that remains the case, the embargo on the export of such technology to other States in the region of the Middle East should be lifted.

6. The Libyan Arab Jamahiriya demands that the international community should seize the opportunity afforded by the convening of the 2010 Review Conference of the Parties to NPT and take practical measures towards the establishment of the nuclear-weapon-free zone in the region of the Middle East, by means of the following:

• Inviting the international community to pledge to implement the resolution on the Middle East that was adopted at the 1995 Review Conference and adopt an effective mechanism for application; inviting the United Nations to hold an international conference dedicated to the subject of the establishment of a

nuclear-weapon-free zone in the region of the Middle East, in preparation for making that region completely free of all such weapons.

- Inducing the Israelis to accede unconditionally to NPT as a non-nuclear-weapon Party, place all their nuclear installations and facilities under the IAEA Comprehensive Safeguards System.
- Obtaining assurances from nuclear-weapon States that they will make a formal commitment to honour the undertaking given pursuant to article I of the Treaty not in any way to transfer to Israel nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices and not in any way to assist, encourage or induce Israel to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices. States Parties should also undertake to honour their commitments under preambular paragraph seven and article IV not to transfer to Israel any equipment, materials and information related to nuclear weapons or provide it with assistance in the field of the peaceful uses of nuclear energy before it has acceded to NPT and placed its nuclear installations and facilities under the IAEA Comprehensive Safeguards System.
- Establishing a standing committee composed of members of the Bureau of the 2010 Review Conference to follow up intersessionally on the implementation of the recommendations concerning the resolution on the Middle East and to report to the 2015 Review Conference, after monitoring and follow-up, information on all the nuclear activities undertaken by Israel.

NPT/CONF.2010/WP.12

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

25 March 2010
English
Original: Arabic

New York, 3-28 May 2010

The need to enhance the commitment to nuclear disarmament and promotion of the Treaty on the Non-Proliferation of Nuclear Weapons

Working paper submitted by the Libyan Arab Jamahiriya

1. The world is becoming increasingly aware that international peace and security cannot be achieved while certain States possess or threaten to use nuclear weapons. Instead, practical and tangible steps should be taken towards full and comprehensive disarmament in order to ensure non-proliferation. The nuclear arms race should be halted, and fruitful cooperation between States consolidated. The best safeguard against the use of nuclear weapons is to ensure that they are not produced or developed, and to destroy stockpiles in a verifiable manner and under international control.

2. In its advisory opinion of 8 July 1996 concerning the legality of the threat or use of nuclear weapons, the International Court of Justice stated, inter alia, that the threat or use of nuclear weapons would in particular be contrary to the rules of international humanitarian law applicable in cases of armed conflict, and that there existed an obligation to pursue in good faith and to bring to a conclusion negotiations leading to nuclear disarmament under strict international control.

3. It is a cause for concern that, over four decades after the conclusion of the Treaty on the Non-Proliferation of Nuclear Weapons, the dangers posed by nuclear weapons continue to exist because a limited number of States have retained their nuclear arsenals and placed them in a state of high alert. Unfortunately, as there has been no tangible progress towards full nuclear disarmament, the objectives of the Treaty have not been achieved. They will remain a distant prospect so long as the sole point of emphasis is the commitment of non-nuclear States to refrain from acquiring nuclear weapons. Meanwhile, nuclear States fail to take any practical, tangible steps towards full nuclear disarmament. Nuclear States might argue that the acquisition and development of nuclear weapons are a part of their security and

defence strategy, and are necessary in order to preserve world peace. Such justifications are unacceptable. According to that logic, it would also be a contribution to world peace if all States acquired nuclear weapons. The measures taken by nuclear States towards full and comprehensive disarmament therefore lack credibility.

4. In 2003, the Libyan Arab Jamahiriya took unilateral steps to renounce all programmes and facilities that could be used to produce internationally banned weapons. The Libyan Arab Jamahiriya has come to be convinced that the non-proliferation regime can remain in place only if nuclear States provide sufficient evidence of their commitment to implement the provisions of the Treaty, and in particular article VI. They should take effective action to implement immediately the 13 practical steps agreed to at the 2000 Review Conference as a benchmark for progress. Such action should be transparent, verifiable and irreversible. It should include a tangible decrease in current nuclear arsenals, an end to production, and the destruction of stockpiles in a verifiable manner and under international control. As is well known, the 2000 Review Conference agreed on an unequivocal undertaking by 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.

5. If we truly wish to eliminate nuclear weapons in a transparent and internationally verifiable manner, the time has come to strengthen the commitments that arise from the Treaty by strengthening the text of the Treaty. The Libyan Arab Jamahiriya understands that any amendment to the Treaty should be made in accordance with the procedures set forth therein, in particular in article VIII, and that the Review Conference does not have the authority to amend the Treaty. However, those facts are not incompatible with a desire to formulate proposals intended to strengthen the text of the Treaty, in a context of constructive dialogue and fruitful cooperation between States parties, with a view to reaching a consensus on the necessary amendments and convening a conference of States parties in order to achieve that goal. The amendments proposed by the Libyan Arab Jamahiriya consist of the following additional paragraphs.

I. The addition of a paragraph to the preamble, as follows:

> Calling upon all States to refrain from conducting a nuclear test explosion and to sign and ratify the Comprehensive Nuclear-Test-Ban Treaty, thereby bringing the treaty into force at an early date.

II. The addition of two paragraphs to article VI, as follows:

> (a) All nuclear-weapon States Party to the Treaty undertake to pursue general and complete disarmament under strict and effective international control.
>
> (b) Each nuclear-weapon State Party undertakes to accept safeguards, as set forth in an agreement to be negotiated and concluded with the International Atomic Energy Agency, for the primary purpose of the verification of the fulfilment of its obligation to achieve full and comprehensive nuclear disarmament.

6. The proposed additional paragraphs to the Treaty would strengthen and codify existing initiatives and commitments with regard to nuclear disarmament and would create momentum towards the ultimate goal of completely eliminating nuclear weapons throughout the world in a transparent and verifiable manner, under the supervision of the International Atomic Energy Agency (IAEA).

7. The Libyan Arab Jamahiriya believes that all States have the right to develop their capacity to use nuclear energy, and to carry out nuclear enrichment, for exclusively peaceful purposes. In order for the Agency to have a truly international character, action should be taken to balance its monitoring and inspection roles, and to extend its authority to include all States, whether nuclear or non-nuclear. If its role is limited to dealing with non-nuclear States, then it will lose its international character and legitimacy, and its existence will not be recognized henceforth.

8. Achieving the universality of the Treaty is a fundamental condition for its effectiveness and credibility. That universal adherence to the Treaty has yet to be achieved affirms the importance of the full implementation of the outcomes of the 1995 Review and Extension Conference and of the 2000 Review Conference, in particular the resolution on the Middle East. In the absence of universal adherence to the Treaty, the situation in the Middle East continues to serve as a flagrant example of how ineffective the Treaty has been in helping States parties achieve security. While the States of the region have acceded to the Treaty and have placed their nuclear facilities under the comprehensive safeguards regime of IAEA, Israel remains outside the Treaty and continues to engage in non-peaceful nuclear activities without any international supervision. In order to strengthen the effectiveness and credibility of the Treaty and the decision that it should continue in force indefinitely, it is vital that the 2010 Review Conference should adopt an effective plan of action for achieving universal adherence to the Treaty that includes a series of practical measures aimed at achieving its universality in a systematic and gradual manner, in accordance with the principles and objectives set forth in Decision 2 of the 1995 Review Conference.

9. Urgent action should be taken to adopt an unconditional and legally binding international instrument in order to provide security assurances to non-nuclear-weapon States regarding the use or the threat of the use of nuclear weapons against them. Such assurances would undoubtedly serve to reinforce the objectives of the Treaty.

10. During their fifteenth summit held in Sharm el-Sheikh, Egypt, from 11 to 16 July 2009, the Heads of State and Government of the Non-Aligned Movement affirmed their principled positions on nuclear disarmament. They stressed that efforts aiming at nuclear non-proliferation should be parallel to simultaneous efforts aiming at nuclear disarmament. They also reaffirmed the need for the Conference on Disarmament to start negotiations on a phased programme for the complete elimination of nuclear weapons with a specified framework of time, including the conclusion of a nuclear weapons convention.

11. The Libyan Arab Jamahiriya would welcome any serious nuclear disarmament initiative, and in that regard takes note of the stated intention of Mr. Barack Obama, President of the United States of America, to take new and positive steps towards nuclear disarmament, notably in the context of the ongoing discussions between the United States of America and the Russian Federation to rid the world of nuclear weapons. It also takes note of his stated desire to move towards ratification of the

Comprehensive Nuclear-Test-Ban Treaty and to initiate negotiations for a treaty to prohibit the production of fissile materials for nuclear weapons purposes. The Libyan Arab Jamahiriya stresses that these intentions must be translated into substantive measures, including a timetable for the elimination of all nuclear weapons, in order for the world to see progress towards implementation of article XVI of the Treaty on the Non-Proliferation of Nuclear Weapons.

NPT/CONF.2010/WP.13*

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

25 March 2010

Original: English

New York, 3-28 May 2010

Proposed elements for the final document of the 2010 Review Conference on strengthening the technical cooperation activities of the International Atomic Energy Agency

Working paper submitted by Japan

The Review Conference:

1. Reaffirms that, under the Treaty on the Non-Proliferation of Nuclear Weapons, all the States parties enjoy the inalienable right to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with its articles I, II and III, and supports the work of the International Atomic Energy Agency (IAEA) in assisting States parties, in particular developing countries, in the peaceful uses of nuclear energy;

2. Emphasizes that international technical cooperation in the area of the peaceful uses of nuclear technology is one of the two main objectives enshrined in the IAEA Statute, and that it plays a key role in achieving the goal of the Treaty;

3. Emphasizes the importance of the technical cooperation activities of 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 human health, including the application of nuclear technology in cancer therapy, water resources, industry, food, nutrition and agriculture;

4. Underlines that technical cooperation activities of IAEA contribute, in an important way, to meeting energy needs, improving health, combating poverty, protecting the environment, developing agriculture, managing the use of water

* Reissued for technical reasons on 28 April 2010.

resources and optimizing industrial processes, thus helping to achieve the Millennium Development Goals, and that these activities, in addition to bilateral and other multilateral cooperation, contribute to achieving the objectives set forth in article IV of the Treaty;

5. Notes the continuous efforts by IAEA and its member States to enhance the effectiveness and efficiency of the Agency's technical cooperation programmes in partnership and in the light of changing circumstances and the needs of concerned States;

6. Stresses that the Agency's resources for technical cooperation activities should be sufficient, assured and predictable (SAP) to meet the objectives mandated in article II of the IAEA Statute, notes with appreciation the 94.7 per cent Rate of Attainment at the end of 2008, and looks forward to reaching the rate of 100 per cent, which is central to reconfirming the commitment of IAEA member States to the Agency's technical cooperation programme, and thus recalls that the financing of technical cooperation activities should be in line with the concept of shared responsibility and that all members share a common responsibility towards financing and enhancing those activities;

7. Underlines the essential role of IAEA in assisting developing States parties in the peaceful uses of nuclear energy in a manner that ensures nuclear non-proliferation, safety and security.

NPT/CONF.2010/WP.13/Add.1

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

20 May 2010

English only

New York, 3-28 May 2010

Proposed elements for the final document of the 2010 Review Conference on strengthening the technical cooperation activities of the International Atomic Energy Agency

Working paper submitted by Japan

Addendum

Add the following countries to the list of sponsors of the working paper:

Australia, Austria, Finland, Indonesia, Italy, Malaysia, Nigeria, Peru, Philippines, Thailand and Uruguay

NPT/CONF.2010/WP.14

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

25 March 2010

Original: English

New York, 3-28 May 2010

Implementation of the 1995 resolution and 2000 outcome on the Middle East

Working paper submitted by Egypt

1. The third session of the Preparatory Committee for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, held in New York, recommended by consensus that agenda item 16 of the Conference would be "Review of the operation of the Treaty as provided for in article VIII, paragraph 3, taking into account the decisions and the resolutions adopted by the 1995 NPT Review and Extension Conference and the Final Document of the 2000 Review Conference".

2. Egypt submitted several working papers on the issue of the implementation of the 1995 resolution on the Middle East at the first, second and third sessions of the Preparatory Committee (NPT/CONF.2010/PC.I/WP.13, NPT/CONF.2010/PC.II/WP.20 and NPT/CONF.2010/PC.III/WP.20). The three working papers contained substantive recommendations on concrete measures and actions needed for the full implementation of the 1995 resolution on the Middle East.

3. Egypt considers it imperative that the 2010 Review Conference adopt the following recommendations on the implementation of the 1995 resolution and the 2000 outcome on the Middle East:

(a) the Conference reconfirms the unequivocal commitment to the implementation of the resolution on the Middle East adopted by the 1995 Review and Extension Conference. The Conference expresses regret that since the adoption of the resolution on the Middle East and the decision on the indefinite extension of the Treaty 15 years ago, no progress has taken place on the implementation of the resolution. The States parties hereby renew their resolve to undertake, individually and collectively, all necessary measures aimed at the prompt implementation of the resolution, including the accession by Israel to the Treaty as soon as possible as a non-nuclear-weapon State and the placement of all its nuclear facilities under the

full scope of International Atomic Energy Agency (IAEA) safeguards, as well as the establishment of the nuclear-weapon-free zone in the Middle East;

(b) the Conference reaffirms the importance of the early realization of universal adherence to the Treaty on the Non-Proliferation of Nuclear Weapons, as outlined in the three decisions and in the resolution on the Middle East within the overall 1995 package and the Final Document of the 2000 Review Conference, and calls upon Israel to promptly accede to the Treaty as a non-nuclear-weapon State and place all its nuclear facilities under comprehensive IAEA safeguards;

(c) the Conference stresses the importance of strict adherence by all States parties to their obligations and commitments under the Treaty in all three pillars, nuclear disarmament, non-proliferation and peaceful uses of nuclear energy, and reaffirms that any 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 Israel should require, as a necessary precondition, Israel's accession to the Treaty as a non-nuclear-weapon State and the placement of all its nuclear facilities under comprehensive IAEA safeguards. The Conference stresses that the transfer of nuclear-related equipment, information, material and facilities, resources or devices not consistent with the obligations of States parties under the Treaty and the indefinite extension package constitutes a material breach of the Treaty. The Conference further stresses the need to respect the letter and spirit of the Treaty with respect to technical cooperation with States not party to the Treaty;

(d) the Conference decides to convene, by 2011, an international conference to launch negotiations, with the participation of all States of the Middle East, on an internationally and effectively verifiable treaty for the establishment of a nuclear-weapon-free zone in the Middle East;

(e) the Conference further requests IAEA to prepare background documentation for the above-mentioned conference regarding the modalities for verification of a nuclear-weapon-free zone in the Middle East, based upon the work previously undertaken by the Agency relating to the establishment of the zone and the implementation of similar international agreements establishing nuclear-weapon-free zones in other regions;

(f) the Conference requests States parties to disclose in their national reports on the implementation of the resolution on the Middle East all information available to them on the nature and scope of Israeli nuclear facilities and activities, including information pertaining to previous nuclear transfers to Israel;

(g) the Conference decides to establish a standing committee to follow up in the intersessional period progress achieved in the implementation of the resolution on the Middle East and to conduct consultations with States of the region in that regard, as well as to undertake necessary preparations for the convening of the international conference on the establishment of the nuclear-weapon-free zone in the Middle East. The standing committee will be composed of the chair of the Conference, the three depository States that sponsored the 1995 resolution, the chairs of the three main committees of the 2010 Review Conference and the chairs of the negotiating groups (Non-Aligned Movement, Western European and Other States Group and the Eastern European Group).

4. Furthermore, Egypt calls for the establishment of a subsidiary body to Main Committee II of the 2010 Review Conference mandated with the formulation of a follow-up mechanism for the above-mentioned measures and actions necessary for the implementation of the 1995 resolution on the Middle East.

NPT/CONF.2010/WP.15

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

29 March 2010

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New York, 3-28 May 2010

Articles III (3) and IV, and the sixth and seventh preambular paragraphs, especially in their relationship to article III (1), (2) and (4) and the fourth and fifth preambular paragraphs (nuclear safety)

Working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden ("the Vienna Group of Ten")

Draft review language

1. The Conference acknowledges the primary responsibility of individual States for maintaining the safety of nuclear installations within their territories, or under their jurisdiction, and the crucial importance of an adequate national technical, human and regulatory infrastructure in nuclear, radiation, transport and radioactive waste safety management. Noting that international cooperation and coordination on all safety-related matters is also indispensable, the Conference encourages the intensification of national measures and international cooperation in order to strengthen nuclear and radiation safety, including the efforts of the International Atomic Energy Agency (IAEA) in this regard.

2. The Conference urges all member States commissioning, constructing or planning nuclear power reactors or considering nuclear power programmes to become party to the Convention on Nuclear Safety, and would welcome a voluntary application of the relevant provisions of the Convention to other nuclear installations dedicated to the peaceful uses of nuclear energy. The Conference also encourages the application by member States of IAEA safety standards and codes to improve national nuclear, radiation, transport and waste safety infrastructures.

3. The Conference endorses the IAEA regulations for the safe transport of radioactive material and affirms that it is in the interests of all States that the transportation of radioactive materials be conducted in compliance with

international standards of safety, security and environmental protection. 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.

4. The Conference stresses the importance of having effective early notification, assistance and liability mechanisms in place to insure against harm to human health, the environment and actual economic loss due to a nuclear or radiological accident or incident and urges all States that have not yet done so to become party to the Convention on Early Notification of a Nuclear Accident and to the Convention on Assistance in Case of a Nuclear Accident or Radiological Emergency. The Conference encourages relevant States give consideration to adherence to the international instruments relating to liability for nuclear damage.

5. The Conference urges member States to become party to the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, and to actively further efforts to develop and implement disposal and long-term storage solutions for spent fuel and high-level radioactive waste. The Conference encourages IAEA in its work on radioactive waste management solutions, including further implementation of the IAEA action plan on the safety of radioactive waste management.

Annex

Working paper: nuclear safety

1. The Vienna Group of Ten (hereafter "the Vienna Group") notes that a demonstrated global record of safety in all activities throughout the nuclear fuel cycle is a key element for the peaceful uses of nuclear energy and that continuous efforts are needed to ensure that all elements of safety culture are maintained at the optimal level. Although safety is a national responsibility, international cooperation is vital for the exchange of knowledge and learning from best practices.

2. The Vienna Group affirms that the Non-Proliferation Treaty can help to ensure that international cooperation in nuclear safety will take place in an appropriate non-proliferation framework. The Group acknowledges the primary responsibility of individual States for the safety of nuclear installations within their territories, or under their jurisdiction, and the crucial importance of an effective national technical, human and regulatory infrastructure in nuclear, radiation, transport and radioactive waste safety management.

3. The Vienna Group stresses the important role of the International Atomic Energy Agency (IAEA) in enhancing nuclear, radiation, transport and waste safety through its various safety programmes and initiatives and in promoting international cooperation in this regard. The Group reaffirms the importance of States developing and improving their national nuclear, radiation, transport and waste safety infrastructures.

4. The Vienna Group endorses the work of the IAEA Commission on Safety Standards and the Safety Standards Committees in the preparation of internationally recognized safety fundamentals, requirements and guides. The IAEA Fundamental Safety Principles, approved in September 2006, continue to provide a unified conceptual basis for the ongoing development of safety standards. The Group welcomes the work that has been started by the Commission to review the overall structure of IAEA safety standards, and to revise, and where possible, improve the International Basic Safety Standards for Protection against Ionizing Radiation and for the Safety of Radiation Sources.

5. The Vienna Group welcomes and endorses the Convention on Nuclear Safety and urges all States constructing or planning nuclear power reactors, or considering a nuclear power programme, which have not yet taken the necessary steps to become a party to the Convention, to do so. The Group notes that all States currently operating nuclear power plants are party to the Convention. The Group highlights the need to avoid complacency regarding safety, the importance of the independence of the regulatory body, and the challenges concerning the availability of well-trained staff, and acknowledges the active role of the IAEA secretariat in highlighting key issues and trends.

6. The Vienna Group welcomes the adoption by IAEA of the Code of Conduct on the Safety of Research Reactors and endorses the guidance set out therein on the safe management of research reactors. The Group urges States to apply the guidance in the Code and the relevant safety standards to the management of research reactors. The Group recognizes that there are a number of ongoing challenges for the safety of research reactors, including the ageing of facilities and the availability of well-trained staff.

7. The Vienna Group endorses the activities of IAEA directed towards strengthening nuclear safety in operating power and research reactors. Specific activities include international peer review services, such as the Engineering Safety Review Services, the Operational Safety Review Team, the International Probabilistic Safety Assessments Review Team, the International Regulatory Review Service, the Integrated Safety Assessment of Research Reactors and the Safety Culture Assessment Review Team, and support to the regulatory bodies and other relevant areas of the infrastructure of States through technical assistance programmes.

8. The Vienna Group welcomes implementation by the IAEA secretariat of the Plan of Activities on the Radiation Protection of the Environment, including through the formation and ongoing meetings of the Coordination Group on Radiation Protection of the Environment, which facilitates the coordination of activities related to the protection of non-human species and advises IAEA on the implementation of the Plan of Activities. The Group encourages further cooperation between IAEA and relevant international organizations and stakeholders in promoting a coherent international policy regarding the radiological protection of the environment.

9. The Vienna Group welcomes the efforts of the United Nations Scientific Committee on the Effects of Atomic Radiation to assess and report on the levels and effects of exposure to ionizing radiation and also welcomes the consideration by IAEA of the Committee's scientific results. The Group notes that many States parties rely on Committee estimates as the scientific basis for evaluating radiation risk and for establishing protective measures.

10. The Vienna Group welcomes the adoption by the IAEA Board of Governors of the Code of Conduct on the Safety and Security of Radioactive Sources and supports the comprehensive action plan for its implementation, which was subsequently adopted by the Board. The Group welcomes the approval by the IAEA Board of Governors on the Guidance on the Import and Export of Radioactive Sources and recalls that the IAEA General Conference has encouraged States to act in accordance with the Guidance on a harmonized basis. The Group calls upon all States parties to make a political commitment to the Code and the Guidance and to subsequently implement it. The Group looks forward to the Open-ended Meeting of Technical and Legal Experts for Sharing of Information as to States' Implementation of the Code of Conduct on the Safety and Security of Radioactive Sources and its supplementary Guidance on the Import and Export of Radioactive Sources to be held by IAEA in Vienna in May 2010.

11. The Vienna Group commends IAEA efforts in waste management and endorses IAEA programmes to assist member States in this area through, inter alia, safety standards for the handling of radioactive waste, peer reviews and technical assistance activities. The Group notes the outcomes of the third Review meeting of the Contracting Parties to the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management held in Vienna in May 2009. The Group welcomes progress made in implementing the IAEA action plan on the safety of radioactive waste management. The Group welcomes the progress made towards achieving disposal and long-term storage solutions for spent fuel and high-level radioactive waste.

12. The Vienna Group notes the importance of remediating the various nuclear legacy challenges and encourages IAEA to facilitate ongoing international efforts in this regard.

13. The Vienna Group notes the adoption of the 1997 Protocol to Amend the 1963 Vienna Convention on Civil Liability for Nuclear Damage, the Convention on Supplementary Compensation for Nuclear Damage and the 2004 Protocol to Amend the 1960 Paris Convention on Third Party Liability in the Field of Nuclear Energy, and encourages relevant States that have not yet done so to give consideration to adherence to those instruments.

14. The Vienna Group stresses the importance of having effective liability mechanisms in place to insure against harm to human health and the environment as well as actual economic loss due to an accident or incident during the maritime transport of radioactive materials. The Group welcomes the valuable work of the IAEA International Expert Group on Nuclear Liability, including the examination of the application and scope of the IAEA nuclear liability regime and the consideration and identification of further specific actions to address any gaps in scope and coverage of the regime.

15. The Vienna Group recognizes that nuclear and radiological incidents and emergencies, and acts with malicious intent associated with nuclear and radiological terrorism, may lead to significant radiological consequences over wide geographical areas, generate a pressing need for authoritative information to address public and media concerns and require an international response. The Group urges all States that have not yet done so to take the necessary steps to become parties to the Convention on Early Notification of a Nuclear Accident and to the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency.

16. The Vienna Group welcomes the implementation of the IAEA action plan for strengthening the international preparedness and response system for nuclear and radiological emergencies, looks forward to its further implementation and encourages further measures to improve the overall international emergency response capability, particularly with regard to potential incidents during transport. The Group welcomes the establishment and ongoing work of the IAEA Incident and Emergency Centre, which serves as the IAEA focal point for responding to nuclear or radiological incidents and emergencies and for promoting improvement in emergency response and preparedness.

17. The Vienna Group welcomes IAEA addressing the issue of denials of shipments of radioactive materials and the formation of the International Steering Committee on denial of shipments of radioactive material to coordinate international efforts aimed at resolving issues related to the denial of shipments. The Group welcomes the focus of the action plan on the promotion of communication and training and urges the secretariat to actively facilitate the work of the Steering Committee. The Group encourages further cooperation with other bodies associated with the transport of dangerous goods, including the International Civil Aviation Organization and the International Maritime Organization.

18. The Vienna Group reaffirms maritime and air navigation rights and freedoms, as provided for in international law and as reflected in relevant international instruments, and stresses the importance of international cooperation to enhance the safety of international navigation. The Group welcomes implementation of the

IAEA action plan on the safety of the transport of radioactive materials, commends States that have made use of the IAEA Transport Appraisal Service and encourages other States to avail themselves of those services and to improve transport practices. The Group affirms that it is in the interests of all States that the maritime and other transportation of radioactive materials be conducted in compliance with international standards of safety, security and environmental protection and that States have under international law the obligation to protect and preserve the maritime environment.

19. The Vienna Group notes concerns about a potential accident or incident during the transport of radioactive materials by sea and about the importance of the protection of people, human health and the environment as well as protection from actual economic loss as defined in international law due to an accident or incident. The Group welcomes the practice of some shipping States and operators of providing in a timely manner information and responses to relevant coastal States in advance of shipments of radioactive materials for the purpose of addressing concerns regarding safety and security, including emergency preparedness. The Group welcomes informal discussions on communication between shipping States and relevant coastal States with IAEA involvement, notes the intention to hold further discussions with IAEA involvement and looks forward to progress towards understanding and addressing the concerns of coastal and shipping States. The Group also welcomes discussions at the bilateral level between relevant shipping and coastal States on issues of mutual concern.

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

29 March 2010

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Article V, article VI and the eighth to twelfth preambular paragraphs of the Comprehensive Nuclear-Test-Ban Treaty

Working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden ("the Vienna Group of Ten")

Draft review language

1. The Conference reaffirms the essential role of the Comprehensive Nuclear-Test-Ban Treaty within the nuclear disarmament and non-proliferation regime and therefore its vital relevance to the Non-Proliferation Treaty. The Test-Ban Treaty was an integral part of the indefinite extension of the Non-Proliferation Treaty. The Conference therefore stresses that the early entry into force of the Test-Ban Treaty is of utmost urgency and importance and reiterates the agreement from the 2000 Review Conference, at which the early entry into force of the Test-Ban Treaty was identified as the first of 13 practical nuclear disarmament steps. The Conference reaffirms that the provisions of article V of the Non-Proliferation Treaty as regards the peaceful applications of any nuclear explosions are to be interpreted in the light of the Test-Ban Treaty.

2. The Conference notes with concern that, 13 years after it was opened for signature, the Test-Ban Treaty still has not entered into force. The Conference welcomes the fact that the Test-Ban Treaty has been signed by 182 States, 151 of which have also ratified it, including 35 whose ratification is necessary for entry into force. The Conference renews its call upon all States, in particular the remaining nine annex 2 States whose ratification is a prerequisite for entry into force, to sign and/or ratify the Treaty without delay and without conditions. The Conference also recalls Security Council resolution 1887 (2009), which calls upon all States to sign and ratify the Treaty.

3. The Conference welcomes the high-level political support for the Conference on Facilitating the Entry into Force of the Test-Ban Treaty held in September

2009 and its adoption of 10 specific and practical measures to promote the early entry into force of the Test-Ban Treaty. The Conference thanks the Special Representative to promote the ratification process of the Test-Ban Treaty for his excellent work in this regard.

4. Reiterating that the Test-Ban Treaty constrains the development of nuclear weapons and their qualitative improvement, the Conference reaffirms that the Treaty combats both horizontal and vertical nuclear proliferation. The Conference is concerned 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 upon all States to refrain from any action which would defeat the object and purpose of the Test-Ban Treaty pending its entry into force.

5. Pending the entry into force of the Test-Ban Treaty, the Conference underlines that existing moratoriums on nuclear weapon test explosions and any other nuclear test explosions must be maintained. The Conference stresses, however, that such moratoriums cannot serve as a substitute for ratifying the Test-Ban Treaty and that only the Treaty offers the global community the prospect of a permanent and legally binding and verifiable commitment to end nuclear testing.

6. The Conference welcomes the progress made by the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization in establishing the system that will enable the verification of compliance with the Test-Ban Treaty. The Conference calls upon all parties to support this work, which must lead to an effective, reliable, participatory and non-discriminatory verification system with global reach.

Annex

Working paper: Comprehensive Nuclear-Test-Ban Treaty

1. The Vienna Group of Ten (hereafter "the Vienna Group") reaffirms that the Comprehensive Nuclear-Test-Ban Treaty constitutes an effective measure of nuclear disarmament and nuclear non-proliferation in all its aspects and that it is vital to the Non-Proliferation Treaty. The Test-Ban Treaty was an integral part of the indefinite extension of the Non-Proliferation Treaty. The Group therefore stresses that the entry into force of the Test-Ban Treaty is of the utmost urgency and importance and reiterates the agreement from the 2000 Review Conference, at which the early entry into force of the Test-Ban Treaty was identified as the first of 13 practical nuclear disarmament steps. The Group reaffirms that the provisions of article V of the Non-Proliferation Treaty are to be interpreted in the light of the Test-Ban Treaty.

2. Reiterating that the Test-Ban Treaty constrains the development of nuclear weapons and their qualitative improvement, the Vienna Group reaffirms that the Test-Ban Treaty combats both horizontal and vertical nuclear proliferation. The Group is concerned that any development of new types of nuclear weapons may result in the resumption of tests and a lowering of the nuclear threshold. The Group calls upon all States to refrain from any action that would defeat the object and purpose of the Test-Ban Treaty, pending its entry into force. The Democratic People's Republic of Korea's nuclear tests of 9 October 2006 and 25 May 2009, internationally condemned, further underlined the need for a universal and effective international monitoring and verification system for detecting nuclear explosions.

3. The Vienna Group underlines that existing moratoriums on nuclear weapon test explosions and any other nuclear test explosions must be maintained, pending the entry into force of the Test-Ban Treaty. The Group stresses, however, that such moratoriums cannot serve as a substitute for ratifying the Test-Ban Treaty and that only the Treaty offers the global community the prospect of a permanent and legally binding commitment to end nuclear testing.

4. The Vienna Group notes with concern that, 13 years after it was opened for signature, the Test-Ban Treaty is yet to enter into force. However, it warmly welcomes the fact that a growing number of countries have ratified the Treaty since 2005, including two countries — as listed in annex 2 — whose ratifications are a prerequisite for the entry into force of the Treaty. Reducing the number of those annex 2 countries gives a strong signal on the norm against testing of nuclear weapons and reinforces the international community's expectations that the nine remaining States will follow suit. The Test-Ban Treaty has been signed by 182 States, 151 of which have also ratified it, including 35 whose ratification is necessary for entry into force. The Group renews its call upon all States yet to do so to sign and/or ratify the Treaty without delay, in particular the nine remaining annex 2 countries, and to recognize the value of the Test-Ban Treaty for their national and for international security. The reliable performance of the international monitoring system and the practical development of other aspects of the verification regime, as well as the example of a still growing number of ratifiers, should help them make a positive decision.

5. The Vienna Group is encouraged by recent political developments, which indicate that the overall political context has become more favourable with regard to the Test-Ban Treaty and hopes this will be reflected in the outcome of the Review

Conference. The sixth article XIV conference held in September 2009, with its unprecedented high-level ministerial attendance, confirmed the commitment of the international community to the Test-Ban Treaty and highlighted the importance of its earliest possible entry into force, which was further recognized by the Security Council in its resolution 1887 (2009).

6. The Vienna Group welcomes ideas and initiatives, such as the international scientific studies project aimed at further enhancing the involvement of individual Governments, scientists and national scientific institutions, that are being pursued as a useful way to create broader national support for the benefits of the Treaty and to maintain levels of expertise and investment required for verification of the Test-Ban Treaty.

7. The Vienna Group welcomes the progress made by the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO) to build the system to verify compliance with the Test-Ban Treaty at its entry into force. The goal of this work should be an effective, reliable, participatory and non-discriminatory verification system with global reach. Ultimately, however, this verification system can only show its full worth once the Test-Ban Treaty has entered into force.

8. In order to enable the provisional technical secretariat of CTBTO to complete the Preparatory Commission's mandate, the Vienna Group calls upon States signatories to support the work of that organization by providing adequate resources and political support, as well as relevant expertise, and to make every effort to ensure that the technical aspects of CTBTO's work continue to move ahead at an appropriate pace and do not impede political progress towards entry into force. All major components of the verification system must be ready to operate by the time of entry into force.

9. Finally, the Vienna Group stresses that the 2010 Review Conference should reach consensus on a conclusion underlining the essential role of the Test-Ban Treaty for the nuclear disarmament and non-proliferation regime, calling upon all States that have not yet done so, in particular those listed in annex 2, to sign and ratify the Test-Ban Treaty without delay and without conditions, reiterating the call upon all States to abide by a moratorium and to refrain from any actions contrary to the obligations and provisions of the Treaty and highlighting and supporting the important work of the Preparatory Commission.

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

29 March 2010

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Article III and preambular paragraphs 4 and 5, especially in their relationship to article IV and preambular paragraphs 6 and 7 (export controls)

Working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden ("the Vienna Group of Ten")

Draft review language

1. The Conference urges all States parties to ensure that their nuclear-related exports do not assist the development of nuclear weapons or other nuclear explosive devices and that they are in full conformity with the objectives and purposes of the Treaty as stipulated, particularly in articles I, II, III and IV. In this context, and also bearing in mind United Nations Security Council resolution 1887 (2009) the Conference underlines that nuclear export controls are a legitimate, necessary and desirable means of implementing the obligations of States parties under article III of the Treaty, in order not to contribute to a nuclear explosive activity, an unsafeguarded nuclear fuel cycle activity, or acts of nuclear terrorism.

2. The Conference underlines that effective export controls are also central to cooperation in the peaceful uses of nuclear energy, which depends on the existence of a climate of confidence about non-proliferation.

3. The Conference notes that Security Council resolution 1540 (2004), adopted on 28 April 2004, as reaffirmed in Security Council resolutions 1673 (2006) and 1810 (2008), requires all States to take and enforce effective measures to establish domestic controls to prevent the proliferation of nuclear weapons, including by establishing and maintaining appropriate effective national export and trans-shipment controls over nuclear weapon-related items, including appropriate laws and regulations to control export, transit, trans-shipment and re-export.

4. The Conference endorses the importance of the Zangger Committee as guidance for States parties in meeting their obligation under article III, paragraph 2, of the Treaty, and invites all States to adopt the Understandings of the Zangger Committee in connection with any nuclear cooperation.

5. The Conference recommends that the list of items triggering International Atomic Energy Agency (IAEA) safeguards and the procedures for implementation, in accordance with article III, paragraph 2, of the Treaty, be reviewed from time to time to take into account advances in technology, the proliferation sensitivity and changes in procurement practices.

6. The Conference notes that a number of States parties have informed IAEA that they cooperate on a voluntary basis through guidelines for their nuclear-related exports (INFCIRC/254 as amended). States parties note the important and useful role that the Nuclear Suppliers Group can play in guiding States in setting up their national export control policies. States parties took note of the transparency paper prepared by the Nuclear Suppliers Group entitled "The Nuclear Suppliers Group: Its Origins, Role and Activities" (INFCIRC/539/Rev.4).

7. The Conference reiterates that transparency in export controls should continue to be promoted within a framework of dialogue and cooperation among all interested States parties to the Treaty.

8. The Conference reconfirms paragraph 12 of decision 2 ("Principles and objectives for nuclear non-proliferation and disarmament") of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, 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.

9. The Conference decides 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 should require, as a necessary precondition, acceptance of an additional protocol based on the model protocol contained in INFCIRC/540 (Corrected).

Annex

Working paper: Export controls

1. The Vienna Group of Ten (the Vienna Group) reaffirms that each State party to the Treaty has undertaken not to provide source or special fissionable material, or equipment or material especially designed or prepared for the processing, use or production of special fissionable material, to any non-nuclear-weapon State for peaceful purposes, unless the source or special fissionable material is subject to the safeguards required by article III of the Treaty.

2. The Vienna Group underlines the responsibility that all States parties have, and, in this regard, urges them to ensure that their nuclear-related exports to non-nuclear-weapon States do not assist the development of nuclear weapons or other nuclear explosive devices. The Group reiterates that no State party should transfer any nuclear-related items to any recipient whatsoever unless the transfer is in full conformity with the objectives and the purposes of the Treaty as stipulated, particularly in articles I, II, III and IV. In this context, the Group emphasizes the need to promote understanding among all States parties that nuclear export controls are a legitimate, necessary and desirable means of implementing the obligations of States parties under article III of the Treaty, in order not to contribute to a nuclear explosive activity, an unsafeguarded nuclear fuel cycle activity, or acts of nuclear terrorism.

3. In this regard, the Vienna Group notes that Security Council resolution 1540 (2004), adopted on 28 April 2004, whose provisions were reiterated in Security Council resolutions 1673 (2006) and 1810 (2008), requires all States to take and enforce effective measures to establish domestic controls for preventing the proliferation of nuclear weapons, including by establishing and maintaining appropriate effective national export and trans-shipment controls over nuclear weapon-related items, including appropriate laws and regulations to control export, transit, trans-shipment and re-export. The Group further notes United Nations Security Council resolution 1887 of September 2009, in which the Council unanimously called upon States to adopt stricter national controls for the export of sensitive goods and technologies of the nuclear fuel cycle.

4. The Vienna Group recognizes that revelations in recent years about extensive covert networks related to the procurement and the supply of sensitive nuclear equipment and technology have underlined the need for all States to exercise vigilance in countering proliferation, including through their nuclear export controls.

5. The Vienna Group underlines that effective export controls are also central to cooperation in the peaceful uses of nuclear energy, which depends on the existence of a climate of confidence about non-proliferation. In this respect, the Group notes the clear relationship between the non-proliferation obligations as set out in articles I, II and III and the objectives in regard to peaceful uses as set out in article IV of the Treaty. In this context, the Group reaffirms that nothing in the Treaty should be interpreted as affecting the inalienable right of all States parties to the Treaty to undertake 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 Group notes the complementary and important role of national export control mechanisms in giving effect to the obligations of States parties, under articles I, II

and III, not to contribute to the proliferation of nuclear weapons; and recognizes that such controls are intended to provide an environment of confidence for international cooperation in the peaceful uses of nuclear energy. The Group notes similarly that recipient States have an obligation to exercise appropriately stringent controls to prevent proliferation.

6. The Vienna Group notes that a number of States parties meet regularly in an informal group known as the Zangger Committee, in order to coordinate their implementation of article III, paragraph 2, of the Treaty, related to the supply of nuclear material and equipment. To this end, these States parties have adopted certain Understandings, including a list of items triggering IAEA safeguards, for their exports to non-nuclear-weapon States not parties to the Treaty, as set forth in IAEA document INFCIRC/209, as amended. The Zangger Committee's Understandings also relate to exports to non-nuclear-weapon States parties to the Treaty insofar as the recipient State should recognize the items on the trigger list, as well as the procedures and criteria under article III, paragraph 2, of the Treaty as a basis for its own export control decisions, including re-exports.

7. The Vienna Group emphasizes the importance of the Zangger Committee in providing guidance to States parties in meeting their obligation under article III, paragraph 2, of the Treaty and invites all States to adopt the Understandings of the Zangger Committee in connection with any nuclear cooperation.

8. The Vienna Group recommends that the list of items triggering IAEA safeguards and the procedures for implementation, in accordance with article III, paragraph 2, of the Treaty, be reviewed from time to time so as to take into account advances in technology, proliferation sensitivity, and changes in procurement practices.

9. The Vienna Group notes that a number of States parties have informed IAEA that they cooperate on a voluntary basis through guidelines for their nuclear-related exports (INFCIRC/254, as amended). The Group notes the important and useful role that the Nuclear Suppliers Group can play in guiding States in setting up their national export control policies.

10. The Vienna Group recommends that transparency in export controls should continue to be promoted within a framework of dialogue and cooperation among all interested States parties to the Treaty.

11. The Vienna Group notes the decision taken in September 2008 by a number of States parties, participating in the Nuclear Suppliers Group, to grant an India-specific exception to the full-scope safeguards requirement in the Nuclear Suppliers Group's export control guidelines, based on certain non-proliferation commitments and actions of India (as outlined in IAEA document INFCIRC/734). The commitments of India related, inter alia, to signing and adhering to an additional protocol, exercising restraint in respect of enrichment and reprocessing transfers, strengthening export controls, continuing its moratorium on nuclear testing, and continuing to demonstrate its readiness to work with others towards the conclusion of a multilateral fissile material cut-off treaty. The Vienna Group expects India to honour these commitments in full, noting that Governments participating in the Nuclear Suppliers Group have agreed to consult through regular channels on matters connected with the implementation of all aspects of decision of the Nuclear Suppliers Group, taking into account relevant international commitments or bilateral

agreements with India. The Group notes that the decision of the Nuclear Suppliers Group will remain the basis for civil nuclear cooperation with India by Governments participating in the Nuclear Suppliers Group. The Group reiterates the importance it attaches to universalization of the Treaty, and its hope that India will join the Treaty as a non-nuclear-weapon State.

12. Notwithstanding that decision, the Vienna Group reaffirms 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 full-scope IAEA safeguards and internationally legally binding commitments not to acquire nuclear weapons or other nuclear explosive devices. The Group urges those supplier States that have not yet done so to require the fulfilment of such conditions without delay.

13. Noting that all non-nuclear-weapon States parties to the Treaty have a legal obligation under article III to accept safeguards stipulated under the Treaty, and also noting that a Safeguards Agreement (INFCIRC/153 (Corrected)), together with an Additional Protocol (INFCIRC/540 (Corrected)), now represents the verification standard for Treaty safeguards, the Group confirms that this verification standard should be a condition for new supply arrangements to non-nuclear-weapon States. The Group recognizes the importance of the provisions of the Additional Protocol related to reporting to IAEA on the export and import of nuclear-related equipment.

14. The Vienna Group notes that article III of the Treaty is designed to detect and prevent the diversion of nuclear material, equipment and technology. This relates to diversion not only at the State level, but also to individuals or subnational groups. The Group affirms, therefore, that transfers of nuclear material, sensitive equipment or technology should take place only if the recipient State has in place an effective and adequate national system of nuclear security. This system comprises Treaty-related IAEA safeguards, an adequate system of physical protection, a minimum set of measures to combat illicit trafficking, and rules and regulations for appropriate export controls in case of re-transfers.

15. While the responsibility for establishing and implementing such a system rests with the concerned State, supplying States parties have the responsibility for seeking assurance that such a system is in place in the recipient State as a necessary precondition for their receiving nuclear supplies.

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Articles III (3) and IV, and the sixth and seventh preambular paragraphs, especially in their relationship to article III (1), (2) and (4), and the fourth and fifth preambular paragraphs (approaches to the nuclear fuel cycle)

Working paper by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden ("the Vienna Group of Ten")

Draft review language

1. The Review Conference notes that fuel assurance mechanisms can act to support the objectives of the Treaty on the Non-Proliferation of Nuclear Weapons, of facilitating the peaceful uses of nuclear energy and addressing global nuclear non-proliferation. The Conference further notes that reliable and transparent fuel assurance mechanisms can provide an effective backup to the existing market. The market, with such backup, can give countries that have chosen to develop or expand nuclear power programmes a cost-effective and viable alternative to developing nuclear fuel cycle capabilities of their own, without affecting their rights under the Treaty.

2. The Conference affirms that, to function properly, any assurance mechanism must be transparent, independent, inclusive and applied in an equitable manner, using defined criteria, and come under the auspices and safeguards of the International Atomic Energy Agency (IAEA). Assurance mechanisms, singly or in conjunction with other complementary mechanisms, should not act to distort the existing well functioning market and should address real needs, allowing for the development of peaceful uses of nuclear energy in the best safety, security and non-proliferation conditions.

3. The Conference affirms that reliance on any such mechanism should be wholly voluntary, remaining solely a sovereign decision of the particular State, and should not act as an enforced restriction of States' activities related to the fuel cycle. The Conference further states that any such mechanism should operate to clear, apolitical and objective criteria, as approved through the Board of Governors of IAEA, which should support the rights and obligations of States under the Treaty.

4. The Conference invites interested States to continue work on developing multilateral approaches to the nuclear fuel cycle.

Annex

Working paper: approaches to the nuclear fuel cycle

1. The Vienna Group of Ten (hereafter "the Vienna Group") notes that the nuclear technologies of enrichment and reprocessing are usable both for peaceful purposes and for the production of fissile material for nuclear weapons, and that these nuclear technologies are of direct relevance to the objectives of the Treaty on the Non-Proliferation of Nuclear Weapons. The Vienna Group notes that an expansion of nuclear power generation for peaceful purposes is expected to occur in the coming decades. This has resulted in a renewed interest in multilateral approaches to the nuclear fuel cycle, including the provision of assurances of supply of nuclear fuel as a viable alternative to national acquisition of enrichment and reprocessing technologies. The Vienna Group notes that in this context, fuel assurance mechanisms can act to support both the Treaty objectives of facilitating the peaceful uses of nuclear energy and addressing global nuclear non-proliferation.

2. The well functioning, international nuclear fuel market provides assurance of fuel supplies in a predictable, equitable, stable and cost-effective manner over the long term. However, the Vienna Group recognizes that States may wish to look at backup options with the objective of protecting against disruptions which could create apparent or real vulnerabilities in the security of supply. Reliable and transparent fuel assurance mechanisms — which would be triggered should commercial supply mechanisms fail for various reasons — can give countries that have chosen to develop or expand nuclear power programmes a credible alternative to developing nuclear fuel cycle capabilities of their own, without affecting their rights under the Treaty.

3. Such mechanisms would have clear benefits: facilitating States' peaceful use of nuclear energy; addressing the capital and other costs associated with establishing and maintaining a nuclear power programme by obviating any need for investment in fuel cycle infrastructure; and fostering international cooperation in the safe and reliable peaceful use of nuclear energy. Multilateral fuel assurance mechanisms also aim to assist in further addressing proliferation, security and safety risks connected with a growing global inventory of technologies and facilities with the capacity to produce material directly usable in nuclear weapons.

4. The Vienna Group believes that to function properly, any assurance mechanism must be transparent, independent, inclusive and applied in an equitable manner, using defined criteria. This is best done by ensuring that it works under the auspices and safeguards of IAEA. Assurance mechanisms, singly or in conjunction with other complementary mechanisms, should not act to distort the existing market, should address real needs and should effectively deal with all relevant aspects of the front end of the cycle. Reliance on any such mechanism should be voluntary, remaining solely a sovereign decision of the particular State.

5. Any such mechanism should operate to clear, apolitical and objective criteria, as approved through the Board of Governors of IAEA, which should support the rights and obligations of States under the Treaty, and only in circumstances where a clearly defined disruption in supply has occurred that is not related to technical or commercial considerations and when non-proliferation obligations are fulfilled. It should not act as an enforced restriction of States' activities related to the fuel cycle.

It should address the uses allowed for any low-enriched uranium supplied and the non-proliferation obligations associated therewith.

6. The Vienna Group believes that appropriate mechanisms to address the back end of the fuel cycle, including reprocessing, spent fuel and waste management, may also be useful.

7. The Vienna Group stresses that any multilateral approach to the nuclear fuel cycle must be in conformity with the inalienable right of States parties to the Treaty to the peaceful uses of nuclear energy (article IV of the Treaty). They must equally respect the Treaty's non-proliferation provisions under articles I, II and III, and act in conformity with the primary non-proliferation instruments of effective and universal implementation of the IAEA safeguards system, including the additional protocol, and effective export controls.

8. The Vienna Group considers that in line with relevant international instruments and IAEA standards and codes, any proposal for a multilateral fuel cycle mechanism must provide for effective physical protection of the associated nuclear material and facilities as well as the highest standards of nuclear, radiation and transport safety and waste management. The Vienna Group looks forward to consideration of these essential issues in the future development of any multilateral fuel cycle mechanisms.

9. The Vienna Group notes the approval by the Board of Governors of IAEA of the establishment by the Russian Federation of a reserve of low-enriched uranium to the Agency for its member States. The establishment of this reserve is an important first practical step in the development of multilateral fuel assurances, should encourage further work on the establishment of an IAEA fuel bank at an early date and will provide a useful test for such schemes. The Vienna Group further notes that a number of other fuel cycle-related multilateral projects, which would be under IAEA control and safeguards, are currently under consideration, including an IAEA fuel bank. The Vienna Group believes that such mechanisms, with broad international support, and acting in accordance with the Agency's wider mandate, can benefit the global non-proliferation regime.

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29 March 2010

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Articles III (3) and IV, and the sixth and seventh preambular paragraphs, especially in their relationship to article III (1), (2) and (4) and the fourth and fifth preambular paragraphs (cooperation in the peaceful uses of nuclear energy)

Working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden ("the Vienna Group of Ten")

Draft review language

The Review Conference:

1. *Reaffirms* the right of all parties to the Treaty on the Non-Proliferation of Nuclear Weapons 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, and notes that, for the purposes of article IV of the Treaty, "nuclear energy" embraces both power and non-power applications;

2. *Recognizes* the benefits that can be obtained from the peaceful applications of nuclear energy and nuclear techniques in the fields referred to in articles II and III in the statute of the International Atomic Energy Agency (IAEA);

3. *Stresses* that adherence to, and compliance with, the non-proliferation and verification requirements of the Treaty are the essential basis for peaceful nuclear cooperation and commerce and that implementation of IAEA safeguards makes a vital contribution to the environment for the development of and international cooperation in the peaceful uses of nuclear energy;

4. *Underlines* the essential role of IAEA in assisting developing States/parties in the peaceful use of nuclear energy, under the best safety, security and non-proliferation conditions, through the development of effective and

adequately funded programmes aimed at improving their scientific, technological and regulatory capabilities. Recommends that IAEA continue, through its Technical Cooperation Programme, to take into account the needs of developing countries, including least developed countries, when planning its future activities.

Annex

Working paper: cooperation in the peaceful uses of nuclear energy

1. The 1968 Treaty on the Non-Proliferation of Nuclear Weapons fosters the development of the peaceful uses of nuclear energy by providing a framework of confidence that is a precondition for those uses. By aiming to ensure that nuclear materials and facilities do not contribute to nuclear proliferation, the Treaty creates the necessary basis for technological transfer and cooperation.

2. The Vienna Group of Ten (hereafter "the Vienna Group") notes that, for the purposes of article IV of the Treaty, "nuclear energy" embraces both power and non-power applications.

3. Nothing in the Treaty shall be interpreted as affecting the inalienable right of all the States 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 Vienna Group recognizes that this right constitutes one of the fundamental objectives of the Treaty. States may choose individually not to exercise all their rights, or to exercise those rights collectively.

4. The Vienna Group recognizes the benefits that can be obtained from the peaceful applications of nuclear energy and nuclear techniques in the fields referred to in articles II and III in the statute of the International Atomic Energy Agency (IAEA).

5. While maintaining an overall commitment to article IV of the Non-Proliferation Treaty, the Vienna Group regards adherence to, and compliance with, the non-proliferation and verification requirements of the Treaty as a precondition for cooperation in the peaceful uses of nuclear energy. In this regard, universal adherence to the additional protocol to States safeguards agreements is a requirement for a stable, open and transparent international security environment, in which peaceful nuclear cooperation can take place.

6. The Vienna Group considers that States parties should not engage in active nuclear cooperation with those States parties that are in non-compliance with the terms of their safeguards agreements with IAEA, as established by the IAEA Board of Governors, unless such cooperation is consistent with relevant decisions of the Board of Governors or the Security Council.

7. All States parties to the Treaty have undertaken to facilitate, and have the right to participate in, the fullest possible exchange of equipment, material, services and scientific and technological information for the peaceful uses of nuclear energy in a safe and secure environment. The Vienna Group notes the contribution that such exchanges can make to progress in general.

8. In all activities designed to facilitate the peaceful uses of nuclear energy, the Vienna Group affirms that an INFCIRC/153 (Corrected) safeguards agreement together with an additional protocol (INFCIRC/540 (Corrected)) represent the verification standard pursuant to article III (1) of the Treaty.

9. The Vienna Group underlines the importance of instruments and codes of conduct developed within the framework of IAEA for the purpose of preventing and mitigating any potential harmful effects on human safety and the environment.

10. The Vienna Group underlines the essential role of IAEA in assisting developing States parties in the peaceful use of nuclear energy through the development of effective programmes aimed at improving their scientific, technological and regulatory capabilities.

11. The Vienna Group commends the IAEA secretariat for its efforts to enhance the effectiveness, efficiency and transparency of the IAEA Technical Cooperation Programme and to ensure the continuing relevance of the programme to the changing circumstances and needs of recipient IAEA member States. In this context, the Group stresses the importance for technical cooperation of the IAEA Medium-Term Strategy, which seeks to promote the major priorities of each recipient, through model project standards and expanded use of country programme frameworks and thematic plans as well as through ensuring Government commitment as a prerequisite for such cooperation. The Group recommends that IAEA continue taking this objective, and the needs of developing countries, notably least developed countries, into account when planning its future activities.

12. Technical cooperation activities can only be properly assured in the long term when the financial requirements for all statutory activities of IAEA are fully met. In this context, the Vienna Group stresses the importance of IAEA resources for technical cooperation activities being assured, predictable and sufficient to meet the objectives mandated by article IV, paragraph 2, of the Treaty and article II of the IAEA statute, and urges all IAEA member States to make every effort to contribute to the IAEA Technical Cooperation Fund as well as to honour their obligations to pay their assessed programme costs, as well as any arrears of national participation costs.

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29 March 2010

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Article III and the fourth and fifth preambular paragraphs, especially in their relationship to article IV and the sixth and seventh preambular paragraphs (physical protection and illicit trafficking)

Working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden ("the Vienna Group of Ten")

Draft review language

1. The Conference underlines the paramount importance of effective physical protection of nuclear material and nuclear facilities and the need for all States to maintain the highest standards of physical protection. The Conference calls on all States to apply, as appropriate, the recommendations on the physical protection of nuclear material and nuclear facilities contained in International Atomic Energy Agency (IAEA) document INFCIRC/225/Rev.4 (Corrected) and in other relevant international instruments at the earliest possible date.

2. The Conference emphasizes the important role of IAEA in the global efforts to improve the global nuclear security framework and to promote its implementation. The Conference welcomes the work being undertaken by IAEA in developing the Nuclear Security Series, including the revision of INFCIRC/225/Rev.4. The Conference acknowledges the important contribution of IAEA in assisting States in meeting appropriate security standards and calls on States to take full advantage of the Agency's advisory services in that regard.

3. The Conference welcomes the adoption by consensus, at the conference held in Vienna in July 2005, of an important 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 object and purpose of the amendment until such time

as it enters into force. The Conference calls on all States that have not yet done so to adhere to the Convention and adopt the amendment as soon as possible.

4. The Conference recognizes the non-proliferation and security benefits of the minimization of the use of highly enriched uranium in civilian applications and welcomes the efforts of IAEA to assist countries which, on a voluntary basis, have chosen to take steps to minimize the use of highly enriched uranium in civilian nuclear applications.

5. The Conference welcomes the work of IAEA in support of the efforts of States parties to combat illicit trafficking of nuclear materials and other radioactive substances. The Conference welcomes IAEA activities undertaken to provide for the 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. 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 in a position to do so to work to enhance international partnerships and capacity-building in this regard.

6. The Conference welcomes the entry into force on 7 July 2007 of the International Convention for the Suppression of Acts of Nuclear Terrorism as the thirteenth multilateral legal instrument dealing with terrorism and urges all States that have not yet done so to become party to the Convention as soon as possible. The Conference also welcomes the establishment of the Global Initiative to Combat Nuclear Terrorism, which aims at developing a partnership capacity to combat nuclear terrorism on a determined and systematic basis, consistent with obligations under relevant international legal frameworks.

Annex

Working paper: physical protection and illicit trafficking

1. The Vienna Group of Ten (hereafter "the Vienna Group") notes that article III of the Treaty is designed to detect and prevent the diversion of nuclear material, equipment and technology. This relates to not only diversion at the State level but also diversion to individuals or subnational groups. The Group notes in this regard that physical protection and measures to combat illicit trafficking are parts of a national system of nuclear security, the existence of which should be made a precondition for transfers of nuclear material, sensitive equipment or technology.

2. The Vienna Group emphasizes the important role of IAEA in the global efforts to improve the global nuclear security framework and to promote its implementation. In continuing and strengthening this function, IAEA should take an active role in facilitating effective cooperation and coordination at the international and regional levels. The Group welcomes the stated intention of IAEA to establish a comprehensive set of nuclear security guidelines and recommendations and the work currently being undertaken by IAEA in developing the Nuclear Security Series. The Group acknowledges the important contribution of IAEA in assisting States in meeting appropriate security standards and calls on States to take full advantage of the IAEA advisory services in that regard, including the IAEA International Physical Protection Advisory Service and the establishment of Integrated Nuclear Security Support Plans.

3. The Vienna Group underlines the paramount importance of effective physical protection of nuclear material and nuclear facilities and the need for all States to maintain the highest standards of physical protection. The Group calls on all States to apply, as appropriate, the recommendations on the physical protection of nuclear material and nuclear facilities contained in IAEA document INFCIRC/225/Rev.4 (Corrected) and in other relevant international instruments at the earliest possible date. The Group looks forward to the revision of INFCIRC/225/Rev.4 (Corrected) in order to harmonize it with the 8 July 2005 amendment to the Convention on the Physical Protection of Nuclear Material and to take into account other recent international nuclear security commitments, including Security Council resolution 1540 (2004), the International Convention for the Suppression of Acts of Nuclear Terrorism and the IAEA Nuclear Security Series. The Group welcomes the ongoing work to revise INFCIRC/225/Rev.4.

4. The Vienna Group welcomes new accessions to the Convention on the Physical Protection of Nuclear Material, noting that Security Council resolution 1373 (2001) calls on all States to accede to the Convention. The Group welcomes the adoption by consensus, at the Conference held in July 2005 in Vienna, of an important amendment to the Convention, which substantially strengthens the Convention, extending its scope to cover the physical protection of nuclear facilities and the domestic transport, storage and use of nuclear material, thereby strengthening the global nuclear security framework. The amendment requires States parties to have effective and appropriate domestic security regimes for nuclear materials and nuclear facilities, including to protect against sabotage. It provides for the mitigation of the radiological consequences of sabotage and expanded cooperation between and among States regarding rapid measures to locate and recover stolen or smuggled nuclear material. The Group 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 object and purpose of the amendment until such time as it enters into force. The Group calls on all States that have not yet done so to adhere to the Convention and adopt the amendment as soon as possible. The Group notes that continued and enhanced efforts are needed to provide for the full and effective implementation of the Convention.

5. The Vienna Group welcomes the approval by the IAEA Board of Governors of the Code of Conduct on the Safety and Security of Radioactive Sources and supports the subsequent adoption by the Board of a comprehensive action plan for its implementation. The Group welcomes the approval by the IAEA Board of Governors of the Guidance on the Import and Export of Radioactive Sources and recalls that the IAEA General Conference has encouraged States to act in accordance with the Guidance on a harmonized basis. The Group calls upon all States parties to make a political commitment to the Code and the Guidance and subsequently implement them.

6. The Vienna Group recognizes the non-proliferation and security benefits of the minimization of the use of highly enriched uranium in civilian applications, including the conversion of civilian research reactors to low-enriched uranium fuel. The Group welcomes the efforts of IAEA to assist countries which, on a voluntary basis, have chosen to take steps to minimize the use of highly enriched uranium in civilian nuclear applications.

7. The Vienna Group notes with serious concern the revelations that emerged in 2004 about illicit trade in highly sensitive nuclear equipment and technology, brought to the attention of IAEA member States by the Director General reports to the Board of Governors. The Group fully endorses the call of the Director General for full cooperation from all IAEA member States in identifying the supply routes and sources of the technology, related equipment and nuclear and non-nuclear materials. The Group recognizes the increased need for all States to reinforce their efforts on improving existing control mechanisms.

8. The Vienna Group welcomes the work of IAEA in support of efforts of States parties to combat illicit trafficking of nuclear materials and other radioactive substances. The Vienna Group welcomes IAEA efforts to assist IAEA member States in strengthening their regulatory control on the applications of radioactive materials, including the Agency's International Catalogue of Sealed Radioactive Sources and Devices. The Group also welcomes IAEA activities undertaken to provide for the enhanced exchange of information, including the continued maintenance of its illicit trafficking database. The Group 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.

9. The Vienna Group notes that continued efforts to enhance the prevention of terrorist acts, as well as the physical protection and accountability of nuclear and other radioactive material in nuclear and non-nuclear use, and in storage and transport, throughout their life cycle, in a comprehensive and coherent manner, should be priorities for strengthening nuclear security. The Group calls for the acceleration of efforts to develop and implement a fully effective global nuclear security framework based on prevention, detection and response.

10. The Vienna Group expresses its deep satisfaction at the entry into force on 7 July 2007 of the International Convention for the Suppression of Acts of Nuclear Terrorism as the thirteenth multilateral legal instrument dealing with terrorism and urges all States that have not yet done so to become party to the Convention as soon as possible, noting that the Convention is an important addition to international defences against nuclear terrorism.

11. The Vienna Group notes that in its resolution 1540 (2004), the Security Council requires all States to establish appropriate effective controls over materials related to nuclear weapons and their means of delivery, and to this end, to establish appropriate effective physical protection measures, and appropriate effective border controls and law enforcement efforts, to detect, deter, prevent and combat illicit trafficking and brokering in nuclear-weapon-related materials. The requirements of Security Council resolution 1540 (2004) are reiterated in Security Council resolutions 1673 (2006) and 1810 (2008), which emphasize the importance of all States fully implementing resolution 1540 (2004).

12. The Vienna Group further notes the relevant provisions of Security Council resolution 1887 (2009), which, inter alia, calls for universal adherence to the Convention on the Physical Protection of Nuclear Material and its 2005 amendment, reaffirms the need for full implementation of resolution 1540 (2004) and calls on States to share best practices with the aim of securing all vulnerable nuclear material, manage responsibly and minimize the use of highly enriched uranium for civilian purposes and improve national capabilities to detect, deter and disrupt illicit trafficking in nuclear materials.

13. The Vienna Group welcomes the continued contributions made by the Group of Eight Global Partnership against the Spread of Weapons and Materials of Mass Destruction to enhancing the physical protection of nuclear facilities and material in the former Soviet Union. The Group likewise welcomes the contribution of the Global Threat Reduction Initiative in reducing and protecting vulnerable nuclear and radiological materials located at civilian sites worldwide.

14. The Vienna Group welcomes the establishment of the Global Initiative to Combat Nuclear Terrorism, which aims at developing partnership capacity to combat nuclear terrorism on a determined and systematic basis, consistent with obligations under relevant international legal frameworks, such as the International Convention for the Suppression of Acts of Nuclear Terrorism and the Convention on the Physical Protection of Nuclear Material and Nuclear Facilities as amended in 2005. The Group welcomes IAEA participation as an observer in the Initiative and encourages IAEA to continue to play a constructive role in this and other international nuclear-security-related initiatives.

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

Working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden ("the Vienna Group of Ten")

Draft review language

The Review Conference:

1. *Affirms* the important contribution of the Treaty on the Non-Proliferation of Nuclear Weapons to global security and its effectiveness in preventing nuclear proliferation;

2. *Underlines* the importance of building and maintaining confidence in the peaceful nature of nuclear activities in non-nuclear-weapon States and, in this regard, calls on all States to submit all relevant nuclear material and activities, both current and future, to International Atomic Energy Agency (IAEA) safeguards; ___,

3. *Calls for* the universal application of IAEA safeguards in all States parties in accordance with the provisions of the Treaty, and urges those States parties which have not yet done so to conclude and bring into force comprehensive safeguards agreements;

4. *Recognizes* that IAEA safeguards are a fundamental element of the nuclear non-proliferation regime and play an indispensable role in the implementation of the Treaty, recognizes also that the Agency is the sole competent authority responsible for verifying compliance with its safeguards agreements undertaken in fulfilment of article III (1) of the Treaty, reaffirms in this context the importance of acceptance of a comprehensive safeguards agreement with an

additional protocol so that IAEA can provide credible assurance regarding the non-diversion of declared nuclear material and the absence of undeclared nuclear material and activities, welcomes the efforts of the Agency to strengthen safeguards to increase the its ability to detect undeclared activities, and supports the implementation of such measures;

5. *Also recognizes* the additional protocol as an integral part of the IAEA safeguards system, affirms that a comprehensive safeguards agreement, together with an additional protocol, represents the verification standard pursuant to article III (1) 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;

6. *Further recognizes* the need for the Agency to further facilitate and assist States parties in the conclusion and entry into force of safeguards agreements and additional protocols, and welcomes efforts to implement a plan of action to encourage wider adherence to the safeguards system;

7. *Urges* all States to cooperate fully with IAEA in implementing safeguards agreements and in expeditiously addressing anomalies, inconsistencies and questions identified by the Agency to inform annual safeguards conclusions with respect to the correctness and completeness of declarations of States parties;

8. *Welcomes* the important work being undertaken by IAEA in the conceptualization and development of State-level approaches to safeguards implementation and evaluation, and the implementation of State-level integrated safeguards approaches;

9. *Underscores* the mandate of the Security Council, in accordance with the Charter of the United Nations, to ensure and uphold compliance with the Treaty and with safeguards agreements and to take appropriate measures in cases of non-compliance with the Treaty and with safeguards agreements when notified by IAEA of non-compliance;

10. *Notes* that in order to draw well-founded safeguards conclusions, IAEA needs to receive early design information in accordance with the 1992 decision of the IAEA Board of Governors,[1] and stresses the need for all non-nuclear-weapon States parties to provide this information to the Agency on a timely basis.

[1] GOV/2554/Att.2/Rev.2.

Annex

Working paper: compliance and verification

1. The Vienna Group of Ten (hereafter "the Vienna Group") stresses the important contribution of the Treaty to global security and its undoubted effectiveness in preventing nuclear proliferation. Including through the compliance and verification procedures it mandates, the Treaty plays a unique role in fostering the necessary framework of mutual confidence in the solely peaceful use of nuclear energy by States parties. In this context, the Group places great importance on the universalization of the Treaty and encourages those remaining States which have not acceded to the Treaty to do so as soon as possible.

2. The Vienna Group underlines that an effective and credible non-proliferation regime is essential for achieving a world free of nuclear weapons. The Group, therefore, underlines the importance of all States parties demonstrating strong commitment to the Treaty, not least in the face of revelations of non-compliance.

3. The Vienna Group expresses the understanding that the Treaty confers a set of interrelated and mutually reinforcing obligations and rights on States parties. Accountability is a key element of the Treaty regime, which can be made stronger and more transparent through adherence by all States parties to the strengthened safeguards system, pursuant to article III of the Treaty, in order to provide assurances of compliance with article II, and to create the stable international environment necessary to allow for the full realization of article IV.

4. The Vienna Group notes that meeting current and potential compliance challenges are key tasks for the NPT strengthened review process. These challenges pose a significant test for the Treaty, and need to be met firmly by upholding the Treaty's integrity and reinforcing the authority of the safeguards system of IAEA. The Group notes that intense international concern about nuclear weapons proliferation, including potentially to non-State actors, has added to the importance of the Treaty-based nuclear non-proliferation regime.

5. The Vienna Group affirms the fundamental importance of full compliance with all the provisions of the Treaty, including with relevant safeguards agreements and subsidiary arrangements. It notes that the integrity of the Treaty depends upon full respect by States parties for their obligations under the Treaty and those deriving from the Treaty. The Group reaffirms the statutory role of the Board of Governors and the Director General of IAEA in relation to compliance by States with safeguards agreements, and underscores the importance of the Agency's access to the Security Council and to other relevant organs of the United Nations, particularly though not exclusively in cases of non-compliance. In this regard the Vienna Group supports the encouragement of the former Secretary-General to the Security Council to regularly invite the Director General of IAEA to brief the Council on the status of safeguards and other relevant verification processes. The group underscores the mandate of the Security Council, in accordance with the Charter of the United Nations, to ensure and uphold compliance with the Treaty and with safeguards agreements, and to take appropriate measures in cases of non-compliance with the Treaty and with safeguards agreements when notified of non-compliance by IAEA. Further, the Group recalls Security Council resolutions 1540 (2004), 1673 (2006), 1810 (2008) and 1887 (2009), in which the Council reaffirmed that the proliferation of nuclear weapons constitutes a threat to international peace and security.

6. The Vienna Group notes that any State party which does not comply with its obligations under the Treaty isolates itself through its own actions from the benefits of constructive international relationships, and from the benefits which accrue from adherence to the Treaty, including cooperation in the peaceful uses of nuclear energy, until it enters into full compliance.

7. The Vienna Group reaffirms its conviction that IAEA safeguards provide assurance that States are complying with their non-proliferation undertakings, and are the mechanism for States to demonstrate such compliance, and in this regard notes that the vast majority of States parties are in compliance with their Treaty obligations. The Group further reaffirms that IAEA safeguards thereby promote further confidence among States and, being a fundamental element of the Treaty, help to strengthen their collective security and to build the confidence essential for enhanced nuclear cooperation among States. It is the conviction of the Group that safeguards play a key role in preventing the proliferation of nuclear weapons and other nuclear explosive devices. Accordingly, IAEA safeguards, which play an indispensable role in ensuring the effective implementation of the Treaty, are an important, integral part of the international regime for nuclear non-proliferation.

8. The Vienna Group calls for the universal application of IAEA safeguards in all States parties in accordance with the provisions of the Treaty. The Group notes that since the 2005 Review Conference, an additional 15 comprehensive safeguards agreements pursuant to the Treaty have been brought into force, but expresses its deep concern that 22 States have yet to fulfil their respective obligations under the Treaty. The Group therefore urges those States parties which have not yet done so to conclude and bring into force such agreements. In addition, the Group calls on all States to submit all nuclear material and activities, both current and future, to IAEA safeguards.

9. The Vienna Group underlines the importance of building and maintaining confidence in the peaceful nature of nuclear activities in non-nuclear-weapon States. In this respect, it recognizes the importance of the annual safeguards conclusions drawn by IAEA with respect to the correctness and completeness of States' declarations. The Group urges all States to cooperate fully with IAEA in implementing safeguards agreements and in expeditiously addressing anomalies, inconsistencies and questions identified by IAEA with a view to obtaining and maintaining the required conclusions. The Group notes the importance of the full use of all tools at the disposal of IAEA for resolution of safeguards issues.

10. The Vienna Group recalls that article III (1) of the Treaty requires each non-nuclear-weapon State to accept safeguards on all source and special fissionable material in all peaceful nuclear activities. The Group recognizes that a State's comprehensive safeguards agreement (based on document INFCIRC/153 (Corrected)) embodies the obligation for the State to provide the required declarations to IAEA as well as the Agency's right and obligation to implement safeguards and to verify that the declarations are both correct and complete. The Group further reaffirms that IAEA, as the competent authority designated under article III to apply safeguards, verifies the correctness and completeness of a State's declarations with a view to providing assurances of the non-diversion of declared nuclear material and of the absence of undeclared nuclear material and activities.

11. While recognizing the value of a comprehensive safeguards agreement in providing measures for verifying the non-diversion of declared nuclear material, the

Vienna Group is conscious that such measures are not sufficient for the Agency to provide credible assurances regarding the absence of undeclared nuclear material and activities. The Group therefore considers that it is necessary for a comprehensive safeguards agreement to be supplemented by an additional protocol based on document INFCIRC/540 (Corrected). The Group fully endorses the measures contained in the model additional protocol, noting that the implementation of an additional protocol provides increased confidence about a State's compliance with article II of the Treaty. In this regard, the Group recognizes the additional protocol 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 pursuant to Article III (1) of the Treaty.

12. The Vienna Group notes the view expressed by some States that the additional protocol is voluntary in character. The Group acknowledges that it is the sovereign right of any State to decide to conclude an additional protocol, which, once in force, is a legally binding instrument. The Group further notes that under article III of the Treaty, each non-nuclear-weapon State party to the Treaty undertakes to accept safeguards in accordance with the statute of IAEA and the Agency's safeguards system for the purpose of verification of the fulfilment of its obligations assumed under the Treaty. The Group considers that both a comprehensive safeguard agreement and an additional protocol, which is an integral part of the Agency's safeguards system, are necessary to properly meet this requirement. The Group affirms that a comprehensive safeguards agreement together with an additional protocol represents the verification standard pursuant to article III (1) of the Treaty.

13. The Vienna Group notes that 128 States have signed additional protocols, and that such protocols are in force for 95 States. Thus, a majority of States have accepted the verification standard. The Group therefore urges all States parties which have not yet done so to conclude and to bring into force an additional protocol as soon as possible.

14. The Vienna Group recognizes the need for IAEA to further facilitate and assist States parties in the conclusion and entry into force of safeguards agreements and additional protocols. In this regard, the Group welcomes the efforts of the IAEA secretariat and a number of IAEA member States to implement a plan of action to encourage wider adherence to the safeguards system, including the promotion of universal adherence to the additional protocol, through a number of outreach activities such as the organization of regional seminars.

15. The Vienna Group notes the conclusion reached in June 2005 by the IAEA Board of Governors that the Small Quantities Protocol, which held in abeyance certain provisions of the comprehensive safeguards agreement for qualifying States, constituted a weakness in the safeguards system. The Group further notes the decisions of the IAEA Board of Governors in 2005 to modify the standard text of the small quantities protocol and change the eligibility criteria for a small quantities protocol. The Group calls on all States that have signed small quantities protocols which have not already done so to take the steps necessary to adopt the revised small quantities protocol without delay. The Group urges States that have signed small quantity protocols that are planning to acquire nuclear facilities or to otherwise exceed the criteria of the revised small quantities protocol to rescind their small quantities protocols and to resume full application of the provisions of the comprehensive safeguards agreement without delay. The Group further urges all

States with small quantities protocols to bring into force an additional protocol in order to provide maximum transparency.

16. The Vienna Group notes that pursuant to article 7 of a comprehensive safeguards agreement, State parties shall establish and maintain a system of accounting for and control of nuclear material subject to safeguards under the agreement. The Group recognizes the importance of an effective State and/or regional system of accounting for and control of nuclear material to the effective and efficient implementation of safeguards. The Group urges all States parties to ensure that their respective State and/or regional systems cooperate fully with the secretariat of IAEA and requests the secretariat to continue to assist States with small quantities protocols, including non-members of the Agency, through available resources, in the establishment and maintenance of an effective State system of accounting.

17. The Vienna Group welcomes the important work being undertaken by IAEA in the conceptualization and the development of State-level approaches to safeguards implementation and evaluation. The Group also welcomes the implementation of State-level integrated safeguards approaches by IAEA, which results in a system for verification that is more comprehensive, as well as more flexible and effective, than other approaches. The Group welcomes the implementation by IAEA of integrated safeguards in 36 States (and in Taiwan Province of China), including several with nuclear power plants. Attention needs to be drawn, however, to the fact that States parties must have both a comprehensive safeguards agreement and an additional protocol in place for IAEA to be able to make full use of this improved safeguards system. Implementation of the integrated system can only proceed after an additional protocol has entered into force and IAEA has drawn the broad safeguards conclusion essential to enable implementation.

18. The Vienna Group notes that in order to draw well-founded safeguards conclusions, IAEA needs to receive early design information in accordance with the 1992 decision of the IAEA Board of Governors (see GOV/2554/Att.2/Rev.2) to determine, whenever appropriate, the status of any nuclear facilities, and to verify, on an ongoing basis, that all nuclear material in non-nuclear-weapon States is placed under safeguards. The Group stresses the need for all non-nuclear-weapon States parties to provide this information to the Agency on a timely basis.

Enclosure

1. The Vienna Group underlines that the nuclear weapons programmes of the Democratic People's Republic of Korea remain a serious challenge to the international nuclear non-proliferation regime as well as to peace and stability in the Korean peninsula and beyond. The Vienna Group takes note of the expressions of grave concern by States parties concerning the actions of the Democratic People's Republic of Korea, deeply regrets its announcement of withdrawal from the Treaty and condemns the nuclear tests carried out by the Democratic People's Republic of Korea in October 2006 and May 2009. We call upon the Democratic People's Republic of Korea to comply with the Security Council resolutions, to return to the six party talks, to honour its commitments under the talks and to recommit itself to the Treaty.

2. The Vienna Group takes note of concerns regarding the failure of the Islamic Republic of Iran to establish confidence in the peaceful nature of its nuclear activities and notes the assertion of the Director General of IAEA that unless the Islamic Republic of Iran implements the additional protocol and, through substantive dialogue, clarifies the outstanding issues to the satisfaction of the Agency, the Agency will not be in a position to provide credible assurance about the absences of undeclared nuclear material and activities in the country. Given the past failures of the Islamic Republic of Iran to declare fully its nuclear activities, and the 2005 finding of the Board of Governors of the country's non-compliance with its obligation, the Vienna Group affirms that the establishment of confidence in the nuclear programme of the Islamic Republic of Iran requires not only assurances of the non-diversion of declared nuclear material, but equally importantly, of the absence of undeclared nuclear material and activities.

3. The Vienna Group endorses the elements outlined in all relevant IAEA resolutions and calls on the Islamic Republic of Iran to fully implement its NPT safeguards agreement, including its modified code 3.1 obligations as they were agreed between the country and the Agency, and bring into force and fully implement its additional protocol and all other transparency and access measures requested by the Director General of IAEA. The Group expresses serious concern at the continuing uranium enrichment activities of the Islamic Republic of Iran, in defiance of the resolutions of both the IAEA Board of Governors and the Security Council. The Group urges the Islamic Republic of Iran to extend full and prompt cooperation to IAEA.

4. The Vienna Group notes the ongoing IAEA inquiry into nuclear activities in the Syrian Arab Republic, including those related to an alleged nuclear reactor destroyed by Israel in September 2007. The Group regrets the physical circumstances in which IAEA began its investigation of the matter. In view of the serious implications of the issues for the integrity of safeguards obligations of the Syrian Arab Republic, the Group fully supports the efforts of the Director General to further investigate the situation and urges the Syrian Arab Republic to cooperate fully with IAEA in resolving this matter.

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

5 April 2010
English
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New York, 3-28 May 2010

A shared vision for nuclear power development and international nuclear energy cooperation

Working paper submitted by the Russian Federation and the Republic of Belarus

1. Our countries reaffirm their commitment to the goals of the Treaty on the Non-Proliferation of Nuclear Weapons in all of its three pillars: non-proliferation, disarmament and the peaceful uses of nuclear energy.

2. We respect 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 and II of the Treaty. We share the view of States that consider nuclear power to be an important contributor to enhanced energy security, economical and social development and the mitigation of climate change.

3. At the same time, steps must be taken to ensure that the increased use of nuclear materials and technologies and the development of civil nuclear power take place within the global non-proliferation regime and meet the highest non-proliferation standards.

4. The nuclear fuel cycle poses specific proliferation risks, which should be minimized without prejudice to the rights of States under article IV of the Treaty.

5. The widespread promotion and practical implementation of multilateral approaches to the nuclear fuel cycle could reduce proliferation risks while also strengthening energy security and ensuring that all interested States have optimal and economically attractive access to the nuclear fuel required by their power reactors.

6. We share the view that any such mechanism should be apolitical and non-discriminatory, and should be accessible to all States that are in compliance

with their non-proliferation obligations. Furthermore, it should not require a State to renounce its rights regarding the development of any stage of the nuclear fuel cycle.

7. We note the importance of the Russian initiative to create multinational centres providing nuclear fuel cycle services and, as the first step in its implementation, to establish an International Uranium Enrichment Centre in Angarsk. States participating in the Centre will have guaranteed access to enrichment services to meet their nuclear fuel needs. We also welcome the decision taken by the International Atomic Energy Agency (IAEA) Board of Governors in November 2009 to approve the agreement between the Russian Federation and IAEA to establish a reserve of low enriched uranium (LEU) for the supply of LEU to IAEA for the needs of its member States, and also the model agreement between IAEA and the Governments of member States for the supply of LEU for the operation of specific nuclear power plants.

8. We firmly believe that the internationalization of the nuclear fuel cycle and mechanisms of guaranteed nuclear fuel supply will help to establish new proliferation-resistant architecture for international nuclear energy cooperation.

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

9 April 2010

Original: English

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Note verbale dated 8 April 2010 from the Permanent Missions of Australia and Japan to the United Nations addressed to the President of the Conference

The Permanent Missions of Australia and Japan to the United Nations present their compliments to the President of the 2010 Review Conference and have the honour to transmit herewith the text entitled "A new international consensus on action for nuclear disarmament", proposed by the International Commission on Nuclear Non-proliferation and Disarmament, analogous to the thirteen practical steps from the Final Document of the 2000 Review Conference (see annex).

The Permanent Missions of Australia and Japan to the United Nations have the further honour to advise that the Commission was launched as a joint initiative of the Governments of Australia and Japan in September 2008. The Commission is an independent enterprise, composed of 15 Commissioners worldwide, including Co-Chairs Gareth Evans and Yoriko Kawaguchi. On 15 December 2009, the Co-Chairs presented the report of the Commission to Prime Ministers Kevin Rudd and Yukio Hatoyama in Tokyo as the consensus outcome of the activities of the Commission.

The Permanent Missions of Australia and Japan to the United Nations request that the present note and its annex be circulated as a working paper of the 2010 Review Conference.

10-45151

Annex

Report of the International Commission on Nuclear Non-proliferation and Disarmament

A new international consensus on action for nuclear disarmament

Box 16-1 of the Report of the International Commission on Nuclear Non-proliferation and Disarmament

The States party to the Nuclear Non-Proliferation Review Conference in May 2010 to agree:

On the Objective: A World Free of Nuclear Weapons

1. To reaffirm the unequivocal undertaking by 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.

2. On the need for nuclear-armed States not party to the Nuclear Non-Proliferation Treaty to make a similar undertaking to accomplish ultimately the total elimination of their nuclear arsenals, and to acknowledge the universal and binding nature of the norms against testing, acquisition, and use or threat of use of nuclear weapons otherwise than for defence against nuclear attack.

On Key Building Blocks: Banning Testing and Limiting Fissile Material

3. On the importance and urgency of signatures and ratifications, without delay and without conditions and in accordance with constitutional processes, to achieve the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty.

4. On a continuing moratorium on nuclear-weapon-test explosions or any other nuclear explosions pending entry into force of that Treaty.

5. On the need to maintain and increase support for the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization in further developing the treaty verification regime.

6. On the need to negotiate to an early conclusion in the Conference on Disarmament a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices.

7. On the need for all nuclear-weapon States, and other nuclear-armed states, to declare or maintain a moratorium on the production of fissile material for weapon purposes pending the conclusion of this treaty.

8. On the need for nuclear-weapon States and other nuclear-armed States to make arrangements to place fissile material designated by each of them as no longer required for military purposes under IAEA or other relevant international verification and arrangements for the disposition of such material for peaceful purposes.

The full text of *Eliminating Nuclear Threats: A Practical Agenda for Global Policymakers,* Report of the International Commission on Nuclear Non-proliferation and Disarmament, Co-chairs Gareth Evans and Yoriko Kawaguchi (November 2009), is available at www.icnnd.org

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On Specific Steps toward Nuclear Disarmament

9. On the need for nuclear-weapon States, and other nuclear-armed states, to make an early commitment to not increasing their nuclear arsenals, and take whatever steps are necessary, unilaterally, bilaterally or multilaterally, to achieve nuclear disarmament, in a way that promotes international stability and is based on the principle of undiminished security for all.

10. On the need to set as an interim objective the achievement in the medium term, as soon as possible and no later than 2025, of a world in which:

    (a) the number of all nuclear weapons, of whatever size, role or deployed status, is reduced to a small fraction of those in existence in 2010;

    (b) the doctrine of every State with nuclear weapons is firmly committed to no first use of them, on the basis that their sole remaining purpose is to deter the use of nuclear weapons by others; and

    (c) the deployment and launch-alert status of those weapons is wholly consistent with that doctrine.

11. On the particular need for leadership from, and cooperation between, those nuclear-weapon States which possess the greatest numbers of nuclear weapons in agreeing early on deep reductions, and making sustained efforts to continue such reductions for all classes of weapons.

12. On the need for all the nuclear-weapon States, and other nuclear-armed States, to make further efforts to reduce their nuclear arsenals, and act early to prepare the ground – through studies, strategic dialogues with each other, and preparatory work in the Conference on Disarmament – for a multilateral disarmament process.

13. On the need for the nuclear-weapon States, and other nuclear-armed States, to accept and announce as soon as possible a diminishing role for nuclear weapons in their security policies to minimize the risk that these weapons will ever be used and to facilitate the process of their total elimination.

14. On the need for the nuclear-weapon States, and other nuclear-armed States, to as soon as possible give unequivocal negative security assurances, endorsed by the UN Security Council, that they will not use nuclear weapons against non-nuclear-weapon States not determined by the Security Council to be in non-compliance with the Nuclear Non-Proliferation Treaty.

15. On the need for the nuclear-weapon States, and other nuclear-armed states, to take concrete measures in relation to the operational status of nuclear weapons systems to the extent possible at each stage of the disarmament process, in particular to lengthen launch decision times and to generally reduce the risk of accident or miscalculation.

On Transparency

16. On the need for increased transparency by the nuclear-weapon States, and other nuclear-armed States, with regard to nuclear weapons capabilities, in the implementation of arms control agreements and as a voluntary confidence-building measure to support further progress on nuclear disarmament.

On Accountability

17. To all States with significant nuclear programs making regular reports, to the relevant United Nations organs and within the framework of the strengthened review process for the Nuclear Non-Proliferation Treaty, on the implementation of their disarmament and non-proliferation obligations and programs including, in the case of nuclear-weapon States and other nuclear-armed States, on their nuclear arsenals, fissile material not required for military purposes, and delivery vehicles.

On Verification

18. To further study and development of the 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.

On Irreversibility

19. To the principle of irreversibility applying to nuclear disarmament, non-proliferation and other related arms control and reduction measures.

On General and Complete Disarmament

20. To reaffirm that the ultimate objective of the efforts of States in the disarmament process is general and complete disarmament under effective international control.

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

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Working paper submitted by Algeria

Nuclear disarmament

I. Introduction

1. Nuclear weapons continue to pose the most serious threat to mankind and to the survival of civilization. The Treaty on the Non-Proliferation of Nuclear Weapons is the appropriate framework, agreed by the international community, for containing that threat.

2. The Treaty is an instrument that is essential to collective security. It is the cornerstone of the nuclear non-proliferation and disarmament regime which provides a framework for preventing the proliferation of nuclear weapons and achieving their complete elimination.

3. The Treaty includes commitments and mutual rights that rest on three fundamental, complementary and interdependent pillars: nuclear disarmament, non-proliferation and the right to the peaceful use of nuclear energy. Full implementation of all its provisions is essential to its credibility and authority. To that end, it is essential for all States parties, regardless of their status, to fulfil all their agreed obligations and all the commitments assumed within the framework of the Treaty and its review process.

4. The 2010 Review Conference takes place at a time of renewed interest in multilateral diplomacy and rebirth of the "zero option" for nuclear weapons, which views the elimination of nuclear weapons as the only way to put a lasting end to proliferation.

5. The Conference should use this impetus to strengthen, in practice, the Treaty's authority, effectiveness and relevance as the cornerstone of the nuclear non-proliferation and disarmament regime. In that regard, it is important for States parties to undertake an objective review of threats and challenges and to take practical measures capable of ensuring comprehensive, balanced implementation of all the obligations and commitments arising therefrom, including the outcomes of the 1995 and 2000 Review Conferences and the universality of the Treaty.

6. The Treaty's authority, like that of any international disarmament and non-proliferation instrument, relies on the sense of security and the climate of trust that it gives the parties. Thus, the Conference should address the interests and security concerns of all States parties and groups of States parties and should promote undiminished security for all. The goal, in fact, is to adopt a set of practical measures and make collective, agreed commitments as part of a comprehensive approach capable of strengthening the nuclear non-proliferation regime, making progress towards nuclear disarmament, promoting the right to the peaceful use of nuclear energy and establishing the conditions for a climate of trust and détente.

7. Any selective approach that seeks to upset the balance among the three pillars on which the Treaty rests or to discriminate among States' interests threatens to compromise the credibility and authority of the Treaty.

8. Algeria remains convinced that the promotion of international cooperation in disarmament affairs is an essential requirement for more widespread security and prosperity. Multilateralism remains the best way to reach a shared understanding of collective security in order to establish a more stable and predictable international order, an international order based not on the law of the strongest, but on the rule of law. The current international situation reminds us that no country, however powerful, can protect its territory or preserve its interests by force of arms alone.

II. Nuclear disarmament

9. Nuclear disarmament is an essential element of the Treaty and, indeed, its raison d'être. It is an obligation, not a choice, which arises from article VI of the Treaty, under which all States parties undertook to "pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament". This obligation was confirmed by the International Court of Justice in its July 1996 advisory opinion, which explicitly affirmed the existence of an "obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control". It is an obligation both of means and of results, as stated by the President of the Court in 1996: "there is in fact a twofold *general obligation*, opposable *erga omnes*, to negotiate in good faith and to achieve the desired result".

10. In this regard, in principle 4 of the decision on the principles and objectives for nuclear non-proliferation and disarmament, the States parties, and specifically the nuclear-weapon States, reaffirmed their commitment, as stated in article VI, to pursue in good faith negotiations on effective measures relating to nuclear disarmament. They also reaffirmed their commitment to the determined pursuit of systematic and progressive efforts to reduce nuclear weapons globally with the ultimate goal of eliminating them in the full realization of article VI.

11. Moreover, at the 2000 Conference, the States parties agreed on a number of specific measures — the 13 practical steps — as part of their systematic and progressive efforts to implement article VI of the Treaty, as well as paragraphs 3 and 4 (c) of the 1995 decision on the principles and objectives for nuclear non-proliferation and disarmament.

12. Virtually all of the disarmament commitments made at the Treaty Review Conferences have gone unmet owing to the selective interpretations and approaches adopted since 2000, which focus on proliferation risks.

13. The nuclear-weapon States have unilaterally or bilaterally reduced their nuclear arsenals. However, it must be said that these reductions still fall short of the criteria of verifiability, transparency and irreversibility. Furthermore, the effect of these reductions has been undermined by the impressive number of nuclear weapons stockpiles that continue to exist and by the development, since 2000, of nuclear doctrines that rely increasingly on nuclear weapons to ensure national security or serve the "vital interests" of the States concerned.

14. Thus, while the risk of mutual annihilation may have diminished with the end of the cold war, the nuclear threat is as grave as ever owing to the security concerns raised by the development of nuclear doctrines, the improvements in nuclear weapons, the modernization of nuclear arsenals, the increasing role of these weapons in defence policies and the development of nuclear doctrines that lower the threshold for the use of such weapons and authorize their use, even against non-nuclear-weapon States. In addition, some nuclear-weapon States are seeking to impose conditions on nuclear disarmament. This trend, which is contrary to the obligations and commitments assumed, is not conducive to non-proliferation, let alone disarmament.

15. The nuclear-weapon States have a particular responsibility to contain the nuclear threat that can ultimately be discharged only through the complete elimination of these weapons.

16. In that regard, the nuclear-weapon States will need to reaffirm their commitment to resolute action and their firm will to meet their obligations under the Treaty and, in particular, their obligation under article VI to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race and to disarmament.

17. In that context, the 2010 Conference should urge States to act on the commitments made at the 1995 Review and Extension Conference and to implement the measures taken at the 2000 Conference, including the 13 practical steps and, in particular, the unequivocal commitment of these States to achieving the complete elimination of their nuclear weapons, and therefore nuclear disarmament. It should also urge them to take other practical measures as part of their systematic and progressive efforts to reduce and eliminate nuclear weapons.

18. Algeria welcomes the conclusion of the New Strategic Arms Reduction Treaty (START) between the United States of America and the Russian Federation. It should be emphasized that such measures would have a greater impact if they stemmed from a desire to make progress towards genuine nuclear disarmament beyond the mere management of nuclear danger. As stated in annex II of the summary of the discussion of the Advisory Board on Disarmament Matters on specific measures that would significantly reduce the risk of nuclear war, "all other attempts to reduce nuclear dangers by deterrence, defence, non-proliferation, physical security and technical controls are attempts at managing, but not eliminating, nuclear dangers" (A/56/400 of 24 September 2001).

19. Thus, the Conference should agree on a plan of action that would include joint measures designed to halt the arms race, reduce nuclear danger and create a climate of trust, and reduce nuclear arsenals in order to bring about the total elimination of nuclear weapons.

20. In taking measures to halt the nuclear arms race, the parties should agree to make the necessary efforts to establish a ban on developing new types of nuclear weapons and producing new nuclear weapons systems. Measures to be taken in this context include the entry into force of the Comprehensive Nuclear-Test-Ban Treaty; the conclusion of a multilateral internationally verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, taking into account nuclear non-proliferation and disarmament; the imposition of a ban on developing new weapons or manufacturing new nuclear weapons systems; and the submission of nuclear-weapons plants to a verification regime.

21. The total elimination of nuclear weapons is the only effective guarantee against the danger they pose. Pending the achievement of this goal, States parties must take measures to create a climate conducive to promoting détente and trust, fostering non-proliferation and facilitating disarmament. To that end, nuclear-weapon States should review their nuclear doctrine with a view to reducing and eliminating the role of nuclear weapons in their defence and security strategies.

22. In that context, nuclear-weapon States should reduce the role of nuclear weapons in defence policies, provide security assurances to non-nuclear-weapon States against the use or threat of use of nuclear weapons, de-alert nuclear weapons and provide for measures to ensure transparency, irreversibility and verification in the disarmament process.

23. Nuclear-weapon States should undertake to progressively reduce the number of nuclear weapons they possess and ultimately eliminate them completely in accordance with legal instruments upholding the criteria of transparency, irreversibility and verification in order to give effect to the principle of "strict and effective international control".

24. In that connection, the Conference should recommend the establishment in the Conference on Disarmament of a subsidiary body to deal with this question and to consider the possibility of negotiating a specific timetable that would help bring about the total elimination of nuclear weapons, including a treaty imposing a total ban on nuclear weapons.

III. Proposals and recommendations

Based on the provisions of the Treaty on the Non-Proliferation of Nuclear Weapons, in particular article VI thereof, and the resolutions and decisions of the 1995 Review and Extension Conference and the Final Document of the 2000 Review Conference, including the 13 practical steps on nuclear disarmament, Algeria is submitting the following recommendations for consideration by the Review Conference:

Principles and objectives of the Treaty

Recommendation 1

Reaffirm that the Non-Proliferation Treaty is the cornerstone of the nuclear non-proliferation and disarmament regime and provides a framework for preventing the proliferation of nuclear weapons and achieving their complete elimination.

Recommendation 2

Reaffirm that the Treaty includes commitments and mutual rights that rest on three fundamental, complementary and mutually reinforcing pillars: nuclear disarmament, non-proliferation and the right to the peaceful use of nuclear energy.

Recommendation 3

Stress that balanced and full implementation of all the provisions of the Treaty is essential to its credibility and authority. To that end, it is essential for all States parties, regardless of their status, to fulfil all their agreed obligations and all the commitments assumed within the framework of the Treaty and the Review Conferences.

Recommendation 4

Reaffirm the need to achieve balanced results in respect of the three pillars of the Treaty and take practical measures capable of ensuring full compliance with all the obligations and commitments arising therefrom, including the outcomes of the 1995 and 2000 Review Conferences and the universality of the Treaty.

Cessation of the arms race and disarmament

Recommendation 5

Reaffirm the responsibility of nuclear-weapon States to take action with a view to fulfilling their obligations under the Treaty and, in particular, under article VI, to pursue negotiations in good faith on effective measures for the cessation of the nuclear arms race and nuclear disarmament.

Recommendation 6

Reaffirm the validity of the commitments undertaken at the 1995 Review and Extension Conference and the measures adopted at the 2000 Review Conference, including the 13 practical steps, in particular, an unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals, leading to nuclear disarmament, and urge nuclear-weapon States to fulfil them effectively.

Recommendation 7

Urge nuclear-weapon States to provide for other practical measures within the framework of systematic and progressive efforts to reduce and eliminate nuclear weapons.

Recommendation 8

Emphasize the multilateral approach to the issue of nuclear disarmament. The Conference on Disarmament should be requested to establish, as part of a programme of work to be agreed by Member States, a subsidiary body that will consider such disarmament.

Recommendation 9

Reaffirm the need to open negotiations over a non-discriminatory, multilateral and internationally verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, pursuant to report CD/1299 and the mandate that it contains. To that end, the Conference on Disarmament should be requested to put in place, as part of a programme of work to be agreed by Member States, a subsidiary body that will initiate negotiations over that treaty.

Recommendation 10

The urgency of the entry into force of the Comprehensive Nuclear-Test-Ban Treaty should be underlined, and those Annex 2 States that have not yet ratified the Treaty should be called upon to do so.

Recommendation 11

Emphasize the importance of prohibiting the development of new nuclear weapons or the production of new nuclear-weapon systems, in conformity with article VI of the Treaty; all nuclear-weapon States should be called upon to take measures to that end.

Recommendation 12

Call upon nuclear-weapon States to make progressive reductions in the number of the nuclear weapons they possess, with a view to the eventual complete elimination of such weapons, in the context of relevant legal instruments.

Reduction of nuclear danger and creation of a climate of trust

Recommendation 13

Underline the importance of the revision by nuclear-weapon States of their doctrines of nuclear deterrence, with a view to creating a climate of trust between States parties that would support the non-proliferation regime and promote nuclear disarmament.

Recommendation 14

Call upon nuclear-weapon States to moderate the role of nuclear arms in their security policies by reducing, inter alia, the operational status of nuclear weapons and removing such weapons from high-alert status.

Recommendation 15

Reaffirm the importance of security guarantees whereby non-nuclear-weapon States are assured against the use or threat of use of nuclear weapons.

Recommendation 16

Call upon nuclear-weapon States to reaffirm undertakings in respect of security guarantees for non-nuclear-weapon States against the use of nuclear weapons, and urge States parties to put in place the conditions necessary for the conclusion of a legally binding international instrument whereby nuclear-weapon States undertake, in all circumstances and whatever the conditions, not to use or threaten to use nuclear arms against non-nuclear-weapon States.

Recommendation 17

Reaffirm the importance of the principles of irreversibility, transparency and the verification of nuclear disarmament, in order to create a climate of trust between States parties and give effect to the principle of strict and effective international control. Nuclear-weapon States should be called upon to adhere to those principles in respect of the disarmament measures that they undertake.

Recommendation 18

Reiterate the importance of reporting to States parties on implementation of article VI and paragraph 4 (c) of the 1995 Decision on Principles and Objectives for Nuclear Non-Proliferation and Disarmament. Nuclear-weapon States should be called upon to submit reports on that matter.

NPT/CONF.2010/WP.25

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

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Security assurances

Working paper submitted by Algeria

1. Algeria remains convinced that the ultimate assurance against the threat of the use of nuclear weapons is their total elimination through transparent, verifiable and irreversible measures, in accordance with article VI of the Treaty on the Non-Proliferation of Nuclear Weapons.

2. Until that objective is achieved, nuclear-weapon States must provide credible and effective security assurances for the protection of non-nuclear-weapon States from the use or threat of use of these weapons.

3. The provision of these assurances will help to consolidate the non-proliferation regime, to promote nuclear disarmament and to strengthen the authority and credibility of the Treaty.

4. These assurances, which are in no way excessive, are not a favour to be granted by nuclear-weapon States as they choose. They are a legitimate quid pro quo for the renouncement of such weapons by non-nuclear-weapon States, in accordance with the principle of undiminished security for all. Their legitimacy is based on Article 2, paragraph 4, of the Charter of the United Nations, and on the twelfth preambular paragraph of the Treaty.

5. Algeria sees these security assurances as one element that counterbalances the renunciation of nuclear weapons by non-nuclear-weapon States. While the Treaty does not include specific provisions in that regard, this issue, from the outset, occupied a prominent place in the negotiations held prior to the adoption of the Treaty as an urgent request to meet the legitimate security concerns of non-nuclear-weapon States. In resolution 2153 (XXI), by which it called for the conclusion of a treaty on the non-proliferation of nuclear weapons, the General Assembly also requested the Conference of the Eighteen-Nation Committee on Disarmament to consider urgently the proposal that the nuclear-weapon Powers should give an assurance that they would not use, or threaten to use, nuclear weapons against non-nuclear-weapon States

without nuclear weapons on their territories. Such assurances are also fully consistent with the advisory opinion issued by the International Court of Justice in July 1996.

6. It should be recalled that, in resolution 1653 (XVI), the General Assembly declared that the use of nuclear weapons was contrary to the spirit, letter and aims of the Charter of the United Nations.

7. It was in response to the insistent appeals of non-nuclear-weapon States and growing pressure from all sides that the nuclear-weapon States recognized this legitimate interest for the first time in 1978.

8. Seventeen years later, on the eve of the 1995 Review and Extension Conference of the Parties to the Treaty, the nuclear-weapon States made individual statements to the Conference on Disarmament in which they provided security assurances to non-nuclear-weapon States Parties to the Treaty.

9. The General Assembly annually adopts a consensus resolution, including resolution 64/27 adopted at the sixty-fourth session, reaffirming the need urgently to negotiate with a view to reaching agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

10. The Security Council, in paragraph 1 of its resolution 984 (1995), took note with appreciation of the statements made by each of the nuclear-weapon States (S/1995/261, S/1995/262, S/1995/263, S/1995/264, S/1995/265), in which they gave security assurances against the use of nuclear weapons to non-nuclear-weapon States Parties to the Treaty. In the second preambular paragraph of that resolution, the Council recognized the legitimate interest of non-nuclear-weapon States Parties to the Treaty to receive security assurances.

11. The assurances referred to in Security Council resolution 984 (1995) remain, by their very nature, declarative and limited; they do not amount to international legal commitments and are also subject to conditions. The assurances provided under protocols to treaties establishing nuclear-weapon-free zones also display gaps and are subject to conditions. Moreover, the status of nuclear-weapon-free zones does not extend to every region of the world.

12. The need for credible and effective assurances has taken on greater importance in view of developments in nuclear deterrence doctrines, which rely increasingly on nuclear weapons. Such doctrines provide for the use of those weapons, even against non-nuclear-weapon States, under discretionary conditions defined by the nuclear-weapon States, thereby calling into question previous security assurance commitments. The expandable notion of “vital interests”, which could be invoked to justify resorting to such weapons, is a case in point. However, the preamble to Security Council resolution 984 (1995) states that in accordance with the relevant provisions of the Charter of the United Nations, any aggression with the use of nuclear weapons would endanger international peace and security.

13. This demonstrates without doubt that previous statements and initiatives, including Security Council resolution 984 (1995), are outdated and cannot achieve the objective of a legally binding and irreversible international obligation to provide security assurances.

14. In that regard, the legitimate need for security of non-nuclear-weapon States is incompatible with the unilateral declarative character of these assurances and the conditions to which they are subject.

15. In the sixth preambular paragraph of resolution 984 (1995), the Council considers "that the resolution constitutes a step in this direction", thus implying that more substantial qualitative stages will subsequently be needed to achieve this objective.

16. Algeria is therefore convinced that, in order to be credible and to act as a deterrent, security assurances for non-nuclear-weapon States against the use or threat of use of nuclear weapons should be codified in a universal, legally binding instrument. These assurances should explicitly set out the commitment of nuclear-weapon States not to use or threaten to use such weapons against non-nuclear-weapon States.

17. With that end in mind, Algeria proposes that the Conference consider establishing a subsidiary body within Main Committee I, entrusted with the task of examining the question of security assurances and making the necessary recommendations, including on practical modalities for the conclusion of an international legally binding instrument.

18. Algeria recommends that the Conference should reaffirm the commitments undertaken previously and reiterated in Security Council resolution 984 (1995); recognize the legitimate right of non-nuclear-weapon States to obtain effective assurances; and call upon States Parties to conclude an international legally binding instrument containing a commitment on the part of nuclear-weapon States not to use or threaten to use nuclear weapons against non-nuclear-weapon States.

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

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Establishment of a nuclear-weapon-free zone in the Middle East

Working paper submitted by Algeria

1. Algeria attaches particular importance to the effective implementation of the resolution on the establishment of a nuclear-weapon-free zone in the Middle East adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. Algeria recalls that this important resolution was adopted in the context of a comprehensive agreement for collective support by Arab countries for the indefinite extension of the Treaty. The establishment of such a zone in the Middle East region is a fundamental and necessary element for the security and stability of States in the region, and for the maintenance of regional and international peace and security.

2. As a State Party to the Treaty, Algeria complies strictly with all its obligations. It believes that the establishment of a nuclear-weapon-free zone requires universal accession to this Treaty, particularly by all countries in the Middle East region, and the placement of all their nuclear facilities under International Atomic Energy Agency (IAEA) safeguards, as recommended in the study on the establishment of a nuclear-weapon-free zone in the region of the Middle East (A/45/435).

3. Furthermore, the Security Council, in its resolution 487 (1981), explicitly called upon Israel to place its nuclear facilities under IAEA safeguards.

4. The establishment of this zone is a sensitive matter. For that reason, the international community has given this issue particular attention since its inclusion in the agenda of the General Assembly in 1974. In addition to the specific resolution adopted by the 1995 Review and Extension Conference of the Parties to the Treaty, an annual General Assembly resolution also calls for the establishment of such a zone. In this regard, Algeria recalls that the resolution on the establishment of a nuclear-weapon-free zone in the Middle East was adopted as part of a compromise package consisting of a decision on strengthening the review process for the Treaty,

a decision on the principles and objectives for nuclear non-proliferation and disarmament and a decision on the indefinite extension of the Treaty, as well as the resolution on the Middle East. The 2000 Review Conference called on Israel to accede to the Treaty and to place its nuclear facilities under comprehensive IAEA safeguards in order to realize the goal of universal adherence to the Treaty in the Middle East.

5. Fifteen years after its adoption, the lack of progress towards implementing the resolution on the establishment of a nuclear-weapon-free zone in the Middle East is regrettable. Notwithstanding the support enjoyed by the Treaty and the fact that all States in the region have acceded to it, this goal has not yet been realized owing to Israel's refusal to accede to the Treaty and to place its nuclear facilities under IAEA safeguards, as it was requested to do by the State Parties at the 2000 Review Conference. The persistence of this attitude threatens to undermine the authority of the Treaty and the credibility of the review process itself.

6. The statement by the former Israeli Prime Minister on 11 December 2006 regarding Israel's possession of nuclear weapons represents a real source of concern for the security of the region's countries. It confirms that Israel remains the only State in the region to possess a nuclear arsenal while remaining outside the Treaty and hence avoiding acceptance of comprehensive IAEA safeguards.

7. Against this backdrop, Algeria underscores the need to implement a nuclear-weapon-free zone in the Middle East without delay. It is therefore important that the 2010 Review Conference should strongly reaffirm the validity of the 1995 resolution on the establishment of a nuclear-weapon-free zone in the Middle East and thereby recognize the related security needs of the countries in the region.

8. In that regard, it is vital that the States Parties, particularly the three depository States and sponsors of the 1995 resolution, should take practical steps to encourage Israel to accede to the Treaty as a non-nuclear-weapon Party and to place its facilities under IAEA safeguards. To that end, the Review Conference should establish a subsidiary body to identify specific measures and a clear timetable for achieving implementation of the resolution.

9. Algeria, and the other members of the League of Arab States and the Movement of Non-Aligned Countries, have also agreed upon a number of proposed recommendations for the Review Conference aimed at fostering the establishment of this zone. Inter alia, they recommend:

(a) Reaffirming that the presence of nuclear weapons in the region of the Middle East poses a threat to regional and international peace and security;

(b) Calling on Israel to accede to the Treaty as a non-nuclear-weapon Party and to place its nuclear facilities under IAEA safeguards;

(c) Reiterating the commitment made by the State Parties to the Treaty, in particular the three depository States, to work for the implementation of the 1995 resolution and to adopt practical and effective measures that could include:

- Renewal of the commitment made by the nuclear-weapon States to implement article I of the Treaty, in particular, by undertaking not to transfer to Israel nuclear weapons or other nuclear explosive devices, directly or indirectly;

- An undertaking by the States Parties to the Treaty not to cooperate in the nuclear field with Israel or to transfer to it nuclear-related equipment, information, material and facilities;
- The establishment of a body responsible for monitoring implementation of the resolution.

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

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The right to the peaceful uses of nuclear energy

Working paper submitted by Algeria

1. The right to use nuclear energy for peaceful purposes is a fundamental pillar of the Treaty on the Non-Proliferation of Nuclear Weapons. Article IV of the Treaty recognizes the right of all Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II. The 1995 and 2000 Review Conferences reaffirmed this right.

2. It is urgent and vital to promote and expand the peaceful uses of nuclear energy in conformity with articles I, II and III. Increasingly, the use of nuclear energy for peaceful power and non-power purposes is becoming a strategic resource, which is necessary to meet the demands of global socio-economic development. Nuclear energy is a clean, sustainable, economic and viable resource that can complement or be an alternative to fossil fuel, and a strategic option for diversifying sources of energy production designed to ensure energy security. Other peaceful applications of nuclear energy also contribute to the development of other strategic sectors such as health, agriculture, water resources, etc.

3. The Review Conference should reaffirm the inalienable right of all States parties to the peaceful use of nuclear energy, which, along with safety and security, constitutes the foundation of nuclear energy development. In that regard, the Conference should urge developed States parties to encourage developing countries to acquire, without hindrance, the scientific knowledge and infrastructures necessary for the use of nuclear energy for peaceful power and non-power purposes, as well as nuclear applications in order to meet their socio-economic needs.

4. International cooperation in the peaceful uses of nuclear technology is crucial for facilitating the access of developing countries to the equipment, materials and scientific and technological information necessary for the peaceful uses of nuclear energy.

5. In accordance with its statute, the International Atomic Energy Agency (IAEA) has a central role to play in promoting and developing the peaceful uses of nuclear energy and research in this field by fostering scientific and technical exchanges on the peaceful uses and applications necessary for socio-economic development. The Technical Cooperation Programme of IAEA is the appropriate framework for promoting this activity.

6. The role of IAEA in the area of technical cooperation to promote and develop peaceful uses of nuclear energy and research in this field should be strengthened. To that end, the Conference should urge States parties, especially the developed countries, to increase IAEA resources and strengthen its technical and financial capabilities by endowing it with adequate, reliable and predictable funding so that it can carry out its cooperation activities to promote power and non-power applications.

7. In addition, every effort must be made to maintain a balance among the three main activities of IAEA so as to promote the Technical Cooperation Programme, in order to respond to the needs of developing countries.

8. A country's choice concerning the peaceful uses of nuclear energy is a national decision. The Conference should reaffirm this principle, which was agreed to at the 2000 Review Conference, whereby 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.

9. The Non-Proliferation Treaty is the appropriate and agreed framework for reconciling the inalienable right to the peaceful uses of nuclear energy and the need to ensure non-proliferation of nuclear weapons, and nuclear safety and security. Nothing in the Treaty should be interpreted in such a way as to compromise the exercise of this right, as long as non-proliferation and security norms are respected. Concerns about the proliferation of nuclear weapons, especially in the context of the increased use of nuclear energy for civilian purposes, should not serve as a pretext to limit the scope of the right to the peaceful uses of nuclear energy, which is guaranteed by article IV of the Treaty and the IAEA statute. The spread of nuclear technology and knowledge for peaceful purposes should not be equated to or confused with the proliferation of nuclear weapons.

10. In that context, export control should not lead to the establishment of a discriminatory and selective regime which would impose restrictions on the transfer of nuclear materials, equipment and technology to developing countries. Rules and restrictions on transfers of technology and nuclear export controls, which are imposed on non-nuclear-weapon States parties to the Treaty, especially developing countries, with the aim of preventing proliferation, could make it difficult, if not impossible, for them to acquire nuclear equipment which sometimes falls under the elastic category of "dual-use technology". Such discriminatory and selective measures completely undermine the inalienable right guaranteed by article IV to have access to nuclear power for peaceful purposes without discrimination, in accordance with articles I, II and III. They are contrary to the provisions of paragraph 2 of article IV of the Treaty, which urge States parties to facilitate the fullest possible exchange of equipment, materials and scientific and technological information for peaceful uses.

11. Similarly, initiatives to promote multilateral nuclear fuel cycle arrangements to prevent nuclear proliferation could lead to a reinterpretation of the provisions of article IV that would limit the scope of the inalienable right to develop research, production and use of nuclear energy for peaceful purposes without discrimination, in conformity with articles I and II. Such an approach might create yet another dichotomy between the States that already possess the necessary means to develop and control the fuel cycle and those that do not, mostly developing countries.

12. Non-nuclear-weapon States cannot legitimately accept unilateral interpretations or actions aimed at limiting their right to acquire nuclear technologies for peaceful purposes without discrimination. The best way to establish the necessary balance between the right to peaceful uses and the need for nuclear security and safety would be to adopt common, universal, transparent, objective and politically neutral standards.

13. IAEA and its safeguards regime continue to be the legal framework which ensures the fulfilment of non-proliferation obligations by non-nuclear-weapon States under safeguards agreements, as set forth in paragraph 1 of article III. In addition, there are grounds, where appropriate, to design IAEA mechanisms, agreed upon by all, with a view to promoting the transparency of nuclear programmes.

14. In that connection, it should be emphasized that in accordance with the provisions of paragraph 3 of article III, the safeguards for verifying the fulfilment of obligations assumed by non-nuclear-weapon States should comply with article IV. They should not hamper economic or technological development of the States parties. They should also not stand in the way of international cooperation in the field of peaceful nuclear activities, including the international exchanges of nuclear materials and equipment for peaceful purposes.

15. A mechanism capable of ensuring compliance with the necessary safety and security standards will be vital to the peaceful uses of nuclear energy and the establishment of facilities for that purpose.

16. In that context, countries which have initiated or are planning to initiate civilian nuclear activities should have adequate human, material and technical resources, as well as an appropriate legal framework for handling issues related to the safety and security of civilian nuclear materials and facilities and preventing terrorist groups from gaining access to such materials.

17. In that regard, the Conference should encourage States parties to sign IAEA instruments on the safety and security of nuclear facilities and materials and of radioactive materials, radiation protection and the safety of radioactive waste.

18. In addition, States parties should have in place early notification and assistance mechanisms in the event of a nuclear accident or radiological emergency. To that end, the Conference should encourage States to become parties to the Convention on Early Notification of a Nuclear Accident and the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, as well as to instruments on liability in the event of a nuclear accident.

19. The Conference should support IAEA activities in the area of safety and security and encourage international cooperation with IAEA, in particular with a view to strengthening national infrastructures for the regulation and control of radioactive sources and safety and security standards.

NPT/CONF.2010/WP.28*

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

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Working paper on disarmament submitted by Lebanon on behalf of the States members of the League of Arab States to the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

1. The Arab States take note of the positive atmosphere in the areas of disarmament and non-proliferation created by the stated intention of a number of nuclear States to rid the world of nuclear weapons. However, they wish to stress the importance of translating that intention into practical steps, including a specific timetable, in order to restore confidence in the benefits and effectiveness of multilateral diplomacy in relation to disarmament and non-proliferation.

2. The Arab States affirm that the continued existence of nuclear weapons poses a grave threat to international peace and security and call for a ban on the use or threat of nuclear weapons until such weapons have been completely eliminated.

3. The Arab States support calls for the establishment, under Main Committee I, of a subsidiary body on nuclear disarmament mandated to focus on the issue of fulfilment of the obligations under article VI and further practical measures required to achieve progress in that regard. The Arab States call on the Conference to:

(a) Call on nuclear-weapon States to fulfil all their obligations under the Treaty, as well as their commitment to disarmament and the other agreed obligations set forth in the Final Document of the 2000 Review Conference, with the goals of disarmament and the elimination of nuclear weapons subject to international verification;

(b) Establish a timetable and specific plan for nuclear disarmament with a view to accelerating the negotiations called for in article VI of the Treaty and to commencing negotiations on a treaty on the prohibition of nuclear weapons;

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10-45151

(c) Call on the Conference on Disarmament to draft a plan of work that includes the commencement of negotiations on a comprehensive, non-discriminatory and internationally verifiable treaty banning the production of fissile material for military purposes. The treaty should also include a ban on the future production of fissile material and a commitment to eliminate stockpiles of such material;

(d) Emphasize that the improvement of existing nuclear weapons, the development of new types of nuclear weapons and the insistence of certain States on including nuclear weapons in their security policies and strategies undermine the commitment to nuclear disarmament and are counter to the letter and spirit of the Treaty;

(e) Develop effective international arrangements for granting security assurances to non-nuclear-weapon States against the use or threat of nuclear weapons;

(f) Take practical measures towards the conclusion of a universal and legally binding instrument on unconditional security assurances to non-nuclear-weapon States parties to the Treaty. The Final Document of the Review Conference should give priority to this matter and, pending the conclusion of such an instrument, the Conference should issue a decision on the prohibition of the use of nuclear weapons against the non-nuclear-weapon States parties to the Treaty;

(g) Call on the Conference on Disarmament to establish a subcommittee concerned with negotiations on a nuclear disarmament treaty.

Universality of the Treaty

4. Achieving the universality of the Treaty requires that States not parties to the Treaty accede to the Treaty as non-nuclear-weapon States. This would help rid the world of nuclear weapons. The Arab States affirm that simply calling for the accession of States not parties to the Treaty will not produce any results as long as States parties, in particular nuclear-weapon States, provide those States with technical assistance and conclude cooperation agreements that offer them capacities not available to States parties.

5. States parties should make every effort to achieve the universality of the Treaty. They should strive to fulfil their obligations under the Treaty and should comply with the outcomes of the Review Conferences, including the complete prohibition of the transfer of nuclear material and technology to States not parties to the Treaty until the accession of those States to the Treaty. The Arab States stress that the ongoing cooperation with States not parties to the Treaty not only encourages them to remain outside the Treaty, but also undermines the non proliferation regime, violates the spirit and the letter of the Treaty, and threatens international peace and security.

6. The Arab States affirm their rejection of any attempt to legitimize the status of nuclear-weapon States that are not parties to the Treaty and to include them in the non-proliferation regime as nuclear States. The Arab States caution that such inclusion would undermine both the Treaty and confidence in the regime as a whole.

NPT/CONF.2010/WP.29

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

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Working paper on implementation of the resolution on the Middle East that was adopted at the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and of the outcome of the 2000 Review Conference with regard to the establishment of a nuclear-weapon-free zone in the Middle East, submitted by the Lebanese Republic on behalf of the States members of the League of Arab States to the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

1. The Arab States remind the international community that the resolution on the Middle East, which was adopted at the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, was one of the most important outcomes of that Conference and one of the fundamental elements that made it possible to extend the Treaty indefinitely without a vote. The Arab States express their deep concern that, 15 years after its adoption, the resolution has still not been implemented, thereby prejudicing the credibility of not only all the resolutions adopted at the 1995 Review and Extension Conference, but of the Treaty itself.

2. The Arab States insist that the Final Document of the 2000 Review Conference must be implemented. Among other things, the Final Document (a) states that the 1995 resolution on the Middle East remains valid until the goals and objectives are achieved; (b) welcomes the accession of all Arab States to the Treaty; (c) calls for Israel to accede to the Treaty and place all its nuclear facilities under the comprehensive safeguards of the International Atomic Energy Agency (IAEA).

10-45151

3. At the three sessions of the Preparatory Committee for the 2010 Review Conference, the Arab States submitted detailed working papers[1] which set forth basic information and their positions on implementation of the resolution on the Middle East.

4. The Arab States affirm that Israel's persistent refusal to accede to the Treaty and defiance of the relevant resolutions threaten the safety and security of the Arab States, all of which are parties to the Treaty. Indeed, that situation threatens the security of the region as a whole, casts doubt on the capacity of the Treaty to achieve security and may in the future lead the Arab States to review their approach to the issue.

5. The Arab States affirm that the establishment of nuclear-weapon-free zones would make an effective contribution to the consolidation of the non-proliferation regime, and emphasize the need for a nuclear-weapon-free zone to be established in the Middle East. That measure would promote non-proliferation and constitute a significant step towards achieving the universality of the Treaty in the Middle East.

6. The Arab States call on the Security Council to exercise its authority by exerting genuine pressure on Israel to implement United Nations resolutions concerning the establishment of a nuclear-weapon-free zone in the Middle East.

7. The Arab States insist that a subsidiary body must be established under Main Committee II of the 2010 Review Conference in order to discuss and follow up implementation of the resolution on the Middle East and determine a mechanism to follow up that process.

8. In the light of the above, the Arab States strongly urge the 2010 Conference to adopt resolutions in order to:

(a) Emphasize that the existence of any nuclear weapons in the Middle East constitutes a threat to regional and international peace and security. The international community should exert the necessary pressure on Israel and compel it to comply with the relevant United Nations and IAEA resolutions, thereby ridding the Middle East of nuclear weapons;

(b) Reiterate the call on Israel to accede without delay to the Treaty as a non-nuclear-weapon State and place all its nuclear facilities under comprehensive IAEA safeguards in order to achieve the universality of the Treaty in the Middle East;

(c) Affirm that nuclear-weapon-States should comply with the provisions of Article I of the Treaty by not transferring to Israel any nuclear weapons or other nuclear explosive devices or control over such weapons or nuclear devices directly, or indirectly, and by not in any way assisting, encouraging, or inducing Israel to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices. Such actions affect the credibility of the Treaty, and could prompt the States of the region to adopt a different approach in the future;

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[1] The first working paper (NPT/CONF.2010/PC.I/WP.28) was submitted for the first session of the Preparatory Committee, held in Vienna from 30 April to 11 May 2007. The second (NPT/CONF.2010/PC.II/WP.2) was submitted for the second session, held in Geneva from 28 April to 9 May 2008. The third (NPT/CONF.2010/PC.III/WP.23) was submitted for the third session, held in New York from 4 to 15 May 2009.

(d) Emphasize that, in keeping with the seventh preambular paragraph and with Article IV of the Treaty, all States parties to the Treaty should declare their commitment not to cooperate with Israel in the nuclear domain or transfer to it any related equipment, information, materials, facilities or resources;

(e) Call on the United Nations to convene an international conference that genuinely aims, within a specific time frame, to establish a nuclear-weapon-free zone in the Middle East, in implementation of the relevant United Nations resolutions, including the General Assembly resolutions entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East"; and call on IAEA to prepare the necessary reference documents, drawing on its experience in preparing for the establishment of nuclear-weapon-free zones in other regions of the world;

(f) Establish a standing committee comprising the members of the Bureau of the 2010 Review Conference, with a mandate to follow up implementation of the 1995 resolution on the Middle East and the Final Document of the 2000 Review Conference, which called on Israel to accede to the Treaty forthwith and place all its nuclear facilities under comprehensive IAEA safeguards. The Committee should also follow up implementation of the outcome of the 2010 Review Conference, and submit a comprehensive report thereon to the 2015 Review Conference and the sessions of the Preparatory Committee, in order to inform them of the progress made;

(g) Follow up and monitor implementation of those commitments through reports submitted by States parties to the 2015 Review Conference and to the sessions of the Preparatory Committee that will be convened prior to that Conference;

(h) Request the Secretariat of the United Nations to circulate those reports at the 2015 Review Conference and sessions of the Preparatory Committee, with a view to considering and evaluating the progress made in implementing State commitments;

(i) Affirm to the Agency that the relevant IAEA resolutions should be implemented, including the resolution entitled "Israeli nuclear capabilities" (GC (53)/RES/17), which was adopted by the General Conference in September 2009, and that interim reports on implementation should be submitted to the IAEA Board of Governors and General Conference. Those reports should include all the measures that have been adopted by the Agency and its Director General pursuant to those resolutions.

NPT/CONF.2010/WP.30

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Working paper on the peaceful uses of nuclear energy submitted by the Lebanese Republic on behalf of the States members of the League of Arab States to the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

1. The Nuclear Non-Proliferation Treaty has two principal objectives. The first is to promote international peace and security through nuclear disarmament and non-proliferation. The second is to facilitate the exercise by non-nuclear-weapon States, without exception, of their right to the development, production and use of nuclear energy for peaceful purposes. It is with those objectives that the Treaty became the cornerstone of the disarmament and nuclear non-proliferation regime.

2. The preamble to the Treaty expresses support for research and affirms that the benefits of peaceful applications of nuclear technology should be available to all States parties. It provides that all States parties are entitled to exchange scientific information in order to develop those applications. Article IV states 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 and II.

3. The Arab States note that certain States parties to the Treaty have modified their export policy in order to severely restrict the transfer of knowledge and technology to developing States parties. Such transfers have been made conditional on additional obligations or the waiving of rights enshrined in the Treaty.

4. Moreover, the Arab States note the existence of double standards in the transfer of nuclear materials and technology to States not parties to the Treaty. Certain exporting States have provided technical assistance to non-parties, thereby failing to comply with the letter and spirit of the Treaty, and contravening decision 2 adopted at the 1995 Review and Extension Conference, which sets forth principles and objectives for nuclear non-proliferation and disarmament. Paragraph 12 of the decision states 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 Agency's full-scope safeguards and internationally legally binding commitments not to acquire nuclear weapons or other nuclear explosive devices.

5. In the context of the exercise by Arab States of the right to the use of nuclear technology for peaceful purposes, the Council of the League of Arab States at the summit level, meeting at its 19th and 20th ordinary sessions in 2007 and 2008 respectively, adopted two significant resolutions:

(a) The resolution entitled "The development of peaceful uses of nuclear energy in the States members of the League of Arab States", which provides that Arab States will work at the national level to establish scientific and research infrastructure in the field of nuclear energy, and train experts accordingly;

(b) The resolution entitled "Formulation of a common Arab programme for the peaceful use of nuclear energy", which calls for regional Arab cooperation in order to establish joint projects to promote development in the relevant areas.

6. Over the past two years, numerous Arab States have announced national plans to use nuclear technology for peaceful purposes in every area that would promote sustainable development. In March 2009, the League of Arab States at the summit level, meeting at its 21st ordinary session in Doha, adopted the Arab Strategy for the Peaceful Uses of Nuclear Energy until 2020.

7. In exercise of their rights as parties to the Treaty, a number of Arab States have announced that they will increase their use of nuclear technologies in all areas that would promote sustainable development. With that end in mind, they have begun to enact the executive procedures set forth in resolution 383 of the Council.

8. The Arab States take note of the initiatives of certain parties regarding the supply of nuclear fuel, and strongly reject any attempt, regardless of the pretext, to dissuade States parties from developing and/or obtaining nuclear technology for peaceful purposes.

9. The Arab States stress their commitment to all the international instruments to which they are parties, and look forward to cooperating with the relevant international agencies and, first and foremost, the International Atomic Energy Agency. The Arab States emphasize the prominent role of the Agency in assisting developing States parties to engage in the peaceful use of nuclear energy through a neutral approach aimed at improving their scientific and technological capabilities in those areas.

10. On the basis of the foregoing, the Arab States stress the following principled positions on those issues:

(a) All States parties to the Treaty have the fundamental, inalienable right to possess and develop nuclear technology for peaceful purposes. Any attempt to so interpret any Article of the Treaty as to restrict that right is unacceptable;

(b) The comprehensive safeguards agreements of the International Atomic Energy Agency are the legal framework and benchmark for verifying that nuclear energy is used for peaceful purposes in accordance with the Treaty. The Additional Protocol to the Treaty is voluntary and non-binding;

(c) No new commitments for non-nuclear-weapon States parties to the Treaty can be accepted until there has been genuine progress in achieving the universality

of the Treaty, realizing nuclear disarmament, ensuring that all States parties comply with current commitments and, in particular, ensuring implementation of the resolution on the Middle East adopted at the 1995 Review and Extension Conference;

(d) The International Atomic Energy Agency has sole responsibility for verifying implementation of comprehensive safeguards agreements with States parties. The Arab States urge the Agency to maintain its neutrality and function in conformity with the Statute;

(e) The Arab States call on the Agency to halt the technical programmes provided to Israel. Cooperation with Israel on nuclear issues should be suspended until it accedes to the Treaty as a non-nuclear-weapon State and places all its nuclear facilities under a comprehensive safeguards agreement. Those steps are a necessary precondition in order to promote the universality, credibility and effectiveness of the Treaty;

(f) The Arab States reject attacks and/or the threat of attacks against nuclear facilities. Such actions would have negative repercussions on nuclear security and regional and international peace and security and, by using force in such cases, bring into question the application of international law.

NPT/CONF.2010/WP.31

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

14 April 2010

Original: English, French and Spanish

New York, 3-28 May 2010

Council Decision 2010/212/CFSP of 29 March 2010 relating to the position of the European Union for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

Working paper submitted by Spain on behalf of the European Union

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 29 thereof,

Whereas:

(1) The European Union continues to regard the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) as the cornerstone of the global nuclear non-proliferation regime, the essential foundation for the pursuit of nuclear disarmament in accordance with Article VI of the NPT and an important element in the further development of nuclear energy applications for peaceful purposes.

(2) On 12 December 2003, the European Council adopted the EU strategy against proliferation of Weapons of Mass Destruction, in order to steer its action in this field. On 8 December 2008, the Council adopted a document on 'New lines for action by the European Union in combating the proliferation of weapons of mass destruction and their delivery systems'.

(3) On 12 December 2008, the European Council endorsed the Council's statement on strengthening international security, reaffirming its determination to combat the proliferation of weapons of mass destruction and their means of delivery and promoting concrete and realistic disarmament initiatives which the Union submitted at the United Nations General Assembly.

(4) The United Nations Security Council unanimously adopted Resolution 1540 (2004), describing the proliferation of weapons of mass destruction and their means of delivery as a threat to international peace and security. On 12 June 2006, the Council adopted Joint Action 2006/419/CFSP, and on

14 May 2008, the Council adopted Joint Action 2008/368/CFSP, both in support of the implementation of United Nations Security Council Resolution 1540 (2004) and in the framework of the implementation of the EU strategy against the Proliferation of Weapons of Mass Destruction.

(5) The United Nations Security Council, meeting at the level of Heads of State and Government, unanimously adopted Resolution 1887 (2009), resolving to seek a safer world for all and to create the conditions for a world without nuclear weapons, in accordance with the goals of the NPT, in a way that promotes international stability, and based on the principle of undiminished security for all, calling upon all states that are not parties to the NPT to accede to it as non-nuclear-weapon States Parties, and calling upon States Parties to the NPT to comply fully with all their obligations and fulfil their commitments under the NPT and to cooperate so that the 2010 NPT Review Conference can successfully strengthen the NPT and set realistic and achievable goals in all the NPT's three pillars: non-proliferation, the peaceful uses of nuclear energy, and disarmament.

(6) Since 2004, the Council has adopted several Joint Actions on support for International Atomic Energy Agency's (IAEA) activities in the areas of nuclear security and verification and in the framework of the implementation of the EU strategy against Proliferation of Weapons of Mass Destruction, most recently Joint Action 2008/314/CFSP.

(7) On 8 December 2008, the Council adopted Council Conclusions on an EU contribution of up to EUR 25 million for the establishment of an IAEA nuclear fuel bank.

(8) Since 2006, the Council has adopted several Joint Actions on support for activities of the Preparatory Commission of the Comprehensive Nuclear-Test-Ban Treaty Organisation in order to strengthen its monitoring and verification capabilities. These include, most recently, Joint Action 2008/588/CFSP. In addition, the Council has promoted the early entry into force and universalisation of the Comprehensive Nuclear-Test-Ban Treaty (CTBT).

(9) The President of the United States has convened a Summit on Nuclear Security, on 13 April 2010, to reinforce a commitment towards global nuclear security, including addressing the threat of nuclear terrorism.

(10) The 1995 Review and Extension Conference of the Parties to the NPT adopted decisions on the indefinite extension of the NPT, on principles and objectives for nuclear non-proliferation and disarmament and on strengthening the review process for the NPT, and a Resolution on the Middle East.

(11) The 2000 NPT Review Conference adopted a final document.

(12) On 25 April 2005, the Council adopted Common Position 2005/329/PESC relating to the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

(13) The Preparatory Committee for the 2010 NPT Review Conference held three sessions, from 30 April to 11 May 2007 in Vienna, 28 April to 9 May 2008 in Geneva and 4 to 15 May 2009 in New York.

(14) In the light of the outcomes of the 2000 NPT Review Conference and of the 2005 NPT Review Conference and of the discussions at the three sessions of the Preparatory Committee for the 2010 NPT Review Conference, and bearing in mind the current situation, it is appropriate to update and

develop further the objectives set out in Common Position 2005/329/PESC, and the initiatives carried out under its terms.

HAS ADOPTED THIS DECISION:

Article 1

The objective of the Union shall be to strengthen the international nuclear non-proliferation regime by promoting a substantive and balanced outcome of the 2010 Review Conference of the Parties of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), in order to achieve tangible and realistic progress towards the goals enshrined in the NPT.

To attain this goal, the Union shall aim to promote in particular the adoption of a set of concrete, effective, pragmatic and consensual measures for stepping up international efforts against proliferation, pursuing disarmament and ensuring the responsible development of peaceful uses of nuclear energy by countries wishing to develop their capacities in this field. To this end, the Union has elaborated and submitted to the 2010 NPT Review Conference a Working Paper on the EU forward-looking proposals on all three pillars of the NPT, to be part of an ambitious action plan to be adopted by the 2010 NPT Review Conference.

Article 2

At the 2010 NPT Review Conference, the Union shall work, in particular, to ensure the States Parties to the NPT (hereinafter 'the States Parties') address the following priorities:

1. a reaffirmation by all States Parties of their commitment to comply with their obligations and to fulfil the goals of the NPT and towards universal accession to the NPT;

2. strengthening the implementation of the NPT through the adoption of a set of concrete, effective, pragmatic and consensual measures for stepping up international efforts against proliferation, pursuing disarmament and ensuring the responsible development of peaceful uses of nuclear energy and making progress on implementing the NPT 1995 Resolution on the Middle East;

3. reaffirming the commitment to and stressing the need for concrete progress in nuclear arms control and disarmament processes, especially through an overall reduction in the global stockpile of nuclear weapons, in accordance with Article VI of the NPT, taking into account the special responsibility of the states that possess the largest arsenals, and agreement on specific and early measures, including achieving rapid entry into force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) and the start of negotiations in the Conference on Disarmament on a Treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices (FMCT) as indispensable steps towards fulfilment of the obligations and final objective enshrined in Article VI of the NPT;

4. strengthening the effectiveness and comprehensiveness of the non-proliferation regime through making the conclusion of a Comprehensive Safeguards Agreement together with the Additional Protocol the verification standard, under Article III of the NPT;

5. strengthening the NPT through a common understanding of States Parties on how to respond effectively to a State Party's withdrawal from the NPT;

6. upholding the NPT, bearing in mind current major proliferation challenges, in particular in the Democratic People's Republic of Korea and the Islamic Republic of Iran, through a common understanding of States Parties on how to respond resolutely and effectively to cases of non-compliance;

7. broadening acceptance and support of the concept of responsible development of peaceful uses of nuclear energy in the best safety, security and non-proliferation conditions and of multilateral approaches to the nuclear fuel cycle.

Article 3

For the purposes of the objective laid down in Article 1 and the priorities defined in Article 2, the Union shall:

(a) contribute to a structured and balanced review of the operation of the NPT at the 2010 NPT Review Conference, including the implementation of undertakings of the States Parties under the NPT, as well as the identification of areas in which, and of means through which, further progress should be sought in future, in particular with a view to the 2015 NPT Review Conference;

(b) help build a consensus on the basis of the framework established by the NPT by supporting the decisions and the Resolution on the Middle East adopted at the 1995 NPT Review and Extension Conference and the final document of the 2000 NPT Review Conference, and shall bear in mind the current situation, and shall promote, inter alia, the following essential issues:

1. undertaking efforts to preserve the integrity of the NPT and to strengthen its authority and implementation;

2. recognising that the NPT is a unique and irreplaceable multilateral instrument for maintaining and reinforcing international peace, security and stability, in that it establishes a legal framework for preventing proliferation of nuclear weapons and for developing further a verification system guaranteeing that non-nuclear- weapons states use nuclear energy solely for peaceful purposes, and that it represents the essential foundation for the pursuit of nuclear disarmament in accordance with Article VI thereof, and an important element in the further development of nuclear energy applications for peaceful purposes, stressing that the NPT, with its three mutually reinforcing pillars, represents joint security interests of all States Parties;

3. stressing the absolute necessity of full compliance with all the provisions of the NPT by all States Parties;

4. stressing the need for policies and strategies of States Parties to be consistent with the provisions of the NPT;

5. working towards universal accession to the NPT; calling on all states not parties to the NPT to become States Parties without delay as non-nuclear-weapon States Parties and, pending their accession to the NPT, to adhere to its terms and pledge commitments to non- proliferation and disarmament;

6. welcoming the contribution of civil society in promoting the principles and objectives of the NPT;

DISARMAMENT

7. reaffirming the commitment to seeking a safer world for all and to creating the conditions for a world without nuclear weapons, in accordance with the goals of the NPT; convinced that intermediate steps on the path towards this objective can also represent significant increases in security for all;

8. welcoming the considerable nuclear arms reductions which have taken place since the end of the Cold War, including by two Member States of the Union; stressing the need for an overall reduction in nuclear arsenals in the pursuit of gradual, systematic nuclear disarmament under Article VI of the NPT, taking into account the special responsibility of the states that possess the largest arsenals; welcoming, in this context, the negotiations on a new START agreement between the United States and the Russian Federation; reiterating the need for more progress in decreasing their arsenals and in reducing the operational readiness of their nuclear weapon systems to the minimum level necessary;

9. with regard to non-strategic nuclear weapons:

(i) calling on all States Parties possessing such weapons to include them in their general arms control and disarmament processes, with a view to their verifiable and irreversible reduction and elimination;

(ii) agreeing to the importance of further transparency and confidence-building measures in order to advance this nuclear disarmament process;

(iii) encouraging the United States and the Russian Federation to further develop the unilateral 1991/92 Presidential initiatives and to include non-strategic nuclear weapons in the next round of their bilateral nuclear arms reductions, leading to lower ceilings for the numbers of both strategic and non-strategic nuclear weapons in their arsenals;

10. recognising the application of the principle of irreversibility to guide all measures in the field of nuclear disarmament and arms control, as a contribution to the maintenance and reinforcement of international peace, security and stability, taking these conditions into account;

11. recognising the importance, from the point of view of nuclear disarmament, of the programmes for the destruction and elimination of nuclear weapons and the elimination of fissile material as defined under the G8 Global Partnership;

12. pursuing efforts to secure verifiability, transparency and other confidence building measures by the nuclear powers to support further progress in disarmament; welcoming in this regard the increased transparency shown by some nuclear-weapon states, including by two Members States of the Union, on the nuclear weapons they possess, and calling on others to do likewise;

13. reaffirming also the commitment to treaty-based nuclear arms control and disarmament and underlining the need to renew multilateral efforts and reactivate multilateral instruments, in particular the Conference on Disarmament;

14. calling on states to sign and ratify the CTBT without delay and without conditions, particularly the nine remaining states listed in Annex II of the CTBT that have not yet done so, since the CTBT forms an essential part of the nuclear disarmament and non- proliferation regime, and with a view to its entry into force as soon as possible; welcoming in this regard the recent commitments by the United States towards early ratification of the CTBT;

15. pending the entry into force of the CTBT, calling on all states to abide by a moratorium on nuclear test explosions, to refrain from any action contrary to the obligations and provisions of the CTBT and to dismantle, as soon as possible, all nuclear testing facilities in a manner that is transparent and open to the international community; highlighting the importance of and welcoming the work of the CTBT Organisation Preparatory Commission, particularly with regard to the International Monitoring System;

16. welcoming the adoption by consensus in 2009 of the Programme of Work of the Conference on Disarmament and, on this basis, appealing for the immediate commencement and early conclusion of the negotiations on a FMCT, on the basis of document CD/1299 of 24 March 1995 and the mandate contained therein, as agreed in Decision of 29 May 2009 of the Conference on Disarmament for the establishment of a Programme of Work for the 2009 session (CD/1864);

17. pending entry into force of a FMCT, calling on all states concerned to declare and uphold an immediate moratorium on the production of fissile material for nuclear weapons or other nuclear explosive devices, as well as to dismantle or convert for non-explosive use only the facilities dedicated to the production of fissile materials for nuclear weapons; welcoming the action of those of the five nuclear-weapon states, in particular within the Union, which have decreed the relevant moratoria and dismantled such facilities;

18. calling on all states concerned to take appropriate practical measures in order to reduce the risk of accidental nuclear war;

19. pursuing consideration of the issue of security assurances to the non-nuclear-weapon States Parties;

20. calling on nuclear-weapon states to reaffirm existing security assurances noted by the United Nations Security Council in Resolution 984 (1995), recognizing that such security assurances strengthen the nuclear non-proliferation regime, and to sign and ratify the relevant protocols to the Treaties establishing nuclear- weapon free zones drawn up following the requisite consultations in accordance with 1999 United Nation Disarmament Commission (UNDC) guidelines, recognising that treaty-based security assurances are available to such zones;

21. stressing the need to advance the general arms control and disarmament processes and calling for further progress on all aspects of disarmament to enhance global security;

22. working for the start of consultations on a Treaty banning short- and intermediate-range ground-to-ground missiles;

23. calling for universal accession to, and effective implementation of the Hague Code of Conduct against Ballistic Missile Proliferation;

24. highlighting the importance of universal accession and implementation of the Biological and Toxin Weapons Convention, the Chemical Weapons Convention and the conventions, measures and initiatives contributing to conventional arms control;

25. working for the resolution of the problems of regional instability and insecurity and of the conflict situations which are often at the root of armament programmes;

NON-PROLIFERATION

26. recognising that major nuclear proliferation challenges have occurred in recent years, in particular in the Democratic People's Republic of Korea and the Islamic Republic of Iran, stressing that the international community must be ready to face up to them and stressing the need to take resolute action in response;

27. stressing the need to strengthen the role of the United Nations Security Council, as final arbiter, in order that it can take appropriate action in the event of non- compliance with NPT obligations, in keeping with the Statute of the International Atomic Energy Agency (IAEA), including the application of safeguards;

28. drawing attention to the potential implications for international peace and security of withdrawal from the NPT; urging the international community to respond to a notice of withdrawal and its consequences with purpose and urgency; stressing the requirement for the United Nations Security Council to act promptly and, in particular, to address without delay any State Party's notice of withdrawal from the NPT; urging States Parties to promote the adoption of measures in this regard, including arrangements for maintaining adequate IAEA safeguards on all nuclear materials, equipment, technologies and facilities developed for peaceful purposes;

29. calling for nuclear cooperation to be suspended where the IAEA is not able to provide adequate assurances that a state's nuclear programme is designed exclusively for peaceful purposes, until such time as the IAEA is able to provide such assurances;

30. calling upon all states in the region to make progress towards, inter alia, the establishment of an effectively verifiable Middle East zone free of nuclear weapons and other weapons of mass destruction and their delivery systems, and to refrain from taking measures that preclude the achievement of this objective; acknowledging the importance of reaching agreement on concrete practical steps as part of a process, involving all states of the region, aimed at facilitating the implementation of the 1995 NPT Resolution on the Middle East;

31. calling also upon all States Parties, and in particular the nuclear-weapon States Parties, to extend their cooperation and to exert their utmost efforts towards the establishment by regional parties of an effectively verifiable Middle East zone free of nuclear weapons and other weapons of mass destruction and their delivery systems, in keeping with the 1995 NPT Resolution on the Middle East;

32. since security in Europe is linked to security in the Mediterranean, giving high priority to implementation of the nuclear non-proliferation regime in that region;

33. acknowledging the importance of nuclear-weapon-free zones for peace and security, on the basis of arrangements freely entered into between the states of the region concerned, in accordance with 1999 UNDC guidelines;

34. stressing the need to do everything possible to prevent the risk of nuclear terrorism, linked to possible terrorist access to nuclear weapons or materials that could be used in the manufacture of radiological dispersal devices and, in this context, stressing the need for compliance with obligations under United Nations Security Council Resolutions 1540 (2004) and 1887 (2009) and calling for improved nuclear security for high radioactive sources;

35. calling on all states that have not yet done so, to sign, ratify and implement the International Convention for the Suppression of Acts of Nuclear Terrorism, as important part of the international legal framework to address the threats of nuclear terrorism;

36. in the light of the increased threat of nuclear proliferation and terrorism, supporting the G8 Global Partnership Initiative and IAEA action and other multilateral mechanisms in this regard, such as the Proliferation Security Initiative, the Global Initiative to Combat Nuclear Terrorism and the Global Threat Reduction Initiative; welcoming the security objectives of the Global Nuclear Security Summit;

37. recognising that Comprehensive Safeguards Agreements with Additional Protocols have a deterrent effect on nuclear proliferation and form today's verification standard;

38. continuing to work towards universalisation and strengthening of the IAEA safeguards system to ensure greater detectability of violations of non-proliferation obligations, in particular through the adoption and implementation by all states concerned of the Comprehensive Safeguards Agreement together with the Additional Protocol and, where relevant, the Revised Small Quantities Protocol, and for further strengthening the safeguards system;

39. working for recognition by the 2010 NPT Review Conference and the IAEA Board of Governors, that the conclusion and implementation of a Comprehensive Safeguards Agreement together with an Additional Protocol is today's verification standard, under Article III of the NPT;

40. highlighting the IAEA's unique role in verifying states' compliance with their nuclear non-proliferation commitments;

41. stressing further the IAEA's important role in assisting them, on request, to improve the security of nuclear materials and installations, and calling on states to support the IAEA;

42. recognising the importance of appropriate effective export controls, in compliance with United Nations Security Council Resolutions 1540 (2004) and 1887 (2009) and in accordance with paragraph 2 of Article III of the NPT;

43. implementing, at national level, effective export, transit, transhipment and re-export controls, including appropriate laws and regulations for that purpose, and resolute international and national efforts to combat proliferation financing and to control access to intangible transfers of technology;

44. enacting effective criminal sanctions against acts of proliferation, in order to deter illegal export, transit, brokering, trafficking and related financing, in compliance with United Nations Security Council Resolution 1540 (2004);

45. urging the Zangger Committee and the Nuclear Suppliers Group (NSG) to share their experience on export controls, so that all states can draw on the arrangements of the Zangger Committee and the NSG guidelines and their implementation;

46. pointing out the need to finalise at an early date the strengthening of the NSG guidelines, in particular on strengthened export controls on enrichment and reprocessing technologies, and to work within the NSG towards making the adherence to the Additional Protocol a condition for nuclear supply;

47. calling on the States Parties to the Convention on the Physical Protection of Nuclear Material to ratify as soon as possible the Amendment to the Convention, in order to expedite its entry into force;

48. encouraging the development of proliferation-resistant and safeguards-friendly technologies;

PEACEFUL USES OF NUCLEAR ENERGY

49. recognising the right of States Parties to use nuclear energy for peaceful purposes, in accordance with Article IV the NPT, with due regard for Articles I, II and III thereof, inter alia, in the area of production of electricity, industry, health and agriculture;

50. remaining committed to assuring a responsible development of peaceful uses of nuclear energy in the best safety, security and non-proliferation conditions;

51. in that respect, encouraging the States Parties to reaffirm and comply with the principles and standards governing the responsible development of peaceful uses of nuclear energy;

52. underlining the importance of continuing international cooperation in order to strengthen nuclear safety, safe waste management, radiological protection and civil nuclear liability and calling upon states that have not yet done so to accede to all the relevant conventions as soon as possible and to implement fully the ensuing commitments;

53. supporting national, bilateral and international efforts to train the necessary skilled workforce required to ensure the responsible development of peaceful uses of nuclear energy under the best safety, security and non-proliferation conditions;

54. remaining firmly convinced of the benefits of multilateral approaches to the nuclear fuel cycle, in which assurance mechanisms, singly or in conjunction with other complementary mechanisms, should not act to distort the existing well-functioning market, and should address the right of peaceful uses of nuclear energy by providing nuclear fuel supply security for countries developing a nuclear programme in the best safety, security and non-proliferation conditions;

55. acknowledging that several initiatives, including the establishment of a Low Enriched Uranium bank under the control of the IAEA, can provide back-up mechanisms to interested countries and facilitate lasting multilateral solutions;

56. encouraging and engaging in further dialogue and consultation to clarify outstanding issues and to increase support for the concept of multilateral approaches to the nuclear fuel cycle.

Article 4

Action taken by the Union for the purposes of Articles 1, 2 and 3 shall comprise:

(a) demarches with regard to States Parties, and, where appropriate, with regard to states not parties to the NPT, in order to urge their support for the objectives set out in Articles 1, 2 and 3 of this Decision;

(b) the pursuit of agreement by Member States on draft proposals on substantive issues for submission on behalf of the Union for consideration by States Parties which may form the basis for decisions of the 2010 NPT Review Conference;

(c) statements by the Union in the General Debate and in the debates in the three Main Committees and their Subsidiary Bodies of the 2010 NPT Review Conference.

Article 5

This Decision shall take effect on the date of its adoption.

Article 6

This Decision shall be published in the *Official Journal of the European Union*.

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

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France's action against proliferation

Working paper submitted by France

> "Proliferation of weapons of mass destruction […] constitutes a threat to international peace and security"
>
> This principle, first proclaimed in 1992, enshrined in Security Council resolution 1540 (2004), was strongly reaffirmed by the United Nations Security Council at its meeting of Heads of State and Government on 24 September 2009, when it unanimously adopted resolution 1887 (2009).

Bringing an end to the proliferation of nuclear, chemical and biological weapons and their means of delivery is a priority:

- Proliferation weakens the global security architecture
- It increases the risk of diversion by terrorist groups
- It undermines mutual trust and hinders the development of international cooperation in the peaceful uses of nuclear energy, to the detriment of the vast majority of States that are abiding by their obligations in good faith
- It is also likely to slow down disarmament efforts, including nuclear disarmament efforts.

Combating proliferation is therefore vital to the security of all.

Aware of the challenges to the international non-proliferation regime, based on the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), and to regional and collective security, France is strongly committed to combating proliferation.

> "In the face of proliferation, the international community must remain united [and] resolute. Because we want peace, we must show no weakness to those who violate international rules. But all those who abide by them are entitled to fair access to nuclear energy for peaceful purposes."
>
> Nicolas Sarkozy, President of the French Republic, Cherbourg speech, 21 March 2008

1. Responding resolutely to proliferation crises

France, which supports the role of the United Nations Security Council in maintaining international peace and security, is using all the means at its disposal to assist in resolving the proliferation crises currently facing the international nuclear non-proliferation regime in the Islamic Republic of Iran and the Democratic People's Republic of Korea. Together with its partners in the group of six (China, Germany, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, and the United States of America), it continues to pursue a diplomatic solution to the Iranian nuclear issue through a dual-track approach that combines dialogue with firmness.

A prompt, determined and credible response from the international community to these proliferation crises is vital to preserving the Non-Proliferation Treaty — the bedrock of the collective security system — to ensure the continued confidence of States parties in the Treaty's ability to ensure their security, and to prevent other countries from developing nuclear activities for non-peaceful purposes.

2. Strengthening the international non-proliferation regime

France supports the efforts of the International Atomic Energy Agency (IAEA) to keep its safeguards system completely credible and effective.

- It ensures that the Agency has sufficient human, financial and technical resources to fulfil its verification mission effectively. In that regard, it provides the Agency with expertise and technical assistance.

> France's total contribution to the IAEA budget in 2009 was €23 million, consisting of:
>
> - €17 million to the regular budget
> - €4 million in voluntary contributions
> - €2 million to other budgets (financial contributions and contributions in personnel)

- France supports the universalization of the additional protocol, which broadens the Agency's scope of investigation and is the only way to give the Agency all the verification resources it needs. France itself signed an additional protocol in 1998.

> "Without the additional protocol, we cannot really fulfil our mission in a credible manner"
>
> Director General of IAEA, Board of Governors, June 2009

Export control — a key tool in combating proliferation.

- France supports various supplier country informal groups: the Nuclear Suppliers Group (NSG), the Australia Group, the Zangger Committee, the Missile Technology Control Regime (MTCR), for which it provides the permanent secretariat.
- It enforces strict national controls. Under European regulations, the recommendations of the different supplier groups are directly applicable in national law.
- It is committed, within the framework of NSG, to the adoption of stricter criteria for the export of technologies for the enrichment and reprocessing of spent nuclear fuel, which are particularly sensitive.

Support for nuclear-weapon-free zones: in addition to the Antarctic Treaty of 1959, France is party to the additional protocols to the Treaty of Tlatelolco (ratified in 1974 and 1992), the Rarotonga Treaty (ratified in 1996) and the Pelindaba Treaty (ratified in 1996). It supports the goal of establishing a zone free of weapons of mass destruction and their means of delivery in the Middle East.

> 100 States: France has given negative security assurances to around 100 States in the context of the protocols to treaties establishing nuclear-weapon-free zones.

France participates in the international monitoring system for the Comprehensive Nuclear-Test-Ban Treaty (CTBT). In that regard, it manages 24 monitoring stations.

3. Specific measures to prevent and check proliferation flows

Stemming from its firm belief that international standards should be effectively implemented by all, France attaches particular importance to strengthening specific measures to prevent and check proliferation. Such measures would include tighter export controls, protection of the most sensitive scientific and technical assets, prevention of proliferation flows and criminalization of proliferation-related activities and proliferation financing.

France is strengthening its domestic counter-proliferation legislation:

- A draft law which would strengthen the legal means for combating proliferation, including by criminalizing the financing thereof, is currently before the French Parliament;

- The aim of an interministerial instruction issued in March 2009 is to strengthen the effectiveness of the Government's counter-proliferation efforts by improving coordination among the ministries and involving all the relevant departments and agencies;
- An overhaul of the dual-use items control mechanism is also under way.

France supports the scaling up of concrete action by the European Union. During its presidency of the European Union, France promoted the adoption, in December 2008, of the "New lines for action by the European Union in combating the proliferation of weapons of mass destruction and their delivery systems", which empower the European Union to act in these different areas.

> 500 civil servants have been trained in non-proliferation issues over the past 10 years. France is helping to provide high-level training for European Union member States, in accordance with the New lines for action by the European Union in combating the proliferation of weapons of mass destruction and their delivery systems.

France participates actively in many international initiatives to combat proliferation, including:

- The promotion and implementation of Security Council resolution 1540 (2004), which requires all States to strengthen their national non-proliferation measures;
- The Proliferation Security Initiative (PSI), which aims to interdict weapons of mass destruction-related shipments;
- The Global Initiative to Combat Nuclear Terrorism (GICNT), which includes regularly carrying out exercises to test international coordination in the event of a terrorist attack;
- The Global Partnership against the Spread of Weapons and Materials of Mass Destruction, launched by the Group of Eight in 2002, to reduce the threat arising from the stockpiles of non-conventional weapons in the former Soviet Union;
- The ongoing work of the Financial Action Task Force on Money Laundering (FATF) on the suppression of proliferation financing.

4. Proposals of France and its European partners:

- Resolute action in response to proliferation crises, in particular in the Islamic Republic of Iran and the People's Democratic Republic of Korea;
- Determination of the consequences of a State's non-compliance with its non-proliferation obligations under the Treaty, and of withdrawal from the Treaty, including suspension of nuclear cooperation and transfers;
- Promotion of the universalization of the Treaty;
- Universalization and strengthening of the IAEA safeguards system, in particular through the universal adoption of the additional protocol;

- Improvement of nuclear security and of physical protection of nuclear material and the minimization, wherever technically and economically feasible, of the use of highly enriched uranium in peaceful nuclear activities, with a view to preventing illicit trafficking and nuclear terrorism;
- Strengthening of export controls, including of sensitive nuclear material and technology, and development of technical cooperation and assistance activities to this end;
- Cooperation to develop multilateral nuclear fuel supply assurance schemes;
- Adoption of criminal sanctions against acts of proliferation and development of assistance to countries and to public and private actors, with a view to raising awareness of that issue;
- Resolute international and national efforts to combat proliferation financing;
- Adoption of measures to manage and monitor intangible transfers of knowledge and know-how, including mechanisms of cooperation in terms of consular vigilance;
- Development of proliferation-resistant technologies;
- Call upon all States to sign and implement the International Code of Conduct against Ballistic Missile Proliferation (ICOC), adopted at The Hague.

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Nuclear disarmament: France's practical commitment

Working paper submitted by France

> *[…] to seek a safer world for all and to create the conditions for a world without nuclear weapons, in accordance with the goals of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), in a way that promotes international stability, and based on the principle of undiminished security for all*
> (United Nations Security Council resolution 1887 (2009))

In accordance with the objectives of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) regarding nuclear disarmament and general and complete disarmament, which it has endorsed, France is actively committed to disarmament.

In order to move towards a safer world, France has adopted a practical and global approach to disarmament:

- Practical, in the sense that actions speak louder than words. France is showing the way: it has taken unprecedented unilateral measures and developed ambitious and practical measures for the vigorous pursuit of disarmament, including nuclear disarmament, at the international level.
- Global, in the sense that improving the international security situation calls for not only progress on nuclear disarmament, but also on conventional disarmament, as well as for the universalization of the prohibition of chemical and biological weapons, and the need to take into account ballistic missile proliferation and security in space.

I. Action taken by France

Cessation of production of fissile materials for nuclear weapons

Cessation of plutonium production in 1992, and of highly enriched uranium for nuclear weapons in 1996.

Respect for a moratorium on the production of fissile materials for nuclear weapons.

France is the only State to have decided to shut down and dismantle its facilities for the production of fissile materials for nuclear weapons.

Enhancing strategic stability and building confidence

None of our weapons are targeted. This "de-targeting" measure was announced in 1997 and has been consistently reaffirmed ever since.

Reduction of the alert status of the two nuclear components announced in 1992 and 1996.

France is the first and only State to date to have made public its total number of nuclear weapons: fewer than 300. France has no nuclear weapons in reserve.

The only nuclear-weapon State, along with the United Kingdom of Great Britain and Northern Ireland, to give pre-launch notifications of all its ballistic missile and space launches, within the framework of The Hague Code of Conduct against Ballistic Missile Proliferation.

The only State to have granted international experts unfettered access to its former facilities for the production of fissile materials for nuclear weapons (visits organized in 2008 and 2009).

Definitive ban on nuclear testing

Definitive cessation of nuclear testing announced in 1996.

France was the first nuclear-weapon State, together with the United Kingdom, to have signed the Comprehensive Nuclear-Test-Ban Treaty (CTBT) in 1996 and ratified it in 1998.

The only nuclear-weapon State to have dismantled, in a transparent manner open to international scrutiny, its nuclear test site in the Pacific (the Pacific testing centre). In 1996-1998, an international mission of experts conducted a visit to the site to assess the impact of France's tests on the environment.

Support for the CTBT verification regime: France manages 24 monitoring stations.

Reduction of stockpiles to a level of strict sufficiency

As the President of the French Republic recalled in his 21 March 2008 speech in Cherbourg, France has always made sure that its nuclear stockpile is kept at the lowest possible level compatible with the strategic context, in accordance with the principle of strict sufficiency.

As a result of changes in the strategic context, in particular since the end of the cold war, all components of French forces have been scaled down: France thus cut its nuclear arsenal by half over a period of nearly 10 years.

- The ground-to-ground component: the only State to have completely dismantled its ground-to-ground nuclear component
- The naval component: the only State to have voluntarily reduced the number of its missile-launching nuclear submarines in service by one third

- The airborne component: reduction announced by the President of the French Republic in 2008 of one third of the number of nuclear weapons, missiles and aircraft in the airborne component.

II. Action taken by France in figures

- 300 nuclear warheads: this is the cap on the total number of weapons announced by the President of the French Republic on 21 March 2008. France is the only nuclear-weapon State to have made its total nuclear stockpile public.
- 50 per cent: France has reduced its nuclear arsenal by half in nearly 10 years.
- Zero: France no longer has any nuclear testing facilities or facilities producing fissile materials for nuclear weapons.

III. What France and its European partners propose

France's firm commitment to disarmament at the national level is being translated into ambitious initiatives at the international level. It would like all the nuclear powers to make a firm commitment to emulating its approach, based on a posture of strict sufficiency in nuclear arsenals.

On the basis of the proposals made by the President of France in his 21 March 2008 address in Cherbourg, France, together with its European partners, presented a disarmament plan of action which was endorsed by the European Union's 27 Heads of State and Government in December 2008, covering:

- Universal ratification of the CTBT and completion of its verification regime, and dismantling, as soon as possible, of all nuclear testing facilities, in a manner that is transparent and open to the international community
- Immediate opening, without preconditions, of negotiations on a treaty banning the production of fissile materials for nuclear weapons and observance of an immediate moratorium on the production of such materials, and the dismantling of dedicated production facilities
- Development of confidence-building and transparency measures by the nuclear Powers
- Conclusion by the United States of America and the Russian Federation of a legally binding post-START arrangement, and overall reduction of global nuclear-weapon stockpiles pursuant to article VI of the NPT, in particular by the States with the biggest arsenals
- Inclusion of tactical nuclear weapons, by those States that have them, in general arms control and disarmament processes, with a view to their reduction and elimination
- Opening of consultations on a treaty banning short- and intermediate-range ground-to-ground missiles
- Universal subscription to and implementation of The Hague Code of Conduct
- Mobilization in all other areas of disarmament.

NPT/CONF.2010/WP.34

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

14 April 2010
English
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New York, 3-28 May 2010

Responsible development of nuclear energy: initiatives by France

Working paper submitted by France

"*France's vision is of a world that will not be divided between countries with nuclear technology, jealously guarding their privileges, and nations demanding a right to nuclear know-how that the others deny them. (...) In France's view, civil nuclear energy can be the cement of a new international solidarity, where each country will need the others to progress.*"

(President of the French Republic at the Paris Conference, 8 March 2010)

France attaches great importance to the development of the peaceful uses of nuclear energy, an available, cost-effective and environmentally friendly source of energy. It is fully committed to the implementation of article IV of the Treaty on the Non-Proliferation of Nuclear Weapons, and to the safe and responsible development of nuclear energy.

France believes that nuclear technologies have a vital contribution to make to the fulfilment of essential human needs and to sustainable development and should benefit all countries, in the fields of health, agriculture, industry, access to water and energy and protection of the environment.

I. France's nuclear cooperation: promoting access to nuclear energy

In the context of the drive to combat climate change and spiralling fossil fuel prices, France is willing to assist any country wishing to have access to nuclear energy for peaceful purposes which fully abides by its non-proliferation obligations.

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II. What France does: concrete actions towards the responsible development of nuclear energy

Support for the activities of the International Atomic Energy Agency in the field of peaceful nuclear applications

France actively supports the International Atomic Energy Agency's (IAEA) Technical Cooperation Programme and acknowledges its positive contribution to development. In addition to its participation in the Technical Cooperation Fund, France also supports several activities through voluntary contributions (placements for trainees, training, expert assignments and financing of major projects, particularly in the fields of cancer treatments and malaria control).

Promotion of access for all to civil nuclear energy

France has signed many bilateral cooperation agreements on the peaceful uses of nuclear energy: eight since 2008. These agreements cover all geographical areas.

Such agreements form the legal framework required for any long-term partnership and are designed to develop cooperation under the best conditions of safety, security and non-proliferation. The procedures for the transfer of materials and equipment to third parties are intended to avoid any diversion, and include a specific commitment to use for peaceful, non-explosive purposes.

In the interest of developing full bilateral cooperation, France encourages all its partners to supplement their comprehensive safeguards agreement with an additional protocol and to accede to all relevant international agreements in the field of nuclear energy (conventions in the field of nuclear safety, Convention on the Physical Protection of Nuclear Materials, convention on civil liability for nuclear damage, etc.).

France intends to develop its international cooperation in complete transparency, and in strict compliance with its international obligations. All agreements are subject to approval by the European Commission, in accordance with the terms of the European Atomic Energy Community (EURATOM) treaty, and are published once ratified.

France has set up a specialized entity, the French International Nuclear Agency, to assist countries wishing to have access to nuclear energy in establishing the infrastructure necessary for the safe development of civil nuclear energy.

Multilateral assurances of nuclear fuel supplies

France has made a commitment, in conjunction with its European partners, to the European Union's financial (up to 25 million euros) and technical contribution to the creation of a low enriched uranium bank under the auspices of IAEA. France also supported the Russian initiative related to the creation of a low enriched uranium bank. These projects are intended to give countries which fully meet their non-proliferation obligations secure fuel supplies.

Control of sensitive technologies

France considers that a clear distinction should be made between:

- The supply of reactors based on non-proliferating technologies (light water reactors) and the supply of the fuel required for their operation, which should be facilitated;
- And the export of enrichment and reprocessing technologies which, though not forbidden, must be strictly controlled owing to the sensitive nature of these technologies vis-à-vis non-proliferation commitments.

Participation in the development of nuclear technologies for the future

France considers that international cooperation is essential in the design of a new generation of safer, more competitive reactors, which will be more resistant to proliferation and generate less long-lasting radioactive waste. France participates in the Multinational Design Evaluation Programme, which aims to improve the efficiency and effectiveness of the safety evaluation procedure when reviewing new reactor designs. It plays an active part in multilateral initiatives in this field such as the Generation IV International Forum, the IAEA International Project on Innovative Nuclear Reactors and Fuel Cycles and the Global Nuclear Energy Partnership initiative. Regarding fusion technology, the International Thermonuclear Experimental Reactor (ITER) will be located at the European site of Cadarache, in France.

III. International Conference on Access to Civil Nuclear Energy (8 and 9 March 2010, Paris): practical assistance for countries wishing to undertake a nuclear power programme

France's position is that the peaceful use of nuclear power should not be confined to the handful of States that already possess the technology. At the same time, though, it is essential — both for the countries concerned and for the international community as a whole — for any country undertaking a civil nuclear programme to be capable of meeting the highest standards regarding safety, security, non-proliferation and protection of the environment for future generations.

On the initiative of the President of the French Republic, the International Conference on Access to Civil Nuclear Energy was held in Paris on 8 and 9 March 2010 in coordination with IAEA and with the support of the Organization for Economic Cooperation and Development, attended by all those with a stake in the responsible development of civil nuclear energy:

- 63 States, represented mainly at the ministerial level, showing the importance of a commitment at the highest level to setting up the necessary legal and political framework;
- 13 bodies with responsibility for nuclear safety issues;
- 30 research centres involved in the actual implementation of international commitments in the field of nuclear energy;
- Many representatives of the nuclear industry, civil society and public and private financial institutions.

The Conference was characterized by a fruitful dialogue, which should be continued.

Giving priority to training

"*We will create an International Nuclear Energy Institute that will include an International Nuclear Energy School. It will bring together the best teachers and researchers to provide very high quality education (…). The Institute will be an integral part of the international network of specialized Centres of Excellence now taking shape. We will set up the first Centre in Jordan.*"

(President of the French Republic, Paris Conference, 8 March 2010)

At a time when more and more countries wish to acquire nuclear energy capabilities, France, in accordance with the commitments it has made under article IV of the Non-Proliferation Treaty, is ready to respond to these expectations by making its recognized expertise available to any country which scrupulously observes all of its nuclear non-proliferation commitments, and in particular those required under the Treaty.

Far from being contradictory, the strengthening of the non-proliferation regime and the development of nuclear energy go hand in hand. As the Treaty itself says, the inalienable right of sovereign States to use nuclear energy for peaceful purposes pursuant to article IV is subject to strict compliance with the other provisions of the Treaty, particularly articles I and II. This is because the right to the peaceful uses of nuclear energy must not be exploited in order to use nuclear technologies, equipment or material for purposes contrary to the aims of the Treaty. The international community must make every effort to share the benefits offered by civil nuclear energy, while eliminating the risks of proliferation associated in particular with the fuel cycle.

That is why France hopes that the May 2010 Treaty Review Conference will provide an opportunity to reaffirm the major principles governing and facilitating the sustainable development of civil nuclear energy.

"*The responsible development of nuclear energy is a critical issue for the future of our planet. We have to work together to achieve a new nuclear governance based on a strengthened IAEA.*"

(President of the French Republic, Paris Conference, 8 March 2010)

IV. What France proposes, together with its European partners

- To assist countries in planning and assessing their various energy needs;
- To assure the responsible development of the peaceful uses of nuclear energy in the best safety, security and non-proliferation conditions;
- To actively support efforts to further develop multilateral fuel cycle mechanisms;
- To promote the highest non-proliferation, nuclear safety and security standards and most rigorous practices by assisting partners that want to set up appropriate regulatory, administrative and human environments;

- To encourage countries which have not done so to accede to all the most important relevant nuclear conventions, in particular in the fields of nuclear safety, physical protection and civil nuclear liability;
- To promote responsible management of spent fuel and nuclear waste, and to assist countries in planning waste management solutions, including at the regional level;
- To assist countries in setting up or reinforcing robust export control systems;
- To support IAEA assistance programmes and the IAEA nuclear security fund with funding and technical expertise;
- To support national, bilateral and international efforts to train the necessary skilled workforce;
- To seek to ensure the maximum appropriate transparency and access to information in the development of nuclear energy programmes;
- To promote nuclear applications in health and agriculture, in particular in cancer research in the developing world, hydrological applications, and assistance to developing countries to improve protection against radiation.

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

12 April 2010
English
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Dismantling the ground-to-ground component

Working paper submitted by France

Elimination of the ground-to-ground component

France's ground-to-ground component consisted of mobile short-range missiles, together with strategic missiles located on the Plateau d'Albion.

As a result of changes in the strategic context, on 22 February 1996 France announced its decision to forego the ground-to-ground component of its nuclear deterrent.

Stages in the phase-out of the ground-to-ground component

1991-1992 decisions

- Early withdrawal of Pluton short-range missiles
- Production of Hadès short-range missiles ended and decision taken not to deploy them
- S45 strategic ground-to-ground missile programme (intended to replace the Plateau d'Albion S3D missiles) terminated

1996 decisions

- Decommissioning of Plateau d'Albion ground-to-ground missiles and closure of the site
- Final removal of the Hadès weapons system

The dismantling of the 30 Hadès mobile short-range missiles was completed in 1997, the dismantling of the 18 S3D strategic missiles in 1998.

Dismantling of Plateau d'Albion (1996-1998)

Some major constraints, namely security, respect for the environment, site conversion and consequences for the local community and economy, had to be taken into account in dismantling Plateau d'Albion, a complex operation that began on 16 September 1996.

A large workforce and specialized equipment were used for this very specific worksite, which extended over almost 800 hectares. Dismantling the 18 launch areas required:

- Over 63,000 working hours
- The removal of more than 630 tons of material.

Each stage of the dismantling process was highly technical: for example, extracting each missile warhead required 162 different operations. After the nuclear warheads and the detonation device had been removed, the destruction of the missiles involved disposing of not only the missile bodies but also the fuel.

All sites, equipment and facilities that had come into contact with nuclear material were subject to non-contamination inspection and certification.

The denuclearization of Plateau d'Albion, at the rate of one missile a month, was completed on 25 February 1998. The total cost of dismantling the site was about 75 million euros.

Towards a treaty banning short- and intermediate-range ground-to-ground missiles

In keeping with the steps taken at the national level with the elimination of its national ground-to-ground component, France is engaged in vigorous efforts at the multilateral level to achieve disarmament. The President of the Republic has, for example, proposed the opening of negotiations on a treaty banning short- and intermediate-range ground-to-ground missiles (Cherbourg speech, 21 March 2008).

France's proposal has been incorporated within the disarmament action plan which was endorsed by the 27 heads of State and Government at the Council of the European Union in December 2008 and which the European Union is proposing with a view to the 2010 Non-Proliferation Treaty Review Conference.

The European Union proposes the opening of consultations on a treaty banning short- and intermediate-range ground-to-ground missiles.

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

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Dismantling of the Pacific Testing Centre

Working paper submitted by France

France is the only nuclear-weapon State to have closed and dismantled, in an irreversible manner, its nuclear testing centre.

Cessation of nuclear testing

In 1996, France definitively ceased its nuclear testing. It immediately decided to fully dismantle the Pacific Testing Centre and the atolls of Mururoa and Fangataufa, located in the South Pacific.

Dismantlement

The dismantlement process began in 1996: infrastructures were knocked down, buildings that were no longer functional or that were likely to deteriorate quickly were destroyed, and clean-up operations were carried out in order to eliminate all radiological risks. In 1998, the dismantlement of the Pacific Testing Centre was completed: France can no longer carry out nuclear testing, and is the only nuclear-weapon State to have dismantled its testing site in a transparent and irreversible manner.

Monitoring the atolls

In 1998, a mission of international experts under the aegis of the International Atomic Energy Agency (IAEA) visited the sites. The mission concluded that the atolls did not pose any radiological risk to the Polynesian populations nor any geomechanical risk, and that no particular remediation or monitoring was necessary. France has nonetheless decided to continue monitoring the sites.

Support for the Comprehensive Nuclear-Test-Ban Treaty and monitoring of nuclear testing

France was the first nuclear-weapon State, together with the United Kingdom, to sign the Comprehensive Nuclear-Test-Ban Treaty (24 September 1996) and to ratify it (6 April 1998). At the international level, it actively supports the universal ratification and entry into force of the Treaty at the earliest possible date. On 24 and 25 September 2009, France and Morocco co-chaired the so-called "Article XIV Conference" with a view to facilitating the entry into force of the Treaty.

France has participated substantively in setting up a Treaty verification system with the establishment of 16 monitoring stations on national territory, and eight international stations under bilateral cooperation agreements. Together with its European partners, France finances activities in such areas as training and enhancing the performance of the verification regime, and has provided over 5 million euros in technical assistance to third countries since 2006.

Action taken by the European Union

The disarmament plan of action, adopted in December 2008 during the French Presidency of the European Union, proposes:

- the universal ratification of the Comprehensive Nuclear-Test-Ban Treaty and the completion of its verification regime
- the dismantling, as soon as possible, of all nuclear testing facilities, in a manner that is transparent and open to the international community

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Dismantling of plants for the production of fissile material for nuclear weapons

Working paper submitted by France

France is the only State to have closed and dismantled all of its facilities for the production of fissile material for nuclear weapons.

Production shut down

France ceased the production of fissile material for its nuclear weapons in 1992 (plutonium) and 1996 (highly enriched uranium). In 1996, it announced a moratorium on the production of these materials. At the same time, France decided to begin dismantling the plants concerned.

Production facilities

- Highly enriched uranium: the enrichment plant at Pierrelatte, which operated from 1964 to 1996
- Plutonium: produced in plutonium-producing G1, G2 and G3 reactors at Marcoule (1956-1984), then separated at the UP1 reprocessing plant at Marcoule, established in 1958 and shut down in 1997

Dismantlement of facilities

The dismantlement programme was launched immediately after production was shut down. This dismantlement is irreversible. It thus entails a considerable financial commitment and presents a challenge in terms of implementation and expertise.

Dismantlement phases and key figures

- Total of 6 billion euros, of which 2 billion have already been invested
- Pierrelatte: six years of preparation; work began in 2002; completion expected in 2010; 4,000 diffusers; 1,330 tons of diffusion barriers; 1,200 km of pipes and 20,000 tons of very-low-activity waste
- Marcoule: the first phase of cleaning/dismantling of G1, G2 and G3 has been completed; 4,000 tons of scrap metal moved to the very-low-level radioactive waste storage centre in Aube; second phase scheduled for 2020-2035; dismantlement of the UP1 plant began in 1997, scheduled to last until 2035

Transparency and international commitment

France organized visits to its facilities on 16 September 2008 for the representatives of more than 40 States members of the Conference on Disarmament, on 16 March 2009 for non-governmental experts and on 3 July 2009 for foreign journalists. France is the only nuclear-weapon State to have opened the doors of its former facilities for the production of fissile material for nuclear weapons to the international community.

The European Union disarmament plan of action

- Adopted in December 2008 under the French Presidency
- Calls for the immediate commencement of negotiations on a treaty banning the production of fissile material for nuclear weapons
- Calls for the immediate establishment of a moratorium on the production of such materials
- Calls for all concerned States to dismantle their production capacities

NPT/CONF.2010/WP.38

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

20 April 2010

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Proposal by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden (the Vienna Group of Ten)

That States parties consider including the following elements drawn from the "Vienna issues" in any action plan to be adopted by the 2010 Review Conference.

Note:

This is not intended as an exhaustive list of elements for a possible action plan.

These points are drawn from the Vienna Group of Ten's working papers and should be read in conjunction with those papers.

That States parties take the following practical steps:

Compliance and verification

Conclude and bring into force Comprehensive Safeguards Agreements or, where applicable, modified Small Quantities Protocols, as soon as possible, in accordance with their Treaty obligations, if yet to do so.

Conclude and bring into force Additional Protocols as soon as possible, if yet to do so.

Comply fully with their obligations under safeguards agreements and relevant Security Council resolutions, and cooperate fully with IAEA in implementing safeguards agreements.

Recognize the Comprehensive Safeguards Agreement and the Additional Protocol as the verification standard pursuant to article III.

Export controls

Establish and enforce effective domestic controls to prevent the proliferation of nuclear weapons, as required by Security Council resolution 1540 (2004).

Adhere to or take account of the Nuclear Suppliers Group guidelines in implementing national export control policies; and adopt the Zangger Committee understandings.

Make acceptance by recipients of full-scope IAEA safeguards a condition for new supply arrangements for the transfer of nuclear material and equipment.

Make acceptance of the Additional Protocol a condition for the transfer of nuclear material and equipment.

Physical protection and illicit trafficking

Ratify the 2005 Amendment to the Convention on the Physical Protection of Nuclear Material, if yet to do so.

Improve national and international capacities to detect, deter and disrupt illicit trafficking in nuclear material and other radioactive materials.

Become parties to the International Convention for the Suppression of Acts of Nuclear Terrorism, if yet to do so.

Apply the IAEA recommendations relating to physical protection of nuclear material and facilities, and other relevant international standards.

Minimize the use of highly enriched uranium in civilian applications.

Implement the Code of Conduct on the Safety and Security of Radioactive Sources, if yet to do so.

Peaceful uses

Facilitate the fullest possible exchange of equipment, material, services and scientific and technical information for the peaceful uses of nuclear energy in a safe and secure environment, in conformity with relevant provisions of the Treaty.

Support the work of IAEA in assisting States, particularly developing and least developed countries, in the peaceful use of nuclear energy, under the best safety, security and non-proliferation conditions.

Safety

Become parties to the Convention on Nuclear Safety, especially if commissioning, constructing or planning nuclear power reactors or considering nuclear power programmes, and yet to do so.

Become parties to the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, if yet to do so.

Become parties to the Convention on Early Notification of a Nuclear Accident and the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency.

Apply the relevant IAEA safety fundamentals, requirements and guides to all activities throughout the nuclear fuel cycle.

Cooperate to ensure effective and coherent nuclear liability mechanisms at national and global levels, and adhere to international instruments relating to liability for nuclear damage as relevant.

Implement concrete measures to improve communication between shipping and coastal States regarding transport safety, security and emergency preparedness.

Nuclear fuel cycle

Consider the cost-effectiveness and viability of the international market, backed up by reliable and transparent fuel assurance mechanisms, as an alternative to developing new national nuclear fuel cycle capabilities.

Support work on developing multilateral approaches to the nuclear fuel cycle.

Comprehensive Nuclear-Test-Ban Treaty

Sign and ratify the Comprehensive Nuclear-Test-Ban Treaty, if yet to do so, without condition and without delay.

Promote signature and ratification of the Comprehensive Nuclear-Test-Ban Treaty by States yet to take these steps.

Refrain from undertaking nuclear-weapon test explosions or any other nuclear explosions, pending entry into force of the Treaty.

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

20 April 2010
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Arab position regarding issues before the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

Working paper on disarmament submitted by the Lebanese Republic on behalf of the States members of the League of Arab States

1. The continued possession and development of nuclear weapons are a threat to international peace and security and contrary to the objective of the Treaty on the Non-Proliferation of Nuclear Weapons. The continuation of security and defence policies based on the possession of nuclear weapons and the use of such weapons as a deterrent against non-nuclear-weapon States undermines the credibility and legitimacy of the non-proliferation regime.

2. The Arab States welcome all proposals and initiatives that aim to achieve a world free of nuclear weapons, and call on the 2010 Review Conference to translate those initiatives into practical measures, including a precise and binding timetable for nuclear-weapon States to disarm in accordance with their obligations under article VI of the Treaty and with the practical measures set forth in the Final Document of the 2000 Review Conference.

3. The Arab States call on the 2010 Review Conference to adopt a decision on the prohibition of development and production of new nuclear weapons as a preliminary step towards a world free of nuclear weapons.

4. The Treaty is the cornerstone of the non-proliferation regime. States parties are called on to achieve its universality forthwith and make progress towards nuclear disarmament as that would directly strengthen efforts to prevent proliferation of nuclear weapons.

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5. States parties should comply fully with all their obligations under the Treaty. The rights of States parties under the Treaty should be consolidated and any attempt to reinterpret the Treaty's provisions should be rejected.

6. The inalienable right of States parties to develop nuclear technology for peaceful purposes must be affirmed and attempts to curtail that right under any pretext must be rejected.

7. Consolidation of the Treaty requires fulfilment of existing commitments, in particular those relating to nuclear disarmament, within the framework of the Treaty and those undertaken at previous Review Conferences, and the implementation of the resolution on the Middle East, which was adopted at the 1995 Review and Extension Conference. Such consolidation should take place before consideration of any new commitments on the part of non-nuclear-weapon States parties to the Treaty.

8. The Arab States call on the 2010 Review Conference to develop a plan of work aimed at achieving the universality of the Treaty through the immediate and unconditional accession of States not parties to the Treaty as non-nuclear-weapon States. Those States should place all of their nuclear facilities and programmes under the comprehensive safeguards regime of the International Atomic Energy Agency (IAEA).

9. The Arab States call on the 2010 Review Conference to issue a decision on the prohibition of the use of nuclear weapons against non-nuclear-weapon States parties to the Treaty and to develop effective international arrangements for granting unconditional security assurances to non-nuclear-weapon States against the use or threat of nuclear weapons.

10. The Arab States stress that IAEA comprehensive safeguards agreements are legally binding under the Treaty, whereas the Model Protocol Additional to such agreements is optional. The conclusion of an additional protocol should not be obligatory nor should it be used as a standard for determining whether States should be allowed to acquire nuclear technology for peaceful uses.

11. The Arab States affirm the sovereign right of States to withdraw from the Treaty and reject any attempt to amend or reinterpret the provisions of article X or to restrict their application through new measures.

12. Implementation of the 1995 resolution on the Middle East and the creation of a nuclear-weapon-free zone in the Middle East:

(a) It should be recalled that, at the 1995 Review and Extension Conference, the States parties emphasized the importance of achieving the universality of the Treaty in the Middle East and ensuring that all nuclear facilities and programmes in the region are subject to comprehensive IAEA safeguards. The Final Document of the 2000 Review Conference calls for the resolution on the Middle East to be considered part of the review process until the resolution has been implemented.

(b) In order to consolidate the credibility of the Treaty, the Arab States call on States parties to the Treaty, particularly the nuclear-weapon States that sponsored the 1995 resolution on the Middle East, to affirm their complete commitment to the aims of that resolution, which is an integral part of the agreement reached at the 1995 Review and Extension Conference to extend the Treaty indefinitely.

(c) The 2010 Review Conference, in accordance with the Final Document of the 2000 Review Conference, should call on Israel to accede unconditionally to the Treaty as a non-nuclear-weapon State and place all its nuclear facilities under comprehensive IAEA safeguards, inasmuch as those steps are essential to the establishment of a nuclear-weapon-free zone in the Middle East.

(d) The Arab States emphasize that the success of the 2010 Review Conference depends on making progress in the implementation of the resolution on the Middle East adopted by the 1995 Review and Extension Conference.

(e) The Arab States call on the 2010 Review Conference to explore and adopt practical means to implement the resolution on the Middle East and to adopt the practical measures set forth in the working paper submitted by the Arab States.

(f) The Arab States call on the United Nations to convene a conference that will make a sincere effort to establish a nuclear-weapon-free zone in the Middle East within a specific time frame, in implementation of the relevant United Nations resolutions, including the General Assembly resolution entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East". They also call on IAEA to prepare the necessary terms of reference on the basis of its experience in preparing for the establishment of nuclear-weapon-free zones in other regions of the world.

(g) The Arab States call for the establishment of a standing committee comprising the members of the Bureau of the 2010 Review Conference, with a mandate to follow up implementation of the 1995 resolution on the Middle East and the Final Document of the 2000 Review Conference, which called on Israel to accede to the Treaty forthwith and place all its nuclear facilities under comprehensive IAEA safeguards. The Committee should also follow up implementation of the outcome of the 2010 Review Conference, and submit a comprehensive report thereon to the 2015 Review Conference and the sessions of the Preparatory Committee, in order to inform them of the progress made.

(h) Nuclear-weapon-States should affirm their full commitment to implement the provisions of article I of the Treaty. They should further undertake not to provide Israel with any form of direct or indirect assistance that would enable it to increase its capacity to manufacture nuclear weapons or explosive nuclear devices, or to acquire or gain control thereof, in any way, shape or form. The provision of such assistance to Israel would threaten regional and international peace and security, and gravely endanger the non-proliferation regime.

(i) The Arab States call on the Director General of IAEA to follow up on implementation of resolution GC(53)/RES/17 of September 2009, entitled "Israeli nuclear capabilities", and provide the Board of Governors with progress reports in that regard.

(j) The Arab States call on the Agency to halt the technical programmes provided to Israel. Cooperation with Israel on nuclear issues should be suspended until it accedes to the Treaty as a non-nuclear-weapon State and places all its nuclear facilities under a comprehensive safeguards agreement. Those steps are a necessary precondition in order to promote the universality, credibility and effectiveness of the Treaty.

(k) The establishment of a nuclear-weapon-free zone in the Middle East would help build confidence and contribute to achieving peace in the region. Until such a zone has been established, the Arab States stress that no State in the Middle East should possess nuclear weapons or explosive nuclear devices, or allow such devices to be placed in its territory or in territory under its jurisdiction or control. All States must refrain from taking any action that goes against the letter and spirit of the Treaty or contradicts any of the international resolutions and documents concerning the establishment of a nuclear-weapon-free zone in the Middle East.

NPT/CONF.2010/WP.40

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

22 April 2010

Original: English

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Working paper submitted by Australia and New Zealand

Background

1. The indefinite extension of the Treaty on the Non-Proliferation of Nuclear Weapons, in 1995, was accompanied by a resolution (on the Middle East) and by two decisions. The first decision was a commitment to strengthen the Treaty review process. The second was a decision on the principles and objectives for nuclear non-proliferation and disarmament. The two decisions and the resolution on the Middle East were specifically linked to the decision on the extension of the Treaty.

2. In the second decision (NPT/CONF.1995/32/DEC.2), the States parties expressed their desire that "nuclear non-proliferation, nuclear disarmament and international cooperation in the peaceful uses of nuclear energy should be vigorously pursued and progress, achievements and shortcomings evaluated periodically within the review process".

3. The decision on principles and objectives went on to state, as follows:

> 4. The achievement of the following measures is important in the full realization and effective implementation of article VI, including the programme of action as reflected below:
>
> ...
>
> (c) The determined pursuit by the nuclear-weapon States of systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goals of eliminating those weapons, and by all States of general and complete disarmament under strict and effective international control.

Development of a reporting requirement

4. In 2000, the notions of periodic evaluation and systematic and progressive efforts towards the elimination of nuclear weapons, as highlighted in the decision on principles and objectives, were brought together through the provision of a specific reporting requirement.

5. The Final Document of the 2000 Review Conference included, among a list of agreed practical steps towards the implementation of the Treaty, the requirement to submit:

> 12. Regular reports, within the framework of the strengthened review process for the Non-Proliferation Treaty, by all States parties on the implementation of article VI and paragraph 4 (c) of the 1995 decision on "Principles and objectives for nuclear non-proliferation and disarmament".

Rationale for reporting by all States parties

6. The security of all States parties is affected by the existence of nuclear weapons. The call for reports "within the framework of the strengthened review process for the Non-Proliferation Treaty" suggests that States parties are expected to report regularly through the central forums of the strengthened review process, in other words, the cyclical meetings of the Preparatory Committee and Review Conference. Given that all parties share in the responsibility to implement the Treaty, the reporting requirement applies to all States parties.

Rationale for reporting by nuclear-weapon States parties

7. The readiness of the non-nuclear-weapon States to forgo nuclear weapons by becoming party to the Non-Proliferation Treaty is testament to their belief that collective security is best served by the elimination of nuclear arsenals. The increased responsiveness by nuclear-weapon States to article VI reporting, following the 1995 and 2000 Review Conference outcomes, has been welcomed.

8. Reporting on systematic and progressive efforts towards nuclear disarmament by all nuclear-weapon States would further increase transparency and build international confidence, helping to create a climate conducive to further disarmament.

Recommendations

9. The Treaty envisages both in its preamble and article VI that nuclear disarmament will take place through "effective measures". We recommend that the Conference give further effect to this by including the following recommendation in its outcome document in respect of article VI:

> 1. Calls on the nuclear-weapon States to systematize their reporting along the following lines:
>
> (a) Nuclear doctrine (including measures taken to decrease the operational readiness of nuclear weapons systems and any security assurances);
>
> (b) Fissile material (policy on production and control);
>
> (c) Warhead and delivery vehicle numbers;
>
> (d) Strategic and tactical reductions;

2. Calls on the nuclear-weapon States to provide these reports to five-yearly Review Conferences, with updates provided as appropriate at the Preparatory Committee meetings;

3. Calls on all States to continue to report on their efforts to bring about nuclear disarmament, including the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty and the commencement of negotiations on a fissile material cut-off treaty.

NPT/CONF.2010/WP.41

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

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The United Kingdom-Norway initiative: research into the verification of nuclear warhead dismantlement

Working paper submitted by Norway and the United Kingdom of Great Britain and Northern Ireland

Summary

Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons sets out, among other elements, that all parties to the Treaty, nuclear-weapon and non-nuclear-weapon States alike, undertake to pursue effective measures relating to arms control and disarmament. Establishing effective verification measures will be an important precondition for fulfilling the goals of article VI. The United Kingdom-Norway initiative (with the non-governmental organization VERTIC (Verification Research, Training and Information Centre) as an independent observer) has explored activities in line with these obligations, with both parties mindful of their roles and obligations under international agreements and national regulations.

This report details the outcome of three years of collaboration between experts from Norway and the United Kingdom to investigate technical and procedural challenges associated with a possible future nuclear disarmament verification regime. This has been a process of building trust and cooperation in an area which presents significant technical and political challenges to both parties.

The report outlines the two main project areas, introducing briefly the aims and direction of the information barrier project but focusing primarily on the planning, conduct and evaluation of the managed access and monitoring visit exercise held in Norway in June 2009. It details the lessons learned during the course of the work and in its conclusions highlights the key findings and possible areas for development, including giving consideration to the potential role of the non-nuclear-weapon States.

Finally, an insight is given into the possible future direction of study for the United Kingdom-Norway initiative, while the opportunity is taken to encourage the wider international community to make its own contributions to the ultimate objective of an effective nuclear weapon dismantlement verification regime.

I. Introduction

1. Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons sets out, among other elements, that all parties to the Treaty, nuclear-weapon and non-nuclear-weapon States alike, undertake to pursue effective measures relating to nuclear arms control and disarmament. Establishing effective verification measures will be an important precondition for fulfilling the goals of article VI.

2. In a future verification regime for nuclear warhead dismantlement, inspecting parties are likely to request access to highly sensitive facilities and weapon components. Such access will have to be managed carefully by the hosting party to prevent the disclosure of sensitive information, both in compliance with the Treaty and in consideration of national security. At the same time, it will be incumbent on the inspectors not to gain proliferation-sensitive information.

3. The United Kingdom-Norway initiative is an ongoing collaboration between a nuclear-weapon State and a non-nuclear-weapon State which seeks to investigate technical and procedural challenges associated with a possible future nuclear disarmament verification regime. This has been a process of building trust and cooperation in an area which presents significant technical and political challenges to both parties. The principal objectives for the collaboration are:

- To create scenarios in which Norwegian and United Kingdom participants could explore issues relating to nuclear arms control verification without the risk of proliferation
- To promote understanding between a nuclear-weapon State and a non-nuclear-weapon State on the issues faced by the other party
- To promote discussion on how a non-nuclear-weapon State could be involved in a nuclear arms control verification process.

4. This report presents the outputs from the technical cooperation during 2009, including an exercise held in Norway in June 2009, and builds on the work presented to the meeting of the Review Conference Preparatory Committee held in May 2009.

II. Background

5. At the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, the Government of the United Kingdom expressed an interest in exploring opportunities for interchange with other Governments and State organizations in the field of nuclear arms control verification. In late 2006, this led to representatives of the Norwegian Radiation Protection Authority (NRPA), the United Kingdom Ministry of Defence and the non-governmental organization VERTIC instigating a technical exchange between the United Kingdom and Norway in this field.

6. Early in 2007, representatives from four Norwegian laboratories, the Institute for Energy Technology (IFE), the Norwegian Defence Research Establishment (FFI), the Norwegian Seismic Array (NORSAR) and the Norwegian Radiation Protection Authority (NRPA), met with representatives from the United Kingdom Ministry of Defence, the Atomic Weapons Establishment plc (AWE) and VERTIC to

discuss potential cooperation on matters related to the technical verification of nuclear arms control. The Norwegian researchers were particularly interested in investigating how a non-nuclear-weapon State could play a constructive role in increasing confidence in the nuclear disarmament process of a nuclear-weapon State. It was agreed that an unclassified exchange within this field of research was feasible and that a programme of work should be developed. It should be noted that this is the first time that a nuclear-weapon State and a non-nuclear-weapon State have attempted to collaborate in this field of research. Under this initiative, two areas of research have so far been undertaken: information barriers and managed access. An account of this research can be found in sections III and IV below.

7. In its simplest state, an information barrier takes data from a measurement device, processes the data relative to predetermined criteria and provides a pass/fail output. Crucially, the information barrier must prevent the disclosure of sensitive measurement data to "uncleared" personnel. Information barriers are an important concept when considering future inspections, as inspectors would not be given unrestricted access to nuclear warheads; such access would breach the mutual non-proliferation obligations of the Treaty on the Non-Proliferation of Nuclear Weapons, as well as reveal national security-sensitive information. In 2007, the United Kingdom and Norway therefore embarked on the joint development of a robust, simple and relatively inexpensive information barrier system capable of identifying radiological sources.

8. Managed access is the process by which "uncleared" personnel are given access to sensitive facilities, or supervised areas, under the terms of an agreed procedure or protocol. A managed access familiarization visit took place in Norway in December 2008, allowing an "inspecting party" (the United Kingdom taking the role of a non-nuclear-weapon State) to become familiar with the mock-up facilities controlled by the "host party" (Norway taking the role of a nuclear-weapon State) and to prepare for a follow-on monitoring visit. The conduct of and outcome from the familiarization visit was the subject of a presentation given on the margins of the 2009 meeting of the Review Conference Preparatory Committee. The follow-on managed access monitoring visit exercise was held at the mock-up nuclear weapon dismantlement facility in Norway in June 2009. Two jointly designed information barrier prototypes were tested during the monitoring visit exercise; this was the first field test of the information barrier technology developed as part of the United Kingdom-Norway initiative.

9. This report to the 2010 Review Conference introduces briefly the aims and direction of the information barrier project but focuses primarily on the planning, conduct and evaluation of the monitoring visit exercise.

III. The information barrier development project

10. An important part of the cooperation between the United Kingdom and Norway in establishing a system for nuclear disarmament verification has been to design and build an information barrier system. Such systems are intended to be used by the inspectors to verify if sealed containers hold treaty-accountable items or not. Used in combination with other inspection techniques, an information barrier system is a tool for maintaining a chain of custody and to verify that the disarmament takes place in accordance with the declaration by the host country. The

use of an information barrier system enables the parties to meet the requirements of the Treaty on the Non-Proliferation of Nuclear Weapons and prevents disclosure of national security-sensitive information.

11. On the basis of a joint design, the United Kingdom and Norway have built two prototypes of the information barrier system, one in the United Kingdom by AWE and one in Norway by IFE and FFI. The system consists of a germanium detector and an electronic unit. The electronic unit records the detected gamma-radiation energies and runs a specially designed software code to determine if these recorded energies correspond to the declared type of radioactive material. The outcome of the process is either a green light indicating the presence of the declared type of radioactive material in the sealed container or a red light indicating the absence or insufficient quantities of this material. No other information is available from the electronic unit, and all collected information is deleted immediately after the result has been presented. As the output is only a simple coloured light, the joint design of the system is essential to ensure that both parties have confidence in the validity and accuracy of the result gained.

12. The information barrier system is a relatively low-cost, lightweight battery-powered system that can be easily transported and used in the field. The electronic unit is built from standard commercially available electronic components and is designed to be easy to inspect for any unauthorized changes. Prior to use the host can also easily substitute any of the modular components at the inspector's request. These modular components can then be thoroughly checked by the inspecting party for any alterations to increase confidence in the authenticity of the information barrier system. Indeed, even after use all modules except the data processing module could be available for further inspector checks.

13. The software codes in the United Kingdom and Norwegian prototypes were designed to detect a cobalt-60 isotope that was used in the mock-up nuclear weapon built for the monitoring visit exercise in June 2009. Both prototypes were thoroughly tested according to an agreed test programme prior to the monitoring visit exercise, and both were used successfully during the exercise.

IV. The managed access project

14. The first stage in the United Kingdom-Norway investigation into managed access was the creation of a framework for the conduct of practical exercises. This framework was developed by a joint United Kingdom-Norway planning team, with VERTIC acting as an independent observer. The core element of the framework was a hypothetical treaty, and its associated verification procedure, between two hypothetical countries, the "Kingdom of Torland", a nuclear-weapon State, and the "Republic of Luvania", a non-nuclear-weapon State. In an initial declaration, Torland stated its intention to dismantle its 10 remaining Odin class nuclear weapons (gravity bombs). Torland invited Luvania to verify the dismantlement process for one of these weapons. The verification procedure allowed for the Luvanian inspectors to undertake a familiarization visit to Torland's nuclear weapon complex and to subsequently carry out a monitoring visit to the same facilities to verify the dismantlement of one Odin class bomb. The dismantlement would be

considered complete once the Odin pit[1] had been placed in a monitored store. The exercise was designed to have a broad enough scope to provide an overview of the whole dismantlement and verification process.

15. The key objective for Luvania was to establish confidence in the declaration made by Torland with regard to the treaty-accountable item[2] and to demonstrate, to the satisfaction of both parties, a chain of custody through the dismantlement process. Luvania, as the inspecting party, would produce an inspection report in accordance with the verification procedure. The key objective for Torland was to demonstrate compliance with its obligations under the treaty while protecting national security and proliferation-sensitive information.

16. Several steps were taken during the planning stages of the managed access exercises to minimize the risk of proliferation. Initially, and continuously during the work, each of the parties assessed its roles and obligations related to articles I and II of the Treaty on the Non-Proliferation of Nuclear Weapons and implemented several measures:

- For the purpose of the managed access exercises, it was decided that the United Kingdom and Norway would switch roles. Norway would play the nuclear-weapon State while the United Kingdom would play the non-nuclear-weapon State. This also gave the participants the opportunity to explore the problem from the other side's viewpoint
- It was decided that the exercises would take place in Norway
- Although the exercise play was based on a framework involving "the Odin class nuclear weapon", the actual object used during the notional dismantlement process was based on a cobalt-60 radiological source
- The development of Torland's "atomic weapons laboratory", where the managed access exercises took place, was undertaken by means of discussions of a generic facility model comprising simple, logical building blocks which might conceivably be present within any nuclear weapon complex.

17. The joint United Kingdom-Norway planning team, with VERTIC as an independent observer, has worked since 2007 to develop the exercise scenario and supporting infrastructure, including the mock-up facilities in Norway. The planning team's particular aspiration was that the exercise should provide opportunities:

- To consider the level of cooperation that would be required between the two States parties (non-nuclear-weapon State and nuclear-weapon State) for the successful conduct of the inspection process
- To gain an understanding of the complexities and issues which hinder flexibility on the part of both parties
- To discuss the level of inspector/host confidence in the inspection process
- To test relevant technologies and procedures.

[1] The pit is the notional fissile component within the Odin nuclear weapon.

[2] The treaty-accountable item was the Odin pit.

V. The monitoring visit exercise

A. Facilities and timeline

18. Prior to the monitoring visit, Luvanian inspectors visited Torland's "atomic weapons laboratory" to familiarize themselves with the facilities (see figure below), the level of access, access controls and the timeline for the dismantlement. During this familiarization visit, broad agreement was reached in terms of the permissible inspection activities and the control measures which would be instigated by the host.

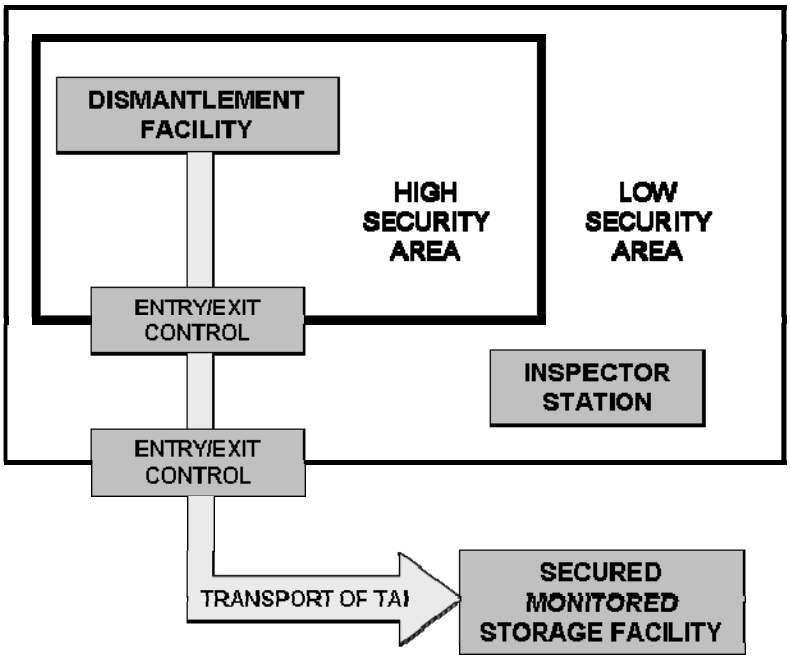
19. The Odin weapon was dismantled in stages in a process that took several days to complete. The inspectors were presented with the containerized treaty-accountable item at agreed points in this process; each point involved the use of a different sealed container. At the end of each day, the item was stored in an interim storage area. This storage area was secured so that the inspectors were confident that no tampering or diversion activities had occurred. At the end of the dismantlement process, the treaty-accountable item was transported from the dismantlement facility to a secured monitored storage facility (see figure).

20. The inspectors were provided with an "inspector station" located within a low-security area (see figure). Within this facility restrictions on activities were minimal, allowing the inspectors to pursue negotiations, review documentation, write reports and perform data analysis.

21. At the beginning of each day, the inspecting party and the host party met within the inspector station to review the facilities and operations scheduled for that day including the dismantlement and inspection activities to be performed. The inspectors were then taken through an entry/exit control point into the high security area (see figure) where the host party deployed a number of managed access techniques to ensure that the inspection activities did not breach health and safety regulations, disclose proliferative information or reveal information related to national security.

22. At the end of the inspection process, Luvania produced a report commenting on the degree to which the monitoring activities had demonstrated Torland's compliance with the initial declaration and its level of confidence in the overall chain of custody. Torland responded with its observations on Luvania's report.

Torland's "atomic weapons laboratory"



Abbreviations: TAI, treaty-accountable items.

B. Host techniques for controlling inspection activities

23. The Torian host team deployed a number of tactics in order to handle security and inspection activities:

- Identity checks before and during the visit
- Security briefings
- Change of clothing and metal detector checking
- Escorting and guarding
- Shrouding and exclusion zones
- Host control of equipment and measurements
- Documentation and information control including numbered note pads.

24. Torland requested a short curriculum vitae for each of the Luvanian inspectors prior to the monitoring visit in order to (notionally) undertake initial security checks. This information was then checked against proof of identity each time the inspectors passed from the low-security to the high-security area.

25. Torland gave security briefings to ensure that the inspectors understood the security procedures to be employed during the visit. These sessions allowed time to answer any questions and negotiate any points of contention.

26. Torland ensured that Luvania could not carry any covert monitoring devices during the facility-based inspection activities by requesting that "contraband" items (such as mobile phones or watches) be surrendered prior to taking the inspectors into the high-security area. Torland confirmed that all such items had been handed over by asking the inspectors to (notionally) change into clothing provided by Torland and by using a metal detector to perform a search.

27. Within the high-security area, escorts and guards were assigned to the Luvanian inspectors to ensure that they only performed agreed activities within designated areas. Torland used shrouding to conceal items which could provide sensitive or proliferative information. Exclusion zones were marked to identify areas prohibited to inspectors.

28. Notionally, Torland ensured that the equipment used by the inspectors did not contain any covert monitoring features and did not measure parameters which would be considered sensitive or proliferative. In order to achieve this, all inspection equipment was notionally agreed, authenticated and certified for use within the facility prior to the commencement of the exercise. The equipment used within the high-security area was supplied by the host. It was agreed that Torland facility staff should undertake all measurement and sealing activities under Luvanian supervision.

29. The inspection process was documented and attested by both parties; the measurement data were held jointly until officially released by Torland for use within the inspector station. All numbered note pads and pens used within the high-security area were supplied by Torland. These were issued just before entrance into the high-security area and collected before exiting. Torland reviewed all notes to ensure that no sensitive information had been recorded.

30. Many of the above measures were primarily based on security concerns, however, health and safety was also an overriding consideration for the host party. Many areas within a nuclear weapon complex are subject to strict regulations and the host must ensure that these are followed during the course of the visit. Torland provided additional health and safety briefings along with appropriate protective and restrictive measures.

C. Inspection activities

31. The Luvanian inspectors deployed a number of techniques and processes to support the verification activities as agreed during the familiarization visit:

- Radiation monitoring
- Tags and seals
- Digital photography of the tags and seals
- Closed-circuit television cameras
- Information barrier system for gamma measurements
- Photography of inspection relevant items, in situ and with inspectors present
- Review of documentation relating to the Odin device, and visual observations and dimensional measurements of the Odin weapon and containers.

32. All necessary equipment was supplied by the host party to ensure compliance with health, safety and security requirements. The inspectors were permitted to use their own equipment at the inspector station, but not inside the dismantlement facility. Authentication of host-supplied equipment was not carried out in the exercise. However, some of these issues were addressed in the information barrier project.

33. Prior to any activities being undertaken within the dismantlement facility, the inspectors needed to convince themselves of the absence of materials and sources which could impinge on the inspection activities. Radiation monitoring activities were undertaken using gamma and neutron count rate monitors supplied by Torland. The overall sweeping concept was designed to gain confidence in the integrity of the inspection activities. Once the inspectors had ensured that the area was clear, all personnel, equipment and containers were monitored in and out of the area. The only exceptions were sealed containers declared to contain the Odin weapon or its components. This procedure was repeated once the dismantlement was complete, to ensure that no treaty relevant materials had been left within the facility.

34. A hand-held gamma radiation monitor and a hand-held neutron monitor were supplied by the host party for the sweeping. The deployment of both gamma and neutron sweeps on containers made it harder for the host to shield diverted materials or covert sources. The sweeping activities were very time-consuming.

35. Tags and seals were used for three reasons: to be able to uniquely identify any containers with the Odin weapon or its components, to ensure that no containers had been opened and to ensure that during dismantlement no materials had been removed from the facilities. Tags and seals were applied to the inside of the facilities immediately after sweeping. The commercial tags and seals used were based on research undertaken in the United States of America and for the International Atomic Energy Agency. The method relied on the inherent tamper-indicating properties of the seals, with the inspectors adding unique random particulate identification tagging to each seal.

36. The tags and seals were verified by photographing the random particulate identification tagging. For the exercise, the tagging consisted of simple glitter supplied by the inspectors and randomly encapsulated in an adhesive. This was applied to the host-supplied seals in the inspector station shortly before use in the facilities. It is important that the inspectors be able to impose their own unique identifying feature, particularly if the seals are host-supplied, to ensure that the seals cannot be swapped. During the exercise, the images of the seals were taken to the inspector station to be compared with a blink comparison technique. Undertaking this in the inspector station allowed the inspectors to use their own software to ensure high confidence in the results.

37. Closed-circuit television cameras were deployed notionally at points of interest where the information, within the agreed field of view, was considered to be insensitive by the host. The cameras provided a direct visual confirmation that no personnel or material had entered or left the facility while the inspectors were not present. Examples include views of ceilings within dismantlement facilities and of exit doorways, which the host had agreed would not be used during the dismantlement activities.

38. The information barrier system was used to confirm that the initial container, declared to contain the Odin weapon system, had a gamma radiation signature compatible with the host's declaration. After each stage of dismantlement, the information barrier system was used to confirm that the container declared to hold the treaty-accountable item met this agreed signature. All other containers were then monitored with the non-barriered radiation detectors to confirm the absence of any radioactive material. Once a container was confirmed as empty of radioactive material, it could be removed from the facility. The container with the treaty-accountable item was sealed to ensure the further chain of custody.

39. Photographs of inspection-relevant items were taken to provide documentary evidence that the inspectors had carried out their inspections on site as agreed.

40. Some redacted documents containing a limited history of the Odin device with serial number, dates and signatures were provided by the host party. Prior to the dismantlement, a limited number of inspectors were allowed to see the outer casing of the Odin device. Some documents were provided by the host to show physical parameters and serial numbers which could be verified by the inspectors on the systems as presented to them. The collection of documents made available to the inspectors by the host was intended to provide further confidence that the item under verification was indeed an Odin system.

D. Strategy and negotiations

41. Neither party had developed a comprehensive strategy prior to the exercise, though both had elements in place. All of the participants understood that national security and non-proliferation commitments were an overriding consideration.

42. During negotiations, the Torian hosts were reminded that they had invited Luvania to inspect the dismantlement process. This, coupled with the non-reciprocal nature of the agreement, placed Torland in what was regarded as a slightly weaker negotiating position. However, as the exercise progressed the Luvanian team became more aware that their actions and conclusions would be the subject of scrutiny by the international community, increasing the pressure on the Luvanian inspectors to deliver what had been agreed.

43. A number of issues were subjects of negotiation: facility schematics, images of inspectors within facilities, physical measurements on the weapon itself, the use of open-source images, serial numbers and surfaces interfacing with seals. Even though both parties had considered that most issues were resolved by the end of the familiarization visit, it soon became apparent that a large number of details still required negotiated agreement before monitoring activities could proceed.

44. Torland's negotiating stance allowed concessions to be made on points where national security or non-proliferation was not an issue. This fitted well with Luvania's view of a cooperative process which inspired trust and confidence. As the negotiations progressed, and the Luvanian inspectors continued to request activities beyond the initially agreed scope, the Torland hosts began to adopt a firmer stance to Luvania's demands.

VI. Lessons learned

A. Host perspectives

45. The exercise emphasized the key challenge facing the host party during any verification regime operating within a nuclear weapon complex: how to provide the inspectors with the opportunity to gather sufficient evidence, while at the same time protecting sensitive or proliferative information. The host will share in the responsibility to ensure that the verification regime has been applied comprehensively. The host will not want to be unjustly accused of hindering the inspection activities or indeed cheating.

46. Health and safety regulations will dictate some of the host's responses to inspector requests. State legal requirements may also restrict activities within explosive and radiation protection areas.

47. The host has to take care, when considering national security and proliferation concerns, that the information provided to satisfy individual inspector requests does not become sensitive when it is aggregated. The host might consider agreeing to requests "in principle" until all of the inspector requests have been collated.

48. The host will have to consider the impact of the inspection process on facility operations and available resources. By negotiating and agreeing on all aspects of the visit in advance, issues can be discussed and resolved. The host might consider it to be advantageous to take a more cooperative stance in the negotiation process, with a view to minimizing the amount of time within the facility and promoting inspector confidence in the verification process as a whole.

49. The escorting concept deployed during the exercise focused on controlling the inspectors. Both guards and facility staff were involved in escorting duties, although there was some confusion among the facility staff as to their responsibilities, as they also had to facilitate the inspection activities. It was clear that the Torian team did not have enough staff to support both the security escorting and the technical inspection activities. At times the inspectors outnumbered the host staff, giving some of the inspectors the opportunity to perform unsupervised measurements. Another concept would be to split the support to escorting and technical inspection with respect to activities, objects, equipment or sensitive areas. This might increase the number of facility staff required but would allow the escorts to study the agreements specific to their area of responsibility. If the facilities have limits on personnel numbers, this will have a significant impact on the number of inspectors allowed into the area and the rate at which they can therefore conduct their activities. Regardless of the concept deployed it will be essential that all staff are well drilled in the procedures required.

B. Inspection activities

50. The layout of a facility will either help or hinder radiation monitoring activities. Facilities which allow the inspectors to move around the outside of the area of inspection are desirable; facilities which could conceal cavities, such as heavily mounded buildings, will pose more of a problem.

51. Shrouded objects are an issue, particularly where the shrouding is hiding tooling which will be used in the dismantlement process — these items cannot be sealed. Unsealed shrouded objects could be hiding shielded covert sources or shielded containers to be used during material diversion. This is an issue that requires further thought.

52. The tagging and sealing process highlighted a number of issues. Over time some of the seals started to peel off the painted walls. This indicates how important it is to consider the surfaces that the seals will be applied to, not just the seals themselves. While it was possible to place the seals in almost any location, taking images of the random particulate identification tagging was difficult in awkward positions. Over an extended period of time, any vulnerability could be exploited by the host, who after all has all the resources of a State party. If the seals were only going to be relied on for a short time, the deployed solution might be adequate; for longer periods, new ideas must be considered. The large number of seals proved to be time-consuming to deploy and evaluate, while the vehicles proved almost impossible to seal to the inspectors' satisfaction.

53. The blink comparison process proved to be very effective at verifying random particulate identification tagging, but viewpoints differ in terms of accepting "human factors" in the evaluation of data. The automation of the comparison technique is certainly an area for consideration.

54. The concept of closed-circuit television would need further consideration if it were to be deployed within a nuclear weapon complex. However, the exercise has shown that closed-circuit television can be usefully deployed in situations without significant security or proliferation risks, such as the monitoring of ceilings and of entrances unused during dismantling activities.

55. The inspectors felt that to effectively deploy chain of custody measures, the team needed to give greater consideration to the threat and the vulnerabilities. Such an assessment would form part of a risk/benefit analysis where the inspectors would consider the threat, the likelihood of the scenario occurring and the confidence levels associated with the deployment of a particular concept. The inspectors commented that it would have been better to have stepped back and considered the area more thoroughly rather than rushing in to complete the work. It should be noted that schematic drawings are unlikely to have sufficient three-dimensional detail to satisfy all the requirements of the inspectors in developing comprehensive chain of custody measures.

56. Radiation monitoring, sealing and the deployment of closed-circuit television cameras have to be considered as parts of a unified strategy for securing an area. Overall, it is the consideration of the entire verification system that is important rather than each element in isolation. The inspectors will always be looking for anomalies relative to the regime as a whole. The concept of multiple layers of protection proved to be particularly important.

C. Joint experiences

57. Host/inspector interactions became friendlier as the work progressed. This phenomenon has been observed in other exercises, as well as in real inspections, and

can be instrumental in building trust. However, this does need to be managed so that professional detachment is maintained.

58. The exercise did emphasize the importance of considering the movement of information and equipment across areas with differing security restrictions. It was deemed very important for the inspectors to have access to an inspector station where they could work with a minimum of restrictions (this includes the use of equipment to record and analyse inspector observations and measurement data). This inspector station would need to be outside all host sensitive facilities. The movement of information and equipment between the sensitive facilities and the inspector station is a complex issue that should not be underestimated. All such transfers will need host approval and be under host control. For example, written notes on host-supplied paper or photographs of a seal are likely to be approved, while computers, electronic equipment and complex data files are unlikely to gain approval. Inspectors must carefully consider such issues when designing their verification approach.

59. The Luvanian inspectors felt that they had learned a lot from carrying out the inspections in the field as it allowed them to test out concepts and identify weaknesses. It is all too easy to lose perspective when working purely within a controlled laboratory setting.

60. The remit of the verification regime is driven by the host's declaration as the inspectors can only confirm what has been declared. The choice and capabilities of the equipment will then need to reflect this information. For example, the information barrier system cannot incorporate a mass threshold if no indication of mass has been given. The problem for the host is what the declaration can say given the non-proliferation and security requirements. The host will need to perform a rigorous risk assessment considering proliferation and security concerns with respect to the overall potential gains in inspector confidence. This is both a technical and political matter for further consideration.

VII. Inspector/host confidence

61. The Luvanian inspector team wrote an inspection report which was issued to Torland for comment. In summary, the inspectors made the following observations:

- The inspectors were able to deploy all the techniques deemed necessary to sustain an unbroken chain of custody of the item declared by Torland as the treaty-accountable item, from start to finish of the inspection
- The information barrier system was successfully deployed four times during the inspection process — the presence of the notional weapons-grade plutonium (in reality, radioactive cobalt) was confirmed each time
- The cooperation from Torland was exemplary
- As a result of the above, the inspection team was able to confirm with a high degree of confidence that the objects declared as the Odin weapon, and its associated containers, moved through the declared dismantlement process
- Further scientific measurements and documentation indicating provenance could, in future dismantlement processes, provide greater reassurance that the object was the Odin system.

62. The Torian host team added the following observations to the inspection report:

- Torland was satisfied that its national security had not been compromised and that non-proliferation obligations had been observed at all times
- Torland felt that Luvania's requests for additional information had been reasonable and acceptable
- Torland agreed that further technological development was necessary, particularly in the area of information barrier measurements, in order to confirm the identification of the Odin system.

63. Despite obvious weaknesses in the verification technologies and procedures and in the host security arrangements, both teams had high confidence that they had met their obligations.

64. The host party's assessment of national security and proliferation issues cannot always be backed by explicit reasoning. Inspector and host awareness of these issues will affect the possibility of obtaining the best possible outcome.

65. Several points were highlighted where the host might have considered diverting materials or performed a spoofing scenario. However, as these opportunities could not have been predetermined and were unlikely to be repeated, would the host risk taking advantage of them? Overall, the inspectors need to take a rigorous, but risk-based approach — the inspectors will never be 100 per cent confident.

66. None of the verification measures used could confirm that the object was an Odin class weapon as declared. The information barrier measurements, along with the documentary evidence, built confidence but were not definitive proof. It was not the intention of this series of exercises to solve this "initialization problem"; however, it has highlighted the issue.

67. If the international community is to have a discussion on the issues of inspector/host "confidence" or "trust", ideally some form of metric for these parameters needs to be developed.

VIII. Conclusions

68. As stated earlier, article VI of the Treaty on the Non-Proliferation of Nuclear Weapons sets out, among other elements, that all parties to the Treaty, non-nuclear-weapon and nuclear-weapon States alike, undertake to pursue effective measures relating to arms control and disarmament, and their verification. Establishing effective verification measures will be an important precondition for fulfilling the goals of article VI. The United Kingdom-Norway initiative (with the non-governmental organization VERTIC as an independent observer) has explored activities in line with these obligations, with both parties mindful of their roles and obligations under international agreements and national regulations.

69. This collaboration in the field of verification for nuclear arms control has resulted in the successful delivery of two managed access exercises: a familiarization visit exercise, which took place in December 2008 (reported previously), and the follow-on monitoring visit exercise, which took place in June

2009. This is the first time that a nuclear-weapon State and a non-nuclear-weapon State have attempted collaboration in this field of research.

70. The broad scope of the monitoring visit scenario provided the participants with a global view of how all of the elements of the verification regime would fit together in order to support the inspection process. A number of managed access concepts were deployed in order to control inspection activities within the facilities. The exercise process emphasized the importance of controlling the movement of information, equipment and personnel across areas of differing security restrictions and the need to improve on procedures supporting this process.

71. A variety of inspection techniques were deployed in order to create a multilayered approach to the chain of custody and overall inspection activities. It was noted that to effectively deploy these chain of custody measures, a rigorous risk assessment considering the potential threats and vulnerabilities needs to be undertaken. Radiation monitoring, sealing and surveillance technologies have to be considered in one unified strategy for securing an area prior to inspection activities. The practical experience from the use of these techniques highlighted many lessons; for example, the resource-intensive nature of seal deployment and verification demonstrated the need to investigate alternative approaches. The concepts of authentication, certification and chain of custody of inspection equipment were only played notionally; however, these aspects are recognized as being vital elements within a verification regime.

72. The jointly developed information barrier systems were successfully deployed throughout the exercise. The exercise remit for the information barrier system was to confirm the presence of (notional) weapons-grade plutonium. This alone would not be sufficient to give the inspectors confidence that the host had not cheated. Future proposed developments to the system include the ability to confirm material grade and perform a mass threshold measurement. The project will continue to look to incorporate the concepts of authentication and certification. It was felt that this technological concept would only ever be able to confirm that the measured attributes are consistent with the presence of a nuclear weapon, but would not be able to provide a definitive identification. This calls into question the ability of the inspecting party to initialize the verification process, in other words, to confirm that the item presented is indeed the declared nuclear weapon (known as the "initialization problem"). Attempts were made to compensate for this deficiency by requesting documentation related to provenance, but this will only have limited value unless it is linked to measurements and other supporting evidence.

73. The United Kingdom and Norway believe that it should be possible to maintain a chain of custody for nuclear warhead dismantlement to a high degree of confidence when the relevant technologies have been developed to the necessary level of functionality. The initialization problem is an ongoing issue which requires further consideration before a technical solution can be proposed.

74. As a result of the success of these initial programmes of work, the United Kingdom and Norway have identified many areas that warrant further research and development. Some of these will be addressed in our ongoing collaboration; however, greater international effort is required to resolve all of these major issues.

75. This technical exchange has shown that a nuclear-weapon State and a non-nuclear-weapon State can collaborate within this field and successfully manage

any risks of proliferation. It has been found that many of the underpinning issues can be posed in generic terms which would allow non-nuclear-weapon States to contribute to technological developments; the development of flexible, generic solutions means that the results could be tailored to support a number of future, "real-life" scenarios. The participants felt that the involvement of non-nuclear-weapon States would be vital in creating international widespread acceptance of, and trust in, a proposed verification regime. The United Kingdom found that the Norwegian participants brought a fresh perspective to the problems which challenged long-standing opinions and viewpoints.

76. Overall, it was felt that the exercises demonstrated that it should be feasible for a non-nuclear-weapon State to contribute to the chain of custody aspects of a verifiable nuclear dismantlement process. The initialization problem remains a fundamental issue that needs to be resolved and therefore the potential role for the non-nuclear-weapon State in this aspect of the process is unclear.

77. The safety and security of nuclear weapons and the subsequent dismantlement of these weapons are of concern to all countries, regardless of their status as nuclear-weapon or non-nuclear-weapon States under the Treaty on the Non-Proliferation of Nuclear Weapons. The importance of national security considerations within the nuclear-weapon States may not be fully realized or even acknowledged by the non-nuclear-weapon States, a fact that would easily lead to differences in understanding. The exercises demonstrated that the consideration of national security and proliferation permeates everything that the host party attempts to do, and therefore these issues interact with the whole of the verification regime. It was noted that health and safety regulations, and not just security, will dictate some of the host's responses to inspector requests.

IX. Future work

78. The United Kingdom and Norway are interested in continuing and expanding the research into both the areas of managed access and information barriers. It was proposed that the managed access project will initiate a series of targeted exercises picking up on specific issues highlighted during the recent familiarization and monitoring visits. This will bring both States even closer to a common understanding of the challenges inherent in such cooperative disarmament work.

79. The current information barrier is not yet a deployable system. The United Kingdom-Norway initiative plans to move the system towards the identification of grade as well as material presence; the exercises highlighted the need for the additional phase of development towards mass threshold measurements. It was noted that the complexity of the system has increased, and that trend is likely to continue as additional functionality is added. Conversations between the engineering and arms control communities must continue to ensure that any proposed solutions are simple, cost-effective and fit for purpose. Involving the wider group would ensure that the technical solutions fit with the development of trust and confidence. Ultimately the information barrier project must be peer-reviewed.

80. As detailed throughout this report, there is considerable scope for further work in order to advance technologies and procedures for nuclear arms control verification. The United Kingdom-Norway initiative only covers a fraction of these topics. Much greater international effort and cooperation are required to achieve the ultimate objective of an effective nuclear weapon dismantlement verification regime. The United Kingdom and Norway encourage the international community to engage actively in pursuit of this goal.

NPT/CONF.2010/WP.42

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

26 April 2010

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Other provisions of the Treaty, including article X

Working paper submitted by the Islamic Republic of Iran

1. The Islamic Republic of Iran believes that the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and its Preparatory Committees are faced with more important priorities and challenges, which have emanated from the non-implementation of the disarmament obligations under the Treaty, as well as from the development of new nuclear weapons and the irrational doctrines of possible use of such inhumane weapons.

2. Indeed, the major challenges of the Treaty today concern the implementation of its two main pillars, namely nuclear disarmament and the peaceful use of nuclear energy. Under these circumstances and given these shortcomings, there is no urgency or necessity to deal with such issues as amending article X of the Treaty, which is not a priority.

3. In these circumstances, attempts to direct focus on issues like article X would only divert the attention of the States parties from their real priorities.

4. When this issue was raised for the first time by the United Nations High-level Panel on Threats, Challenges and Change (A/59/565 and Corr.1), and the Panel made a recommendation in this regard, the first reaction of the Non-Aligned Movement was the following:

> Non-Aligned Movement States parties to the Nuclear Non-Proliferation Treaty consider that this recommendation goes beyond the provisions of the Treaty. Non-Aligned Movement member countries believe that the right of "withdrawal" of member States from treaties or conventions should be governed by international treaty law.

5. The question of withdrawal is a sensitive and delicate issue, and serious care should be taken, as such proposals to reinterpret article X of the Treaty are equal to the legal amendment of the Treaty. Such suggestions regarding legal amendment of

the Treaty would actually undermine the Treaty regime and create uncertainties and loopholes. However, if any State party has any proposal for the amendment of the Treaty, it must follow the procedures stipulated in article VIII of the Treaty. It should be noted that, unless all States parties clearly demonstrate an intention to be legally bound by these new amendments, which would normally be done through a process of ratification, such amendments have no validity. Thus, such proposals on the amendment of article X within the Review Conference would have no basis in international law. It is a recognized fact that any proposals to amend a treaty will have to be discussed and adopted in the relevant multilateral forum.

6. The negotiating history of the Treaty also shows that although the United States and the former Union of Soviet Socialist Republics were the Co-Chairs of the Eighteen-Nation Disarmament Committee throughout the Treaty negotiations and their interests were reflected in the final text, they were also obliged to take into account the views of those other countries that wanted to avoid a treaty with an unlimited duration without undertakings by "the haves" to disarm, since they were concerned that the world might forever be divided into "haves" and "have-nots". Thus, the draft of the Treaty contained both a withdrawal clause and a provision for a conference to review the operation of the Treaty. The wording of the Treaty has also left judgements on the existence of extraordinary events completely to the discretion of the withdrawing State, therefore leaving no room for reinterpretation.

7. Furthermore, it should be taken into account that the 1969 Vienna Convention on the Law of Treaties governs all international treaties. Caution should be taken not to agree to new prerequisites not already provided for in the Treaty, as this could also have implications for other treaties, thereby creating a precedent to act outside the Vienna Convention. Furthermore, it should be taken into account that all international treaties are governed by the customary rules of the law of treaties, many of which have been reproduced in the Vienna Convention. Such prerequisites could also have implications for other treaties, thereby creating an unlawful precedent.

8. It should therefore be recalled that article 54 of the Vienna Convention, which is also a customary international rule, provides that "the withdrawal of a party may take place in conformity with the provisions of the treaty". Generally speaking, there are two categories of treaties and conventions in terms of "the withdrawal clause". Some conventions, such as the United Nations Convention on the Law of the Sea, do not have such clauses. In legal terms, parties to such treaties can arguably contest that what is not specifically prohibited by the treaty is therefore allowed. Similarly, the opposite interpretation may be equally credible — that unless expressly included, an act is not allowed. Conventions or treaties, like the Nuclear Non-Proliferation Treaty, that belong to a second category are very explicit in terms of withdrawal. Therefore, the treaty recognizes the existence of the unconditional right of a State to withdraw in exercising its national sovereignty.

9. In conclusion, the Islamic Republic of Iran reiterates that the main problems facing the Treaty are the continued existence of thousands of nuclear warheads and the development of new ones by certain nuclear-weapon States, as well as irrational doctrines for their possible use or threat of use. The nuclear-weapon States must work sincerely and seriously towards the total elimination of nuclear weapons. Their failure to do so is the root cause of the Treaty's problems. Until that goal is

achieved, unwarranted focus on less important issues would not have desirable results.

10. It is a matter of serious concern that main priorities, like the universality of the Treaty, have been neglected or undermined by some nuclear-weapon States in favour of issues like article X. The recent decision of the Nuclear Suppliers Group, in clear violation of the commitments under the 1995 decision on principles and objectives for nuclear non-proliferation and disarmament, as well as the final document of the 2000 Review Conference on the issue of the universality of the Treaty, has rendered the universality of the Treaty less attainable and seriously jeopardized the credibility and integrity of the Treaty. In such a situation, the insistence of a few States parties that try to highlight non-issues like article X and overlook their fundamental obligations is questionable.

11. The Islamic Republic of Iran believes that in order to tackle the withdrawal issue, the Review Conference needs to take an incentive-based approach to encourage any State party already having withdrawn to return to the Treaty.

NPT/CONF.2010/WP.43

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

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Working paper submitted by the Islamic Republic of Iran on the establishment of a nuclear-weapon-free zone in the Middle East

1. The establishment of a nuclear-weapon-free zone, as reaffirmed at the first special session of the General Assembly devoted to disarmament, constitutes an important disarmament measure, enhances regional and global peace and security, and reinforces the non-proliferation objective. The establishment of nuclear-weapon-free zones in Latin America, the South Pacific, Africa, South-East Asia and Central Asia are all effective initiatives towards the attainment of a world entirely free from nuclear weapons.

2. The establishment of a nuclear-weapon-free zone in the Middle East has been the long-standing goal of the people of the region. Iran first initiated the idea of the establishment of a nuclear-weapon-free zone as an important disarmament measure in the region of the Middle East in 1974, which was followed by the resolution of the General Assembly. The establishment of such a zone in the Middle East will strengthen security and stability in the region.

3. The resolution on the Middle East, as reaffirmed in the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, is an essential element of the package of agreements of the 1995 NPT Review and Extension Conference, and the basis on which the Treaty on the Non-Proliferation of Nuclear Weapons was indefinitely extended without a vote in 1995.

4. The 2000 Review Conference called upon all States in the Middle East, without exception, to accede to the Treaty on the Non-Proliferation of Nuclear Weapons as soon as possible and to place their nuclear facilities under the full-scope safeguards of the International Atomic Energy Agency (IAEA). The Conference also emphasized the importance of the Zionist regime's accession to the Treaty and the placement of all its nuclear facilities under comprehensive IAEA safeguards.

Israeli nuclear weapons programme as the main obstacle to a nuclear-weapon-free zone in the region

5. Despite repeated calls by the international community, as demonstrated in the resolution on the Middle East adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and related resolutions of the General Assembly, IAEA and the Organization of the Islamic Conference, the Zionist regime has neither acceded to the Treaty on the Non-Proliferation of Nuclear Weapons nor has it placed its unwarranted nuclear facilities under full-scope IAEA safeguards. This regime has continued to refuse to even declare its intention to do so. It should be underlined that this regime is the only non-party to the Treaty on the Non-Proliferation of Nuclear Weapons in the Middle East region. Its nuclear weapons activities, with the support of the United States, seriously threaten both regional and international peace and security, and endanger the non-proliferation regime.

6. The brutal attacks and aggressions by the Israeli regime against its neighbours under absurd pretexts, the killing of civilians, including women and children in Gaza, with prohibited and devastating weapons, and the defiance of all calls by the international community to stop the bloodshed of the innocent people are all evidence of the grave threat posed by such an aggressive regime. It is needless to say how much nuclear weapons in the hands of such a regime could endanger regional and international peace and security. This regime is the only one with a dark record of attacking nuclear facilities of States parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and that continues to threaten to attack IAEA-safeguarded peaceful nuclear facilities of other States in the region.

7. The recent resolutions of the IAEA General Conference on the nuclear capabilities of the Zionist regime (GC(53)/RES/17) and the application of IAEA safeguards in the Middle East (GC(53)/RES/16) are other manifestations of international concern over the threat posed by the nuclear weapon programme of this regime to regional and international peace and security, and as the main obstacle to the establishment of a nuclear-weapon-free zone in the Middle East.

8. The 2000 Review Conference of the Parties to the Treaty, recalling the obligation of all States parties under articles I, II and III of the Treaty, called upon all States parties not to cooperate or give assistance in the nuclear or nuclear-related field to States not parties to the Treaty in a manner that would assist them in manufacturing nuclear weapons or any other nuclear explosive devices. Unfortunately, the inaction imposed upon the Security Council over the past several decades in addressing the well-documented nuclear weapons programme implemented by the Zionist regime has given that regime the audacity to explicitly acknowledge the possession of nuclear weapons. That acknowledgment was condemned by the Non-Aligned Movement in a statement issued on 5 February 2007. This Review Conference should also condemn this regime for its defiance of international calls and urge it to immediately stop its nuclear weapons activities. Moreover, the Security Council should fulfil its Charter-based responsibility to address such a clear and serious threat to international peace and security and take prompt and appropriate actions accordingly.

9. An agreed plan of action for the universality of the Treaty on the Non-Proliferation of Nuclear Weapons, especially in the Middle East, should be on the agenda of all States parties to the Treaty, in particular nuclear-weapon States.

There should be greater pressure on the Zionist regime to accede to the Treaty promptly and without condition, and to place all its facilities under the full-scope IAEA safeguards without delay. Unconditional adherence by that regime to the Treaty on the Non-Proliferation of Nuclear Weapons and the conclusion of a full-scope safeguards agreement with IAEA would, undoubtedly, lead to the early realization of a nuclear-weapon-free zone in the Middle East.

10. In this regard, the sponsors of the 1995 Resolution, based on the agreed package of the 1995 Review and Extension Conference, have the main responsibility to take concrete steps to implement their commitments under this resolution. Proposals such as convening a conference of all members of the region is not in line with this resolution and, as the futile experience of IAEA of convening a forum in this regard has shown, such initiatives would not be fruitful, but rather could undermine the achievement of that aim.

11. The Islamic Republic of Iran is of the opinion that, pending the realization of the nuclear-weapon-free zone in the region, no country of the region must acquire nuclear weapons or permit the stationing of nuclear weapons or nuclear explosive devices on its territory or under its jurisdiction or control, and all countries of the region should refrain from actions that run counter to both the letter and the spirit of the Treaty on the Non-Proliferation of Nuclear Weapons and other international resolutions and documents relating to the establishment of a nuclear-weapon-free zone in the Middle East.

12. The Islamic Republic of Iran believes that the Conferences to review the Treaty on the Non-Proliferation of Nuclear Weapons have a significant role in the realization of a nuclear-weapon-free zone in the Middle East. The 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons should establish a subsidiary body under Main Committee II to consider this issue and make concrete recommendations on urgent and practical steps for the implementation of the Resolution on the Middle East adopted by the 1995 Review and Extension Conference and agreements contained in the Final Document of the 2000 Review Conference. The Review Conference should also make recommendations on the measures to compel the Zionist regime to accede to the Treaty on the Non-Proliferation of Nuclear Weapons and place its unsafeguarded nuclear facilities under the full scope of IAEA safeguards to pave the way for the establishment of the nuclear-weapon-free zone in the Middle East region.

13. Owing to the importance of the Middle East region and in order to strengthen the realization of the 1995 Resolution on the Middle East and the agreements contained in the Final Document of the 2000 Review Conference and article VII of the Treaty on the Non-Proliferation of Nuclear Weapons, the Islamic Republic of Iran is of the view that all State parties to the Treaty, particularly the nuclear-weapon States, as sponsors of the 1995 Middle East Resolution, should continue to report their measures on the implementation of that Resolution through the United Nations Secretariat to the President of the 2010 Review Conference of the Parties to the Treaty.

14. The Review Conference should also establish a standing committee to monitor the implementation of the 1995 Resolution on the Middle East and the agreements of the 2000 Review Conference of the Parties to the Treaty in this regard and to report to the State parties to the Treaty.

NPT/CONF.2010/WP.44

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

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English
Original: French

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Nuclear disarmament: France's firm commitment — Implementation by France of the "13 Practical Steps" contained in the Final Document 2000 Review Conference

Working paper submitted by France

France is fully committed to achieving all the objectives of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). With regard to nuclear disarmament, the best proof of France's unequivocal commitment is its concrete record. As President Sarkozy pointed out in his Cherbourg speech on 21 March 2008, "*rather than making speeches and promises that are not translated into deeds, France acts.*"

In 2000, the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons adopted in its Final Document (NPT/CONF.2000/28 (Parts I and II)) a series of measures to be implemented in this area, known as the "13 Practical Steps". In preparation for the Eighth Review Conference of the Treaty in May 2010, France wishes to submit hereunder the measures it has taken since then and calls on all other States Parties to the Treaty to do likewise at the Conference.

1. *Signature and ratification without delay and without conditions of the Comprehensive Nuclear-Test-Ban Treaty in order to achieve its early entry into force*

- France signed the Treaty on 24 September 1996 and ratified it 12 years ago, on 6 April 1998.
- France is doing more: in addition to the measures taken at the national level, France remains firmly committed at the multilateral level to the Comprehensive Nuclear-Test-Ban Treaty (CTBT).
- It is thus actively committed to the universal ratification of the Treaty and to its early entry into force.

- This is one of the measures in the action plan for disarmament proposed by the President of France at Cherbourg in March 2008 and reflected in the European Union plan of action adopted under the French Presidency.
- Furthermore, the European Union adopted an action plan that provides for systematic high-level efforts to promote the Treaty, including in the nine Annex II countries, whose ratification is essential in order for CTBT to enter into force.
- France's support for CTBT is also reflected in the activities it has been undertaking since September 2009 as co-Chair, with Morocco, of the article XIV conference, to facilitate the entry into force of CTBT.
- France is also helping to strengthen the verification regime and supports the work of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization. Specifically, it is participating in efforts to establish a verification regime for the Treaty by building 16 CTBT monitoring stations in France and 8 abroad under bilateral cooperation agreements. Together with its European partners, France has provided financial support of over €5 million since 2006 for a variety of activities, including training, improving the performance of the verification regime and technical assistance to third countries.

2. *A moratorium on nuclear-weapon-test explosions pending entry into force of that Treaty*

- The end to all nuclear tests was announced on 20 January 1996.
- France's ongoing commitment to a global moratorium on nuclear-weapon tests pending the entry into force of CTBT.
- France is doing more:
  - France has dismantled its nuclear test sites and therefore cannot carry out further nuclear testing. It is the only nuclear-weapon State to have dismantled its nuclear test site in an irreversible, transparent manner verifiable by the international community. Between 1996 and 1998, the site was examined by an international expert mission.
  - France, together with its European partners, is calling upon all the States concerned to dismantle their nuclear test facilities as soon as possible, in a manner that is transparent and open to verification by the international community.

3. *The necessity of negotiations in the Conference on Disarmament, on a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons in accordance with the mandate agreed in 1995, to be concluded within five years*

- For nearly 15 years, France has been advocating for the start of negotiations on a fissile material cut-off treaty, which is a priority. This is one of the steps under the action plan for disarmament proposed by the President of France at Cherbourg in March 2008 and reflected in the European Union plan of action.

- In that regard, France welcomes the consensus adoption by the Conference on Disarmament on 29 May 2009 of a programme of work which provides for the establishment of a working group on negotiations on a fissile material cut-off treaty, in accordance with the mandate agreed in 1995. It would like the Conference on Disarmament to start its work as soon as possible on the basis of this programme.
- France also welcomes the support expressed by the United Nations Security Council for the start of negotiations on a Cut-off Treaty through the unanimous adoption of resolution 1887 (2009), and by the General Assembly through the adoption by consensus of resolutions 64/64 and 64/29, in the negotiation of which France actively participated.
- France is doing more:
  - In 1992 it ceased all production of plutonium for its nuclear weapons and took similar steps in 1996 with regard to highly enriched uranium. It is observing a moratorium on the production of fissile material for nuclear weapons.
  - France, together with its European partners, is promoting the adoption by the States concerned of an immediate moratorium on the production of fissile material for nuclear weapons.
  - It became the first State to have decided, in 1996, to shut down and dismantle its facilities for the production of fissile material for nuclear weapons at Pierrelatte and Marcoule. The estimated cost of dismantling these facilities has been put at €6 billion, of which 2 billion have already been spent. As the representatives of States members of the Conference on Disarmament, non-governmental experts and journalists were able to verify during their visit to those facilities organized by France in 2008 and 2009, the dismantling of those facilities is indeed irreversible. France today no longer has facilities that produce fissile material for nuclear weapons.
  - With its European partners, France urges all States concerned to either dismantle their fissile material production facilities or convert them to the production of material for non-explosive use only.

4. *Adoption by the Conference on Disarmament of a programme establishing an appropriate subsidiary body with a mandate to deal with nuclear disarmament*

The programme of work (CD/1864) adopted by consensus in May provides for the establishment of a working group on nuclear disarmament. France would like the Conference on Disarmament to start its work as soon as possible on the basis of that programme of work.

5. *The principle of irreversibility to apply to nuclear disarmament, nuclear and other related arms control and reduction measures*

- France has unilaterally taken exemplary and irreversible measures:
  - Dismantling of the Albion Plateau military site, which hosted the ground-to-ground nuclear component.

– The only nuclear-weapon State to have closed and dismantled its nuclear testing facility (nuclear testing facility in the Pacific). France now no longer has nuclear testing facilities.

– The only nuclear-weapon State to have decided to dismantle its facilities dedicated to the production of fissile material for nuclear weapons and to have implemented the decision. International experts verified the dismantling of the facilities during visits organized by France (16 September 2008, 16 March 2009 and 3 July 2009).

– Under the plan of action for disarmament adopted at the initiative of the French Presidency of the European Union, France, with its European partners, calls for the dismantling of nuclear test facilities and of facilities dedicated to the production of fissile material for nuclear weapons.

6. *An unequivocal undertaking by 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*

France abides by its commitments under Article VI of the Non-Proliferation Treaty, as the President of the French Republic solemnly reaffirmed at Cherbourg in March 2008.

Commitment by the Heads of State and Government of the Group of Eight meeting in L'Aquila in July 2009 to "seeking a safer world for all and to creating the conditions for a world without nuclear weapons, in accordance with the goals of NPT".

Reaffirmation by the Security Council, meeting at the level of Heads of State and Government, in its resolution 1887 (2009) adopted unanimously on 24 September 2009:

> Resolving to seek a safer world for all and to create the conditions for a world without nuclear weapons, in accordance with the goals of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), in a way that promotes international stability, and based on the principle of undiminished security for all.

7. *The early entry into force and full implementation of START II and the conclusion of START III as soon as possible while preserving and strengthening the Treaty on the Limitation of Anti-Ballistic Missile Systems as a cornerstone of strategic stability and as a basis for further reductions of strategic offensive weapons*

Does not apply to France.

8. *The completion and implementation of the Trilateral Initiative between the United States of America, the Russian Federation and the International Atomic Energy Agency (verification of the irreversible release from the military sector of plutonium designated as surplus to requirements)*

While not directly concerned by the trilateral initiative, France has contributed to studies for the elimination of surplus United States and Russian weapons-grade plutonium, given its expertise in the area of plutonium use in MOX fuels, through

its contribution to the AIDA/MOX programme and the manufacture of experimental American MOX fuels.

9. *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*

Reaffirmation of these principles by the Security Council, meeting at the level of the Heads of State and Government, in its resolution 1887 (2009) adopted unanimously on 24 September 2009:

> Resolving to seek a safer world for all and to create the conditions for a world without nuclear weapons, in accordance with the goals of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), in a way that promotes international stability, and based on the principle of undiminished security for all.

Further efforts by the nuclear-weapon States to reduce their nuclear arsenals unilaterally

- As a result of changes in the strategic environment, especially since the end of the Cold War, France has scaled down each of the components of its forces, consistent with the principle of strict sufficiency: France has therefore halved its nuclear arsenal in nearly 10 years.
- France has a stellar record, including a further unilateral reduction in 2008.
  - Complete dismantling of the ground-to-ground component: France is the only State with a nuclear ground-to-ground component to have completely dismantled it.
  - Scaling down of the sea-based component: number of nuclear-powered guided-missile submarines in service reduced from six to four.
  - Reduction of the airborne component:
    - Early decommissioning and dismantling of the AN52 nuclear bombs carried by Jaguar and Mirage III aircraft
    - Withdrawal of Mirage IV strategic aircraft from nuclear missions.
    - A one-third reduction in 2008 in the number of nuclear weapons, missiles and aircraft in the airborne component, bringing France's total arsenal to fewer than 300 nuclear warheads.

NB: Cessation of the production of fissile material for nuclear weapons (plutonium in 1992, highly enriched uranium in 1996), end of nuclear tests.

Increased transparency by the nuclear-weapon States with regard to the nuclear weapons capabilities as a voluntary confidence-building measure to support further progress on nuclear disarmament

Transparency is particularly crucial to confidence-building, which is essential to arms control and disarmament and vital to strategic stability. The President of France stressed the importance of transparency in his Cherbourg speech of 21 March 2008.

- France has set an example in this area:
  - Transparency with respect to forces:
- Announcement of a cap of 300 on nuclear warheads: France is the only State to have made public the total number of weapons (rather than just deployed operational strategic weapons) in its nuclear arsenal.
  - Announcement that France has no nuclear weapons in reserve.
  - Reaffirmation of the detargeting of nuclear weapons.
  - Pre-notification of all our space launches and missile launches under the Hague Code of Conduct. Apart from the United Kingdom of Great Britain and Northern Ireland, France is the only nuclear power to give these notifications.
- France is doing more:
  - Transparency with respect to doctrine: French doctrine is regularly and publicly stated by political authorities at the highest level (see the Cherbourg speech in March 2008). The basic features of that doctrine are contained in white papers, which are strategic reviews submitted to Parliament, in reports annexed to legislation pertaining to military programming, and in public statements by the President of France and the Prime Minister.
  - Transparency with regard to practical disarmament measures:
    - Visits (unprecedented among the other nuclear-weapon States) to the former Pierrelatte and Marcoule facilities by representatives of the States members of the Conference on Disarmament, non-governmental experts and journalists.
    - From 1996 to 1998, an international mission of experts charged with assessing the environmental impact of the French tests was given unrestricted access to the Pacific test site, and wrote a report thereon to IAEA. This is an unprecedented step by a nuclear-weapon State.
    - IAEA report on the former testing sites in Algeria, to which France actively contributed.
    - Regular publication and distribution, including within the framework of NPT, of brochures and information on our disarmament efforts (see www.francetnp2010.fr).
  - On the basis of proposals made at Cherbourg by its President, France, with its European partners, called on the nuclear powers to reach an agreement on transparency and confidence-building measures. Consequently, France took part in a conference on confidence-building measures organized by the five permanent members of the Security Council in London on 3 and 4 September 2009.

The further reduction of non-strategic nuclear weapons, based on unilateral initiatives and as an integral part of the nuclear arms reduction and disarmament process

Not applicable to France, which does not have non-strategic nuclear weapons.

Under the plan of action for disarmament adopted during the French Presidency of the European Union, France, with its European partners, calls upon the States concerned to include their tactical weapons in the global arms control and disarmament processes, with a view to their reduction and elimination.

Concrete agreed measures to further reduce the operational status of nuclear weapons systems

- France is in favour of reducing the operational readiness of nuclear weapons systems to the extent feasible and provided that global security conditions are maintained. In that connection it has taken substantial steps containing concrete and confidence-building measures:
  - Detargeting, announced in 1997, reiterated in statements by the President since then, and most recently in 2008.
  - Lowering the alert status of the two components in 1992 and 1996. These alert level reductions concerned both force response times and the number of weapon systems.
  - France in addition has put in place substantial technical resources, and strict, rigorous and effective procedures to ensure that no weapons can be used without an order from the President of the French Republic.

A diminishing role for nuclear weapons in security policies to minimize the risk that these weapons will ever be used and to facilitate the process of their total elimination

- Right from the outset, French nuclear weapons have been part of a doctrine of deterrence. This doctrine is strictly defensive and severely limits the circumstances in which nuclear weapons could be used, as provided by the International Court of Justice and the United Nations Charter. Nuclear weapons may conceivably only be used in extreme circumstances of self-defence, as the President of France recalled at Cherbourg. Our nuclear deterrence protects us from any aggression against our vital interests emanating from a State.
- The size of the French nuclear forces is determined based on the principle of strict sufficiency. Under this principle, the French arsenal, which guarantees the credibility of our deterrence, is maintained at the lowest possible level compatible with the strategic environment and foreseeable developments in any threat.
- As a result of developments in the strategic environment, especially since the end of the cold war, our forces have been scaled down. France has thus halved its arsenal. The nuclear deterrence budget has therefore been nearly halved in 20 years. It currently accounts for about 0.2 per cent of France's gross domestic product (GDP), as compared to approximately 1 per cent in 1967 and 0.5 per cent in 1989.

The engagement as soon as appropriate of all the nuclear-weapon States in the process leading to the total elimination of their nuclear weapons

- France is committed to a safer world for all and to creating the conditions for a world without nuclear weapons, in accordance with the goals of NPT.
- Concrete nuclear disarmament actions.
- France continually takes into account all the political and strategic conditions that make it possible to scale back its nuclear arsenal, in accordance with the principle of strict sufficiency, and at such a pace as it may determine in a sovereign manner.
- Broadly speaking, through its efforts to bring about peace, resolve regional crises and ensure collective security, as well as through its promotion of general and complete disarmament, France is helping to foster the conditions that will ultimately lead to the elimination of nuclear weapons.

10. Arrangements by all nuclear-weapon States to place, as soon as practicable, fissile material designated as no longer required for military purposes under IAEA or other relevant international verification

France has no fissile material in excess of its defence requirements.

11. Reaffirmation that the ultimate objective of the efforts of States in the disarmament process is general and complete disarmament under effective international control

- France is firmly committed to that objective, as reaffirmed in the action plan for disarmament adopted by the European Union, as well as by the G-8 in L'Aquila in July 2009 and the Security Council summit of 24 September 2009. Our fundamental goal is first and foremost to move towards a safer world. At the end of the day, after all the debates and declarations of good intentions, if we really want to achieve nuclear disarmament, we must realize that it is inextricably linked to collective security and to the strategic environment.
- Therefore, as noted in Article VI of the Treaty, all States — both nuclear-weapon States and non-nuclear-weapon States — are responsible for disarmament. Creating the appropriate conditions for a world without nuclear weapons means encouraging all countries to achieve progress in all areas of disarmament, reducing imbalances in conventional weapons, working towards reducing international tension and enhancing collective security. Indeed, if we fail to ensure that nuclear disarmament is achieved along with credible strides in all other areas (for example the universal prohibition of biological and chemical weapons, conventional disarmament, ballistic non-proliferation or prevention of an arms race in outer space), a fresh and highly destabilizing arms race could start anew.
- France is therefore very active in all these other areas:
  - France ratified the Convention on Cluster Munitions on 25 September 2009 and is actively promoting the universal ratification thereof.
  - It participated in the Ottawa Convention on the Prohibition of Anti-Personnel Mines and is actively promoting its universal ratification.

– France supports efforts to enhance the implementation of politically binding instruments on trafficking in small arms and light weapons.

– It participated in the Chemical Weapons Convention.

– It participated in the Biological Weapons Convention. France considers it extremely important to seek additional mechanisms to effectively evaluate compliance by States Parties with their obligations under the Convention.

– Participation in the Hague Code of Conduct, which will be chaired by France as of the summer of 2010.

– France participates in the Missile Technology Control Regime of which it is the permanent point of contact.

– It participates in the Nuclear Suppliers Group and the Australia Group.

• France is doing more and is committed to encouraging the conclusion of new instruments:

– France, together with Switzerland, pushed for the start of negotiations in the United Nations on the marking and tracing of small arms and light weapons and would like to see such negotiations lead to a legally binding instrument.

– Active support for the process expected to lead to the adoption of a treaty on the arms trade.

– Adoption by France and its European partners, during the French Presidency of the European Union, of a draft code of conduct for outer space activities (confidence-building and transparency measures for the security of space objects).

– France, together with its European partners, is committed to negotiations on a treaty that would prohibit short- and intermediate-range ground-to-ground missiles.

12. Regular reports, within the framework of the strengthened review process for the Non-Proliferation Treaty, by all States parties on the implementation of article VI and the relevant 1995 paragraph, and recalling the advisory opinion of the International Court of Justice of 1996

France regularly publishes working papers under the NPT review cycle, and produces reports for Parliament and the general public. It also makes the relevant information available online (see www.francetnp2010.fr).

13. The further development of the 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

• Support for the CTBT verification regime, at national and European levels. Specifically, France is helping to implement a verification system for the Treaty by building 16 CTBT monitoring stations in France and 8 abroad under bilateral cooperation agreements. Thus, completion of the CTBT verification regime is one of the components of the European Union plan of action for disarmament adopted at the initiative of the French Presidency and endorsed

by the European Council in December 2008. European support for the verification regime has brought with it a substantial financial commitment (over €5 million since 2006).

- Fostering negotiations on a fissile material cut-off treaty with verification provisions.
- Regular participation in seminars on this issue.

NPT/CONF.2010/WP.45

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

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Middle East zone free of nuclear weapons as well as other weapons of mass destruction: France's commitment

Working paper submitted by France

France wishes to strongly reaffirm its commitment to the resolution adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons on the establishment of a Middle East zone free of nuclear weapons as well as other weapons of mass destruction. It urges all States concerned to implement that resolution in order to move towards a lasting peace in the Middle East and the creation in the region of a zone free of nuclear weapons and their delivery systems.

1. France is already actively contributing to the creation of conditions conducive to the achievement of the objectives of the 1995 resolution.

First, it is making continued efforts to resolve tensions in the region. France is heavily involved in the Near East peace process and is working for stability in the region. It was for this purpose that France launched the Union for the Mediterranean project, which held its first Summit on 13 July 2008. On that occasion, the joint declaration adopted at the end of the Summit reaffirmed the intention of all parties to work towards the establishment in the Near East of a zone free of nuclear, chemical and biological weapons of mass destruction, and their delivery systems, together with an effective mutual verification system.

A second important area of France's work for the effective implementation of the 1995 resolution involves ensuring respect for the nuclear non-proliferation commitments made by all States parties to the Treaty on the Non-Proliferation of Nuclear Weapons. Alongside its partners in the Group of Six, France is striving to reach a negotiated settlement to the Iranian nuclear crisis, which is threatening peace and security in the region. As the Security Council recalled in its resolutions 1747 (2007) and 1803 (2008) on the Iranian nuclear situation, a solution to the Iranian nuclear issue would contribute to global non-proliferation efforts and to

realizing the objective of a Middle East free of weapons of mass destruction, including their means of delivery.

France is also working for the implementation of the 1995 resolution through its steadfast support for the universalization of the principal non-proliferation instruments, factors for collective security, in the framework of its bilateral relations with the countries of the region and in relevant multilateral forums. It calls upon all States that have not yet acceded to the Non-Proliferation Treaty to do so, and to implement it fully in the meantime.

France also encourages all the States of the region to become parties to the other conventions and instruments in place: the Comprehensive Nuclear-Test-Ban Treaty; the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction; the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction; the Convention on the Physical Protection of Nuclear Material; the International Convention for the Suppression of Acts of Nuclear Terrorism; the additional protocols to the International Atomic Energy Agency comprehensive safeguards agreements; and the International Code of Conduct against Ballistic Missile Proliferation (The Hague Code of Conduct).

In order to counter proliferation more effectively, France provides assistance in the implementation of Security Council resolution 1540 (2004) in the region, as demonstrated, for example, by its organization of a seminar in Abu Dhabi in October 2009. It also calls upon all countries in the region to join the Proliferation Security Initiative, which enables an operational response to be made to trafficking resulting in proliferation.

Lastly, France strongly encourages all States in the region to support and actively participate, from the outset, in the negotiation of a treaty banning the production of fissile material for nuclear weapons. That treaty, once in force, would enable, in particular, the expansion of verification in States that have not placed all their nuclear facilities under International Atomic Energy Agency safeguards. In anticipation of the treaty, France calls upon all States concerned that have not done so already to declare an immediate moratorium on the production of fissile materials for nuclear weapons, and to place as many nuclear facilities as possible under International Atomic Energy Agency safeguards.

France supports and participates in action by the European Union, which is also strongly committed to working for the implementation of the 1995 resolution. For example, the European Union organized a seminar on the issue in June 2008 and, in connection with the Review Conference, proposed the organization of a new exercise to begin examination of the practical and technical questions raised by the introduction in the Middle East of a zone free of weapons of mass destruction and their means of delivery.

Lastly, civil nuclear cooperation can contribute towards raising confidence in the region, allowing the countries concerned to work together to address the challenges of climate change, development and energy security. As the President of the French Republic recalled at the International Conference on Access to Civil Nuclear Energy, held in Paris on 8 and 9 March 2010, France is prepared to cooperate in the field of civil nuclear energy with all countries that respect their

international obligations. Through cooperation with its partners in the region it would also like to contribute to creating an environment suitable for the development of civil nuclear energy in the best conditions for non-proliferation, safety and security. Accordingly, it has signed eight cooperation agreements with countries in the region and more are on the way.

2. France would like the 2010 Review Conference to give renewed impetus to the implementation of the 1995 resolution.

The 2010 Review Conference should be an opportunity for discussion of and for giving political impetus to, six priorities to be achieved by 2015 in order to attain the goals of the 1995 resolution, alongside the political efforts needed to calm tensions and resolve sources of conflict:

(a) Countries in the region should accede to and implement the principal nuclear non-proliferation instruments by: placing additional facilities that are not currently subject to International Atomic Energy Agency safeguards under such safeguards; adopting the International Atomic Energy Agency additional protocol; and ratifying the Comprehensive Nuclear-Test-Ban Treaty;

(b) States in the region should accede to and implement instruments to counter the proliferation of other weapons of mass destruction and their means of delivery;

(c) All States in the region should adopt specific non-proliferation measures, including: having an effective export control mechanism; criminalizing acts of proliferation in accordance with resolution 1540 (2004); suppressing the financing of proliferation; and securing nuclear and radioactive materials;

(d) States in the region should resume their discussions on the establishment of confidence-building measures;

(e) There should be an intensification of international and regional efforts aimed at providing a firm response to the proliferation crises threatening the region;

(f) Regional cooperation on civil nuclear energy should be developed, in coordination with the International Atomic Energy Agency.

France proposes that these priorities should form the basis of a concrete and realistic plan of action for the Review Conference to adopt at the end of its work.

3. France supports the organization of an international conference on the implementation of the 1995 resolution on the Middle East.

France proposes that discussion of the effective implementation of this plan of action should be begun at an international conference, bringing together all the States in the region, the five permanent members of the Security Council and other interested States, as well as the United Nations and the International Atomic Energy Agency.

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

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Working paper submitted by the members of the Group of Non-Aligned States parties to the Treaty on the Non-Proliferation of Nuclear Weapons

I. Introduction

1. Building on the working papers presented by the members of the Group of Non-Aligned States parties to the Treaty on the Non-Proliferation of Nuclear Weapons at the first, second and third sessions of the Preparatory Committee, the present working paper represents the Group's inputs to be considered by the 2010 Review Conference (previous working papers are contained in the documents NPT/CONF.2010/PC.I/WP.5, NPT/CONF.2010/PC.I/WP.7, NPT/CONF.2010/PC.I/WP.9, NPT/CONF.2010/PC.I/WP.11, NPT/CONF.2010/PC.I/WP.12, NPT/CONF.2010/PC.I/WP.16 and NPT/CONF.2010/PC.III/WP.30).

II. Procedural and other arrangements pertaining to the Preparatory Committee and the 2010 Review Conference of the parties to the Non-Proliferation Treaty

2. The Group recalls that the Preparatory Committee, at its third session, adopted the draft provisional agenda of the 2010 Review Conference, according to which the Conference is mandated to review the operation of the Treaty, as provided for in its article VIII (3), taking into account the decisions and resolution adopted by the 1995 Review and Extension Conference, and the Final Document of the 2000 Review Conference.[1]

[1] *2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document*, vols. I-III (NPT/CONF.2000/28 (Parts I-IV)).

3. In the context of the above-mentioned mandate, the Group of Non-Aligned States parties to the Treaty calls for an agreement, in accordance with rule 34 of the draft rules of procedure for the 2010 Review Conference, to establish subsidiary bodies to the relevant Main Committees of the 2010 Review Conference to deliberate on 13 practical steps for systematic and progressive efforts to eliminate nuclear weapons; to consider and recommend proposals on the implementation of the resolution on the Middle East adopted by the 1995 Review and Extension Conference;[2] and to consider and adopt a legally binding international instrument on unconditional security assurances to non-nuclear-weapon States.

III. Recommendations pertaining to the principles and objectives of the Non-Proliferation Treaty

Basic principles and objectives

Recommendation 1

To emphasize that the Non-Proliferation Treaty is the key international instrument aimed at halting the vertical and horizontal proliferation of nuclear weapons, achieving nuclear disarmament and promoting international cooperation on the peaceful uses of nuclear energy.

Recommendation 2

To reaffirm that the balanced implementation of the three pillars of the Non-Proliferation Treaty, in a non-discriminatory manner, remains essential for the effectiveness of the Treaty in realizing its objectives.

Recommendation 3

To reiterate that the continued existence of nuclear weapons represents a significant threat to humanity and that the full and effective implementation of all Treaty obligations, including in particular by nuclear-weapon States, plays a crucial role in promoting international peace and security.

Recommendation 4

To reaffirm the commitment of nuclear-weapon States to their undertakings on nuclear disarmament, including the 13 practical steps for the systematic and progressive efforts to implement article VI of the Non-Proliferation Treaty.

Recommendation 5

To reaffirm that each article of the Non-Proliferation Treaty is binding on States parties without distinction, and that States parties are required to comply strictly with their obligations under the Treaty as well as with those agreed by consensus at the review conferences of the Treaty, including, in particular, the 1995 Review and Extension Conference and the 2000 Review Conference.

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[2] *1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document, Part I* (NPT/CONF.1995/32 (Part I) and Corr.2), annex.

Nuclear doctrine and nuclear sharing

Recommendation 6

To note with deep concern security doctrines of nuclear-weapon States, including the "NATO Alliance Strategic Concept", which not only set out rationales for the use or threat of use of nuclear weapons, but also maintain unjustifiable concepts on international security based on promoting and developing military alliances and nuclear deterrence policies.

Recommendation 7

To reaffirm that every effort should be made to implement the Non-Proliferation Treaty in all its aspects 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. **Emphasize**, in this context, the particular importance attached to the strict observance of articles I and II.

Recommendation 8

To stress the importance of reaffirmation by nuclear-weapon States of their obligations, and full implementation of article I, and refrain from nuclear weapon-sharing with other States under any kind of security arrangements, including in the framework of military alliances.

Recommendation 9

To stress the importance of reaffirmation by non-nuclear-weapon States of their commitments to the full implementation of article II and to refrain from nuclear weapon-sharing with nuclear-weapon States, non-nuclear-weapon States and States not party to the Non-Proliferation Treaty for military purposes under any kind of security arrangements in times of peace or in times of war, including in the framework of military alliances.

Nuclear disarmament

Recommendation 10

To reconfirm that negotiations on a fissile material treaty should be conducted on the basis of the Shannon mandate, as endorsed both at the 1995 Review and Extension Conference and the 2000 Review Conference.

Recommendation 11

To reaffirm the importance of the application of the principles of transparency, verifiability and irreversibility by nuclear-weapon States in all measures relating to nuclear disarmament.

Recommendation 12

To voice concern about the potential for an arms race in outer space, in which the implementation of a national missile defence system could trigger an arms race and further nuclear proliferation.

Recommendation 13

To agree that the development of new types of nuclear weapons and new targeting options to serve aggressive counter-proliferation purposes and the lack of significant progress in diminishing the role of nuclear weapons in security policies undermine disarmament commitments and work counter to the letter and spirit of the Treaty.

Nuclear testing

Recommendation 14

To reaffirm that the only way to rid the world of the threat of use of nuclear weapons is their total elimination. In this regard, the Comprehensive Nuclear-Test-Ban Treaty is a practical step on the road to nuclear disarmament and, therefore, cannot substitute for the objective of complete elimination of nuclear weapons.

Recommendation 15

To support the objective of the Comprehensive Nuclear-Test-Ban Treaty, which is intended to enforce a comprehensive ban on all forms of nuclear tests without exception, and to stop the development of nuclear weapons, in the direction of total elimination of nuclear weapons.

Recommendation 16

To realize the objective of the Comprehensive Nuclear-Test-Ban Treaty, the commitment to nuclear disarmament of all States signatories, especially the five nuclear-weapon States, is essential. The five nuclear-weapon States have a special responsibility to take the lead in making the test ban a reality.

Security assurances

Recommendation 17

To recall that at the 2000 Review Conference, States parties to the Non-Proliferation Treaty had agreed, by consensus, that legally binding security assurances by the five nuclear-weapon States to the non-nuclear-weapon States parties to the Treaty strengthen the nuclear non-proliferation regime.

Recommendation 18

To reiterate that the improvement in existing nuclear weapons and the development of new types of nuclear weapons as envisaged in the existing nuclear doctrines of some nuclear-weapon States, including the nuclear posture reviews of certain States, contravene the security assurances provided by nuclear-weapon States and violate the commitments undertaken by them at the time of the conclusion of the Comprehensive Nuclear-Test-Ban Treaty.

Recommendation 19

To reaffirm that the total elimination of nuclear weapons is the only absolute guarantee that there will be no use or threat of use of nuclear weapons and that

non-nuclear-weapon States should be effectively assured by nuclear-weapon States that there will be no use or threat of use of such weapons. Efforts to conclude a universal, unconditional and legally binding instrument on security assurances to non-nuclear-weapon States should be pursued as a matter of priority.

Nuclear-weapon-free zones

Recommendation 20

To welcome the efforts aimed at establishing nuclear-weapon-free zones in all regions of the world.

Recommendation 21

To welcome the ongoing consultations between the Association of Southeast Asian Nations and nuclear-weapon States on the Protocol to the Treaty on the South-East Asia Nuclear-Weapon-Free Zone (Bangkok Treaty) and urge nuclear-weapon States to become parties to the Protocol to that Treaty as soon as possible.

Recommendation 22

To welcome the entry into force of the treaties establishing nuclear-weapon-free zones in Africa and Central Asia and to stress the importance of the signature and ratification of the South Pacific Nuclear Free Zone Treaty (Rarotonga Treaty), the African Nuclear-Weapon-Free Zone Treaty (Pelindaba Treaty), and the Treaty on a Nuclear-Weapon-Free Zone in Central Asia (Semipalatinsk Treaty), as well as Mongolia's nuclear-weapon-free status, by all States in their respective regions and by all concerned States, as well as signature and ratification by nuclear-weapon States and other relevant States that have not yet done so of the relevant protocols to those treaties in order to assure the total absence of nuclear weapons in their respective territories, as envisaged in article VII of the Treaty.

Recommendation 23

To reiterate the crucial need for practical steps aimed at achieving speedy establishment of a nuclear-weapon-free zone in the Middle East without any further delay.

Recommendation 24

To welcome the talks by Mongolia with its two neighbours to conclude the required legal instrument institutionalizing Mongolia's nuclear-weapon-free status.

Regional issues: Middle East

Recommendation 25

To intensify the efforts aimed at establishing a nuclear-weapon-free zone in the Middle East and **call for** cooperation and consultation among States parties in order to identify and adopt necessary practical steps to achieve that goal in implementing the resolution on the Middle East adopted at the 1995 Review and Extension Conference and the Final Document of the 2000 Review Conference.

Recommendation 26

To stress that the adoption of resolution GC(53)/RES/16 on application of International Atomic Energy Agency (IAEA) safeguards in the Middle East and resolution GC(53)/RES/17 on Israeli nuclear capabilities by the IAEA General Conference are another manifestation of the threat posed by such capabilities to regional and international peace and security, and remain the main obstacles to the establishment of a nuclear-weapon-free zone in the Middle East.

Recommendation 27

To express concern that Israel continues to refrain from acceding to the Non-Proliferation Treaty despite the accession of all other States in the region.

Recommendation 28

To reaffirm the 1995 resolution on the Middle East (as well as the Final Document of the 2000 Review Conference (part I)), which "calls upon all States in the Middle East that have not yet done so, without exception, to accede to the Treaty as soon as possible and to place their nuclear facilities under full-scope IAEA safeguards".

Recommendation 29

To recall that the 1995 resolution on the Middle East was an essential element of the outcome of the 1995 Review and Extension Conference and of the basis on which the Non-Proliferation Treaty was indefinitely extended, without a vote, in 1995, and reaffirm that the resolution remains valid until its goals and objectives are achieved.

Recommendation 30

To reaffirm the 2000 Review Conference Final Document, which underscored the importance of Israel's accession to the Non-Proliferation Treaty and the placement of all its nuclear facilities under comprehensive IAEA safeguards, in realizing the goal of universal adherence to the Non-Proliferation Treaty in the Middle East.

Recommendation 31

To stress that the outcomes of the 2010 Review Conference should contain concrete and practical recommendations concerning the implementation of the 1995 resolution on the Middle East, including a commitment by each State party to the Non-Proliferation Treaty to strictly prohibit the transfer of any nuclear-related equipment, information, material, facilities, resources or devices, and the extension of know-how or any kind of assistance to and cooperation with Israel in the nuclear fields, as long as it remains a non-party to the Treaty and has not placed all its nuclear facilities under full-scope IAEA safeguards. States parties to the Treaty should also undertake to disclose all information available to them on the nature and scope of Israeli nuclear capabilities, including information pertaining to previous nuclear transfers to Israel.

Safeguards and verification

Recommendation 32

To reaffirm that IAEA is the sole competent authority responsible for verifying and assuring compliance by States parties with their safeguards agreements undertaken in fulfilment of their Treaty obligations, with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons and other nuclear explosive devices, as well as the global focal point for nuclear technical cooperation.

Recommendation 33

To acknowledge that it is fundamental to make a distinction between legal obligations and voluntary confidence-building measures, in order to ensure that such voluntary undertakings are not turned into legal safeguard obligations.

Recommendation 34

To confirm that the obligation under article III in verifying the peaceful nature of nuclear programmes provides credible assurances enabling States parties to engage in the transfer of nuclear equipment, material and technology for peaceful purposes in accordance with article IV. Therefore, States parties to the Treaty are **called upon** to refrain from imposing or maintaining any restriction or limitation on the transfer of nuclear equipment, material and technology to States parties with comprehensive safeguards agreements.

Recommendation 35

While **expressing** full confidence in the impartiality and professionalism of IAEA, **strongly rejects** attempts by any State to politicize the work of IAEA, including its technical cooperation programme, in violation of the IAEA statute, and **stresses** that any undue pressure of interference in IAEA, especially in its verification process, which could jeopardize the efficiency and credibility of IAEA, should be avoided.

Recommendation 36

To emphasize that the States parties to the Non-Proliferation Treaty should consult and cooperate in resolving their issues with regard to implementation of Treaty-related safeguards agreements within the IAEA framework.

Peaceful uses of nuclear energy

Recommendation 37

To underscore that nothing in the Non-Proliferation Treaty should be interpreted to affect the inalienable right of all the parties to the Treaty to develop, research, produce and use nuclear energy for peaceful purposes without discrimination and in conformity with articles 1 and 2 of the Treaty.

Recommendation 38

To stress that nothing in the Non-Proliferation Treaty should be interpreted as affecting the right of States parties to technical cooperation among themselves or with international organizations, keeping in view the needs of the developing States parties.

Recommendation 39

To recognize the rights of all States parties under the provisions of the preamble and the articles of the Non-Proliferation Treaty and ensuring that no State party is limited in exercising its rights in conformity with the Treaty.

Recommendation 40

To reaffirm that each country's choices and decision in the field of peaceful uses of nuclear energy should be respected without jeopardizing its policies or international cooperation agreements or its arrangements for peaceful uses of nuclear energy and its fuel-cycle policies.

Recommendation 41

To note with concern that undue restrictions on exports to developing countries of material, equipment and technology for peaceful purposes persist.

Recommendation 42

To emphasize that the Treaty does not prohibit the transfer or use of nuclear equipment or material for peaceful purposes based on their "sensitivity", and only stipulates that such equipment and material must be subject to full-scope IAEA safeguards.

Recommendation 43

To reiterate that the issue of assurances of nuclear fuel supply is a very complex and multidimensional concept with technical, legal, commercial and economic implications. In order to reach a consensual conclusion, it is premature for this issue to be considered before extensive, comprehensive and transparent consultations are held. In this context, **to reject**, in principle, any attempts aimed at discouraging certain peaceful nuclear activities on the grounds of their alleged "sensitivity"; and **emphasize** that any ideas or proposals pertaining to the non-proliferation of any peaceful nuclear technology that are used as a pretext to prevent the transfer of such technology are inconsistent with the objectives of the Non-Proliferation Treaty.

Recommendation 44

To reiterate a need for caution while thoroughly addressing the associated technical, legal and economic aspects, as well as the underlying political dimensions of the issue of assurances of nuclear fuel supply, so that any proposal that eventually emerges in this regard is in full accordance with the Non-Proliferation Treaty and takes into account the respective legal obligations of States parties and the principle of non-discrimination. **To underline** that any further consideration of the issue of nuclear fuel supply assurances must be based on a coherent and comprehensive

conceptual framework that adequately addresses the views and concerns of all States parties; and **recall** the decision on principles and objectives for nuclear non-proliferation and disarmament adopted at the 1995 Review and Extension Conference, which has made it clear 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 Agency's full-scope safeguards and internationally legally binding commitments not to acquire nuclear weapons or other nuclear explosive devices.

Recommendation 45

To reaffirm the inviolability of peaceful nuclear activities and that any attack or threat of attack against peaceful nuclear facilities — operational or under construction — poses a great danger to human beings and the environment, and constitutes a grave violation of international law, principles and purposes of the Charter of the United Nations and regulations of IAEA. **To recognize** the need for a comprehensive multilaterally negotiated instrument prohibiting attacks, or the threat of attacks, on nuclear facilities devoted to peaceful uses of nuclear energy.

Recommendation 46

To emphasize that the technical cooperation and assistance provided by IAEA in meeting the needs of its member States for material, equipment and technology for peaceful uses of nuclear energy shall not be subject to any political, economic, military or other conditions incompatible with the provisions of its statute.

Recommendation 47

To stress that the IAEA technical cooperation programme, as the main vehicle for the transfer of nuclear technology for peaceful purposes, is formulated in accordance with the IAEA statute and the guiding principles, thereby ensuring that the projects are consistent with all the decisions of IAEA policymaking organs. **To reiterate** that the current guidelines and criteria for the selection of technical cooperation projects are robust and effective, and that no additional criteria should be imposed for fulfilling the aforementioned objectives.

Recommendation 48

To stress its full support to all efforts aimed at strengthening the role of IAEA in line with the objectives of the IAEA statute. In this context, **to emphasize** that efforts towards strengthening all statutory activities of IAEA should be balanced.

Recommendation 49

To underline that concerns related to nuclear weapons proliferation shall not in any way restrict the inalienable right of all States parties to develop all aspects of nuclear science and technology for peaceful purposes, without discrimination, as stipulated in article IV of the Non-Proliferation Treaty. In this context, **to underscore** the importance of peaceful nuclear technology for the sustainable socio-economic uplifting of developing nations, provided that nuclear activities are subject to full-scope IAEA safeguards.

Recommendation 50

To stress the importance of nuclear safety and security. While nuclear safety and security are national responsibilities, IAEA should play the key role in the development of international safety standards and nuclear security guidance based on best practices. **To emphasize** that undue nuclear safety and security concerns should not be used to hamper the peaceful utilization of nuclear energy, especially in developing countries.

IV. Action-oriented recommendations pertaining to the implementation of obligations under the Non-Proliferation Treaty

4. The 2010 Review Conference should establish the following set of recommendations pertaining to progress in the following fields: universality, nuclear disarmament, nuclear testing, security assurances, nuclear-weapon-free zones, regional issues, particularly in the Middle East, safeguards and verification, and peaceful uses of nuclear energy.

Universality

Recommendation 51

To call on States that are not party to the Non-Proliferation Treaty to accede to the Treaty as non-nuclear-weapon States, with a view to achieving its universality at the earliest possible time.

Recommendation 52

To call on all States parties to exert all possible efforts to promote universal adherence to the Non-Proliferation Treaty and not to undertake any actions that could negatively affect prospects for the universality of the Treaty.

Recommendation 53

To reaffirm the integrity of article IX, paragraph 3 of the Non-Proliferation Treaty and the commitment of all States parties not to accord any status or recognition in any form contrary to the provisions of the Treaty to any State not party to the Treaty. **To reaffirm** also, towards the attainment of these objectives, the commitment of all States parties to prohibit completely the transfer or sharing of all nuclear-related equipment, information, material, facilities, resources or devices, or the extension of scientific and technical assistance in the nuclear field, to States not parties to the Treaty in a manner inconsistent with the decision on principles and objectives for nuclear non-proliferation and disarmament adopted by consensus at the 1995 Review and Extension Conference and the Final Document of the 2000 Review Conference.

Nuclear disarmament

Recommendation 54

To call for the full implementation by the nuclear-weapon States of their disarmament commitments under the Non-Proliferation Treaty, including those agreed by consensus at the 2000 Review Conference to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament.

Recommendation 55

To accelerate the process of negotiations that should be undertaken, in accordance with article VI, as well as implementing the 13 practical steps for the systematic and progressive efforts to implement article VI of the Non-Proliferation Treaty, without further delay, in order to advance towards a nuclear-weapon-free world.

Recommendation 56

To agree on an action plan on nuclear disarmament that includes concrete steps for the total elimination of nuclear weapons with a specified time frame, including a nuclear weapons convention, without delay. The Group of Non-Aligned States parties to the Non-Proliferation Treaty presents its proposal to the Review Conference on such an action plan in a separate document.

Recommendation 57

To agree on a programme of work for the Conference on Disarmament that includes the immediate commencement of negotiations of a verifiable treaty banning the production of fissile materials for nuclear weapons and other explosive devices, taking into account both nuclear disarmament and non-proliferation objectives, with a view to its conclusion within five years.

Recommendation 58

To establish a standing committee by the Review Conference to monitor and verify nuclear disarmament steps undertaken unilaterally or through bilateral agreement.

Recommendation 59

To reaffirm commitment by nuclear-weapon States to end the production of new types of nuclear weapons and the qualitative improvement of nuclear weapons.

Recommendation 60

To establish, as a matter of priority, a subsidiary body on nuclear disarmament, in Main Committee I, mandated to focus on the issue of fulfilment of the obligations under article VI and further practical measures required to achieve progress in that regard.

Nuclear testing

Recommendation 61

To stress the significance of achieving the entry into force of the Comprehensive Nuclear-Test-Ban Treaty, requiring its ratification by the remaining annex 2 States, including, in particular, by two nuclear-weapon States, thus contributing to the process of nuclear disarmament and towards the enhancement of international peace and security.

Recommendation 62

To ratify the Comprehensive Nuclear-Test-Ban Treaty by Nuclear-Weapon States with all expediency. Positive decisions by nuclear-weapon States would have a beneficial impact towards the ratification of the Test-Ban Treaty. Nuclear-weapon States have a special responsibility to encourage progress on the entry into force of the Test-Ban Treaty. These actions would encourage annex 2 States, in particular those which have not acceded to the Non-Proliferation Treaty and continue to operate unsafeguarded nuclear facilities, to sign and ratify the Test-Ban Treaty.

Security assurances

Recommendation 63

To call for the negotiation of a universal, unconditional and legally binding instrument on security assurances to non-nuclear-weapon States against the use or threat of use of nuclear weapons. Pending the realization of the goal of total elimination of nuclear weapons, legally binding security assurances within the context of the Non-Proliferation Treaty remain essential and should be materialized without further delay.

Recommendation 64

To seek the establishment of a subsidiary body on security assurances for further work to be undertaken to consider legally binding security assurances by nuclear-weapon States to the non-nuclear-weapon States parties to the Non-Proliferation Treaty to strengthen the non-proliferation regime. Legally binding security assurances within the context of the Treaty would provide an essential benefit to the States parties and to the credibility of the Treaty regime.

Nuclear-weapon-free zones

Recommendation 65

To confirm that the establishment of nuclear-weapon-free zones created by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Tlatelolco Treaty) and the Treaties of Rarotonga, Bangkok, Pelindaba and Semipalatinsk, as well as Mongolia's nuclear-weapon-free status, represents a positive step and an important measure towards attaining the objective of global nuclear disarmament and non-proliferation.

Recommendation 66

To urge nuclear-weapon States that, having signed or ratified some of the relevant protocols to a treaty establishing a nuclear-weapon-free zone, have done so with reservations or unilateral interpretations that affect the denuclearization status of that zone to modify or withdraw such reservations or unilateral interpretations.

Recommendation 67

To highlight the importance of holding the second Conference of States parties and Signatories to the Treaties that Establish Nuclear-Weapon-Free Zones and Mongolia and its contribution to the nuclear disarmament and non-proliferation regime.

Middle East

Recommendation 68

To focus the activities of the 2010 Review Conference substantially on the Middle East including, in particular, the establishment of a nuclear-weapon-free zone in that region in accordance with the 1995 resolution on the Middle East; and to recommend that States parties to the Treaty, in particular the three Treaty depositories and sponsors of the 1995 resolution on the Middle East, should report on steps they have taken to promote the undelayed establishment of a Middle East nuclear-weapon-free zone and the realization of the goals and objectives of the 1995 resolution on the Middle East.

Recommendation 69

To recommend the establishment of a standing committee composed of members of the Bureau of the 2010 Review Conference to follow up intersessionally on the implementation of the recommendations concerning the Middle East and to report to the 2015 Review Conference and its Preparatory Committees.

Recommendation 70

To recommend the establishment of a subsidiary body to Main Committee II of the 2010 Review Conference to consider and recommend proposals on concrete practical steps to promote the earliest implementation of the resolution on the Middle East.

Recommendation 71

To call upon States parties to the Non-Proliferation Treaty to provide appropriate support in order to facilitate the implementation of IAEA General Conference resolutions GC(53)/RES/16 on application of IAEA safeguards in the Middle East and GC(53)/RES/17 on Israeli nuclear capabilities.

Recommendation 72

To call upon States parties to the Non-Proliferation Treaty to disclose all information available to them on the nature and scope of Israeli nuclear capabilities, including information pertaining to previous nuclear transfers to Israel.

Recommendation 73

To reiterate the commitment of all States parties to the Non-Proliferation Treaty to prohibit the transfer of all nuclear-related equipment, information, material, facilities, resources or devices, and extension of know-how or any kind of assistance to and cooperation with Israel in nuclear fields, as long as it remains a non-party to the Treaty and has not placed all its nuclear facilities under full-scope IAEA safeguards.

Recommendation 74

To support the efforts of the Group of Non-Aligned States parties in the Middle East in pursuing the earliest implementation of the 1995 resolution on the Middle East and **invite** the Conference on Disarmament to closely consider the proposals put forward by States parties of the region in this regard.

Safeguards and verification

Recommendation 75

To reiterate that the work of IAEA with regard to safeguards and verification needs to be conducted in accordance with the provisions of its statute and full-scope safeguards agreements.

Recommendation 76

To request all States that have not yet done so to bring into force comprehensive safeguards agreements as soon as possible with a view to consolidating and enhancing the verification system for the nuclear non-proliferation and disarmament regime, through the universalization of comprehensive safeguards.

Recommendation 77

To request all nuclear-weapon States and all States not parties to the Non-Proliferation Treaty to place all their nuclear facilities under full-scope IAEA safeguards. This should be set forth in an agreement to be negotiated and concluded with IAEA in accordance with the Treaty and the IAEA statute, for the exclusive purpose of verification of the fulfilment of the obligations of nuclear-weapon States, with a view to providing baseline data for future disarmament and preventing further diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices, as well as the prohibition of the transfer of all nuclear-related equipment, information, material, facilities, resources or devices and the extension of assistance in the nuclear scientific or technological fields to States not parties to the Treaty in a manner inconsistent with the decision on principles and objectives for nuclear non-proliferation and disarmament adopted by consensus at the 1995 Review and Extension Conference and with the Final Document of the 2000 Review Conference.

Recommendation 78

To consider the strengthening of the IAEA system for the protection of confidentiality of safeguard-related information.

Peaceful uses of nuclear energy

Recommendation 79

To stress the commitment of developed countries to facilitate and assist the legitimate development of nuclear energy by the developing countries by allowing them to participate to the fullest extent in the possible transfer of nuclear equipment, materials and scientific and technological information for peaceful purposes, with a view to achieving maximum benefits and applying pertinent sustainable development in their health, industry, agriculture and other development-related activities.

Recommendation 80

To emphasize that non-proliferation must be pursued and implemented, without exception, through the strict observance of adherence to IAEA comprehensive safeguards and to the Non-Proliferation Treaty as a condition for any cooperation in the nuclear area with States not parties to the Treaty, or for any supply arrangement with such States for the transfer of source or special fissionable material, or equipment or material specially designed or prepared for the processing, use or production of special fissionable material.

Recommendation 81

To reiterate that any undue restrictions or limitations on peaceful uses of nuclear energy that are incompatible with the provisions of the Non-Proliferation Treaty should be removed.

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

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Elements for a plan of action for the elimination of nuclear weapons

Working paper submitted by the Group of the Non-Aligned States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

Introduction

1. Although there have been some positive signals and developments in the area of nuclear disarmament, the world is still faced with unresolved challenges. The recent statements by some nuclear-weapon States about their intention to pursue actions in achieving a world free of nuclear weapons are positive. However, urgent and concrete actions by the nuclear-weapon States in accordance with their multilaterally agreed commitments to achieve general and complete disarmament remain essential. Unless the role of nuclear weapons in the context of security is delegitimized and existing nuclear doctrines are abandoned, there will always be a threat of a nuclear arms race and an escalation of nuclear threats. The total elimination of nuclear weapons is the only absolute guarantee against the use or threat of use of nuclear weapons.

2. To achieve the total elimination of their nuclear weapons, the nuclear-weapon States need to implement the unequivocal undertaking agreed upon in 2000. The 13 practical steps for systematic and progressive efforts to implement Article VI should be fully implemented in accordance with the principles of transparency, verifiability and irreversibility. The nuclear-weapon States should be urged to start negotiations on a phased programme for the complete elimination of their nuclear weapons within a specified time framework, including a nuclear weapons convention. It should also be recalled that there is a unanimous conclusion of the International Court of Justice regarding the obligation to pursue in good faith and to bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.

3. The Non-Aligned Movement proposes a plan of action for the elimination of nuclear weapons within a specified time frame that includes the following concrete steps and measures, as a basis for consideration by the Review Conference. The list of measures in each phase is indicative rather than exhaustive, and the order in which they are mentioned does not necessarily reflect their priority. Nevertheless, it should be understood that, in any nuclear disarmament programme, all steps and measures are inextricably linked.

Plan of action

First phase — 2010 to 2015

A. Measures aimed at reducing the nuclear threat

4. Immediate commencement of concurrent negotiations on and early conclusion of:

(a) A treaty banning the production of fissile material for nuclear weapons, the negotiations being conducted on the basis of the Shannon mandate, as endorsed at the 1995 Review and Extension Conference and the 2000 Review Conference;

(b) Termination of qualitative improvements of nuclear weapons through agreements on:

(i) the cessation of all nuclear weapon tests (ratification of the Comprehensive Nuclear-Test-Ban Treaty, starting with the nuclear-weapon States), the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty and the closure of all nuclear weapons test sites;

(ii) measures to prevent the use of new technologies for upgrading the existing nuclear weapon systems, including the prohibition of nuclear weapon research and development;

(c) Review by nuclear-weapon States of their nuclear postures in order to eliminate the role of nuclear weapons in their military and security policies;

(d) A multilaterally negotiated legally binding instrument that is universal and unconditional, to ensure non-nuclear-weapon States against the use or threat of use of nuclear weapons;

(e) A convention unconditionally prohibiting the use or threat of use of nuclear weapons;

(f) An international conference at “the earliest possible date” to achieve agreement on a phased programme for the complete elimination of nuclear weapons within a specified time frame, including, in particular, a treaty to eliminate nuclear weapons (nuclear weapons convention);

(g) Full implementation of the Treaties of Tlatelolco, Rarotonga, Bangkok, Pelindaba and Central Asia and of Mongolia’s nuclear-weapon-free status, including signature and ratification by nuclear-weapon States and other States, of relevant protocols to those Treaties, and the establishment of additional nuclear-weapon-free zones;

(h) Establishment of nuclear-weapon-free zones in the Middle East and implementation of the 1995 resolution on the Middle East, in order to fully realize its goals and objectives;

(i) Clear and verifiable declarations by States of their stocks of nuclear weapons and nuclear-weapons-usable material and agreement on a multilateral mechanism to monitor reductions by nuclear-weapon States of their nuclear arsenals individually, bilaterally or collectively;

(j) Reduction of the operational readiness of nuclear-weapon systems.

B. Measures aimed at nuclear disarmament

5. Full implementation by the nuclear-weapon States of their disarmament obligations and commitments under the Non-Proliferation Treaty, including those agreed at the 2000 Review Conference; acceleration of the negotiation process, in accordance with article VI, and implementation of the 13 practical steps.

6. Conclusion of negotiations on further reductions of nuclear arsenals (START).

7. Moratorium on the production of fissile materials, pending conclusion of a fissile material cut-off treaty.

8. Placement of nuclear fissile material transferred from military to peaceful uses by nuclear-weapon States under International Atomic Energy Agency (IAEA) safeguards.

9. Formal declaration of the decade 2010-2020 as the "Decade for nuclear disarmament" and realization of its objectives.

Second phase — 2015 to 2020

Measures aimed at reducing nuclear arsenals and promoting confidence among States

10. Entry into force of the treaty to eliminate nuclear weapons and the establishment of a single integrated multilateral comprehensive verification system to ensure compliance, including such measures as the:

(a) Separation of nuclear warheads from their delivery vehicles;

(b) Placement of nuclear warheads in secure storage under international supervision, pending the removal of special nuclear materials from those warheads;

(c) Transfer of nuclear materials, including fissile materials and delivery vehicles, to "peaceful purposes".

11. Preparation, under international auspices, of an inventory of nuclear arsenals, including fissile materials, nuclear warheads and their delivery vehicles.

12. Progressive and balanced reduction of missiles intended for carrying nuclear warheads.

13. Recommendation by the 2020 Review Conference to declare 2020 as the "Decade for the total elimination of nuclear weapons".

Third phase — 2020 to 2025 and beyond

Measures aimed at the consolidation of a nuclear-weapon-free world

14. Full implementation of the treaty to eliminate all nuclear weapons and of its verification regime through the:

(a) Elimination of all nuclear weapons;

(b) Conversion of all facilities for the production of nuclear weapons to "peaceful purposes";

(c) Placement of nuclear facilities under safeguards, on a universal basis.

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Note verbale dated 29 April 2010 from the Permanent Mission of Ukraine to the United Nations addressed to the Secretary-General of the Conference

The Permanent Mission of Ukraine to the United Nations presents its compliments to the Secretary-General of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and has the honour to transmit herewith the text entitled "Ministerial Declaration on Non-Proliferation", adopted on 2 December 2009, in the framework of the Ministerial Council of the Organization for Security and Cooperation in Europe (see annex).

The Permanent Mission of Ukraine to the United Nations requests that the present note and its annex be circulated as a working paper of the 2010 Review Conference.

Annex

Organization for Security and Cooperation in Europe

Ministerial Council

Athens, 2009

Ministerial Declaration on Non-Proliferation

We, the members of the Ministerial Council of the Organization for Security and Cooperation in Europe (OSCE), recalling OSCE commitments on non-proliferation, emphasize that the proliferation of nuclear, chemical and biological weapons and their means of delivery constitutes a threat to international peace and security. The international non-proliferation regime faces major challenges. We are committed to continue to address them resolutely.

We welcome and reaffirm our commitment to United Nations Security Council resolution 1887 (2009) to take further steps with a view to preventing the proliferation of weapons of mass destruction and their means of delivery. We recognize the role of the United Nations Security Council in addressing threats to international peace and security arising from non-compliance with non-proliferation obligations. We remain seriously concerned that some States do not comply fully with relevant United Nations Security Council resolutions and call upon them to do so without delay.

We are also gravely concerned by the threat of illicit trafficking in nuclear, chemical, or biological weapons and their means of delivery, and related materials, which adds a new dimension to the issue of proliferation of such weapons and also poses a threat to international peace and security.

We endorse universal adherence to the international treaties and conventions aiming at preventing and prohibiting the proliferation of weapons of mass destruction. In this regard, we call upon all States still not parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), the Comprehensive Nuclear-Test-Ban Treaty (CTBT), the Biological and Toxin Weapons Convention (BTWC) and the Chemical Weapons Convention (CWC) to become parties thereto.

We are strongly committed to effective and full implementation of the NPT. We reaffirm that the NPT remains the cornerstone of the nuclear non-proliferation regime and an essential foundation for the pursuit of nuclear disarmament and peaceful uses of nuclear energy. We will work to achieve a successful NPT Review Conference in May 2010 and to strengthen the Treaty and its three mutually reinforcing pillars.

We reaffirm the commitment of our countries to seeking a safer world for all and to creating conditions for a world without nuclear weapons in accordance with the goals of the NPT. In this context, we welcome the historical decisions taken by States in the OSCE area to renounce voluntarily nuclear arsenals as well as the establishment of nuclear-weapon-free zones. We also acknowledge that reaching a new legally binding agreement between the Russian Federation and the United States of America on further strategic arms reductions and limitations to replace the START Treaty, expiring in December 2009, will be a vital contribution to this

endeavour. We recognize that the non-proliferation of nuclear weapons and nuclear disarmament are mutually reinforcing.

We acknowledge security assurances provided by the nuclear-weapon States, as noted in Security Council resolution 984 (1995), and recognize that these security assurances strengthen the nuclear non-proliferation regime.

We support the universalization and strengthening of the International Atomic Energy Agency (IAEA) safeguards system and verification regime, in particular through the adoption and implementation by States, which have yet to do so, of the Comprehensive Safeguards Agreement, together with the Additional Protocol, which should become a universally accepted verification standard for non-proliferation compliance. In this regard, we reaffirm that effective export controls, together with the IAEA safeguards, are essential to prevent nuclear proliferation.

We encourage the work of IAEA on multilateral approaches to the nuclear fuel cycle, including assurances of nuclear fuel supply, as an effective means of addressing the expanded need for nuclear fuel services, while taking into account the necessity to minimize the risk of proliferation. In this regard, we appreciate the initiatives recently put forward by some and supported by all OSCE participating States.

We call for universal adherence to the Convention on the Physical Protection of Nuclear Material and its 2005 Amendment, and the Convention for the Suppression of Acts of Nuclear Terrorism. We also call for States to improve their national capabilities to detect, deter and disrupt illicit trafficking in nuclear materials throughout their territories, and endorse the IAEA efforts, within its nuclear security programme, to improve nuclear security, protect against nuclear terrorism and promote international cooperation with regard.

We reiterate our commitment to promoting full and effective implementation of Security Council resolution 1540 (2004), as well as our ongoing dialogue with the Committee established pursuant to it. In this context, we pledge our continued support to the ongoing Security Council resolution 1540 (2004) comprehensive review process, Committee's and regional efforts to facilitate its implementation, including through providing effective assistance to those States that require it.

We will continue our efforts to strengthen the BTWC. We welcome the ongoing progress under the CWC and highlight the vital importance of the full and effective implementation of the Convention.

We agree to further improve national nuclear export control policies by supporting and, where possible, strengthening the guidelines of the Zangger Committee and the Nuclear Suppliers Group. We support the guidelines of the Missile Technology Control Regime and undertake to control the export of missiles, technology and equipment in accordance with the guidelines.

We are committed to take all appropriate national measures in accordance with our national authorities and legislation, and consistent with international law, to prevent proliferation financing and shipments, to strengthen export controls, to secure sensitive materials, and to control access to intangible transfers of technology.

We remain fully committed to the early entry into force of the CTBT. Pending its entry into force, we call upon all States to abide by a moratorium on nuclear-weapon test explosions and to refrain from any action contrary to the obligations and provisions of the CTBT.

We welcome the adoption by consensus of a programme of work in the Conference on Disarmament and stress the urgent need for the Conference to commence on this basis its substantive work in early 2010, including negotiations on a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices. In the meantime, we call upon all States concerned to declare and uphold an immediate moratorium on the production of such material.

We reiterate our readiness to further enhance and strengthen existing international legal instruments against the proliferation of weapons of mass destruction in the OSCE area through the broadest possible multilateral support. In this context, we will continue to take appropriate actions, consistent with national legal authorities and obligations under relevant international legal framework, to strengthen the implementation of the respective commitments through our legislation, regulations and procedures, and to exchange information, inter alia, and as appropriate, in the context of a security dialogue within OSCE about practical measures for strengthening the global non-proliferation regime.

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

3 May 2010

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Working paper submitted by the Islamic Republic of Iran on nuclear disarmament

1. In the course of the negotiations leading to the Treaty on the Non-Proliferation of Nuclear Weapons, an integrated and balanced package of rights and obligations was introduced according to which non-nuclear-weapon States undertake not to acquire nuclear weapons, and to place their facilities under the safeguards agreements. In return, nuclear-weapon States undertake not to transfer and develop nuclear weapons and commit themselves to practical steps towards nuclear disarmament. Moreover, all States parties to the Treaty undertake to cooperate and ensure the implementation of the inalienable rights of the States parties to peaceful use of nuclear energy in a non-selective and non-discriminatory manner. In addition, universality of the Treaty has been assumed as a common international commitment of all States parties.

2. Since 1978, when the Final Document of the Tenth Special Session of the General Assembly, the first to be devoted to disarmament confirmed nuclear disarmament as the highest priority in the disarmament agenda, the international community has had to wait for more than two decades to witness a comparable endorsement of its long-sought goal, as contained in the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. The 2005 Review Conference of the Parties to the Treaty was a sad setback in this direction. The practical steps adopted by consensus at the 2000 Review Conference still constitute the basis of our deliberations on nuclear disarmament in the Review Conference of the Parties to the Treaty.

3. With the adoption of the practical steps in the 2000 Review Conference, including in particular the "unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament under article VI of the Treaty", hopes for the implementation of this fundamental pillar of the Treaty were renewed. The 13 practical steps for the systematic and progressive efforts to implement article VI of the Treaty became instrumental towards the goal of nuclear disarmament.

4. The upcoming Review Conference of the Parties to the Treaty shall consider national reports of the nuclear-weapon States with respect to their obligations to implement article VI of the Treaty, including measures adopted by them to implement 13 practical steps 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.

5. Since the 2000 Review Conference of the Parties to the Treaty, developments in the area of nuclear disarmament have not been promising. Despite the obligations under article VI and commitments made by the nuclear-weapon States at the 1995 Review and Extension Conference of the Parties to the Treaty and their unequivocal undertaking of the 2000 Review Conference of the Parties to the Treaty, the continued development and deployment of thousands of nuclear warheads in the stockpiles of the nuclear-weapon States still threaten international peace and security.

6. The non-entry into force of the Treaty on the Further Reduction and Limitation of Strategic Offensive Arms (START II), the reluctance to pursue the START III negotiations and the abrogation of the Anti-Ballistic Missile Treaty are among the serious setbacks to the implementation of the agreements of the 2000 Conference. The international community has noted the signature of the Treaty on Strategic Offensive Reductions (Moscow Treaty) in 2002 and the new START in 2010. However, the Moscow Treaty and the new START do not go beyond the decommissioning of nuclear weapons, and its parties do not have any obligation to destroy their nuclear weapons.

7. Moreover, no verification mechanism has been envisaged. It therefore does not take into account the principles of "increased transparency", "diminishing role for nuclear weapons" and "irreversibility", which were agreed by the nuclear-weapon States at the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

8. During the 2000 Review Conference of the Parties to the Treaty, the nuclear-weapon States committed themselves to "the further reduction of non-strategic nuclear weapons, based on unilateral initiatives and as an integral part of the arms reduction and disarmament process". In spite of that, no practical steps have been taken to reduce tactical nuclear weapons by the nuclear-weapon States.

9. Moreover, in the absence of any mechanism to verify the implementation of unilateral, bilateral and multilateral declarations made or agreements reached regarding the fulfilment of nuclear disarmament obligations, and in order to assure the international community of the real reduction of nuclear weapons and their elimination, the Review Conference of the Parties to the Treaty should establish a standing Committee to ensure implementation of commitments made with regard to article VI obligations.

10. It should also be highlighted that any reduction of nuclear weapons, whether strategic or non-strategic, should be in a verifiable and irreversible manner. Needless to say, such reduction in nuclear weapons can never be a substitute for the main obligation of nuclear-weapon States, namely, the total elimination of nuclear weapons. As a first step, a real change is needed regarding the aggressive Nuclear

Posture Review and removal of the emphasis on the old doctrine of nuclear deterrence.

11. As we emphasized last year, the international community rightly expects that statements on the reduction of nuclear weapons be materialized and implemented in a transparent, verifiable and irreversible manner. Despite these pledges, a review of the new developments in the nuclear policy of the United States shows a reverse trend. The continued emphasis of the United States new Nuclear Posture Review on maintaining nuclear weapons and the obsolete deterrence policy, new extraordinary budget allocations to the modernization of the United States arsenals, no movement towards ratification of the Comprehensive Nuclear-Test-Ban Treaty, and raising new excuses for keeping nuclear weapons in the new Nuclear Posture Review, are clear indications of the continued policy of this State to evade its obligation to eliminate its nuclear arsenals.

12. The new Nuclear Posture Review of the United States and the Trident plan of the United Kingdom of Great Britain and Northern Ireland, which provide for the development and modernization of nuclear weapons, the possible use or threat of use of nuclear weapons against non-nuclear-weapon States and targeting nuclear weapons against non-nuclear-weapon States parties to the Treaty, are in contravention of the assurances given by the nuclear-weapon States at the time of the conclusion of the Treaty on the Non-Proliferation of Nuclear Weapons and its indefinite extension. More worrisome are new announcements by France. It has recently announced the addition of a nuclear-armed ballistic missile submarine to its nuclear arsenals. The President of that country was quoted as saying, "French nuclear forces are a key element in Europe's security". It appears that this country, in defiance of its international obligations, is seeking new roles for its nuclear forces in order to justify their continued retention. In so doing, it even resorts to irresponsible methods such as manipulation of intelligence and frightening people to promote programmes that their people would otherwise not support. It is regrettable that, despite the high expectations of the international community regarding the realization of United States pledges on nuclear disarmament and a world free of nuclear weapons, a new extraordinary budget of several billions of dollars has been allocated to modernize the United States arsenals. The bill was a blow to all hopes created by the rhetoric of the new Administration and a big setback for the success of the Review Conference of the Parties to the Treaty. The Nuclear Posture Review is stipulated for United States conventionally armed long-range ballistic missile systems, while this country has been claiming for a long time that the ballistic missile has no use other than as a means of delivery of weapons of mass destruction.

13. The Preparatory Committee and the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons have the urgent tasks of addressing the concerns of the non-nuclear-weapon States emanating from the development and deployment of new nuclear weapons and their means of delivery and alleviating these concerns by considering a decision on the prohibition of the development, the modernization and the production of any new nuclear weapons, particularly mini-nukes, as well as a ban on the construction of any new facility for the development, deployment and production of nuclear weapons and their means of delivery in home and foreign countries.

14. Moreover, real concerns of the international community remain over vertical proliferation of nuclear weapons transfer to other countries and deployment of

nuclear weapons in territories of non-nuclear-weapon States, and the danger of using such inhumane weapons against non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons. Ironically, not only do some nuclear-weapon States not take steps towards the total elimination of their arsenals, and give no real and unconditional security assurances to non-nuclear States parties, they also threaten to use their weapons against States parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

15. In accordance with article I of the NPT, "each nuclear-weapon State Party to the Treaty undertakes 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". Contrary to this obligation, hundreds of nuclear weapons and their means of delivery have been and are still being deployed in other countries and air forces of non-nuclear-weapon States train in the delivery of these weapons under the cover of military alliances. The new Nuclear Posture Review of the United States has clearly confessed such violation, namely, the deployment of United States nuclear weapons in the territories of the European Union, and the Review Conference must seriously address this case of non-compliance. In the same context, the nuclear sharing between nuclear-weapon States and between nuclear-weapon States and non-parties to the Treaty is also a grave source of concern for States parties to the Treaty. The nuclear-weapon States should comply with their obligations under article I by refraining from nuclear-sharing, under any pretext, including security arrangements or military alliance.

16. The Treaty on the Non-Proliferation of Nuclear Weapons, in its article III, paragraph 2, commits all States to refrain from the transfer of sensitive technology and materials to non-parties to the Treaty unless they are placed under the International Atomic Energy Agency (IAEA) safeguards.

17. Accordingly, the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons should reaffirm the total and complete prohibition of transfer of any nuclear-related equipment, information, material and facilities, resources or devices and the extension of assistance in the nuclear, scientific or technological fields to non-parties to the Treaty, without exception and in particular to the Israeli regime, whose unsafeguarded nuclear facilities and continued programme for the development of nuclear weapons are a real threat to all countries of the Middle East and to international peace and security. The United States is a non-compliant party with its undertakings under the provisions of the Treaty by continuing nuclear-sharing with the Zionist regime of Israel and by strongly supporting this regime by keeping silent in respect of the acknowledgement of the Israeli Prime Minister of Israel's nuclear arsenal. The policy of inaction of the United States and some other nuclear-weapon States regarding the real threats of the nuclear arsenal of the Zionist regime to regional and international peace and security in the Security Council and other relevant forums constitutes an act of horizontal proliferation, adding to their vertical one.

18. The agreement signed by the Director of the Israeli Atomic Energy Commission, and the chairman of the United States Nuclear Regulatory Commission, enabling the Zionist regime to access most of the available United States nuclear data and technology is another example of United States non-compliance with the provisions of the Treaty on the Non-Proliferation of Nuclear Weapons. It seems that the United States is not shy about supporting that

regime's nuclear weapon programme, and the disclosed "top secret document dated 23 August 1974" clearly shows the role of the United States in equipping the Zionist regime with nuclear weapons.

19. Although the actual nuclear testing moratorium (but not simulation testing) has been maintained since the signature of the Comprehensive Nuclear-Test-Ban Treaty, some efforts had been under way in the United States to allocate millions of dollars to reducing to 18 months the time necessary to resume a nuclear test. This put into question its commitment to the so-called moratorium. The international community highly expects that the United States, as a major nuclear-weapon State, will implement its commitments under the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, in which the ratification of the Comprehensive Nuclear-Test-Ban Treaty has been envisaged as the first of 13 practical steps towards nuclear disarmament.

20. While new issues such as terrorism, non-proliferation threats and the possible role of the terrorist groups in proliferation should duly be dealt with, it is very unfortunate that these issues are abused as pretexts to justify the pursuit of preserving nuclear weapons and ignorance of nuclear disarmament obligations by certain nuclear-weapon States. Specific threats may not be resolved through resorting to more dangerous weapons that would have catastrophic consequences well beyond any other threats in scope and effects. The main responsibility for nuclear security and preventing nuclear terrorist groups from having access to the nuclear weapons or materials within the territory of a nuclear-weapon State or under its jurisdiction or control rests entirely with that State. Pending the total elimination of such weapons, they should take necessary measures to protect their arsenals from theft and incident.

21. The review process of the Treaty on the Non-Proliferation of Nuclear Weapons should be able to reiterate once again its unconditional global call for the full implementation of the unequivocal undertakings of the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals, and must assess the implementation of the 13 practical steps adopted by consensus at the 2000 Review Conference of the Parties to the Treaty.

22. The Parties to the Treaty, particularly the nuclear-weapon States, should engage in good faith in substantive work of the Conference for the prompt and meaningful implementation of obligations under the Treaty, including article VI, and the commitments made at the 1995 and 2000 Review Conferences of the Parties to the Treaty.

23. The international community cannot wait forever to witness the total elimination of nuclear weapons. To this end, the 2010 Review Conference of the Parties to the Treaty should adopt a clear time frame for the full implementation of article VI.

24. In this context, we are also of the firm belief that early negotiations on a nuclear weapons convention shall be started in the Conference on Disarmament. In this regard, we reiterate our call for the establishment, as the highest priority and as soon as possible, of an ad hoc committee with a negotiating mandate on nuclear disarmament in the Conference on Disarmament. Such negotiations must lead to the legal prohibition, once and for all, of the possession, development and stockpiling of nuclear weapons by any country and provide for the destruction of such inhumane

weapons. Until the conclusion of a nuclear weapons convention, the nuclear-weapon States must fulfil their obligations under the Treaty on the Non-Proliferation of Nuclear Weapons and refrain from:

- Any kind of development of and research on nuclear weapons;
- Any threat of use of nuclear weapons against non-nuclear-weapon States;
- Any modernization of nuclear weapons and their facilities;
- Deployment of nuclear weapons in the territories of other countries;
- Maintaining their nuclear weapons in the trigger-alert situation.

25. Continued lack of transparency regarding the nuclear activities of nuclear-weapon States is a matter of serious concern to the States parties to the Treaty on the Non-Proliferation of Nuclear Weapons. The few pieces of news on submarine accidents leaked to the media show the scale of the dangers to international peace and security, as well as the great challenges created by the existing nuclear arsenals to the survival of mankind and the environment. Since 2000, the collisions and failures of the United Kingdom nuclear submarines, including the *HMS Superb* in May 2008, have been a great source of concern for the international community and an immense risk to the marine environment. During this period, *HMS Triumph*, *HMS Trafalgar* and *HMS Tireless* had similar catastrophic incidents. In particular, in February 2009, the incident between the United Kingdom *HMS Vanguard* nuclear submarine and *Le Triomphant*, the French nuclear submarine, in the Atlantic Ocean was of serious concern to the international community. Such catastrophes proved once more the righteousness of the international calls for the immediate realization of a world free from nuclear arsenals through the full implementation of article VI of the Treaty.

26. The question of the security of non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons against the use or threat of use of nuclear weapons has been an important issue since the inception of the Treaty on the Non-Proliferation of Nuclear Weapons. The Final Document of the 2000 Review Conference of the Parties to the Treaty reaffirmed, in the second paragraph of its section on article VII, the total elimination of nuclear weapons as the only absolute guarantee against the use or threat of use of nuclear weapons, and agreed that legally binding and unconditional security assurances by the five nuclear-weapon States parties to the Treaty to the non-nuclear-weapon States strengthen the nuclear non-proliferation regime, and called upon the Preparatory Committee to make recommendations to the Review Conference. In the light of that agreement, the Review Conference of the Parties to the Treaty shall prepare recommendations on unqualified negative security assurances to all non-nuclear-weapon States parties to the Treaty on a non-discriminatory basis.

27. The failure of the past Review Conferences to produce recommendations on the security assurances necessitates a concrete measure to be taken by the 2010 Review Conference of the Parties to the Treaty to revitalize the international efforts in this regard.

28. Therefore, we continue to firmly believe that the Conference should establish an ad hoc committee to work on a draft legally binding instrument on providing unconditional security assurances by the five nuclear-weapon States to non-nuclear-weapon States parties to the Treaty on a non-discriminatory basis.

29. As a first step to address the twin issues of illegality of use or threat of use and negative security assurances, we believe that, as suggested by the NGO community, the Review Conference should adopt a decision by which the Conference "decides that the threat or use of nuclear weapons against non-nuclear-weapon States shall be prohibited".

30. The General Assembly, at its sixty-fourth session, also adopted resolution 64/31, entitled "Follow-up to nuclear disarmament obligations agreed to at the 1995 and 2000 Review Conferences of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons", in which it called, inter alia, for practical steps to be taken by all nuclear-weapon States that would lead to nuclear disarmament in a way that promotes international stability and, based upon the principle of undiminished security for all, as follows:

(a) Further efforts to be made by the nuclear-weapon States to reduce their nuclear arsenals unilaterally;

(b) Increased transparency by the nuclear-weapon States with regard to nuclear weapons capabilities and the implementation of agreements pursuant to article VI of the Treaty and as a voluntary confidence-building measure to support further progress in nuclear disarmament;

(c) The further reduction of non-strategic nuclear weapons, based on unilateral initiatives and as an integral part of the nuclear arms reduction and disarmament process;

(d) Concrete agreed measures to reduce further the operational status of nuclear weapons systems;

(e) A diminishing role for nuclear weapons in security policies so as to minimize the risk that these weapons will ever be used and to facilitate the process of their total elimination;

(f) The engagement, as soon as appropriate, of all the nuclear-weapon States in the process leading to the total elimination of their nuclear weapons.

These required measures by international community could be considered as a basis for the Review Conference for further elaboration.

31. In conclusion, the Islamic Republic of Iran reiterates that maintaining the established delicate balance between three pillars of the Treaty on the Non-Proliferation of Nuclear Weapons is vital to preserve the credibility and integrity of the Treaty. Non-nuclear-weapon States could not accept any new obligations pending the full implementation of outstanding nuclear disarmament undertakings by nuclear-weapon States.

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

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Working paper submitted by the Islamic Republic of Iran on the issue of negative security assurances

1. Since the first atomic bombs dropped on Hiroshima and Nagasaki in August 1945, which had a destructive power 10,000 times larger than previous explosive devices, a thousand times more destructive than fission bombs, thermonuclear bombs have been designed and built. The continued existence of thousands of such bombs in the stockpiles of the nuclear Powers and allocation of billions of dollars to modernize them has kept the fate of civilization and of humanity itself under horror and panic. Even with the conclusion of the Treaty on the Non-Proliferation of Nuclear Weapons, humankind has continued to live under the shadow of possible use of the world's most destructive mass-terror weapons. Therefore, the question of the unconditional security of non-nuclear-weapon States parties to the Treaty against the use or threat of use of nuclear weapons has been and still is an important and vital issue.

2. In the early 1980s, all five nuclear-weapon States, in response to the international demands for an unconditional and legally binding treaty on negative security assurances against the use or threat of use of nuclear weapons, as a first limited step, accepted some qualified undertakings not to use such weapons against States parties to the Treaty and those which have renounced the production and acquisition of such weapons. In early April 1995, this pledge was reaffirmed through unilateral statements by nuclear-weapon States and on 11 April 1995, just days before the 1995 Review and Extension Conference, Security Council resolution 984 (1995) was adopted taking note of these unilateral statements and recognizing "the legitimate interest of non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons to receive assurances". The Security Council is also very explicit in "considering that the … resolution constitutes a step in this direction".

3. The unilateral declarations of the nuclear-weapon States and the Security Council resolution were duly taken note of in a package of decisions by the 1995 Review and Extension Conference. Principle 8 of the decision on principles and

objectives stipulated that "further steps should be considered to assure non-nuclear-weapons States parties to the Treaty against the use or threat of use of nuclear weapons. These steps could take the form of an internationally legally binding instrument".

4. Moreover, the new doctrines such as the United States Nuclear Posture Review, development of easy-to-use mini-nukes and a recent increase in the number of cases in which some high officials of certain nuclear-weapon States have threatened non-nuclear-weapon States (such as those threats made by the United States and French President), all have put the non-nuclear-weapon States more than ever under the real threat of possible use of nuclear weapons.

5. The United States through its development of new types of easy-to-use nuclear weapons and recently allocation of billions of dollars to modernize its nuclear arsenal and naming non-nuclear-weapon States as targets of such inhumane weaponry, is clearly violating its obligations under article VI of the Treaty and putting its commitment to its 1995 unilateral statement under serious question. Hundreds of millions of dollars have already been allocated to the nuclear weapon development projects such as those in the United Kingdom Trident or the United States mini-nukes and recently the addition of a nuclear-armed ballistic missile submarine to French nuclear arsenals. The international community should not await the deployment or even threat of use of such weapons to react. Such policies and practices seem to have learned no lesson from the nightmare of Hiroshima and Nagasaki. It is abhorrent that the threats and dangerous doctrine of use of nuclear weapons against non-nuclear States were officially proclaimed by the United States and the North Atlantic Treaty Organization (NATO).

6. The 1995 unilateral statements and the subsequent United Nations Security Council resolution are inseparable parts of the deal in the 1995 Review Conference. The efforts undermining multilateral achievement in the field of disarmament are now seriously eroding the very credibility of the Treaty.

7. Iran considers the total elimination of nuclear weapons as the only absolute guarantee against the use or threat of use of nuclear weapons. Nuclear weapons should not imply political clout and capability to shape and influence world events or change the decisions of sovereign States. Holding onto and expanding nuclear arsenals should be condemned rather than condoned or tolerated. Any increase in nuclear capability should equal a reduction in political credibility. As long as such weapons are in the stockpiles of nuclear-weapon States, no one on the earth has any security. It is therefore imperative to move on with a concerted and firm resolve to stop and reverse this fast-paced drive. Certain nuclear-weapon States have tried to create smokescreens in the international forums, including the Treaty review process, to deflect attention from their abysmal record and policies.

8. Pending the total elimination of these inhuman weapons, as stipulated in the Advisory Opinion of the International Court of Justice in 1996, the Review Conference should announce unequivocally that to use or threaten to use nuclear weapons is illegal. At the same time efforts for the conclusion of a universal, unconditional and legally binding instrument on security assurances to non-nuclear-weapon States should be pursued as a matter of priority by the international community.

9. Therefore, we propose that the Conference establish an ad hoc committee to work on a draft of a legally binding instrument on the illegality of nuclear weapons and providing unconditional security assurances by the five nuclear-weapon States to non-nuclear-weapon States parties to the Treaty, and to submit the draft of the legal instrument to the Review Conference for its consideration and adoption. As a first step to address the twin issues of illegality of use and negative security assurances, we believe that as suggested by the non-governmental organization community, the 2010 Review Conference should adopt a decision through which the Conference "decides that the threat or use of nuclear weapons against non-nuclear-weapon States shall be prohibited".

10. We strongly urge this Conference to move a step forward and to make a concrete decision on the negative security assurances to assure non-nuclear-weapon States on a non-discriminatory and unconditional basis.

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

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Working paper submitted by the Syrian Arab Republic

Substantive issues concerning implementation of the provisions of the Treaty on the Non-Proliferation of Nuclear Weapons

Achieving the goals of the Treaty

1. The Syrian Arab Republic was one of the first States to accede to the Treaty on the Non-Proliferation of Nuclear Weapons in 1968, because it is convinced that the existence of such weapons constitutes grounds for serious concern and represents a major threat, not only to the security and peace of the peoples of the Middle East, but also to the security and peace of every State in the world.

2. The Syrian Arab Republic affirms its commitment to its international undertakings in respect of the Treaty on the Non-Proliferation of Nuclear Weapons. That Treaty constitutes the cornerstone of the international nuclear disarmament and non-proliferation regime and is considered to provide the global terms of reference and uphold the right of States parties to acquire nuclear technology for use in various peaceful applications.

3. The Syrian Arab Republic is extremely troubled by the fact that no balance has been achieved between the three main pillars of the Treaty goals, namely, to prevent the horizontal and vertical proliferation of nuclear weapons, ensure complete and comprehensive nuclear disarmament, and guarantee States parties the full and inalienable right to use nuclear technology for various peaceful applications, with no double standards to be employed.

The universality of the Treaty

4. The Syrian Arab Republic believes that the fact that all the Arab States have become parties to the Treaty, while Israel stubbornly refuses to accede or declare its intention to accede thereto or to place all its nuclear installations under international

safeguards, has made the Middle East one of the most tense regions in the world. In consequence, the Syrian Arab Republic must request the international community to take serious action towards establishing security and stability in the region of the Middle East, and to exert pressure on Israel, the only State to possess nuclear military capabilities that are not placed under international safeguards, to accede to the Treaty, open all its nuclear installations to inspection and place those installations under International Atomic Energy Agency (IAEA) safeguards.

5. The Syrian Arab Republic believes that prompt implementation by Israel of all the relevant resolutions of international legitimacy would be an important confidence-building measure and a major step towards achieving regional and international peace and security. The first of those resolutions is Security Council resolution 487 (1981), and the most recent are the two adopted by IAEA in 2009, one of which, GC(53)/RES/17, is entitled "Israeli nuclear capabilities", while the other, GC(53)/RES/16, is entitled "Application of IAEA safeguards in the Middle East", and the 2 December 2009 General Assembly resolution 64/66, entitled "The risk of nuclear proliferation in the Middle East". That last once again notes that Israel remains the only State in the Middle East that has not yet become party to the Treaty and reaffirms the importance of Israel's accession to the Treaty on the Non-Proliferation of Nuclear Weapons and placement of all its nuclear facilities under comprehensive IAEA safeguards to realizing the goal of universal adherence to the Treaty in the Middle East.

Peaceful uses of nuclear energy

6. The Syrian Arab Republic considers that article IV of the Treaty gave all parties to the Treaty the unshakable and inalienable right to acquire nuclear technology for various peaceful purposes, striking a balance between State rights and responsibilities and without discrimination or double standards. In the light of that inalienable right, peaceful uses of nuclear energy constitute one of the three basic pillars of the Treaty and make it imperative that genuine and effective measures should be taken to achieve the goals of the Treaty, ensure that it is not exploited and prevent the imposition on certain States of controls that serve the interests of other States.

7. The Syrian Arab Republic affirms the need to maintain the principle function assigned to IAEA by its Statute, namely, to support the use of nuclear technology in various peaceful applications, foster the exchange of scientific and technological information, equipment, materials and services for peaceful uses of atomic energy, encourage and assist States parties in conducting scientific research on atomic energy for peaceful uses. All States parties and, in particular, the developing countries, pin their hopes on that important function.

8. The Syrian Arab Republic further affirms the need to achieve an equitable balance between the monitoring activities of the Agency and activities related to the propagation of nuclear technology and its applications, in accordance with the provisions of article III of the Treaty. That article affirms the close link between the issues of verification under comprehensive safeguard agreements with the Agency and the peaceful uses of atomic energy. It provides that non-nuclear-weapon States party to the Treaty shall conclude agreements with the Agency. Such safeguard agreements shall be implemented in a manner designed to comply with article IV of

the Treaty and to avoid hampering the economic or technological development of the Parties or international cooperation in the field of peaceful nuclear activities.

9. The Syrian Arab Republic believes that if the credibility of the Treaty is to be enhanced and its provisions are not to be applied to States in a selective manner, the 2010 Review Conference must intensify action to end the failure of certain States parties to honour their undertakings with respect to article IV of the Treaty. The right must be upheld of States and, in particular, developing countries, to exercise their legitimate right, enshrined in the Treaty, to obtain materials, equipment, technology and information for use in various peaceful applications, including, inter alia, health, agriculture, industry and scientific research. Efforts must be made to avoid any new interpretations of the Treaty that are incompatible with its spirit and destroy its credibility.

Comprehensive IAEA safeguards

10. The Syrian Arab Republic affirms its absolute commitment to the provisions of the comprehensive safeguards agreement that it concluded with IAEA in 1992, which was ratified by Law No. 5 of 1992. Pursuant to that agreement, a national system was put in place to oversee and monitor nuclear materials, as were the requisite bases and facilities to permit IAEA inspectors to carry out their duties under the agreement.

11. The Syrian Arab Republic appreciates the important role played by IAEA as the only international body authorized to follow up questions of verification and compliance through its comprehensive safeguards system, which is the cornerstone of the non-proliferation regime. The Syrian Arab Republic demands that IAEA work to apply that regime to all States without exception or discrimination.

12. The Syrian Arab Republic urges all States parties and, in particular, nuclear-weapon States, to make every effort to achieve the universality of the comprehensive safeguards and not impose additional measures and restrictions on non-nuclear-weapon States, which have truly complied with non-proliferation standards and chosen not to possess nuclear weapons. The Syrian Arab Republic also calls upon all States parties to refrain from imposing any restrictions on the transfer of nuclear equipment and technology for peaceful purposes to States parties that have concluded comprehensive safeguards agreements with IAEA, and to refrain from imposing, in a manner that contradicts the spirit and the letter of the Treaty, further restrictions on the use of such technology.

13. The Syrian Arab Republic emphasizes the importance of maintaining the distinction between the legal obligations of States parties and voluntary measures aimed at ensuring transparency and building confidence, and calls upon States parties to make that important distinction and not to confuse legal obligations and voluntary measures.

14. The Syrian Arab Republic believes that comprehensive improvement of the safeguards system requires complete implementation of IAEA General Conference resolutions and decisions concerning safeguards and verification. It also emphasizes that IAEA should, as required by its Statute, maintain the confidentiality of information related to safeguards.

The resolution on the Middle East adopted by the 1995 Review and Extension Conference of the Parties to the Treaty

15. The Syrian Arab Republic affirms the vital need for all States parties and, in particular, those which adopted the above resolution as an integral part of the set of resolutions adopted at the 1995 Review Conference, to honour those resolutions, which included "Strengthening the review process for the Treaty", "Principles and objectives for nuclear non-proliferation and disarmament", "Extension of the Treaty on the Non-Proliferation of Nuclear Weapons", and the resolution on the Middle East. That resolution played a positive role in inducing all the Arab States to become parties to the Treaty.

16. In addition to the foregoing, the Syrian Arab Republic believes that it is essential to uphold the provisions of the Final Document of the 2000 Treaty Review Conference. The Conference declared that the 1995 resolution on the Middle East will remain valid until its goals and objectives are achieved and that it is an essential element of the outcome of the 1995 Conference.

17. The Syrian Arab Republic calls on the international community and, in particular, the nuclear-weapon States, to shoulder their responsibilities and do their utmost to determine practical steps to ensure that the resolution on the Middle East is fully implemented and its objectives attained, and that action is taken to eliminate all obstacles to such implementation.

Nuclear-weapon-free zone in the Middle East

18. The Syrian Arab Republic reaffirms that the establishment of regional nuclear-weapon-free zones is one of the most significant nuclear disarmament measures that can be taken. The establishment of such zones also strengthens regional and international peace and security and reinforces the non-proliferation regime. In this context, the Syrian Arab Republic affirms that the issue of the establishment of a nuclear-weapon-free zone in the Middle East should not be tied to the question of achieving just and comprehensive peace in this region.

19. The Syrian Arab Republic has worked to make the Middle East into a zone free of all weapons of mass destruction and, above all, nuclear weapons. On behalf of the Arab Group, in April 2003 Syria proposed to the Security Council in New York an initiative to rid the Middle East region of weapons of mass destruction and, in particular, nuclear weapons. At the time, Syria declared to the international community that, along with its Arab brothers and the peace-loving States of the world, it would contribute actively to transforming the Middle East into a zone free of all weapons of mass destruction. However, at the time, the positions in the Security Council of certain influential States did not favour the success of that initiative. In December 2003, the Syrian Arab Republic resubmitted that initiative to the Security Council and continues to endeavour to revive and implement it.

20. The Syrian Arab Republic once again voices its profound concern over Israel's manifest indifference and intransigence and its rejection of the relevant resolutions of international legitimacy, and impresses on all States concerned and, in particular, the nuclear-weapon States, the vital need to implement the relevant General Assembly resolutions. The most recent of those was resolution 64/26, adopted on 2 December 2009, entitled "Establishment of a nuclear-weapon-free zone in the

region of the Middle East", which urges all parties directly concerned seriously to consider taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East in accordance with the relevant resolutions of the General Assembly, and, as a means of promoting this objective, invites the countries concerned to adhere to the Treaty on the Non-Proliferation of Nuclear Weapons.

21. The Syrian Arab Republic rejects all attempts to legitimize the nuclear status of States non-parties to the Treaty and cautions against any endeavours to include them in the non-proliferation regime as nuclear States, believing that such an approach would detract from the credibility of the Treaty and lead not only to the collapse of the whole non-proliferation regime but to a nuclear arms race in the region and the whole world.

22. The Syrian Arab Republic places special emphasis on paragraph 6 of General Assembly resolution 64/26 of 2 December 2009, entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East", which invites the relevant countries, pending the establishment of the zone, not to develop, produce, test or otherwise acquire nuclear weapons or permit the stationing on their territories, or territories under their control, of nuclear weapons or nuclear explosive devices.

Security guarantees

23. The Syrian Arab Republic believes that only the complete elimination of all nuclear weapons can provide an absolute guarantee against the use or threat of use of nuclear weapons, and stresses the importance of implementing the decision on principles and objectives adopted by the 1995 Review and Extension Conference. Such implementation would make it a priority to initiate serious negotiations towards an unconditional, non-discriminatory, legally binding international instrument addressing the issue of security guarantees.

24. The Syrian Arab Republic believes that nuclear-weapon States should provide comprehensive negotiated security guarantees to non-nuclear-weapon States parties to the Treaty. The terms for such guarantees should be defined by an international instrument. Nuclear-weapon States should pledge, in accordance with the Charter of the United Nations, to refrain from threatening to use nuclear weapons against non-nuclear States, and should undertake to implement the relevant General Assembly resolutions.

25. Until such time as an international instrument on security guarantees is adopted, the Syrian Arab Republic believes that all States parties, both nuclear-weapon and non-nuclear-weapon States, should be bound by the provisions of Security Council resolution 984 (1995) of 11 April 1995, adopted by consensus, which, for the first time, took note of the statements made by each of the nuclear-weapon States, in which they give security assurances against the use of nuclear weapons to non-nuclear-weapon States. That resolution also set forth the measures that would be taken to provide assistance to any non-nuclear-weapon State Party to the Treaty that is a victim of an act of, or an object of a threat of, aggression in which nuclear weapons are used.

26. The Syrian Arab Republic affirms the outcome of the Tehran Conference that was held in April 2010, which advocated nuclear energy for all countries and atomic weapons for none, and believes that attacks on peaceful atomic installations could have extremely negative consequences for mankind and the environment, and would constitute a flagrant violation of the Charter of the United Nations.

Nuclear disarmament

27. The Syrian Arab Republic expects that the 2010 Review Conference will consider State party national reports, and ascertain the extent to which nuclear-weapon States comply with article VI of the Treaty and the 13 points that were adopted in the Final Document of the 2000 Review Conference. It should also ascertain how nuclear-weapon States justify continuing to develop and proliferate thousands of nuclear warheads in contravention of their undertakings under the Treaty, thereby prejudicing the credibility and spirit of the Treaty.

28. The Syrian Arab Republic believes that it would be appropriate for the 2010 Review Conference to devise meaningful and genuine steps towards monitoring comprehensive implementation of nuclear weapon reduction treaties, and to urge nuclear-weapon States to decommission all their nuclear weapons in a transparent and verifiable manner.

29. The Syrian Arab Republic underlines that the continued cooperation of certain nuclear-weapon States with Israel, their provision to that country of nuclear technology and obstruction of any party that wishes to discuss the issue of its nuclear programme, which is in contravention of international legitimacy, is a major violation and serious contravention of the undertakings of those States under article I of the Treaty which requires IAEA, the only body mandated to implement the verification regime, to take genuine steps to exercise its mandate with respect to those violations, under the terms of its Statute and in a balanced, non-selective and equitable manner.

30. The Syrian Arab Republic believes that it is important to negotiate a comprehensive, non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices as an essential step towards achieving full nuclear disarmament and non-proliferation. In anticipation of that treaty, all States should declare and observe a voluntary moratorium on the production of fissile material for nuclear weapons.

Withdrawal from the Treaty

31. The Syrian Arab Republic affirms the legal and sovereign right of a State party to withdraw from the Treaty should it believe that extraordinary events might jeopardize its supreme national interests. That legal right may not be reinterpreted, and if it were abolished, that would be a violation of the legislation governing implementation of international instruments.

32. The Syrian Arab Republic believes that article X, concerning extraordinary events, gave any State which had decided to withdraw the freedom to determine

whether such events jeopardized its interests. The article is quite clear and precise and leaves no room for reinterpretation.

33. The Syrian Arab Republic calls upon States parties to focus on Treaty priorities, including universalization, the complete elimination of thousands of warheads, and the cessation of the production of any more advanced weapons that constitute a threat to mankind, rather than giving any consideration to article X. If the international community gives serious consideration to those questions, no State will think of withdrawing from the Treaty, which is supposed to be the international instrument that governs disarmament and non-proliferation issues in a fair and balanced manner, as well as matters relating to peaceful uses of nuclear energy.

National legislation to prohibit illicit trafficking in radioactive and nuclear material

34. The competent authorities in the Syrian Arab Republic maintain strict border control of land, sea and air entry points in accordance with national legislation and regulations in force, with a view to combating illicit trafficking in radioactive and nuclear material.

35. The Syrian Arab Republic scrupulously abides by all of its relevant international obligations, participates effectively in the review of various relevant international instruments and continually strives to strengthen its domestic legislative framework in that regard.

36. The Syrian Arab Republic has also implemented the Code of Conduct on the Safety and Security of Radioactive Sources and participated effectively in a number of meetings aimed at developing guidance on the import and export of radioactive sources.

Proposed practical steps towards nuclear non-proliferation and disarmament

37. The Syrian Arab Republic believes that in order to achieve the goals and objectives of the Treaty and completely eliminate all nuclear weapons, the 2010 Review Conference should make the following recommendations:

(a) It is important that the international community should recognize the grave concern of Middle Eastern States over the danger posed by Israel's nuclear capability, which has been developing and expanding without any international control. Nuclear-weapon States parties must fulfil their responsibilities and oblige Israel to comply fully with Treaty provisions, thereby contributing to the universality of the Treaty;

(b) The international community should bring pressure to bear on Israel to accede to the Treaty without conditions or reservations as a non-nuclear State and place all its nuclear installations under a comprehensive safeguards agreement with IAEA. That would constitute an essential step towards establishing a nuclear-weapon-free zone in the Middle East;

(c) Action should be taken to establish a subsidiary organization under Main Committee II to examine the establishment of a nuclear-weapon-free zone in the

Middle East. Specific practical steps should be taken to implement the resolution on the Middle East adopted by the 1995 Review and Extension Conference. Similarly, specific practical steps should be taken to implement the provisions of the Final Document of the 2000 Review Conference, which reaffirms that resolution;

(d) In accordance with the Treaty, nuclear-weapon States should demonstrate the genuine political will to take practical, effective steps to renounce all their nuclear weapons and other nuclear explosive devices and dispose of them under strict international control;

(e) A specific plan and time frame for complete disarmament must be devised. The negotiation process in accordance with article XI of the Treaty must be accelerated and serious efforts must be made to negotiate a treaty that outlaws all nuclear weapons;

(f) It is imperative that nuclear-weapon States should stop placing technical and commercial restrictions and obstacles in the way of non-nuclear-weapon States. In accordance with article IV of the Treaty, non-nuclear-weapon States should be allowed the opportunity to benefit from the various peaceful uses of nuclear energy;

(g) IAEA authority and its role in addressing nuclear proliferation issues should be asserted. States should show transparency in their activities and cooperate with IAEA, in order to enable the latter to fulfil its Statute obligations impartially and professionally and implement its mandate with respect to the three main pillars of the Treaty, namely, nuclear disarmament, nuclear non-proliferation, and the peaceful uses of nuclear energy;

(h) The Conference on Disarmament should be given the opportunity to adopt an agenda stressing nuclear disarmament as the foremost priority;

(i) The international community should give the necessary impetus to implementation of General Assembly resolutions on nuclear disarmament and non-proliferation, and United Nations disarmament mechanisms, including the First Committee, the Conference on Disarmament and the Disarmament Commission, should be activated;

(j) It is imperative that the international community should recognize the importance of article III of the Treaty and its implications for issues concerning the safety and security of nuclear programmes and verification of their peaceful nature. The international community must ensure that nuclear-weapon States in particular refrain from using such issues as a pretext to restrict the transfer of nuclear technology to other States parties, especially developing countries that have submitted to the IAEA Safeguards System;

(k) In its final document and among its priorities, the 2010 Review Conference should include effective international arrangements for the conclusion of a global and legally binding instrument, pursuant to which nuclear-weapon States undertake to provide to non-nuclear-weapon States parties to the Treaty unconditional security guarantees to the effect that they will not use or threaten to use nuclear weapons against them. Until such time as the aforementioned instrument has been concluded, the Conference should adopt a resolution on that issue that will ensure such guarantees are in place.

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

3 May 2010

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Working paper submitted by Palestine to the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

Implementation of the 1995 Resolution on the Middle East of the 1995 Review and Extension Conference of the Parties to the Non-Proliferation Treaty and the Final Document of the 2000 Review Conference of the Parties to the Treaty

1. Palestine welcomes the decision of the Preparatory Committee at its third session to include agenda item 16, entitled "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".

2. Palestine endorses the working papers presented by the Arab Group and the members of the Group of Non-Aligned States parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

3. The continued existence of nuclear weapons and their proliferation represents the most serious threat to humanity's survival, especially when proliferation occurs in a region mired in conflict because of a belligerent occupation, like the Middle East. Hence, it is imperative that the international community ensure the earliest establishment of a nuclear-weapon-free zone in the Middle East.

4. There are several international resolutions and papers that aim to advance that goal, which should be translated into effective measures that guarantee achieving this most important goal. Since 1974, the General Assembly has adopted resolutions annually that call for the establishment of a nuclear-weapon-free zone in the Middle East. Since 1979, the General Assembly has also annually adopted resolutions addressing the risk of nuclear proliferation in the Middle East. Security Council

resolution 487 (1981) and paragraph 14 of Security Council resolution 687 (1991) also call for the establishment of a nuclear-weapon-free zone in the Middle East.

5. In 1995, the Review and Extension Conference of the Parties to the Non-Proliferation Treaty adopted a resolution on the Middle East. In paragraph 4 of the 1995 Resolution on the Middle East, States called upon "all States in the Middle East that have not yet done so, without exception, to accede to the Treaty as soon as possible and to place their facilities under full-scope International Atomic Energy Agency safeguards". On the basis of that Conference, the Non-Proliferation Treaty was indefinitely extended without a vote that year. The same call was renewed in the Final Document (Part I) of the 2000 Review Conference of the Parties to the Treaty, which also recognized that the 1995 Resolution would remain valid until its goals and objectives were achieved. Palestine maintains that the 2010 Review Conference of the Parties to the Treaty should reiterate that the 1995 Resolution on the Middle East is the basis on which the Treaty on the Non-Proliferation of Nuclear Weapons was indefinitely extended in 1995 and that it remains applicable until its goals and objectives are achieved.

6. Regrettably, after 15 years, the objectives and priorities of these Conferences remain unrealized. Israel remains the only State in the Middle East that has not acceded to the Treaty on the Non-Proliferation of Nuclear Weapons, nor placed its nuclear facilities under the full-scope International Atomic Energy Agency (IAEA) safeguards. In fact, Israel has yet to declare its intention to do so and to renounce possession of nuclear weapons. This represents the main barrier towards the realization of the goal of universal adherence to the Treaty and the establishment of a nuclear-weapon-free zone in the Middle East. Other major obstacles are the double standards adopted by a number of countries in dealing with regional nuclear issues. Such policies and actions have undermined the credibility and effectiveness of the Treaty, particularly in relation to providing security to the Member States in the Middle East. They have also weakened international efforts undertaken to date to achieve disarmament, nuclear non-proliferation, and the uses of nuclear energy for peaceful purposes.

7. This is a cause for grave concern to all States in our region, as it constitutes a serious threat to their security. But it is particularly distressing to Palestine and its people, especially in view of Israel's behaviour as a belligerent occupying Power, consistently proven to act with utter disdain towards international law, while being repeatedly provided with immunity from international accountability for its repeated infringements upon other States' sovereignty and territory. Equally alarming, there are several reports of leakages from the Israeli Dimona nuclear facilities, an increase in cancer cases in areas surrounding Dimona and among the workers and the risk of earthquakes or radiation leakage from the Dimona reactors, which are well past their functional life. Moreover, Palestinian civilians who live within the range of contamination are not afforded any protection from such threats.

8. In this regard, we believe it is vital to push for the implementation of the package deal on the indefinite extension of the Treaty of 1995 NPT Review and Extension Conference, in particular in connection with the Resolution on the Middle East. However, ignoring the implementation of the resolution could lead to a nuclear arms race in the region, a prospect too devastating to ponder. The 13 practical steps towards nuclear disarmament, adopted by the 2000 Review Conference, must also be respected in order to maintain the credibility of the Treaty.

9. To maintain the credibility of the Treaty and to achieve its universality, we call on the 2010 Review Conference to adopt immediate practical steps to implement the 1995 Resolution and the 2000 Final Document regarding the Middle East. Taking a proactive approach would necessitate the utilization of all measures available to State parties to bring about the immediate implementation of the resolution and documents in question, including taking specific practical actions by State parties in the following review cycle in case of non-compliance.

10. Realizing these important goals necessitates political will. To start, we call for the allocation of specific time at the 2010 Review Conference to review the implementation of the Resolution on the Middle East, adopted by the 1995 Review and Extension Conference, and the Final Document of the 2000 Review Conference. In addition, we believe the issue in question merits the establishment of a subsidiary body to Main Committee II of the 2010 Review Conference to consider and recommend proposals on the implementation of the resolution in question.

11. Follow-up is also essential. In this regard, we propose the establishment of a Standing Committee, to follow up on the implementation of the recommendations concerning the Middle East. It is imperative that the efforts to achieve this goal be accompanied by legal efforts, with the goal of reaching an international legally binding instrument on security assurances to ensure the active protection of non-nuclear-weapon States until the complete elimination of this type of weapon.

12. Additionally, we call upon State parties to report to the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons on the steps they have taken to promote the achievement of a zone free of nuclear weapons in the Middle East and their views on realizing the goals and objectives agreed on in the 1995 and 2000 Conferences.

13. This concerted effort and practical steps are essential to the achievement of peace and security in the Middle East. Anything less would undermine the foundations of the Treaty and risks rendering the Treaty invalid, plunging the region into the abyss of mass destruction possibilities.

14. Peace, security and stability in our region cannot be achieved by developing, possessing and stockpiling nuclear weapons. Neither can they be achieved through a glaring imbalance in military capabilities, particularly through the possession of nuclear weapons, especially when this possession is done under the false pretext of alleged threats. This pivotal goal must be intrinsically intertwined with ongoing efforts to reach peace through ending the belligerent occupation that Israel has maintained for over four decades, which has consistently posed the gravest threat to security and peace in the region and has repeatedly violated the rights of the peoples living under it. Equally, getting rid of this destructive weapons programme should not be tied to any preconditions; compliance should not be optional. Rather, it is a regional and global imperative that should not allow for exceptions.

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

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Peaceful research, production and use of nuclear energy

Working paper submitted by the Islamic Republic of Iran

1. To establish a balance between security concerns and the socio-economic requirements for development, especially for developing countries, article IV of the Treaty guarantees "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 and II of this Treaty" and provides for an undertaking by all parties to the Treaty "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". This article also plays a crucial role as the main incentive set forth to encourage non-nuclear-weapon States to join the Treaty and thereby foster the non-proliferation regime.

2. This main pillar of the Treaty has been underscored in light of the increasing need of the world for nuclear energy in the third millennium. We have recently witnessed this promising trend in our region. We welcome the new initiatives of our brotherly neighbours to move towards the peaceful application of nuclear energy. This trend confirms once again the long-standing position of the Islamic Republic of Iran concerning the need for diversifying energy resources in order to guarantee our future requirements.

3. The inalienable right of all States parties to nuclear technology for peaceful purposes without discrimination indeed constitutes the very foundation of the Treaty. This inalienable right in itself emanates from two broader propositions. First, scientific and technological achievements are the common heritage of humanity. The second general proposition is the requisite balance between rights and obligations, which is the basis of any sound legal instrument. This balance guarantees the longevity of the legal regime by providing incentives for membership and compliance.

4. Article III, while providing for the undertaking by each non-nuclear-weapon State to conclude safeguards agreements with the International Atomic Energy Agency (IAEA), is equally explicit in articulating that the implementation of such safeguards shall be "in a manner designed to comply with Article IV of this Treaty, and to avoid hampering the economic or technological development of the Parties or international cooperation in the field of peaceful nuclear activities, including the international exchange of nuclear material and equipment for the processing".

5. This notion was duly noted in previous Review Conferences, particularly in the final document of the 2000 Review Conference when considering that "the strengthening of IAEA safeguards should not adversely affect the resources available for technical assistance and cooperation. The allocation of resources should take into account all of the Agency's statutory functions, including that of encouraging and assisting the development and practical application of atomic energy for peaceful uses with adequate technology transfer."

6. Given the importance of the peaceful applications of nuclear energy and nuclear technologies for human health, medical, industrial, agriculture, environmental protection and sustainable economic development, especially in developing countries, the statute of IAEA recognizes its role in encouraging and assisting "research on, and development and practical application of, atomic energy for peaceful uses throughout the world" and fostering "the exchange of scientific and technical information on peaceful uses of atomic energy".

7. The recent developments as a result of the involvement of other United Nations bodies and efforts to change some confidence-building measures, like suspension of parts of peaceful nuclear activities by States parties as mandatory, is a matter of grave concern. This action, which is in full contravention of article IV of the Treaty, violates the inalienable right of States parties to use nuclear energy for peaceful purposes. In fact, by adopting such decisions, the balance of rights and obligations of States parties would be disturbed, the existing discrimination and gap between haves and have-nots in the Treaty would be increased and, finally, the very basis of the fundamental bargain of the Treaty would be destroyed.

8. Furthermore, in recent years, unfortunately the fundamental role of IAEA in the promotion of nuclear energy for peaceful purposes has been increasingly undermined by shortcomings in resources and restrictions imposed by some States. Since the establishment of IAEA, developing countries have continually expressed serious concerns about the policy for funding technical cooperation, based on voluntary contributions that are unpredictable, unsecured and subject to the political motivations of the donors. Safeguards activities are, however, funded from the regular budget. Such a discriminatory policy with respect to two pillars of the Agency's statute and the Treaty has to be changed.

9. Moreover, measures taken by States parties to prevent nuclear proliferation should facilitate rather than hamper the exercise of the recognized rights of developing States parties to the Treaty to peaceful applications of nuclear energy. Imposition of undue restrictions as a cover for implementation of the foreign policy objectives of certain States is a violation of article IV obligations and challenges both the integrity and credibility of the Treaty.

10. Undue restrictions on the transfer of nuclear materials, equipment and technologies for the peaceful uses of nuclear energy should be swiftly removed. Bilateral and multilateral cooperation among States parties to the Treaty under the supervision of IAEA on the peaceful uses of nuclear energy should never be

restricted or confined, either by other States or ad hoc export control regimes, such as the Nuclear Suppliers Group. The application of unilaterally enforced export control regimes, in contravention of the letter and the spirit of the Treaty, has hampered the access of developing countries to nuclear materials, equipment and technologies for peaceful purposes. It is essential to note the fact that, in the Agency's statute and the Treaty, as well as in the Comprehensive Safeguards Agreement and even the most intrusive instrument, that is, the Additional Protocol, there is no provision to prohibit or restrict enrichment and reprocessing activities. The function of the Agency is merely to verify the declarations of member States.

11. In this context, the new decision of the Nuclear Suppliers Group, the exclusive and non-transparent group which claims to have been established to strengthen the non-proliferation regime, has severely damaged the Treaty. The decision of this group is a clear violation of paragraph 2 of article III, which stipulates that the cooperation of each State party to the Treaty in providing equipment or material for peaceful purposes is not possible "unless the source or special fissionable material shall be subject to the safeguards required by" the Treaty.

12. Said decision, which has been taken under pressure by the United States of America, is also a violation of the commitment of nuclear-weapon States under the 1995 decision on principles and objectives for nuclear non-proliferation and disarmament and the final document of the 2000 Review Conference to promote the universality of the Treaty. Such a decision is another manifestation of double standards and discrimination in implementing the provisions of the Treaty. We ask the Review Conference to seriously consider this issue.

13. On the contrary, measures need to be taken to ensure that the inalienable rights of all States parties under the provisions of the preamble and articles of the Treaty are all fully protected. No States parties should be limited in exercising their rights under the Treaty based on allegations of non-compliance. The inalienable rights of the States parties, as stipulated in the Treaty, cover all aspects of peaceful technologies and are not limited to specific areas. In this connection, the 2000 Review Conference reiterated 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". Unfortunately, for the first time in the history of IAEA, the promotional statutory pillar of the statute has been put in serious jeopardy through politically motivated decisions of the Security Council, which is trying to dictate to the Agency whether, how and when to deprive a developing member State of technical cooperation that is solely intended for humanitarian and peaceful uses. The authority of IAEA as the sole competent technical international organization in respect of this issue has been seriously undermined.

14. It should be once again reiterated that arbitrary and self-serving criteria and thresholds regarding proliferation-proof and proliferation-prone technologies can and will only undermine the Treaty. The Islamic Republic of Iran, for its part, is determined to pursue all legal areas of nuclear technology, including fuel cycle and enrichment technology, exclusively for peaceful purposes. But no one should be under the illusion that guarantees can theoretically or practically amount to cessation, or even suspension, of a legal activity that has been and will be carried out under the fullest and most intrusive IAEA supervision.

15. The Islamic Republic of Iran is of the view that, to strengthen the effectiveness and credibility of the Treaty and to put an end to the selective implementation of the articles of the Treaty, the 2010 Review Conference should intensify its work in order to prevent further non-compliance of industrial States parties with undertakings under article IV. To ensure the adoption of tangible measures to promote the implementation of the inalienable rights of all States parties, particularly developing countries, in order to enjoy their established right under the Treaty and to have full access to nuclear materials, technologies, equipment and scientific and technological information for peaceful purposes and, in doing so, preserve the delicate balance between the rights and obligations arising from the Treaty, any new division among the States parties and interpretations incompatible with the letter of the Treaty should be strictly avoided.

16. According to article IV of the Treaty, nothing in the Treaty shall be interpreted as affecting the inalienable right of all parties to the Treaty to develop the research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II of the Treaty.

17. It also stipulates that all the 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. Parties to the Treaty in a position to do so shall also cooperate in contributing alone, or together with other States or international organizations, to the further development of applications of nuclear energy for peaceful purposes, especially in the territories of non-nuclear-weapon States parties to the Treaty, with due consideration for the needs of the developing areas of the world.

18. The safeguards required by article III shall also be implemented in a manner designed to comply with article IV of the Treaty and to avoid hampering the economic or technological development of the parties or international cooperation in the field of peaceful nuclear activities, including the international exchange of nuclear material and equipment for the processing, use or production of nuclear material for peaceful purposes, in accordance with the provisions of this article and the principle of safeguarding set forth in the preamble of the Treaty.

19. The recent proposals on limitations or restrictions on the inalienable right of States parties to develop a national fuel cycle are a matter of serious concern. In this regard, the 2010 Review Conference should reaffirm this right and make recommendations that any explicit or implicit decision or act intended to hamper the nuclear policies of States parties to develop a national fuel cycle must be avoided.

20. On the other hand, certain countries use the Board of Governors of IAEA and the Security Council as tools for advancing their political intentions and to interrupt the peaceful activities of a State party.

21. To this end, they may commit numerous breaches of their obligations, which can in turn result in infliction of damages on a State party. Some of the breaches and consequential damages are as follows:

(a) Imposing unnecessary costs on the Agency;

(b) Violation of article IV of the Treaty by hampering peaceful nuclear activities of a State party;

(c) Interrupting peaceful nuclear activities of a State party through extensive inspections and releasing confidential information (the continued presence of the inspectors in nuclear facilities can hinder the scientists and the personnel of the facilities from doing their jobs in a tranquil environment, while the safeguards shall be implemented in a manner to avoid undue interference in a State party's peaceful nuclear activities and in particular in the operation of facilities);

(d) Imposing measures beyond the existing legal commitments of a State party, including suspension of peaceful nuclear activities, which can cause many human, financial and political damages;

(e) Breach of article XI of the statute of IAEA on facilitating technical cooperation projects;

(f) Involving the Security Council unlawfully;

(g) Interrupting technical cooperation of the Agency with a State party while the raison d'être of the Agency is to help the member States in this field;

(h) Damage to the prestige of the Agency;

(i) Intellectual damages, particularly damage to the reputation of a State party.

22. Given the above-mentioned points, the question arises of who should compensate for these damages and how the compensation should be made.

23. Owing to the importance of the issue and since no mechanism is designed under the Treaty in this regard, the Islamic Republic of Iran proposes the establishment of a mechanism by the 2010 Review Conference to examine cases of non-compliance with article IV and the consequential damages inflicted on States parties through violation of this article by any State party.

24. In such a mechanism, the implementation of the provisions of article IV and compliance with the obligations of the nuclear technology owners, including the facilitation of international cooperation, should be duly verified, and those countries that are responsible for the violation of the article IV provisions should compensate for the damages inflicted on States parties resulting from their actions.

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

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Cluster two: Article VII

Working paper submitted by the Republic of Kazakhstan, the Kyrgyz Republic, the Republic of Tajikistan, Turkmenistan and the Republic of Uzbekistan

1. Reiterating their firm conviction that the establishment of nuclear-weapon-free zones on the basis of treaties freely arrived at among States concerned significantly promotes nuclear disarmament and non-proliferation at the regional and global levels, and stressing their determination to make a joint contribution to the strengthening of peace and security on the basis of article VII of the Treaty on the Non-Proliferation of Nuclear Weapons, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan signed the Treaty on a Nuclear-Weapon-Free Zone in Central Asia in Semipalatinsk on 8 September 2006. Following the completion of domestic procedures by the Republic of Uzbekistan (10 May 2007), the Kyrgyz Republic (27 July 2007), the Republic of Tajikistan (13 January 2009), Turkmenistan (17 January 2009) and the Republic of Kazakhstan (19 February 2009), the Treaty on a Nuclear-Weapon-Free Zone in Central Asia came into force on 21 March 2009). The first consultative meeting of States parties to the Treaty on a Nuclear-Weapon-Free Zone in Central Asia took place on 15 October 2009 in the capital of Turkmenistan. At that first meeting, the participants confirmed their resolve to provide every assistance to the processes of disarmament and non-proliferation in the region and noted the need for progress in narrowing the gap between the positions of the States in Central Asia and the nuclear-weapon States on the issue of negative assurances.

2. The 2010 Review Conference of the parties to the Treaty on the Non-Proliferation of Nuclear Weapons notes with satisfaction that the General Assembly in its resolutions 61/88 and 63/63, entitled “Establishment of a nuclear-weapon-free zone in Central Asia”, welcomes the signing of the Treaty on a Nuclear-Weapon-Free Zone in Central Asia, stressing that the establishment of such a zone 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 territories affected by radioactive contamination, and enhancing regional and international peace and security and is an effective contribution to combating international terrorism and preventing nuclear materials and technologies from falling into the hands of non-State actors, primarily terrorists.

3. The 2010 Review Conference notes that the nuclear-weapon-free zone in Central Asia, having an extensive common border with two nuclear-weapon countries, is the first such zone located entirely in the northern hemisphere and composed of landlocked States and a State that once possessed an arsenal of nuclear weapons.

4. The 2010 NPT Review Conference recalls that the Principles and Objectives for Nuclear Non-Proliferation and Disarmament agreed at the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons stated that the development of nuclear-weapon-free zones should be encouraged as a matter of priority. In this context, it notes that the Final Document of the 2000 Review Conference (NPT/CONF.2000/28 (Parts I and II)) and the documents of the three sessions of the Preparatory Committee for the 2005 Conference of the Parties to the Treaty contain support for the efforts of the five Central Asian States to establish a nuclear-weapon-free zone in their region. In the working papers of its first and second sessions, the Preparatory Committee for the 2010 Conference of the Parties to the Treaty welcomed the efforts of the Central Asian States to promote the entry into force of the Treaty on a Nuclear-Weapon-Free Zone in Central Asia at the earliest possible date, and at its third session the Preparatory Committee welcomed the entry into force of the Treaty on a Nuclear-Weapon-Free Zone in Central Asia on 21 March 2009.

5. The 2010 Review Conference stresses the fact that the initial negotiations on the establishment of a nuclear-weapon-free zone were carried out in close consultation with and under the auspices of the United Nations and, in this connection, notes with satisfaction the role of the United Nations, in particular the Secretary-General, the Department for Disarmament Affairs, the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific, the United Nations Office of Legal Affairs, and also the International Atomic Energy Agency (IAEA) in the establishment of a nuclear-weapon-free zone in Central Asia.

6. The 2010 Review Conference notes with satisfaction that the Central Asian States are the first participating States in a nuclear-weapon-free zone to have included in their regional arrangements obligations to implement the provisions of an IAEA agreement for the application of safeguards, in accordance with the Treaty on the Non-Proliferation of Nuclear Weapons (INFCIRC/153 (Corrected)), and the Model Additional Protocol thereto (INFCIRC/540 (Corrected)), as well as obligations to implement the Comprehensive Nuclear-Test-Ban Treaty.

7. The 2010 Review Conference welcomes the readiness of the Central Asian States, in accordance with paragraph 25 of the principles and guidelines for the establishment of nuclear-weapon-free zones, adopted by the United Nations Disarmament Commission in 1999, to continue consultations with nuclear-weapon States on a range of provisions of the Treaty on a Nuclear-Weapon-Free Zone in Central Asia.

8. The 2010 Review Conference calls on nuclear-weapon States to reaffirm their commitment to providing negative security assurances to non-nuclear-weapon States.

9. The 2010 Review Conference, recalling the decisions adopted during the 1995 and 2000 Review Conferences, reiterates its appeal to Governments and international organizations that have experience and expertise in the clean-up and disposal of radioactive contaminants to give appropriate assistance to the States of the region as may be required for the rehabilitation of areas affected by radiation.

10. The 2010 Review Conference welcomes the entry into force of the Treaty on a Nuclear-Weapon-Free Zone in Central Asia on 21 March 2009.

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

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The capacity of the Comprehensive Nuclear-Test-Ban Treaty verification regime

Working paper presented by Spain on behalf of the European Union

1. The importance and urgency of the signing and ratification, without delay and without conditions and in accordance with constitutional processes, to achieve the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty is the first of the 13 practical steps agreed upon at the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons for the systematic and progressive efforts to achieve complete disarmament.

2. A verifiable Comprehensive Nuclear-Test-Ban Treaty helps preventing both horizontal and vertical nuclear proliferation by limiting the possibility to develop new weapon designs for States already in possession of nuclear weapons, as well as creating significant obstacles on new States attempting to acquire such weapons. In this regard, the Treaty constitutes an essential pillar of the international nuclear disarmament and non-proliferation framework.

3. Since the Comprehensive Nuclear-Test-Ban Treaty was opened for signature in 1996, 182 States have signed and 151 have ratified the Treaty. Of the 44 annex 2 States required to ratify before entry into force of the Treaty, 35 have done so. All member States of the European Union, indeed all the countries on the European continent, have demonstrated their commitment to the Treaty by their ratification.

4. The European Union attaches the utmost importance to completing a credible and operational verification regime for the Comprehensive Nuclear-Test-Ban Treaty. This will provide the international community with independent and reliable means of ensuring compliance with the Treaty. In this sense, the European Union believes that the operational readiness of the verification regime can help promote its entry into force. The European Union is therefore involved both politically and financially in various ways in strengthening the verification regime and strongly supports the

work of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization in this regard.

5. The global verification regime of the Comprehensive Nuclear-Test-Ban Treaty is being established by its Provisional Technical Secretariat. The verification regime includes the International Monitoring System (IMS), the International Data Centre and the on-site inspection regime. By the end of 2009, 83 per cent of the planned IMS station network had been installed. For the network to be fully installed and operational by the Treaty's entry into force, the full cooperation of all States hosting IMS facilities is crucial.

6. The IMS consists of several monitoring technologies; each primarily focused on detecting nuclear explosions in different media, including seismic and radioxenon detection for underground explosions, radionuclide and infrasound detection for atmospheric tests and hydroacoustic and radioxenon measurements for underwater tests. While individually contributing to the monitoring capabilities of the IMS, the different verification technologies complement each other, with the strengths of one technology benefiting the others.

7. The most likely scenario for a clandestine nuclear test made by a country seeking to acquire nuclear weapons is to perform an underground nuclear explosion. It remains important that States have confidence that the IMS is able to detect small underground nuclear explosions (around and below an explosion yield of 1 kiloton) and this has been one of the focuses in developing the detection capability.

8. Over the last decade, technologies that can assist in detection of underground nuclear tests have advanced significantly. One particular example is the technology for detection of radioactive noble gases, developed, inter alia, by France and Sweden and supported by joint actions of the European Union adopted in the framework of the Union's common foreign and security policy. This technique is now about 10 times more sensitive in comparison to the Comprehensive Nuclear-Test-Ban Treaty verification system designed in the mid-1990s. By supplementing a seismic measurement detecting and locating an underground explosion, the measurement of radioactive noble gas releases related to the same explosion provides evidence regarding the possible nuclear nature of the event.

9. The efficiency of this technology was demonstrated in October 2006 when the Democratic People's Republic of Korea conducted its first nuclear test, resulting in an approximate explosion yield of 0.7 of a kiloton. Not only was the explosion detected by the IMS seismic network, but radioactive noble gases were also detected by national technical means. The detection of radioactive noble gases confirmed the nuclear nature of the explosion. A measurement performed by an IMS radionuclide noble gas station was found to be compatible with the same conclusion.

10. The announced nuclear test by the Democratic People's Republic of Korea in May 2009 was also detected by the IMS seismic network. On that occasion, no noble gases could be detected by the surrounding IMS stations, but the detection by seismic sensors was accepted by the international community as a strong indication of a nuclear explosion. This seismic evidence alone would have provided sufficient grounds for the future Executive Council of the Comprehensive Nuclear-Test-Ban Treaty Organization to decide to launch an on-site inspection. The event in the Democratic People's Republic of Korea further served to illustrate that a robust and credible on-site inspection capability is an important component of the verification

regime in order to fully clarify the character of any future suspicious event. Progress has been made here in recent years with the conduct of the integrated field exercise in 2008 and the follow-up actions now well in hand.

11. Based on recent experience and scientific development, it can be concluded that the combination of seismic and radionuclide detection, including, in particular, noble gas, together with the on-site inspection regime, which can bring to bear a number of effective inspection techniques, constitute a very powerful tool for detecting clandestine underground nuclear tests. Concerns that a fully functional Comprehensive Nuclear-Test-Ban Treaty verification regime would not detect fairly small explosion yields are therefore unjustified. In addition, the international scientific studies project, which was finalized at a three-day conference in Vienna in June 2009, showed that the verification technologies have improved substantially over the last five years.

12. However, ongoing and coordinated efforts, benefiting from continued interaction with scientific networks, help ensure that the latest verification technology developments are used in the Comprehensive Nuclear-Test-Ban Treaty verification regime in an effective manner, thereby further improving the possibility of detecting, identifying, and attributing possible nuclear tests.

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

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Working paper on strengthening International Atomic Energy Agency safeguards, presented by Spain on behalf of the European Union

Safeguards of the International Atomic Energy Agency (IAEA) are a key instrument to deter nuclear proliferation and to help ensure a responsible development of nuclear energy. The main aim of the IAEA verification regime is to prevent the diversion of nuclear material from peaceful activities, to "ensure that special fissionable and other materials, services, equipment, facilities, and information made available by the Agency or at its request or under its supervision or control are not used in such a way as to further any military purpose" (article III A.5 of the Statute) and to reinforce mutual trust and transparency as well as to allow all States parties to the Treaty on the Non-Proliferation of Nuclear Weapons, under secure conditions and with mutual confidence, to exercise their inalienable right to develop research, production and use of nuclear energy for peaceful purposes without discrimination (Treaty article IV).

The European Union stresses the need for reinforcing the capabilities of IAEA for early detection and prevention of proliferation activities. The 2010 Review Conference constitutes an opportunity to foster this.

Existing instruments (comprehensive safeguards agreements and additional protocols) provide the legal framework. The Review Conference should recognize the comprehensive safeguard agreements together with additional protocol as the current safeguards standard. Strengthening IAEA under this framework implies making full use of its legal authority.

1. IAEA could be encouraged to:

(a) Make full use of the authority available to it, in particular:

(i) By pursuing the development of a State-level safeguards approach based on a comprehensive understanding of the activities and technologies implemented in States; by pursuing the implementation of integrated

safeguards, internal pooling of the information available to the Agency, and conducting on-site control activities on the basis of the broadest possible analysis of all available information (information-driven safeguards);

(ii) By enforcing strictly the obligation resting on States to provide information and clarifications to the Agency, including, in particular, the provision of design information on nuclear facilities as soon as a decision is taken to build or authorize construction or to modify a facility, as well as the Agency's standing right to verify the design information over the life of a facility, including decommissioning, as provided for by revised code 3.1 of the general part of the subsidiary arrangement to the model comprehensive safeguards agreement;

(iii) By expanding the use of modern technologies for measurement and remote monitoring, continuous monitoring, and measures to detect undeclared activities, and by relying more broadly on information from and cooperation with strong independent national or regional safeguards systems, such as the European Atomic Energy Community (EURATOM);

(iv) By granting States assurances, as and where necessary and legitimate, that their confidential information will remain protected when IAEA fulfils its verification mission under comprehensive safeguards agreements in facilities that are described as defence-related;

(v) By effecting, whenever the Director General determines that circumstances call for it, a special inspection as provided for by paragraphs 73 (b) and 77 of the model comprehensive safeguards agreement (IAEA document INFCIRC/153). The secretariat could be encouraged to put in place appropriate technical and logistical preparedness measures in order to facilitate their implementation;

(b) Enhance the use of information relevant to the delivery of its mandate:

(i) By enhancing its capability to gather, assess and use information in areas that may be related to nuclear activities, but in which, however, no nuclear material is involved, inasmuch as this capability is necessary for the Agency to acquire a full comprehension of the nuclear activities of a State in relation to its commitments under its safeguards agreement;

(ii) By defining areas where information stemming from export control regimes or from bilateral nuclear cooperation agreements might be useful to the accomplishment of its mission. The rules under which such information could be made available to, and used by, the Agency should be carefully considered in order to protect the integrity of those regimes and confidentiality, while keeping in mind that IAEA is not and shall not become an export control regime;

(iii) By implementing an integrated use of information obtained from all sources IAEA deems credible, in order to enhance its capability to request adequate clarification from the State being investigated;

(c) Circulate more accurate information, notably in the event of non-compliance with commitments or cooperation regarded as inadequate over the long term:

(i) By broadening the information contained in its annual safeguards implementation report and, whenever the Director General determined that it would further the IAEA goals, by naming those States in regard to which difficulties remain, including in the section likely to be made public;

(ii) By reviving the IAEA Director General's former practice of submitting reports to and briefing the Security Council on a regular basis;

(d) Actively continue providing assistance to State parties, with a view to helping them to implement relevant instruments.

2. IAEA member States could be encouraged to:

(a) Pursue and intensify activities aimed at promoting the universalization of the IAEA safeguards regime (comprehensive safeguards agreement and additional protocol) by conducting demarches, organizing regional seminars and providing assistance in the implementation of relevant instruments;

(b) Sign, ratify and bring into force, for those States that have not done so yet, an additional protocol to their safeguards agreement;

(c) Accede to the amended small quantities protocol in the case of those States that have a small quantities protocol in force;

(d) Support the role of the Security Council in situations where commitments are being violated, as reaffirmed by Security Council resolution 1887 (2009);

(e) Adopt the "voluntary reporting scheme" on imports and exports of nuclear material and exports of specified equipment and non-nuclear material;

(f) Adopt voluntary transparency measures in order to restore confidence of the international community, in the event of outstanding issues, such as voluntary application of all or specific provisions of the additional protocol as a temporary measure in cases where an additional protocol is not in force; and granting IAEA the access it requests to information, sites, persons and entities prior to implementing its verification procedures. Introducing a voluntary code of best practices could be explored in this connection;

(g) Support in IAEA competent bodies the suspension of access to the Agency's technical cooperation and assistance programmes in appropriate areas, in case of non-compliance with obligations under the Treaty on the Non-Proliferation of Nuclear Weapons reported to the Board of Governors;

(h) Expand the range of actions IAEA might take beyond the current binary alternative of compliance/non-compliance and adopt guidelines relating to the responses the Agency could implement in different situations ranging, for example, from outstanding issues to violations of specific commitments, such as notification of such cases to the Board of Governors, informing the Security Council, and agreeing with involved States on action plans aimed at solving outstanding issues in a given time frame and providing them with the necessary guidance and assistance.

NPT/CONF.2010/WP.57

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

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Working paper submitted by Iraq

Article II of the Treaty on the Non-Proliferation of Nuclear Weapons

Nuclear non-proliferation

Introduction

The Government of Iraq is submitting this paper at a time when the Security Council is reviewing the disarmament-related restrictions imposed on Iraq pursuant to the relevant Security Council resolutions, foremost among which are resolutions 687 (1991) and 707 (1991). The paper aims to set out the position of Iraq with respect to the Treaty insofar as it relates to non-proliferation. The Government of Iraq is circulating this paper as an official document of the 2010 Review Conference because it wishes to officially document its position, reinforce its endeavours to lift the restrictions that have been imposed on it, and contribute to international efforts to make Conference recommendations that will lead to progress being made towards the effective and comprehensive implementation of the Treaty.

- The Government of Iraq, convinced of the importance of international peace and security, is involved in the struggle to rid the world of nuclear weapons and supports every effort that is made to that end. It believes that the 2010 Review Conference is an important stage on the road towards international nuclear non-proliferation. The Government is also well aware that the international environment will not be able to withstand any failure of the 2010 Review Conference similar to that of the 2005 Conference. At the 2010 Review Conference, a choice will have to be made between permitting the non-proliferation regime to break down and seizing the opportunity afforded by the Conference to achieve global stability. The Conference must not be merely another meeting at which the strengths and weaknesses of the Treaty are considered: real progress must be made in the field of non-proliferation by

taking practical steps to confront the challenges, expectations and failures that have arisen from incomplete compliance with the provisions of the Treaty.

- The Government of Iraq underlines the importance of implementing the decisions that were adopted at the 1995 Review Conference upon the indefinite extension of the Treaty and the 13 practical steps that were adopted by the 2000 Review Conference, which constitute a programme of action to enhance the credibility of the Treaty and the review process itself.

- The Government of Iraq welcomes the international initiatives in the field of disarmament and non-proliferation, including the Security Council summit that was held in September 2009. It also welcomes the outcome of the negotiations that were held between the United States of America and the Russian Federation and the consequent new Strategic Arms Reduction Treaty that was signed on 8 April 2010.

- The Government of Iraq believes absolutely that we all have the responsibility to respect and implement disarmament and non-proliferation treaties and agreements. The Government is committed not only to those treaties and agreements but also to international arrangements relating to disarmament, arms control and non-proliferation. Against that background, the Constitution of Iraq, in article 9 (e), provides that the Government of Iraq shall respect and implement Iraq's international undertakings in respect of non-proliferation and the non-development, production or use of nuclear, chemical and biological weapons and shall prohibit any equipment, materials, technology and delivery systems related to the development, manufacture, production and use of such weapons.

- Iraq became a party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) in 1969 and signed the Model Additional Protocol of the International Atomic Energy Agency (IAEA) Comprehensive Safeguards System on 9 October 2008. The latter has been approved by the Cabinet and is currently awaiting ratification by the Council of Deputies. However, it should be noted that Iraq had made an official declaration to IAEA that it would apply the Protocol voluntarily with effect from 17 February 2010, on the basis of article 17 of the Protocol. Iraq also signed the Chemical Weapons Ban Treaty in February 2009, and the Comprehensive Nuclear-Test-Ban Treaty on 19 August 2008. It also became a party to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction in 1991.

- The Government of Iraq has formed a national monitoring institution that has prepared a law that aims to establish and perpetuate a harmonized national system that will enable Iraq to honour its commitments under treaties and agreements relating to the non-proliferation of chemical and biological weapons and their delivery systems. That law will be applied to all peaceful activities, including materials, equipment and techniques and anything related to the production, possession, use, storage, import, export, transport, distribution and administration of any other activities, in order to ensure that they are not converted to prohibited activities, identify obstacles, and put in place mechanisms for making announcements, issuing permits and monitoring the movement of dual-use materials, in accordance with the Treaty safeguard

agreement, the chemical weapons verification system and the Biological Weapons Convention.

- The Government of Iraq supports the non-proliferation regime and, in particular, NPT, and believes that nuclear weapons cannot be considered a means of ensuring security for any party, because possession of such weapons will inevitably lead to a regional arms race. The Government emphasizes the importance of peaceful and diplomatic multilateral discussion on this issue in order to eliminate causes of tension and promote disarmament.
- The Government of Iraq affirms that nuclear non-proliferation can only be achieved by universal accession to NPT and the Comprehensive Nuclear-Test-Ban Treaty and the placement of all installations and programmes under the IAEA comprehensive safeguards system, in order to verify the peaceful purposes of those programmes. State agreement to apply the IAEA Additional Protocol and encouragement to comply with it will strengthen the Agency's verification role.
- The Government of Iraq believes that States should consult neighbouring countries when they establish nuclear plants, and should endeavour to make arrangements between themselves, under the supervision of IAEA and the relevant regional and international environmental agencies, to ensure that negative environmental impacts on the region will be limited and that no harmful radiation that could damage human beings or the environment are allowed to escape. Mechanisms to protect the environment of countries in the region against any climatic and demographic impact must be put in place. Consideration must also be given to border population clusters, international water courses and surface and groundwater sources when waste is disposed of or outdated technology is used that could lead to pollution. Nuclear safety standards and requirements and security must be observed when designing and building nuclear installations, because harmful radiation leaks ignore borders and have disastrous impacts on human beings and the environment.
- The Government of Iraq supports the outcomes of the 2006 Khartoum Summit, the 2009 Doha Summit and the 2010 Sirte Summit, which reaffirmed the demand of the Arab States, all of which are parties to NPT, that the international community should take immediate action to rid the world of nuclear weapons. The Government also affirms the need to translate international initiatives to that end into action plans with a specific and obligatory time frame, and avers that progress towards the realization of that aim requires, as a first step, the universality of NPT.
- The resolution of political and long-standing conflicts and removal of the principle causes of struggles and terrorism, particularly in regions of the world where tensions are highest, and where terrorist groups are widely found; the improvement of political relations; and building of trust and mutual understanding between countries are all roads towards the rejection of nuclear armament and acquisition policies and the reduction or restriction of opportunities for terrorists to obtain nuclear weapons.
- There is a need for security measures to be tightened and for work to be undertaken with IAEA in order to assist countries that wish to develop

peaceful uses of nuclear energy to do so safely, thereby reducing the risk of nuclear proliferation.

- In order to ensure that nuclear materials are not obtained by non-Government parties, it is essential to find ways of securely storing those materials, disposing of nuclear waste, guaranteeing the security of nuclear installations and developing new technology for the treatment of spent fuel.

- The Government of Iraq notes the importance of supporting the IAEA Nuclear Security Plan for 2010-2013 that was put forward by its Director General and of working with IAEA in a global endeavour to verify the real security of all used, stored and transported nuclear and radioactive materials in the world and related installations. That may be achieved by State support for the verification of nuclear security and by maintaining such security by providing facilities and developing human resources. States must be called upon to safeguard and effectively secure any nuclear material they possess, including nuclear material that is to be used for nuclear weapons and in nuclear installations under their control, and to prevent any non-Government parties from obtaining the requisite information and technologies to use such materials for criminal purposes.

- The Middle East differs from other regions of the world in that it is very sensitive and strategically important, and unique in its economic significance. Hence, any escalation in armament by the countries of the region will have extensive ramifications for international peace and security. Furthermore, the Middle East continues to be the theatre of one of the most persistent conflicts of the modern age, namely, the Arab-Israeli conflict, quite apart from the other military conflicts and political disturbances that have taken place in the region.

- Any attempt to establish a nuclear-weapon-free zone in the Middle East must begin with basic steps that include the nuclear disarmament of Israel, its accession to NPT and placement of all its nuclear installations under IAEA comprehensive safeguards.

- Failure to implement the resolution on the Middle East will perpetuate the instability and tension in the region and will add to the challenges linked to achievement of the universality of the Treaty other complications that will expose the non-proliferation regime to challenges and risks that will have a negative impact on the credibility of the Treaty and the achievement of its universality.

- Security and stability in the Middle East require the eradication of all weapons of mass destruction and, in particular, nuclear weapons, pursuant to the goal set forth in Security Council resolution 687 (1991), paragraph 14, and the relevant General Assembly resolutions that are adopted annually by consensus, in addition to the resolution concerning the Middle East that was adopted by the Fifth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons in 1995 and the Sixth Review Conference in 2000.

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

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Working paper submitted by Iraq

Article IV of the Treaty on the Non-Proliferation of Nuclear Weapons

Nuclear disarmament

Introduction

The Government of Iraq is submitting this paper at a time when the Security Council is reviewing the disarmament-related restrictions imposed on Iraq pursuant to the relevant Security Council resolutions, foremost among which are resolutions 687 (1991) and 707 (1991). The paper aims to set out the position of Iraq with respect to the Treaty insofar as it relates to disarmament. The Government of Iraq is circulating this paper as an official document of the 2010 Review Conference because it wishes to officially document its position, reinforce its endeavours to lift the restrictions that have been imposed on it, and contribute to international efforts to make Conference recommendations that will lead to progress being made towards the effective and comprehensive implementation of the Treaty.

- The Treaty aims to dissuade non-nuclear States from developing or acquiring nuclear weapons on the understanding that nuclear States will engage in genuine negotiations over the elimination of their nuclear weapons and will assist non-nuclear States to acquire nuclear technology for peaceful purposes, provided those States place their activities under International Atomic Energy Agency (IAEA) safeguards and meet non-proliferation requirements.
- There were positive developments in respect of non-proliferation in 2009: the international community received positive signals from the United States Administration's attempt to convince Congress to ratify the Comprehensive Nuclear-Test-Ban Treaty. That ratification would encourage other nuclear States to ratify the Treaty.

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- Nuclear weapons cannot be developed without the essential primary procedure of producing or acquiring fissile materials. Action to ban the production of such materials and reduce and eventually completely eliminate stockpiles thereof is therefore a basic stage in the disarmament process. However, no progress has been made in the consultations over an agreement to ban production of fissile materials, which would be a major step towards disarmament.

- The Government of Iraq views the Security Council's concern with disarmament and non-proliferation and, in particular, the convening of the Security Council summit that was held in September 2009 and the consequent undertaking to work towards a nuclear-weapon-free world, as an effective means of enhancing international arrangements aimed at making an early and united stand against the challenge posed by the proliferation of weapons of mass destruction and preventing such weapons from falling into the hands of non-Government parties.

- A world without weapons of mass destruction will be more secure for all and for future generations. In reality, however, it is likely that terrorist networks will obtain technology and materials that could be used to produce such weapons. Without doubt, that fact constitutes a serious threat to the security of all. International efforts to confront that threat to international security and peace must therefore be coordinated.

- The Government of Iraq affirms its commitment to and respect for international treaties, agreements and arrangements relating to disarmament, arms control and non-proliferation. It has therefore adopted a great deal of legislation and many executive arrangements in order to give practical expression to its undertakings. The Government also believes that universal ratification of the international conventions on weapons of mass destruction, universal compliance with those conventions without discrimination and the complete eradication of weapons of mass destruction will provide the international community with an indisputable guarantee that such weapons will not be used or threats made as to their use. Iraq has affirmed that it will be a country free of all weapons of mass destruction and related delivery systems and has underlined its commitment to disarmament and non-proliferation-related agreements and conventions.

- Iraq became a party to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction in 1991 and has affirmed its absolute commitment to implement all its provisions and demands by establishing a national focal point, the National Monitoring Directorate, which undertakes annual confidence-building measures and submits information in that regard to the Implementation Support Unit within the United Nations Office for Disarmament Affairs in Geneva.

- Pursuant to Security Council resolution 1762 (2007), the United Nations Monitoring, Verification and Inspection Commission concerning Iraq was abolished and its offices were closed. On the basis of Security Council resolution 1051 (1996), the relevant Iraqi parties put in place the mechanisms necessary for the control of dual-use materials. Those new mechanisms and updated registers were based on the relevant international standards.

- Iraq signed the Comprehensive Nuclear-Test-Ban Treaty on 19 August 2008. Further legislative procedures are currently being followed up in the Iraqi Parliament with a view to completing as expeditiously as possible all steps necessary for ratification of the Treaty.
- In February 2009, Iraq ratified the Chemical Weapons Ban Treaty and it entered into force. In April 2009, it submitted its declarations on chemical weapons and installations to the Organization for the Prohibition of Chemical Weapons and has subsequently submitted to the Organization its initial declaration on the remnants of the previous chemical programme. Iraq and the Organization maintain contact in order to coordinate over that issue.
- With Cabinet approval, Iraq signed the Model Additional Protocol of the International Atomic Energy Agency (IAEA) Comprehensive Safeguards System on 9 October 2008. The Protocol is currently awaiting ratification by Parliament. Pending that ratification, Iraq made an official declaration to IAEA on 17 February 2010 that it would apply the Protocol voluntarily with effect from that date, on the basis of article 17 of the Protocol.
- The Minister for Foreign Affairs of Iraq addressed letters to the President of the Security Council (S/2010/37) and the Director General of IAEA, in which he affirmed Iraq's commitment to international non-proliferation system-related treaties. On 26 February 2010, a Security Council presidential statement (S/PRST/2010/5) welcomed steps taken by the Government of Iraq, and on 11 March 2010, the Director General of IAEA addressed a letter to the President of the Security Council in which he emphasized that cooperation between Iraq and IAEA was excellent.
- Among the legislation drafted by the pertinent Iraqi authorities is the law on non-proliferation in Iraq. The aim of the law is to establish and perpetuate a harmonized national system that will enable Iraq to honour its commitments under treaties and agreements relating to the non-proliferation of chemical, biological and nuclear weapons and their delivery systems. That law will be applied to all peaceful activities, including materials, equipment and technologies and anything related to the production, possession, use, storage, import, export, transport, distribution and administration of any other activities, in order to ensure that they are not converted to prohibited activities. Further aims of the law are to determine which activities are prohibited or otherwise, identify obstacles, and put in place mechanisms for making declarations, issuing permits and monitoring the movement of dual-use materials, in accordance with the NPT safeguard agreement, the chemical weapons verification system, the Biological Weapons Convention and regional and bilateral agreements.
- The Government of Iraq believes that it is essential to make the Middle East a region free of weapons of mass destruction and, in particular, nuclear weapons. It is therefore coordinating its efforts with the Arab Group at the United Nations, IAEA and other relevant international forums.
- The Government of Iraq affirms its commitment to resolution No. 521 of 2010 concerning disarmament that was adopted at the Sirte Summit in Libya and confirms the need for implementation of the decision adopted by the 1995

Review Conference concerning the establishment in the Middle East of a nuclear-weapon-free zone.

- Nuclear terrorism represents one of the most serious threats to international security, and strict nuclear security arrangements are essential in order to prevent nuclear materials falling into the hands of terrorists and other unlicensed parties. Terrorist groups exist that have the will and the capacity to wreak huge nuclear devastation if the resources are available on the black market. The demand to rid the world of nuclear weapons is therefore perfectly legitimate and will ensure that the world avoids the danger of nuclear terrorism.

- The Government of Iraq affirms its support for international efforts to prevent terrorists obtaining weapons of mass destruction which, if used, would have disastrous consequences. Those efforts include the International Convention for the Suppression of Acts of Nuclear Terrorism, which was adopted by the General Assembly in April 2005 with a view to enhancing the international legal framework for the suppression of terrorist threats. That framework includes cooperation with IAEA and the Convention on the Physical Protection of Nuclear Material.

- The Government of Iraq welcomes the latest developments represented by the signing of the new Strategic Arms Reduction Treaty, which includes a reduction of 30 per cent in the number of United States and Russian Federation strategic nuclear warheads. The Government further welcomes the convening of the Nuclear Security Summit in Washington on 12 and 13 April 2010.

- Notwithstanding the positive steps that have recently been taken on the international stage, the fact that nuclear-weapon States are maintaining most of their nuclear arsenals and are developing new types of those weapons and related delivery systems continues to give grounds for concern. Agreement must be reached on the need to formulate a binding international legal instrument in order to provide non-nuclear-weapon States with guarantees that nuclear-weapon States will not use or threaten to use such weapons against them, and in order to identify the means whereby progress may be made towards that aim. Such security guarantees are a major step along that road, quite apart from being a legitimate and just demand on the part of non-nuclear-weapon States, which have voluntarily renounced any military nuclear options by becoming parties to NPT. While security guarantees may make a positive contribution to nuclear non-proliferation, they are no substitute for complete nuclear disarmament.

- The gradual elimination of nuclear weapons will build trust between States parties to NPT and will provide States non-parties with an incentive to become parties thereto. It will also allay apprehensions related to the security options and complexes of certain nuclear-weapon States. Against that background, we recall the 8 July 1996 International Court of Justice advisory opinion on the legality of the threat or use of nuclear weapons, which affirmed that the threat or use of nuclear weapons would generally be contrary to the rules of international law applicable in armed conflict, and that States have a binding duty to negotiate in good faith, and to accomplish, nuclear disarmament.

- The Government of Iraq believes that the time has come to open negotiations, without preconditions, on a non-discriminatory and verifiable international

treaty aimed at halting the production of fissile materials that are used in the production of nuclear weapons and address the issue of stockpiles of such materials.

- The Government of Iraq calls upon the nuclear-weapon States to shoulder their particular responsibility to honour fully and promptly their undertakings under article VI of the Treaty, as well as the pledges they made at the 1995 and 2000 Review Conferences, including paragraphs 3 and 4 of the 1995 Review Conference decision on principles and objectives for nuclear non-proliferation and disarmament. Those undertakings should be carried out in accordance with the schedule for the 13 practical steps that were agreed at the 2000 Review Conference, which are aimed at the total and irrevocable elimination of all existing nuclear stockpiles. Pending the realization of that aim, global, unconditional and legally binding negotiations must be conducted in order to provide non-nuclear States with guarantees against the use or threat of use of nuclear weapons.

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Article IV of the Treaty

Nuclear energy for peaceful purposes

Introduction

The Government of Iraq is submitting this paper at a time when the Security Council is reviewing the disarmament-related restrictions imposed on Iraq pursuant to the relevant Security Council resolutions, foremost among which are resolutions 687 (1991) and 707 (1991). The paper aims to set out the position of Iraq with respect to the Treaty insofar as it relates to the peaceful uses of nuclear energy. The Government of Iraq is circulating this paper as an official document of the 2010 Review Conference because it wishes to officially document its position, reinforce its endeavours to lift the restrictions that have been imposed on it, and contribute to international efforts to make Conference recommendations that will lead to progress being made towards the effective and comprehensive implementation of the Treaty.

– The Government of Iraq affirms the inalienable right of States to use nuclear energy for peaceful purposes and, to that end, to obtain and exchange technology without discrimination and without the imposition of any obstacles, binding conditions or selective restrictions that would not be in conformity with the spirit and provisions of the Treaty.

– The Government of Iraq emphasizes the role played by the International Atomic Energy Agency (IAEA) in assisting States parties to develop the peaceful uses of nuclear energy, and requests it to reduplicate its efforts, through the technical cooperation programme, and reinforce its fundamental role in facilitating the transfer of nuclear technology to developing countries. The Government also affirms that IAEA, by virtue of its mandate and professional expertise, remains the ideal framework whereby the peaceful nature of a nuclear programme may be guaranteed. As needed, it would be possible, within the IAEA framework, to devise an acceptable and

non-discriminatory mechanism to enhance the transparency of such a programme, and to make a commitment to find a multilateral and non-discriminatory system for that purpose. It should be re-emphasized that nuclear cooperation between States should take place against the background and in accordance with the provisions of the Treaty.

– The Government of Iraq supports the efforts exerted by States parties with a view to achieving the universality of the comprehensive safeguards system. However, at the same time, it affirms that the Additional Protocol is voluntary, and cannot therefore be considered as a precondition for the import of nuclear energy for peaceful purposes.

– The Government of Iraq follows the initiatives that have been proposed relating to the import of nuclear fuel, and affirms that it is important that under no pretext should pressure be brought to bear on States parties to prevent them from trying to develop or obtain any nuclear technology for peaceful purposes. The Government believes that the IAEA proposal to establish an enriched uranium bank is interesting and merits consideration.

– IAEA and nuclear-weapon States should be called upon to concentrate and develop technical assistance in the field of the peaceful uses of nuclear energy to States parties to the Treaty.

– States parties to the Treaty have agreed to refrain from developing or possessing nuclear weapons provided they may obtain nuclear technology for peaceful purposes, including research and other activities for which nuclear fuel is essential. The supply of that fuel is one of the fundamental issues that is being discussed in the international arena and at the 2010 Review Conference, and in that respect the Government of Iraq supports the IAEA initiative to establish the aforementioned bank, provided all the necessary assurances are given that States will maintain their right to use nuclear energy for peaceful purposes and their right to enrich uranium and obtain advanced technology and enriched uranium without discrimination and at fair prices that are commensurate with their endeavours to realize development for their peoples.

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European Union international cooperation to support peaceful uses of nuclear energy

Working paper submitted by Spain on behalf of the European Union

1. The European Union uses several of its financial instruments to support peaceful uses of nuclear energy around the world through its support to the International Atomic Energy Agency (IAEA) and through direct bilateral cooperation with third countries. These instruments support the objectives stated in the European Union's strategy against the proliferation of weapons of mass destruction of 2003, as well as the European Union's international cooperation activities in the fields of nuclear safety, security and research. The total amount of European Union annual funds allocated to these activities is in the order of at least €150 million per year. Part of this funding is used to finance projects implemented in third countries by the IAEA technical cooperation fund. Together with its member States, the European Union is the biggest contributor to the work under that fund. The main European Union financial instruments and programmes being used to support peaceful uses of nuclear energy are:

European Union instrument for nuclear safety cooperation

2. The European Union instrument for nuclear safety cooperation is expected to commit up to €524 million during the period 2007-2013. Priority fields of cooperation include support for third country nuclear regulators and operators, safety improvements in the design, operation and maintenance of nuclear installations, safety of nuclear material and radioactive waste management and measures to promote international cooperation. Priority geographic areas under the revised strategy 2010-2013 include countries of the Commonwealth of Independent States, countries with established nuclear programmes in Latin America and countries that are considering starting nuclear power programmes, in particular in

South-East Asia, North Africa and the Middle East. China, India and African countries are other potential beneficiaries of this instrument.

3. The programmes funded under the instrument for nuclear safety cooperation provide for cooperation on nuclear regulatory matters, operational safety, design safety, radioactive waste management and decommissioning, off-site emergency preparedness and safeguards. The instrument also provides for contributions to international funds, notably to those concerning Chernobyl and its shelter.

4. As regards cooperation with IAEA, a first project under the instrument was recently completed, namely the European Commission-IAEA-Ukraine joint project on safety assessment of Ukrainian nuclear power plants. About €12 million has been earmarked for new joint projects with IAEA during 2010-2011, including projects to assist the setting up of regulatory infrastructure in new emerging countries that have already decided or are about to decide to develop peaceful uses of nuclear energy. This cooperation is being implemented partly through the IAEA technical cooperation fund. It extends well beyond the European Union's immediate neighbourhood to support activities such as the Agency's contribution to the broader initiative on the remediation of uranium mines in Central Asia, the "Asian Nuclear Safety Network" and projects in Latin America.

European Union instrument for pre-accession assistance

5. Under the instrument for pre-accession assistance, the European Union is providing assistance in the areas of nuclear safety and security and supporting specific projects to address the needs of candidate and potential candidate countries. As regards cooperation with third countries through IAEA, the volume of contracts signed under the instrument is expected to increase to €21 million in 2010. They will be used to finance a number of joint projects, including a regional programme in the Western Balkans aimed at improving the regulatory environment. An important project currently being funded is the "Vinča Nuclear Decommissioning Programme", which is designed to make safe and return to the Russian Federation the spent fuel from the Vinča research reactor in Serbia. This project is also supported by the United States of America, the Russian Federation and a number of EU member States.

European Union instrument for stability

6. The following interventions for cooperation with IAEA under the instrument for stability have been identified:

(a) support for a possible future low-enriched uranium fuel bank under IAEA auspices. The financing could comprise up to €20 million from the instrument for stability plus an additional contribution of €5 million via a European Union common foreign and security policy decision;

(b) support for the construction of a new IAEA safeguards laboratory for the analysis of nuclear material (up to €5 million).

7. The Group of Eight (G8) Global Partnership against the Spread of Weapons and Materials of Mass Destruction is a key forum for increased international cooperation against nuclear non-proliferation. Since 2002, the European Union has consolidated its cooperation with the Russian Federation and Ukraine in line with the priorities defined by the G8 Global Partnership at Kananaskis, Canada, and

renewed at the G8 summit at L'Aquila, Italy, in June 2009. Euro 700 million have already been spent and another €900 million committed. About 20 per cent of these funds were spent on the redirection of weapons scientists in the former Soviet Union. Nuclear safety constitutes another essential part of the European Union contribution, with substantial funds allocated for nuclear submarine dismantlement and storage.

8. The European Union continues to be an important contributor to the G8 Global Partnership. Under the instrument for stability, it plans to spend around €300 million with third countries on chemical, biological, radiological and nuclear risk mitigation during the period 2007-2013. Complementing the programmes on nuclear safety under the instruments for nuclear safety cooperation and pre-accession assistance, the G8 Global Partnership activities should include assistance on nuclear security, engagement of relevant scientists, export controls, border monitoring, illicit financing, biosafety, biosecurity and, more generally, illicit trafficking of nuclear and radiological materials.

European Union common foreign and security policy decisions to support nuclear security

9. Through individual contributions by European Union member States and through four European Union Council decisions in the framework of the common foreign and security policy, providing a total of €21.4 million, the European Union has become the major donor to the IAEA nuclear security fund. This fund is used, inter alia, to support the implementation of the Agency's nuclear security plan through its Office of Nuclear Security. The plan builds on existing international legal instruments and agreements to help States strengthen their nuclear security.

10. The grants provided by the European Union to the nuclear security fund have been used to support IAEA assistance projects aimed at strengthening the security of nuclear and radioactive materials in the Balkans, the Caucasus, Central Asia, the Mediterranean region, Africa and South-East Asia. Areas of assistance include legislative and regulatory assistance for the implementation of States' obligations under IAEA safeguards agreements and the additional protocols, strengthening physical protection of nuclear and radiological materials and strengthening States' capabilities for detection and response to illicit trafficking.

11. A fifth European Union common foreign and security policy Council decision that will extend the geographic scope of European Union support to the nuclear security fund by €10 million is under preparation.

European Union technical support to IAEA

12. IAEA bases its technical and scientific programme on contributions from the member State support programmes. In the field of nuclear safeguards, the European Commission cooperative support programme to IAEA started in 1981. It is operated by the European Commission's Joint Research Centre and its institutes at Ispra, Italy; Geel, Belgium; and Karlsruhe, Germany. Today the European Commission cooperative support programme ranks second out of a total of 21 IAEA member State support programmes, in terms of number of active tasks. The programme tasks provide IAEA with technology and expertise in many technical areas related to the effective implementation of safeguards verification measures, including the detection of undeclared materials, activities and facilities. In the field of combating

the illicit trafficking of nuclear materials, the Joint Research Centre supports IAEA mainly in the areas of detection and nuclear forensics by providing technical expertise and offering training sessions for customs officers and experts from IAEA member States. Coordination of activities in the areas of forensics and detection with IAEA and other major actors takes place regularly at the nuclear smuggling international working group and the border monitoring working group. The Joint Research Centre is co-chairing these two groups.

13. The European Union also facilitates IAEA verification tasks within the European Union, where the Commission's services (European Atomic Energy Community (Euratom) safeguards) act as the regional system for nuclear material accountability and control, and the Commission funds a significant portion of the safeguards implementation infrastructure used within the European Union by IAEA, thereby liberating IAEA funds. By sharing its safeguards know-how, the Commission also contributes to the development of IAEA methodologies, equipment and facilities. The design of the IAEA on-site laboratory in Japan, for example, benefited greatly from the experience gained during the design, construction and operation of the Euratom on-site laboratories.

14. The IAEA secretariat acknowledges the fruitful nature of the cooperation with Euratom safeguards, which enabled the implementation of integrated safeguards across all significant nuclear activities in the European Union's non-nuclear-weapon States in January 2010. The synergies arising from the optimal combination of classical and strengthened safeguards methodologies and techniques, including those stemming from the Additional Protocol, have provided for greater effectiveness and efficiency of IAEA safeguards in the European Union non-nuclear-weapon States. The implementation of integrated safeguards in the European Union provides a clear demonstration of the European Union's commitment to the application of the Additional Protocol.

Seventh Euratom framework programme for nuclear research and training

15. The seventh Euratom framework programme for nuclear research and training (2007-2011) supports research activities over a range of nuclear science and technology fields implemented via multi-partner consortia (shared cost) or directly by the European Union Joint Research Centre. Some of these activities are framed within specific international nuclear cooperation agreements with third countries, or oriented to developing new, more proliferation-safe designs of nuclear power plants in coordination with the work of the Generation IV International Forum.

Nuclear cooperation agreements with third countries

16. Euratom has negotiated nuclear-related cooperation agreements with the following third countries: Argentina, Australia, Brazil, Canada, China, India, Japan, Kazakhstan, the Republic of Korea, the Russian Federation, Switzerland, Ukraine, Uzbekistan and the United States of America. These agreements address various issues, including research activities (nuclear safety, nuclear research and fusion energy research), as well as other activities supporting peaceful uses of nuclear energy.

17. In the fusion research area, the International Thermonuclear Experimental Reactor project is a global project aimed at building and operating an experimental prototype reactor, in order to demonstrate the scientific and technological feasibility

of fusion energy for peaceful purposes. The project is conducted under the terms of an international agreement between Euratom and six other parties (China, India, Japan, the Republic of Korea, the Russian Federation and the United States). As the host party, Euratom is the largest contributor to this international project and is committed to providing about 45 per cent of the construction costs and 34 per cent of the future operation costs, while the other six parties provide the rest.

Generation IV International Forum

18. The seventh Euratom framework programme (2007-2011) includes research projects and activities to examine the potential of new nuclear systems, including more proliferation-safe designs of nuclear power plants. This research is closely aligned to the requirements and research and development road maps of the Generation IV International Forum. Fully ratified members of the Forum currently include Canada, China, France, Japan, the Republic of Korea, the Russian Federation, South Africa, Switzerland, the United States and Euratom.

19. The technological goals pursued in the six new nuclear systems under consideration include:

- Increased sustainability (optimal utilization of natural resources and minimization of long-lived radioactive waste)
- Industrial competitiveness
- Safety and reliability
- Proliferation resistance and physical protection

20. The technical secretariat of the Forum has been entrusted to the Nuclear Energy Agency of the Organization for Economic Cooperation and Development (OECD). The specific European Union contribution is either via in-kind contributions of specific deliverables from the Euratom shared-cost multi-partner projects or the research carried out by the European Union Joint Research Centre. The Nuclear Energy Agency keeps a record of the financial equivalent of all such contributions from the Forum members. Collaborative activities did not start in earnest until 2008, and contributions from all members are now set to rise significantly.

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

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Working paper submitted by the Islamic Republic of Iran on non-proliferation

1. Today, non-proliferation, in common with the other two pillars of the Treaty on the Non-Proliferation of Nuclear Weapons, faces serious challenges mostly originating from the non-compliance of some nuclear-weapon States with their obligations under articles I and VI of the Treaty. Certain nuclear-weapon States, in contravention of their commitments under article VI, continued to resort to nuclear deterrence as their defence and security doctrine and accelerated the nuclear arms race. By maintaining their nuclear arsenals and their horizontal proliferation through the transfer of nuclear technologies and weapons-grade materials to non-parties to the Treaty, these nuclear-weapon States have also contributed to the emergence of new nuclear weapons possessors. It is in clear violation of their obligations under article I.

2. A few countries have attempted to wrongly infer that proliferation concerns are only attributed to non-nuclear-weapon States. Furthermore, through false and misleading propaganda, they similarly have tried to describe nuclear energy as the synonym of nuclear weapons. This false misinformation has been highlighted, while all the nuclear activities of the non-nuclear-weapon States parties to the Non-Proliferation Treaty are under the full-scope safeguards of the International Atomic Energy Agency (IAEA), and they have already foregone the nuclear option, therefore they pose no threat to the others.

3. The Review Conference of the Parties to the Treaty cannot easily overlook that certain nuclear-weapon States, in contravention of their legal undertakings, promote the role and status of nuclear weapons in their defence and security doctrines and proliferate these weapons to the others. Non-compliance with article I and the lack of any mechanism for verification of obligations of nuclear-weapon States have resulted in serious concern. Nuclear-weapon States have already undertaken under the Non-Proliferation Treaty provisions to eliminate their nuclear arsenals and committed not to develop or transfer nuclear weapons or its materials to others. In

long term, the maintenance of these inhumane weapons, and the threat to use them, would weaken and jeopardize international peace and security.

4. In the past few years, some efforts have been made to undermine the main principles of the Non-Proliferation Treaty in order to change it to a single-goal treaty. In this context, unfortunately, the nuclear disarmament obligations have been totally overlooked, and access to peaceful nuclear materials and technologies has been denied. At the same time, obligations of the non-nuclear-weapon States on non-proliferation have been overemphasized as if the Treaty has no other provision. With such an approach, certain countries have tried to impose more extreme and deeper restrictions on access to peaceful nuclear technology and sought to monopolize such technology only to nuclear-weapon States, and a few staunch allies even in some cases if they are non-parties to the Treaty. Additionally, these countries, possessors of nuclear weapons, have imposed restrictions on other States parties who believe nuclear energy should not be turned into weapons. This is an unfortunate fact in international relations. The clear examples are the growth of United States-Israeli nuclear cooperation and a recent decision of the Nuclear Suppliers Group that have shown that being a non-party to the Non-Proliferation Treaty is more privileged and is even being rewarded by Western countries.

5. The unprecedented decision of the Nuclear Suppliers Group, an exclusive and non-transparent club that claims to have been established in order to strengthen the non-proliferation regime, has already damaged the Non-Proliferation Treaty. Such a decision for providing nuclear fissile materials to a non-party that has an active nuclear-weapons programme is a clear violation of paragraph 2 of article III, which stipulates that cooperation of each State party to the Treaty in providing equipment or material for peaceful purposes is not possible "unless the source or special fissionable material shall be subject to the safeguards required by the [Non-Proliferation Treaty]". The Nuclear Suppliers Group decision, which has been taken under United States pressure, is also a violation of nuclear-weapon States' commitment under the decision on principles and objectives of the 1995 Review Conference and the Final Document of the 2000 Review Conference for promoting the universality of the Non-Proliferation Treaty. When a country outside the Treaty enjoys freely nuclear assistance of Nuclear Suppliers Group members, it will never accede to the Treaty. Thus the Nuclear Suppliers Group's decision is in clear contravention of the obligations on the promotion of the universality of the Non-Proliferation Treaty and has seriously jeopardized the credibility and integrity of the Treaty. Such a decision is another manifestation of double standards and discrimination in implementing the provisions of the Treaty. We ask the Review Conference to seriously consider this issue and make a decision on the prohibition of any nuclear assistance to non-parties to the Non-Proliferation Treaty.

6. Furthermore, it seems that in the view of the United States and it allies, clandestine development of nuclear weapons by those outside the Non-Proliferation Treaty is justifiable. And worse than that, such a nuclear programme is supportable through cooperation and transferring nuclear technology, materials and equipments by the Nuclear Suppliers Group. It is a matter of great concern that such an approach has been applied to the nuclear weapons programme of the Israeli regime, which is a staunch ally of the United States. Permitting such a regime to continue to produce nuclear weapons with impunity is a matter of grave concern. Under the current trend, it is predictable that the nuclear weapons of the Zionist regime, which

were publicly acknowledged by its Prime Minister, might become known, recognized and even rewarded.

7. The Review Conference should seriously address the proliferation of nuclear weapons by these nuclear-weapon States. It is essential that all proliferation cases committed by certain nuclear-weapon States be identified and examined thoroughly. It should be taken into account that allies and partners of these violators have themselves acquired nuclear weapons. The Non-Proliferation Treaty could only last and be widely supported by States parties, if nuclear-weapon States fulfil their obligations under the Treaty.

8. The current challenges of the non-proliferation regime require the establishment of a new arrangement and a robust strategy to prevent the arbitrary measures of some nuclear-weapon States in proliferating nuclear weapons. It is indispensable for the Review Conference to adopt a new approach towards non-proliferation and emphasize its basic and primary paradigms. Full materialization of non-proliferation provisions requires the implementation of article I of the Non-Proliferation Treaty by the nuclear-weapon States. Therefore, the Conference needs to establish a strong mechanism to verify the implementation of article I by the nuclear-weapon States. The Review Conferences should also call upon the nuclear-weapon States to fully implement their obligations under article VI of the Treaty.

9. In this line, the new strategy of the 2010 Review Conference, based on the full implementation of the nuclear-weapon States' obligations on non-proliferation, should be designed in a way to cover the following key issues:

- The non-proliferation by certain nuclear-weapon States is the most immediate and essential risk threatening the non-proliferation regime.
- The legal status of article I of the Treaty and its implementation by nuclear-weapon States should be defined. In this context, establishing a verification mechanism similar to that under article III of the Treaty is essential.
- The old concept that the risk of proliferation arises from non-nuclear-weapon States should be revisited and the new strategy of the Review Conference should be focused on proliferation risks of nuclear-weapon States.
- It is essential that all proliferation cases made by certain nuclear-weapon States be examined.
- In order to take measures to strengthen non-proliferation, the nuclear-weapon States must also refrain from cooperating with non-parties to the Treaty and undertake not to transfer any nuclear material, equipment, information, knowledge and technology to them.
- The only solution to remove concerns originating from non-proliferation and threats of the possible use of nuclear weapons is the total rejection of nuclear deterrence through the conclusion of a universal legally binding nuclear disarmament treaty.
- In the current circumstances, IAEA should demonstrate, more than before, its commitment and dedication not only to the implementation of the safeguards, but also to facilitate development of nuclear energy as its main and primary purpose.

10. In conclusion, we believe that IAEA, as the sole competent authority in verifying nuclear programmes of the States parties, has an important and sensitive role in dealing with the nuclear activities of the Member States. In this regard, IAEA should act within its mandate, the IAEA Statute and the relevant safeguards agreements of the States parties. The Agency should also strengthen its confidentiality policies in order to prevent any leakage of the sensitive and confidential information of Member States.

11. The other concern of the States parties to the Non-Proliferation Treaty is the increase of baseless allegations against the peaceful nuclear activities of other States. These allegations have significant consequences, in particular, political and economic damages to the relevant State party. In this context, the Agency must be very vigilant in dealing with the open source information, baseless allegations and the authenticity of the documents presented. The Agency must not build its verification activities on non-reliable and fake evidence. In this context, based on article III of the Treaty, which stipulates that implementation of safeguards shall be in a manner to avoid hampering the economic or technological development of States Parties, we propose to establish a legal mechanism for the settlement of disputes and appropriate arrangements to rectify the damages inflicted on the relevant States party and provide a framework for compensation.

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The issue of non-compliance with articles I, III, IV and VI of the Treaty

Working paper submitted by the Islamic Republic of Iran

1. One of the major challenges of the Non-Proliferation Treaty is the cases of non-compliance by certain nuclear-weapon States with their obligations, which no mechanism is stipulated in the Treaty yet to address. While there is an established mechanism to verify the obligations under article III of the Treaty for non-nuclear-weapon States stipulated in the IAEA statute, no mechanism has been designed to address the non-compliance cases with other provisions of the Treaty, particularly non-compliance of nuclear-weapon States. One of the main tasks of the Review Conference is to identify such cases and to find ways and means to fully address them. In this context, the Islamic Republic of Iran would like to elaborate its views on this issue as follows.

2. The review conferences have the mandate to consider principles, objectives and ways to promote the full implementation of the Treaty, including nuclear disarmament as one of its main pillars. The Conference requires a thorough review of the implementation of provisions of the Treaty related to nuclear disarmament, non-proliferation and promotion of cooperation on the peaceful uses of nuclear energy, namely articles I, III, IV, and VI, as well as the objectives inherent in the preamble to the Treaty.

3. Dealing with the question of nuclear disarmament definitely needs a review of the unfulfilled commitments in the past and thinking of actual disarmament measures, as well as new initiatives aimed at the total elimination of nuclear weapons. In this respect, the nuclear weapon States have the basic and fundamental obligation to particularly implement such provisions aimed at creating a world completely free from the horror of nuclear weapons. It was promising that, following the end of the cold war and the termination of the East-West confrontation, some attempts were made by some nuclear-weapon States to reduce

their reliance on nuclear weapons and remove the operational status of their nuclear weapons and detarget the particular States.

4. In contrast, some significant developments have served as a serious setback for the Treaty obligations with respect to nuclear disarmament. It is unfortunate that there has been a tendency by some to propagate that the nuclear-weapon States do not have any legal or even political obligation under the Non-Proliferation Treaty for nuclear disarmament. One of these nuclear-weapon States once claimed that "article VI is just one sentence long". It argued that, since article VI does not refer to nuclear-weapon States, does not provide any timetable and sets no deadline for the accomplishment of nuclear disarmament, it "contains no suggestion that nuclear disarmament is to be achieved before general and complete disarmament".

5. Despite the high expectations of the international community for real change in the United States Nuclear Posture Review in a manner that removes the existing concerns on the role of nuclear weapons, the recently released nuclear doctrine of the United States has not lived up to the international community's expectations. A review of the new United States nuclear policy reveals the continuation of a disturbing trend. The continued emphasis of the new United States Nuclear Posture Review on maintaining nuclear weapons, relying on the obsolete deterrence policy, allocating several billions of dollars to the modernization of the United States arsenals, limiting the reductions of nuclear weapons to decommissioning them and, by doing so, evading the obligation to eliminate them, and raising new excuses for keeping nuclear weapons in the new Nuclear Posture Review, are clear indications of the United States policy to continue its non-compliance with its obligations under article VI.

6. There is no doubt that the decision to modernize nuclear weapons and spend billions of dollars to construct new nuclear facilities runs counter to the obligation of the nuclear-weapon States to systematically reduce their nuclear weapons and represents obvious non-compliance with article VI of the Treaty. Despite the major concerns expressed by the international community, in particular the Non-Aligned Movement, the United States has not responded to the concerns expressed over the modernization of its nuclear arsenals and has continued the construction of new installations under the pretext of securing more reliable nuclear weapons.

7. The nuclear-weapon States, moreover, should engage immediately and in good faith in substantive work for the speedy and meaningful implementation of their obligations under the Treaty, in particular article VI and their commitments under the 1995 decision on principles and objectives for nuclear non-proliferation and disarmament and the resolution on the Middle East. Any reduction of nuclear weapons, whether strategic or non-strategic, should be in a transparent, verifiable and irreversible manner. It is a matter of concern that the reductions under the New START treaty are not internationally verifiable and thus have not removed the concerns of States parties.

8. The United States nuclear cooperation with the Zionist regime, as hard evidenced after the agreement reached during the United States Energy Secretary's visit to the occupied territories in February 2000, is in fact another aspect of violation of article I obligations by the United States, and the source of concern for all Non-Proliferation Treaty members and especially the Middle East countries, which are all members of the Treaty family. This agreement, which was claimed for peaceful purposes and nuclear cooperation between the United States and the

Zionist regime, is also a clear violation of article III (2), which stipulates that cooperation of each State party to the Treaty in providing equipment or material for peaceful purposes is not possible "unless the source or special fissionable material shall be subject to the safeguards required by" the Treaty. The Zionist regime's unsafeguarded nuclear weapons facilities and nuclear arsenal pose a real threat to all countries of the region and to international peace and security. The second agreement signed by the director of the Israeli Atomic Energy Commission and the chairman of the United States Nuclear Regulatory Commission, enabling the Zionist regime to access most of the latest nuclear data and technology available in the United States, constitutes another United States non-compliance with the provisions of the Treaty. It seems that the United States is not shy about supporting that regime's nuclear weapons programme. The disclosed "top secret document dated 23 August 1974" clearly shows the role of the United States in equipping the Zionist regime with nuclear weapons.

9. Furthermore, on the issue of nuclear sharing, the nuclear-weapon States are committed to comply with their commitment to the full implementation of article I. They should refrain from nuclear sharing, under any kind of security arrangements, among themselves, with non-nuclear-weapon States and those not parties to the Treaty.

10. The transfer of nuclear-related equipment, information, material and facilities, resources or devices and the extension of assistance in the nuclear, scientific or technological fields to the nuclear weapons capability of non-parties to the Treaty without exception and in particular to the Zionist regime, whose unsafeguarded nuclear facilities endanger security and stability in the Middle East, must be prohibited. In this regard, the Review Conference should make a clear decision to prohibit any kind of nuclear weapon sharing or cooperation between States parties with the non-parties to the Treaty. The Chemical Weapons Convention could set an example in this regard.

11. In the context of article III, the new decision of the Nuclear Suppliers Group, an exclusive and non-transparent Group which claims to have been established to strengthen the non-proliferation regime, has severely damaged the Treaty. The decision of this Group is a clear violation of paragraph 2 of article III, which stipulates that cooperation of each State party to the Treaty in providing equipment or material for peaceful purposes is not possible "unless the source or special fissionable material shall be subject to the safeguards required by" the Non-Proliferation Treaty.

12. The said decision which was taken under United States pressure, is also a violation of the commitment of nuclear-weapon States under the 1995 decision on the principles and objectives and the Final Document adopted at the 2000 Review Conference to promote the universality of the Treaty. The Nuclear Supplier Group's decision is in contravention of the obligation on the promotion of the universality of the Treaty and has seriously jeopardized its credibility and integrity. Such a decision is another manifestation of double standards and discrimination in implementing the provisions of the Treaty.

13. The United States, for a long time, has been in non-compliance with its obligations under the Treaty, which provides in its article I "not to transfer to any recipient whatsoever nuclear weapons", by transferring hundreds of nuclear weapons to certain non-nuclear-weapon States under the NATO umbrella. The

United States-deployed nuclear weapons in other countries are extremely integrated into the military infrastructure of the countries hosting those weapons.

14. Joint research on nuclear warheads between two nuclear-weapon States is a matter of grave concern for non-nuclear-weapon States and represents serious non-compliance with article I of the Treaty. According to data published on 9 February 2009, the United States military has been using Great Britain's atomic weapons facility to carry out research for its own warhead programme. In this regard, the United States defence officials have declared that "very valuable" warhead research has taken place at the Atomic Weapon Establishment at Aldermaston in Berkshire as part of an ongoing and secretive deal between the British and American Governments.

15. The efforts to modernize nuclear weapons by clinging to outdated cold war arrangements and justifications raise serious questions for public opinion. Deploying hundreds of nuclear weapons in non-nuclear-weapon States and training the fighter bomber pilots of the hosting countries to prepare for handling and delivering the United States nuclear bombs against the nuclear- as well as the non-nuclear-weapon States contravene both the letter and spirit of the Non-Proliferation Treaty and constitute clear non-compliance with the Treaty by both the United States and the European Union. It is noteworthy that the new United States Nuclear Posture Review has clearly confessed the existence of such non-compliance with the Treaty and declared that the deployed nuclear weapons would remain in the European Union territories. The Review Conference cannot be indifferent to this obvious case of non-compliance. Furthermore, the danger of nuclear incidents by terrorist activities requires a viable solution to deal with such transferred weapons. This has compelled many, including parliaments in these countries, to request compliance with the Treaty obligations and the withdrawal of nuclear forces from their territories.

16. The United States and some other nuclear-weapon States are still dangerously persisting in outdated doctrines and the so-called traditional role of "deterrence". Since the first atomic bombs dropped on Hiroshima and Nagasaki in August 1945, which had a destructive power 10,000 times larger than previous explosive devices, the United States has designed and built thermonuclear bombs a thousand times more destructive than fission bombs. The continued existence of thousands of such bombs in the stockpiles of the United States and other nuclear powers has kept the fate of civilization and of humanity itself under horror and panic. By insisting on keeping nuclear bombs or merely decommissioning part of them, nuclear-weapon States themselves are the source of proliferation. As long as one nuclear-weapon State or nuclear power outside of the Treaty insists on maintaining the nuclear option, the other nuclear-weapon States will do the same, and this vicious circle will never end. Thus the non-nuclear-weapon States that have already forgone the nuclear option are rightly asking why these terrible weapons exist. Under what circumstances and for what purpose could the use or threat of use of the world's most destructive mass-terror weapons ever be justified?

17. France has also announced the addition of a new nuclear-armed ballistic missile-carrying submarine to its nuclear arsenals. The President of France is quoted as saying that "French nuclear forces are a key element in Europe's security". In defiance of its international obligations, this country is seeking to find and define new roles and missions for its nuclear forces in order to justify the continued

retention of those forces in the post-cold-war era. In so doing, they have even resorted to irresponsible methods such as the manipulation of intelligence and fear to promote programmes that their people would otherwise not support.

18. Furthermore, French officials recently announced that they will develop new nuclear plans to modernize nuclear arsenals and army and will spend €377 billion on this plan till 2020, which is a continued move against the Treaty regime. This development is a matter of grave concern and should be seriously addressed in the next Review Conference.

19. The decision of the United Kingdom to renew and further develop its nuclear weapons capability by approving the Trident programme, is in full contravention of article VI of the Treaty and in defiance of the unanimous decision of the 2000 Review Conference. The Trident programme can generate and in fact expand the nuclear arms race beyond the traditional rivalry between the two most powerful nuclear-weapon States and is thus a special source of concern for the international community and a clear setback in the global efforts to bolster nuclear disarmament and non-proliferation. Despite all calls by the international community and public opinion to stop this project, United Kingdom officials announced that billions of pounds would be allocated to a programme to replace Britain's Trident nuclear submarines.

20. The non-compliance with the Treaty obligations is not limited to the violations of articles I, III and VI by the United States and its allies; these States have also constantly violated the provisions of article IV of the Treaty, which provides for international cooperation and transfer of peaceful nuclear technologies to the Treaty States parties. Contrary to such obligations, the United States has been at the forefront of the imposition of unilateral restrictions against the Treaty States parties, in particular the developing countries. Such non-compliance with article IV merits thorough consideration by the Review Conference.

21. All non-nuclear-weapon States parties to the Treaty consider the pursuit and development of nuclear technology for peaceful purposes as their inalienable right, and thus can invest human and material resources in this field. Restrictions imposed by nuclear suppliers that have targeted peaceful nuclear programmes can affect the entire industry and all possible sources of supply of material and equipment of the Treaty States parties, thus seriously affecting development plans, in particular in the developing countries. Clear violations of article IV obligations by certain States by depriving States parties of the exercise of their inalienable right, as well as illegal and unilateral sanctions, are a matter of great concern to the developing countries. This issue should be followed seriously at the Conference.

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Nuclear disarmament and reduction of the danger of nuclear war

Working paper submitted by China

The Chinese delegation hereby requests that the following elements be included in the report of Main Committee I and the final document of the Review Conference:

1. Pursuing a new security concept featuring mutual trust, mutual benefit, equality and coordination, fostering a peaceful and stable international security environment, resolving international disputes through peaceful means and increasing the sense of security for all countries constitute the basis for the progress of nuclear disarmament.

2. Fully respecting and accommodating the legitimate and reasonable security concerns of all countries, refraining from pursuing one's own security at the expense of others and ensuring security for all through win-win cooperation constitutes the precondition of the progress of nuclear disarmament.

3. Adhering to multilateralism, maintaining and enhancing the authority, universality and effectiveness of relevant multilateral institutions and treaties, strengthening international legal framework governing arms control, disarmament and non-proliferation are the right path to advancing international arms control and disarmament, including nuclear disarmament.

4. The relationship among nuclear disarmament, nuclear non-proliferation and peaceful uses of nuclear energy should be properly handled, so as to make them mutually complementary and reinforcing.

5. All nuclear weapon States should dedicate themselves to the goal of complete prohibition and thorough destruction of nuclear weapons, earnestly fulfil their obligations under article VI of the Non-Proliferation Treaty, and publicly undertake not to seek permanent possession of nuclear weapons.

6. Nuclear disarmament undertakings, including intermediate steps and transparency measures, should follow the guidelines of promoting global strategic stability and undiminished security for all, and should be conducive to promoting international peace and security.

7. States possessing the largest nuclear arsenals bear special responsibility for nuclear disarmament and should take the lead in drastically reducing their nuclear arsenals in a verifiable, irreversible and legally binding way, so as to create necessary conditions for the ultimate realization of complete and thorough nuclear disarmament.

8. The Comprehensive Nuclear-Test-Ban Treaty is an important step in the nuclear disarmament process. Countries that have not done so should sign and ratify the Treaty as soon as possible so that it may enter into force at an early date according to relevant provisions. Pending the entry into force of the Treaty, nuclear weapon States should continue to observe their moratoriums on nuclear explosion tests.

9. The Conference on Disarmament should, based on its programme of work, start at an early date the negotiation of a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices. Simultaneously, it should also begin substantive work on important issues such as nuclear disarmament, prevention of weaponization of and an arms race in outer space and negative security assurances.

10. When conditions are ripe, other nuclear weapon States should also join the multilateral negotiations on nuclear disarmament. To attain the ultimate goal of complete and thorough nuclear disarmament, the international community should develop, at an appropriate time, a viable long-term plan composed of phased actions, including the conclusion of a convention on the complete prohibition of nuclear weapons.

11. Development and deployment of global missile defence systems, which undermines global strategic stability and international cooperation in this regard, should not be carried out so as to avoid impairing international nuclear disarmament efforts. The Conference on Disarmament in Geneva should negotiate and conclude relevant international legal instruments as soon as possible so as to prevent the weaponization of and an arms race in outer space.

12. The following measures should be undertaken to promote nuclear disarmament, reduce the danger of nuclear war and diminish the role of nuclear weapons in national security policy:

(a) To abandon the nuclear deterrence policy based on first use of nuclear weapons;

(b) To honour their commitments not to target their nuclear weapons against any countries, or to list any countries as targets of nuclear strikes;

(c) To undertake not to be the first to use nuclear weapons at any time or under any circumstances; unconditionally not to use or threaten to use nuclear weapons against non-nuclear weapon States or nuclear-weapon-free zones; and to conclude relevant international legal instruments;

(d) To support efforts of relevant countries and regions in establishing nuclear-weapon-free zones and other weapons-of-mass-destruction-free zones in accordance with the regional conditions and on the basis of voluntary consultation and agreement;

(e) Countries that deploy nuclear weapons abroad should withdraw and repatriate all such weapons;

(f) To abandon the policy and practice of "nuclear umbrella" and "nuclear sharing";

(g) To take all necessary steps to avoid accidental or unauthorized launches of nuclear weapons.

13. Realizing the universality of the Non-Proliferation Treaty and enhancing its authority is of extreme importance. Countries that have not yet done so should accede to the Treaty as non-nuclear weapon States at an early date.

NPT/CONF.2010/WP.64

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

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Non-proliferation of nuclear weapons

Working paper submitted by China

The Chinese delegation hereby requests that the following elements be included in the report of Main Committee II and the final document of the Review Conference:

1. The prevention of nuclear weapons proliferation is an effective and necessary step towards the complete prohibition and thorough destruction of nuclear weapons. It is of great importance to preserve regional and international peace and security. It is in the common interests and a shared responsibility of the international community.

2. All States should pursue the new security concept featuring mutual trust, mutual benefit, equality and coordination, commit themselves to fostering a peaceful and stable international environment and ensure security for all through win-win cooperation, so as to remove the root causes of conflict and instability.

3. Double standards and pragmatism on nuclear non-proliferation issues must be discarded. The principle of multilateralism should be followed and the role of the United Nations and other international organizations should be stressed and given full play. The fair, reasonable and non-discriminatory nature of the international nuclear non-proliferation regime should be continuously strengthened on the basis of universal participation and democratic decision-making.

4. All concerns related to proliferation of nuclear weapons should be addressed peacefully through political and diplomatic means within the framework of existing international laws. Application of sanctions is not an effective way to solve problems, neither is resort to force or threat to use force. Safeguarding international and regional peace, security and stability is a necessary precondition for the settlement of the hotspot nuclear proliferation issues.

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5. The universality of the Non-Proliferation Treaty is an important component of preventing nuclear weapons proliferation. Countries that have not yet done so should join the Treaty as non-nuclear-weapon States as soon as possible and place all their nuclear facilities under the safeguards of the International Atomic Energy Agency (IAEA) in accordance with the provisions of the Treaty.

6. Efforts should be made to continuously consolidate and enhance the role of the Treaty as the cornerstone of the international non-proliferation regime, to enhance its authority and effectiveness, and to ensure the strict compliance of relevant provisions of the Treaty.

7. The IAEA safeguards are an important means of preserving the effectiveness of the international nuclear non-proliferation regime. The universality of comprehensive safeguards agreements and additional protocols should be promoted.

8. All States should take measures to further strengthen nuclear export control regimes. Efforts by the Zangger Committee and the Nuclear Suppliers Group to this end should be supported.

9. All States should earnestly implement Security Council resolutions 1540 (2004) and 1887 (2009), and promote and enhance international cooperation on the basis of existing international laws, so as to effectively address illicit trafficking of weapons of mass destruction, their means of delivery, and related materials by non-State actors.

10. Nuclear non-proliferation and peaceful uses of nuclear energy are mutually reinforcing. Any nuclear non-proliferation effort should not undermine the legitimate rights of peaceful uses of nuclear energy. Simultaneously, efforts should be made to prevent any country from engaging in proliferation activities under the pretext of peaceful use. Any international cooperation on peaceful uses of nuclear energy should be conducive to strengthening the effectiveness of the international non-proliferation regime.

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Peaceful uses of nuclear energy

Working paper submitted by China

The Chinese delegation requests that the following elements be included in the report of Main Committee III and the final document of the Review Conference:

1. It is the inalienable right of the States parties to the NPT to develop research, production and use of nuclear energy for peaceful purposes. It is also one of the fundamental objectives of the Non-Proliferation Treaty and the statute of the International Atomic Energy Agency (IAEA). Promoting the peaceful uses of nuclear energy and relevant international cooperation is conducive to a comprehensive realization of all the objectives of the Treaty, as well as advancing nuclear disarmament and the non-proliferation process.

2. The promotion of the peaceful uses of nuclear energy and the prevention of nuclear weapons proliferation are mutually complementary and reinforcing. Non-proliferation efforts should not undermine the legitimate rights of countries, especially that of the developing countries, to the peaceful uses of nuclear energy.

3. A proper balance between the two categories of IAEA activities, the safeguards and international cooperation in the peaceful uses of nuclear energy, will ensure member States' active support of and participation in the IAEA activities.

4. Adequate resources should be guaranteed for the IAEA promotional and technical cooperation activities. All States parties should contribute to the Technical Cooperation Fund in full and on time.

5. The developed countries and the IAEA should extend their assistance to the developing countries, in accordance with their actual needs, on peaceful uses of nuclear energy.

6. Enhancing nuclear security is of great significance to ensuring sustained development of nuclear energy. All countries bear the responsibilities to take physical protection measures to secure nuclear material and facilities within their

respective jurisdictions. Earnest efforts should be made to consolidate the existing international legal framework and strengthen international cooperation. IAEA should continue to play a leading role in the field of nuclear security.

7. Relevant parties should continue the constructive discussions on establishing a multilateral nuclear fuel supply mechanism in order to reach a solution acceptable to all. IAEA may play an active role in this regard.

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Nuclear issues in the Middle East

Working paper submitted by China

The Chinese delegation requests that the following elements be included in the report of Main Committee II and the final document of the Review Conference:

1. Regional security and proliferation of weapons of mass destruction, including nuclear weapons, are closely interrelated. All parties concerned should make further efforts to promote the peace process in the Middle East in a spirit of reconciliation and cooperation, in order to enhance the peace and stability in the region.

2. China maintains that concrete efforts should be made to advance the process of establishing a zone free of nuclear weapons as well as other weapons of mass destruction in accordance with relevant General Assembly resolutions, the resolution on the Middle East adopted at the 1995 Review and Extension Conference and relevant provisions of the Final Document of the 2000 Review Conference. Great importance should be attached to relevant proposals by the countries in the Middle East to implement the resolution on the Middle East adopted at the 1995 Review and Extension Conference at an early date.

3. Israel should accede to the Non-Proliferation Treaty as a non-nuclear-weapon State and place all its nuclear facilities under the International Atomic Energy Agency (IAEA) safeguards without delay. The States concerned in this region should sign and ratify Comprehensive Safeguards Agreements with IAEA and be encouraged to sign and ratify the Additional Protocol. All these measures are essential for strengthening the international non-proliferation regime and promoting the establishment of a zone free of nuclear weapons as well as other weapons of mass destruction in the Middle East.

4. Parties concerned should pursue peaceful solution to the Iranian nuclear issue through diplomatic negotiations. Political and diplomatic efforts should be intensified to seek a long-term, comprehensive and appropriate solution.

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Nuclear-weapon-free zones

Working paper submitted by China

The Chinese delegation hereby requests the following elements be included in the report of Main Committee II and the final document of the Review Conference:

1. The establishment of nuclear-weapon-free zones is of great significance in promoting nuclear disarmament, preventing proliferation of nuclear weapons and enhancing regional and global peace and security. It also constitutes an important step towards the establishment of a nuclear-weapon-free world.

2. The guidelines on establishing nuclear-weapon-free zones adopted by the United Nations Disarmament Commission in 1999 should be faithfully observed.

3. The international community should actively support efforts by relevant countries to establish nuclear-weapon-free zones on the basis of consultations among themselves and voluntary agreements in light of actual regional conditions.

4. Welcoming the entry into force of the Treaty on a Nuclear-Weapon-Free Zone in Africa and the Treaty on a Nuclear-Weapon-Free Zone in Central Asia, the international community should encourage non-nuclear-weapon States to continue to put forward proposals on establishing new nuclear-weapon-free zones and make efforts in this regard.

5. The international community should faithfully implement the resolution on the Middle East adopted by the 1995 Review and Extension Conference and support efforts by the countries in the Middle East to establish a zone free of nuclear weapons as well as other weapons of mass destruction in the Middle East. China believes that great importance should be attached to relevant proposals by the countries in the Middle East to implement the resolution at an early date.

6. The nuclear-weapon States should undertake unconditionally not to use or threaten to use nuclear weapons against non-nuclear-weapon States or nuclear-weapon-free zones and conclude an international legal instrument in this regard.

7. All nuclear-weapon States should respect the legal status of nuclear-weapon-free zones and sign and ratify the protocols of relevant treaties on nuclear-weapon-free zones. Concrete measures should be taken to implement the security assurances stipulated in all nuclear-weapon-free-zone treaties and relevant protocols.

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

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Security assurances

Working paper submitted by China

The Chinese delegation hereby requests that the following elements be included in the report of Main Committee I and the final document of the Review Conference:

1. Pending the realization of the objective of complete prohibition and thorough destruction of nuclear weapons, all nuclear-weapon States should unequivocally undertake not to be the first to use nuclear weapons at any time and under any circumstances, and undertake unconditionally not to use or threaten to use nuclear weapons against non-nuclear-weapon States or nuclear-weapon-free zones.

2. Security assurances by nuclear-weapon States to the non-nuclear-weapon States are conducive to strengthening the international nuclear non-proliferation regime. A universal, unconditional and legally binding international legal instrument on this issue should be concluded as soon as possible.

3. Nuclear-weapon States should diminish the role of nuclear weapons in their national security policies, and refrain from listing any countries as targets of nuclear strikes or targeting the nuclear weapons under their control at any country.

4. Nuclear-weapon States should support the efforts of non-nuclear-weapon States to establish nuclear-weapon-free zones and should undertake corresponding obligations in a legally binding manner.

5. The Conference on Disarmament should start substantive work on concluding an international legal instrument on security assurances to non-nuclear-weapon States at an early date.

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

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Working paper submitted by Belgium, Lithuania, the Netherlands, Norway, Poland, Spain and Turkey for consideration at the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

I. Introduction[1]

1. We are determined to uphold the viability of the Treaty on the Non-Proliferation of Nuclear Weapons and its central role in the international non-proliferation regime, the pursuit of nuclear disarmament with the objective of achieving a world free of nuclear weapons and the peaceful use of the atom.

2. We are convinced that there are several reasons why the international community should make sure that the 2010 Review Conference will be successful in the sense that new concrete measures are agreed upon to strengthen the Non-Proliferation Treaty regime. Those reasons include the following:

- We are resolved to build upon the momentum that was created by the high-level Security Council meeting leading to the adoption of Council resolution 1887 (2009), the signing of a new START agreement between the United States of America and the Russian Federation, the United States Nuclear Posture Review and the Nuclear Security Summit. We believe this momentum needs to be reflected in all areas of the Treaty
- The greater interest in nuclear energy poses new challenges, in particular if States were not to comply with the international non-proliferation commitments, including the current verification standard, and were not to uphold the highest level of nuclear safety and security

[1] The present working paper updates and extends the previous working paper submitted to the Preparatory Committee at its third session (NPT/CONF.2010/PC.III/WP.33) by Belgium, Lithuania, the Netherlands, Norway, Poland, Spain and Turkey.

- In view of this we are committed to further strengthen the Non-Proliferation Treaty regime and will work hard towards common agreement for a forward-looking agenda for the coming review cycle in order to promote the full implementation of all provisions of the Treaty. The present paper is meant to contribute to those efforts

3. We are convinced that the continued strength and vitality of the Treaty stems from the balanced and comprehensive approach embodied in it. We are resolved to make significant progress in all areas of the Treaty by ensuring the full application of the international nuclear non-proliferation standards to meet the current threats and challenges, by taking practical steps towards the total elimination of nuclear weapons and by enhancing international cooperation on the peaceful use of nuclear energy for the benefit of mankind. The principles of responsibility, accountability, verification and transparency are crucial.

4. We stress the need for making full and constructive use of the Treaty review process, which offers a regular opportunity to check the impact of changing circumstances on the functioning of the Treaty.

5. We acknowledge that the effects of globalization on political, security, economic, energy and environmental affairs should be taken into account in the Treaty review process. We are conscious of the many opportunities offered by technological advances in the nuclear field and by increased access to and demand for nuclear energy and other civilian nuclear applications. These developments should be matched by innovative and cooperative measures to ensure the continued relevance and respect of the international non-proliferation regime, including safety and environmental standards, security guidelines and safeguards requirements. The role of the International Atomic Energy Agency (IAEA) is fundamental in this respect. The authoritative role of the Agency needs to be strengthened through political support, adequate resources and efficient management in order to carry out its mandate.

6. Full and universal implementation of the Treaty offers a unique contribution to international peace and security. The new proliferation challenges should be addressed through action by the international community. We welcome the fact that the Security Council is united in emphasizing that a situation of non-compliance with non-proliferation obligations shall be brought to its attention. In this context, IAEA has a prime responsibility in reporting to the Council.

7. We call upon those States that remain outside the Treaty to adhere to it as non-nuclear-weapon States, in order to achieve its universality at an early date and, pending their accession, to adhere to its terms.

8. We are also convinced that international peace and security will be negatively affected if a State party were to withdraw from the Treaty and we call upon all States parties to the Treaty to remain indefinitely committed to it.

II. Nuclear disarmament

9. Nuclear disarmament, non-proliferation and peaceful use are all essential to the Treaty regime and are complementary. As such, they require equal treatment. Irreversible progress on disarmament will subsequently reinforce the two other pillars of the Treaty. Nuclear disarmament requires an incremental but sustained

approach in which all Treaty-based nuclear arms control and disarmament agreements play distinctive roles. Treaty-based nuclear arms control is indispensable for the active promotion of collective security and cooperation in the pursuit of global disarmament. The unequivocal undertaking by all 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 of the Treaty, is one of the major achievements of the Treaty process. This undertaking must now become operational, building also on article VI and the 13 practical steps for nuclear disarmament agreed upon in 2000:

(a) We welcome the steps the two major nuclear-weapon States have taken so far to reduce their nuclear arsenals through the signing of the new START agreement. We recall the importance of the principles of irreversibility, verifiability and transparency;

(b) We call upon the United States of America and the Russian Federation to hold further disarmament negotiations, as soon as possible, aimed at further reducing their nuclear arsenals, including non-strategic nuclear weapons, as a concrete step towards their elimination;

(c) We also call upon all nuclear-weapon States to engage in a similar nuclear disarmament process in conformity with their Non-Proliferation Treaty obligations. We stress the need for policies and strategies of States parties to be consistent with these provisions;

(d) We also call upon all nuclear-weapon States to pursue a policy of further diminishing the role of nuclear weapons in their security strategies and military doctrines. It will pave the way for and facilitate the total elimination of nuclear weapons, as foreseen under the Treaty;

(e) We maintain a long-standing commitment to arms control, disarmament and non-proliferation as an integral part of our overall security policy, firmly embedded in the broader political context in which we seek to enhance stability and security by lowering arms levels and increasing military transparency and mutual confidence;

(f) We encourage States that possess nuclear weapons to publish their aggregate holdings of those weapons, both active and in reserve;

(g) Recognizing that progress has been made with regard to the commitments of the 2000 Review Conference on concrete measures to reduce the operational status of nuclear-weapon systems, we call for further progress in this area;

(h) We welcome initiatives and renewed efforts by nuclear-weapon States to place nuclear material no longer required for military purposes under the IAEA verification regime and encourage further progress in this area.

III. Nuclear non-proliferation

10. Nuclear non-proliferation is essential for maintaining peace and security. Non-proliferation is a precondition for achieving the goal of a world free of nuclear weapons. Given continued challenges in the international non-proliferation regime

and their security risks for the international community as a whole, it is imperative to strengthen the non-proliferation dimension of the Treaty:

(a) We recognize that IAEA is the sole multilateral body for administering international safeguards;

(b) We consider the IAEA comprehensive safeguards agreements and the Additional Protocol to constitute the current verification standard and call upon all States parties which have not done so to ratify and implement these vital instruments without delay;

(c) The entry into force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) will form an integral part of a strengthened and more credible non-proliferation regime. We urge all States which have not yet done so to swiftly sign and ratify CTBT. A special responsibility in this endeavour lies with the annex II States;

(d) Commencing without any further procedural delay negotiations on an internationally and effectively verifiable fissile material cut-off treaty, and reaching agreement on such a treaty, will offer a vital contribution to the global non-proliferation architecture. Pending such agreement, we call for an immediate moratorium on the production of fissile material for nuclear weapons;

(e) The Security Council, in its resolution 1540 (2004), calls upon all States members of the United Nations to establish and enforce effective domestic legislation to prevent the proliferation of material and technology for the manufacture of weapons of mass destruction and their means of delivery. We firmly urge all States to implement resolution 1540 (2004) and the subsequent resolutions of the Council in good faith;

(f) Export controls play a crucial role in the implementation of the non-proliferation obligations of States parties. We welcome increased transparency between export control mechanisms and their contribution to international export control cooperation;

(g) Universal approaches can be usefully complemented by cooperative efforts and initiatives, such as the Proliferation Security Initiative, the Global Partnership against the Spread of Weapons of Mass Destruction and the Global Initiative to Combat Nuclear Terrorism, as well as regional lines for action, towards the implementation of non-proliferation obligations.

IV. Peaceful uses of nuclear energy

11. In accordance with article IV of the Treaty and article II of the statute of IAEA, we reaffirm our support for the inalienable right of all parties to the Treaty to develop research, produce and use nuclear energy for peaceful purposes, without discrimination and in conformity with articles I, II and III of the Treaty.

12. A significant number of States have expressed an interest in obtaining the benefits of nuclear power, while several more are expanding their existing nuclear programmes. Additional peaceful applications of nuclear energy in the areas of health, agriculture, environmental protection and industry are also being used and discovered. In the light of this growing interest in the peaceful applications of nuclear energy, we are convinced that States parties must also address serious

proliferation and non-compliance challenges. In managing nuclear power programmes, Governments should seek to ensure the maximum appropriate transparency. Thus, we reconfirm the value of the Treaty and the need to preserve the balance between the pillars of the Treaty, and between its rights and obligations:

(a) We recognize the importance for the international non-proliferation regime of promoting a global nuclear, radiation and waste safety culture and the need for measures to improve nuclear security. We welcome the important role played by IAEA in this field, through its various programmes and initiatives;

(b) We underline and support the role of IAEA in assisting developing countries in the peaceful use of nuclear energy and applications in the areas of health, agriculture, environmental protection and industry through the development of effective programmes aimed at improving their scientific, technological and regulatory capabilities. IAEA technical cooperation programmes also play a relevant role in assuring the peaceful use of nuclear energy and reducing the associated proliferation risks;

(c) We believe that the national implementation not only of a comprehensive safeguards agreement but also of the IAEA Additional Protocol, based on the model text of INFCIRC/540 (Corrected), which is a fundamental component and instrument of the international regime against nuclear proliferation, provides credible assurances about the non-diversion of nuclear materials as well as the absence of undeclared nuclear materials and activities;

(d) We believe that the development of multilateral nuclear fuel supply mechanisms can have a particular relevance for the global nuclear non-proliferation regime by ensuring that nuclear fuel cycles will be exclusively used for peaceful purposes. They are cost-effective on the economic side and respond to the needs of States related to the growing interest in nuclear energy. The impartiality of IAEA is a key factor in giving credibility to, and raising the profile of, multilateral nuclear fuel supply mechanisms. We call upon all States to deepen the discussion on setting up an international nuclear fuel bank under the auspices of IAEA.

V. Negative security assurances and nuclear-weapon-free zones

13. Legally binding negative security assurances enhance international peace and security, and contribute to consolidating the non-proliferation regime. Regional nuclear-weapon-free zones established on the basis of 1999 guidelines of the United Nations Disarmament Commission provide an important tool to advance the implementation of the Treaty.

14. We are convinced that legally binding security assurances provided by the five nuclear-weapon States to the non-nuclear-weapon States would strengthen the nuclear non-proliferation regime and we advocate the commencement of negotiations to that end. Pending legally binding assurances, we call upon all nuclear-weapon States to further strengthen their unilateral security assurances. We welcome the statement on the negative security assurances made by the United States of America in the framework of the Nuclear Posture Review and see it as a step towards strengthened security assurances within the Non-Proliferation Treaty.

15. In the context of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, we attach great

importance to the development of internationally recognized nuclear-weapon-free zones, as elaborated in the guidelines adopted by the Disarmament Commission at its substantive session in 1999. Implementing nuclear-weapon-free zones is a way of enhancing negative security assurances on a regional basis and contributes to the strengthening of the Treaty, as it facilitates the process of the total elimination of nuclear weapons.

16. We welcome recent progress in the establishment of regional nuclear-weapon-free zones. We remain committed to the establishment of a zone free of nuclear weapons and other weapons of mass destruction and their means of delivery in the Middle East and call for concrete steps to be taken to this end. We support convening an international conference on this topic.

VI. Nuclear terrorism and illicit trafficking in nuclear material

17. Nuclear terrorism and illicit trafficking in nuclear material represent considerable security threats that need to be adequately addressed also at the international level. We recall that a key objective of Security Council resolution 1540 (2004) is to prevent non-State actors from acquiring nuclear weapons as well as relevant nuclear materials and technologies. We call for a comprehensive and mutually reinforcing approach, using all available means:

(a) International Convention for the Suppression of Acts of Nuclear Terrorism;

(b) IAEA, including the nuclear security programme, the amended Convention on the Physical Protection of Nuclear Material and the Code of Conduct on the Safety and Security of Radioactive Sources;

(c) Global Initiative to Combat Nuclear Terrorism;

(d) Proliferation Security Initiative;

(e) Voluntary efforts, where appropriate, by States to convert their civilian nuclear research reactors from using highly enriched uranium (HEU) to low enriched uranium (LEU) when technically and economically feasible.

VII. Nuclear Security Summit

18. We welcome the Nuclear Security Summit and the adoption of the Communiqué and Work Plan, and supports the overall objective to secure all vulnerable nuclear material within four years. The Summit has laid the groundwork for further action in this field and the follow-up in 2012 is important.

VIII. Strengthening the consultative mechanism for the Treaty on the Non-Proliferation of Nuclear Weapons

19. The Treaty on the Non-Proliferation of Nuclear Weapons is a cornerstone of the international nuclear non-proliferation and disarmament regime. Mindful of the 1995 decision on strengthening the Treaty review process, the Treaty warrants a substantial and continuous follow-up:

(a) We welcome the further development of a consultative mechanism for the Treaty and are ready for consideration and the working out of options for an institutional framework, which would provide States parties with the ability to react adequately and in a timely manner to developments and challenges;

(b) While fully recognizing the primary responsibility of the Security Council for the maintenance of international peace and security, States parties should urgently consult upon receipt of a notification by a State party of its intention to withdraw from the Treaty. In this context, we reaffirm the view that a State remains responsible under international law for the violations of the Treaty committed prior to its withdrawal;

(c) We call upon all States parties to actively use the Treaty meetings, including through regular reporting, and to contribute to this process by increasing transparency and accountability;

(d) We welcome the contribution of civil society in promoting the principles and objectives of the Treaty. The 2010 Review Conference should acknowledge this indispensable contribution and look for more effective interaction.

IX. Securing a positive and forward-looking outcome of the NPT 2010 Review Conference

20. We call for the adoption of a comprehensive and balanced final document, which reaffirms the overall objective of a safer world without nuclear weapons. We call for the adoption of a concrete programme of work up to 2015 covering the three pillars of the Treaty. Such a programme of work should identify benchmarks holding States parties accountable for their implementation.

NPT/CONF.2010/WP.70

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Nuclear power development: meeting the world's energy needs and fulfilling article IV

Working paper submitted by Canada, France and the Republic of Korea

1. In the past few years, nuclear power has generated renewed interest as a way of meeting the world's energy needs, as recently shown, inter alia, by the Beijing Conference in April 2009,[1] the Paris Conference in March 2010[2] and the resolutions on nuclear power applications adopted since 2006 by the General Conference of the International Atomic Energy Agency (IAEA).[3] These new perspectives are highly relevant to the implementation of the Treaty on the Non-Proliferation of Nuclear Weapons. Indeed, power applications are an essential part of the peaceful uses of nuclear energy foreseen in article IV, and international cooperation in this field is a major component of the Treaty's implementation. A large number of countries strongly support the development of peaceful uses for power and other applications, and are committed to working towards the fullest implementation of article IV.

2. The Treaty acknowledges the inalienable right to develop research, production and use of nuclear energy for peaceful purposes, in conformity with articles I and II of the Treaty. This underscores the importance of strict observance of article III in order to ensure compliance with articles I and II and the overarching non-proliferation objectives of the Treaty. Exercising the right to the benefits of nuclear energy must be available to all States pursuing in good faith a nuclear programme for peaceful purposes in accordance with their international obligations.

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[1] International Ministerial Conference on Nuclear Energy in the 21st Century, Beijing, 20-22 April 2009.

[2] International Conference on Access to Civil Nuclear Energy, Paris, 8 and 9 March 2010.

[3] GC(50)/RES/13, sect. B, GC(51)/RES/14, sect. B.1, GC(52)/RES/12, sect. B.1 and GC(53)/RES/13, sect. B.1.

Growing world energy needs

3. A dramatic increase is foreseen in world energy needs in the twenty-first century. Meeting these needs is essential as energy supply is a condition of the world's sustainable development, and particular consideration must be given to the needs of developing countries. In this perspective, a diverse portfolio including all energy sources and, in particular, the responsible use of nuclear energy will be needed to allow access to sustainable energy and electricity resources in all regions of the world.

4. At the same time, the essential need to ensure sustainable development of the world is more and more widely recognized as an absolute priority. The health of the planet's environment and energy security are serious concerns. Managing global environment issues in a sustainable manner, including by curbing air pollution and addressing the risk of climate change, must be regarded as a priority by all Governments.

The potential of nuclear technology to meet world energy needs

5. The renewed growth of nuclear power and its potential to help meet the world's energy needs have been broadly recognized, inter alia, in the resolutions of the IAEA General Conference and in the concluding statement of the Beijing Conference, which affirmed that nuclear energy, as a proven, clean, safe, competitive technology, will make an increasing contribution to the sustainable development of humankind throughout the twenty-first century and beyond. Many countries have been conducting nuclear power programmes for several decades, as a result of which nuclear power currently provides more than 15 per cent of world electricity supply, and they have undertaken to pursue the development of their capacities and to promote the worldwide development of nuclear power to meet energy needs.

6. In addition, the Paris Conference confirmed that nuclear power receives increasing interest from a number of countries currently without nuclear power, which have plans for or are considering developing their use of this energy source. In particular, many developing countries see nuclear power as a useful option in their energy mix to diversify sources of supply and enhance security in support of their socio-economic development. More than 60 States have declared their interest in nuclear power.

7. The Beijing and Paris Conferences, and the General Conference resolutions have also recognized that nuclear power can make a crucial input to the sustainable development strategies of many countries, as nuclear power does not generate air pollution or greenhouse gas emissions.

8. In addition to electricity production, water desalination can be an important resource for countries facing problems of supply of potable water, and nuclear production of hydrogen offers a major potential for the development of hydrogen-based systems.

9. Nuclear power is an advanced and proven technology, with a record of safe and reliable production and improving performance. It enjoys a robust industrial and market base, with industrial companies from many countries in all regions of the world involved in global energy technology markets. The market for equipment and

fuel is diversified and effective. In particular, the uranium market is based on a diversified geographical base, which includes developing countries.

10. Nuclear power is economically competitive under many circumstances. It contributes to the stability of energy prices and reduces dependence on fluctuating fossil fuel prices, as fuel and operating expenses represent a smaller part of the total cost of nuclear power, as compared with other energy sources. Nuclear power is a long-term investment for sustainable development and its financing must be considered from this perspective. In particular, nuclear power should be given equal access to international financing mechanisms supporting sustainable socio-economic development.

The framework for nuclear energy development

11. The development of nuclear energy takes place in a robust international framework, in which the Treaty and adherence to international norms play a central role. For the responsible development of nuclear energy, non-proliferation, safeguards, safety and security must be issues of primary importance.

12. It must proceed in a manner ensuring non-proliferation objectives and international peace and security. Article IV of the Treaty provides a framework for meeting these objectives. The exercise by a non-nuclear-weapon State of its right to develop the activities necessary to enjoy the benefits of nuclear power is subject to the respect of its non-proliferation commitments under articles I, II and III of the Treaty and to the pursuit in good faith of peaceful purposes.

13. As proliferation risks and non-compliance situations are a major challenge today in the implementation of the Treaty, preventing proliferation must be a paramount priority for all parties. The IAEA safeguards have played a central role in ensuring the compliance of States with their non-proliferation obligations, and it is therefore essential to the sustained utilization of nuclear energy that IAEA maintain effective safeguards on nuclear material and activities of States. States should also pay due attention to export control of nuclear material, equipment and technology and exert particular vigilance with regard to sensitive nuclear material, equipment and technology with proliferation potential.

14. In order to maintain the highest nuclear safety levels, all States having or developing a nuclear power programme should give due consideration to nuclear safety and, in particular, to the application of the IAEA safety standards. They should take into account the importance of international cooperation for the enhancement of the nuclear safety regime and of nuclear safety worldwide and, in this regard, adhere to the international safety conventions concluded under the auspices of IAEA.

15. As nuclear security is a national responsibility, all States must make the necessary arrangements to ensure the highest level of security of nuclear material and facilities. They should also give high priority to international cooperation, which provides common references and benchmarks and facilitates capacity-building and continuous enhancement, in particular through adhering to the Convention on the Physical Protection of Nuclear Material and its Amendment.

16. The development of nuclear power must take due account of public acceptance issues and be carried out in a manner that addresses the expectations and concerns of citizens.

17. States developing a nuclear power programme should adhere to a convention on civil nuclear liability currently in force or set up a national regime based upon the principles established by the international instruments.

18. Solutions exist for the safe and secure management of spent fuel and radioactive waste, and research and development is under way for improved solutions. States have an obligation and responsibility to ensure, from the earliest phases of their nuclear programmes, that appropriate options are provided for the management and disposition of nuclear fuel and that using nuclear power does not create undue burdens or risks for future generations.

19. International research and development programmes are currently carried out to develop innovative nuclear systems, in order to provide increased benefits with respect to economy, safety, waste management and non-proliferation. They can and should bear in mind sustainable development and provide answers to the needs and concerns of society, taking into account the specific situation of each State. The development of new reactor and fuel cycle designs should give due attention to safety, security and proliferation resistance.

National infrastructure for the introduction and development of nuclear energy

20. The responsible and efficient introduction of nuclear power in a country is a major undertaking. To proceed adequately in the framework described above, it must be based on a comprehensive strategy and requires the establishment of appropriate and sustainable national infrastructure to provide the necessary organizational, legal, regulatory, human, technological, industrial and financial framework. To capture the best practices resulting from experience acquired throughout the world, infrastructure guidelines have been developed by IAEA and are well described in its document *Milestones in the Development of a National Infrastructure for Nuclear Power*.[4] Such infrastructure is required to ensure the safe, secure, peaceful, efficient and sustainable application of nuclear power for the benefit of the country and the confidence of the international community.

21. The development of the required infrastructure is a national responsibility that cannot be transferred. However, international cooperation can provide valuable support in this undertaking and should be developed to the largest extent possible between interested countries. It is in particular of great value to help train the necessary workforce. The countries submitting this paper are ready to cooperate in the development of necessary infrastructure to support the introduction of nuclear power for peaceful purposes.

Furthering the application of nuclear technology to meet energy needs and fulfil article IV

22. The Paris Conference has highlighted that peaceful uses of nuclear energy should be broadly shared to contribute to economic development. International cooperation is therefore central to the development of nuclear energy. As regards bilateral cooperation, many countries are engaged in intense international cooperation through a large number of cooperation agreements.

[4] IAEA Nuclear Energy Series NG-G-3.1, 2007.

23. Widespread international cooperation is carried out through various international organizations and programmes, including the Nuclear Energy Agency of the Organization for Economic Cooperation and Development, the European Union and programmes such as those conducted under the Generation IV International Forum and the International Thermonuclear Experimental Reactor project.

24. International initiatives have been launched to foster the development of nuclear energy to meet growing energy needs. One such initiative, the Global Nuclear Energy Partnership, comprises 25 countries sharing a common vision of the sustainable, safe and secure expansion of nuclear energy for peaceful purposes. It aims to accelerate the development and deployment of advanced nuclear systems, to facilitate the development of national infrastructure and to establish a reliable fuel assurance framework.

25. The Beijing and Paris Conferences provided the opportunity to review at a high level the status and rising expectations related to nuclear energy and the conditions for its development in developed and developing countries, and to discuss actions to carry forward the current positive momentum.

26. Vendors and buyers have a common interest and responsibility in the sustainable development of nuclear energy. States should encourage them to pursue active exchanges throughout the life cycle of a nuclear power plant.

27. IAEA plays a central role in international cooperation for the application of nuclear energy, according to its statutory objective to "accelerate and enlarge the contribution of atomic energy to peace, health and prosperity throughout the world". IAEA programmes provide a key contribution to promoting and fostering the efficient, safe and secure development and use of nuclear energy for peaceful purposes through international cooperation, including:

(a) By providing global energy analyses that contribute to the objective of fostering sustainable development and protecting the environment, and to a greater understanding and a well-balanced picture of the role of nuclear science and technology in a global, sustainable development perspective;

(b) By contributing in that connection to the availability of required sources for financing nuclear projects;

(c) By providing support to its member States for the establishment of their national infrastructure for the introduction and development of nuclear power. The IAEA General Conference has adopted resolutions[5] supporting activities in this area, and IAEA has developed a broad range of services to its member States. Many of them have requested such support, including through technical cooperation projects;

(d) In the continual improvement of nuclear power plant operation, as the principal international forum for the exchange of information and experience in this field among member States and international organizations, such as the Nuclear Energy Agency of the Organization for Economic Cooperation and Development and non-governmental organizations such as the World Association of Nuclear Operators;

[5] GC(49)/RES/12.G, GC(50)/RES/13.B.2 and GC(51)/RES/14.B.1.

(e) In promoting improvements and advances in nuclear power, fuel cycle and waste technology, in particular through the International Project on Innovative Nuclear Reactors and Fuel Cycles;

(f) In the continual improvement of nuclear safety through the development of safety standards and the review processes of international conventions and cooperative programmes;

(g) In promoting high-level exchanges on and assessment of the contribution of nuclear power to the satisfaction of energy needs, in particular through high-level conferences.

28. In response to the numerous requests received from States interested in starting a nuclear power programme, IAEA also provides major support in energy planning and the evaluation of energy options, in the evaluation of needs and requirements of these States and in the establishment of appropriate technical, human, legal and administrative infrastructure for the development of nuclear power.

29. The Technical Cooperation Programme of IAEA is a key vehicle to provide broad support to developing member States with respect to nuclear power and other applications.

30. Another key issue for international cooperation is how best to provide a framework for the development of nuclear energy applications in a safe, secure and proliferation-resistant manner while reflecting economic reality and the real needs of the recipient countries. With respect to assurances of supply of nuclear fuel and services, in order to complement the high level of security already provided by current market mechanisms, customers should be provided with long-term nuclear fuel supply arrangements, and international efforts should be pursued to establish credible multilateral fuel supply assurances. Various proposals for such assurances have recently been developed. An initiative to establish a reserve of low enriched uranium was adopted in 2009 by the IAEA Board of Governors and other proposals are expected to be considered by the Board in the near future.

Conclusion

31. Nuclear applications make a key contribution to sustainable human development objectives through a broad range of benefits in energy supply, food and agriculture, health and medicine and industrial activities.

32. The responsible, sustainable and efficient development of nuclear energy must be carried out in an adequate framework, where safety, security, safeguards and liability are essential elements, and such a framework must be based on effective national infrastructure.

33. Nuclear power has the opportunity to make a major contribution to the satisfaction of national and world energy needs. Beyond being a common undertaking of all States parties to the Treaty, the promotion of the applications of nuclear power is crucial to meeting the challenge of providing sufficient and reliable energy to support the world's sustainable development for the benefit of all. It lies at the very heart of the vision that was the basis for "Atoms for Peace" and for the Treaty.

34. In that context, international cooperation is an essential element of the development of peaceful uses of nuclear energy, as was foreseen in article IV and supported by strict observance of the obligations contained in articles I, II and III of the Treaty. The countries submitting this paper are committed to engaging in the fullest implementation of article IV. They encourage, support and participate in intense international cooperation to achieve the goals of the Treaty.

NPT/CONF.2010/WP.71

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

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Supporting the beneficial, sustainable, safe and secure development of nuclear energy

Working paper submitted by Belgium, Bulgaria, Côte d'Ivoire, Croatia, the Czech Republic, Estonia, Finland, France, Hungary, Italy, Japan, Latvia, Lithuania, Mongolia, Poland, Romania, the Russian Federation, Singapore, Slovenia, Spain, Ukraine, the United Kingdom of Great Britain and Northern Ireland and the United States of America

1. We reaffirm that the Treaty on the Non-Proliferation of Nuclear Weapons is the cornerstone of the global nuclear non-proliferation regime, the essential foundation for the pursuit of nuclear disarmament in accordance with article VI of the Treaty and an important element in the further development of nuclear energy applications for peaceful purposes, and that all three pillars of the Treaty are of equal importance. In this context, we reaffirm the inalienable right of all States parties to pursue the peaceful uses of nuclear energy in conformity with the Treaty's obligations.

2. We consider nuclear power to be a significant contributor to present and future energy supplies in many countries. It can make a valuable contribution to meeting energy needs for worldwide socio-economic development in a context of growing concerns over the security of energy supplies and of fluctuating hydrocarbon fuel prices. The negligible impact of the nuclear industry in terms of greenhouse gas emissions offers an undeniable contribution in the fight against climate change. Together with renewable energy, nuclear power is expected to play an important role in the energy mix of a growing number of countries.

3. Aware of our commitments under article IV of the Non-Proliferation Treaty, we reaffirm our strong support for the development of the peaceful uses of nuclear energy in conformity with non-proliferation commitments and meeting the necessary levels of nuclear safety and nuclear security.

4. We intend to support the beneficial, sustainable, safe and secure use of nuclear energy, in particular through the efforts of the International Atomic Energy Agency (IAEA) to develop and promote relevant international guidance and standards as well as through technical cooperation and assistance activities.

5. We stress that the development of nuclear power has to take place under conditions of confidence and transparency, under high standards of non-proliferation, safety and security and in the context of effective liability arrangements. Meeting such standards should be promoted as a facilitating factor in advancing the peaceful use of nuclear energy.

6. We reaffirm the crucial importance of IAEA safeguards as a fundamental element of nuclear energy development. We stress the importance of the IAEA safeguards system, including comprehensive safeguards agreements and additional protocols. We consider that, under article III of the Treaty, States that have not yet done so should conclude and bring into force a comprehensive safeguards agreement with IAEA. Taking into consideration the assessment made by IAEA that the implementation of the Additional Protocol is essential in order to strengthen the effectiveness and improve the efficiency of the safeguards system, we stress that having a comprehensive safeguards agreement and an Additional Protocol in force are the cornerstone of the Agency's ability to verify the non-diversion of declared nuclear material and the absence of undeclared nuclear material and activities in non-nuclear-weapon States.

7. We recognize that nuclear cooperation should take place only among States that are in full compliance with their IAEA safeguards obligations.

8. States that are willing to develop a nuclear power programme must implement a sustainable technical, scientific, regulatory and administrative infrastructure. We intend to cooperate, in close coordination with the efforts of IAEA in these fields, to help States develop and implement a civil nuclear infrastructure, including setting up an appropriate legislative and regulatory framework; putting in place independent safety authorities, an effective nuclear material accountancy and control system, and effective export control mechanisms; and developing adequate human resources through training and capacity-building.

9. We encourage vendors and buyers to continue to engage in a dialogue, on, inter alia, the sharing of good practices at both the legal and industrial levels that aim to ensure high levels of safety and security throughout the life cycle of a nuclear power plant.

10. We intend to work to further develop and promote advanced nuclear technologies, nationally and through cooperation in the framework of all relevant international initiatives, including, inter alia, the Global Nuclear Energy Partnership, the International Project on Innovative Nuclear Reactors and Fuel Cycles, the International Thermonuclear Experimental Reactor and the Generation IV International Forum. Consistent with national laws, policies and their multilateral commitments, supplier States could facilitate technology transfers to recipient countries to the greatest extent possible. In that regard, special emphasis should be devoted to developing technologies that reduce the risk of proliferation.

11. We wish also to share with the competent international and regional financial institutions information and lessons learned on how to finance nuclear power

programmes, in order to encourage the development of suitable financing schemes for those countries that have opted for nuclear energy development.

12. We recognize the role of the commercial market as the primary mechanism for the supply of nuclear fuel services and the importance of maintaining its efficient, effective and reliable operation. Suppliers should provide their customers with long-term comprehensive nuclear fuel service arrangements and support efforts to establish confidence in their ability to obtain nuclear fuel in an assured and predictable manner. Customers should also have access to and benefit from multiple fuel supply and service options. We consider that IAEA, subject to the decisions of its Board of Governors, has a central role to play in the implementation of multilateral nuclear fuel supply mechanisms as a complement and backup to the market.

13. We encourage the promotion of appropriate international participation in enrichment and reprocessing facilities. Given the sensitive nature of these technologies, transfers of related facilities, equipment and technologies should take place only under effective non-proliferation conditions. To that aim, we consider that such transfers should be consistent with the civilian nuclear power generation programme developed by the recipient. Cooperation in this field should be transparent and developed in accordance with international commitments.

14. We intend to improve, consistent with the relevant obligations under the Treaty, the efficiency and transparency of export controls on nuclear material, equipment and technology, as well as to exert particular vigilance with regard to nuclear materials and equipment in sensitive technology areas, in order to ensure their peaceful uses.

15. We share the view that States that are engaged in a nuclear power programme should adhere at a minimum to the Convention on Nuclear Safety, the amended Convention on the Physical Protection of Nuclear Material, the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, the Convention on Early Notification of a Nuclear Accident, the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency and the International Convention for the Suppression of Acts of Nuclear Terrorism.

16. We emphasize that States developing a nuclear power programme should have in force a civil nuclear liability regime that is based on the principles established by the main pertinent international instruments, including: (a) liability is channelled exclusively to the operators of the nuclear installations; (b) liability of the operator is absolute, that is, the operator is held liable irrespective of fault; and (c) liability is guaranteed through a financial security certified by the State of the operator, through accession to the relevant international instruments or through the adoption of national legislation to the same effect.

17. We consider that suppliers and recipients should ensure that all shipments of nuclear material and other radioactive substances are subject to high security, safety and liability standards so as to promote mutual trust and confidence, in accordance with the relevant international instruments and guidelines.

18. From the earliest phases of their development of nuclear power programmes onward, States should pay particular attention to the management and safety of spent fuel and radioactive waste, in accordance with the standards developed under the auspices of IAEA and other relevant international bodies, as well as to issues

related to the safety and financing of facility decommissioning. We intend to cooperate to provide assistance to and share best practices with those that seek assistance with spent fuel management.

19. We are aware that the development of nuclear power must take due account of public acceptance issues and should be carried out in a manner that addresses the expectations and concerns of citizens.

NPT/CONF.2010/WP.72

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

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Follow-up to the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*: legal, technical and political elements required for the establishment and maintenance of a nuclear-weapon-free world

Working paper submitted by Costa Rica and Malaysia

Introduction

1. The purpose of this paper is to:

1.1 Build on the working paper entitled "Follow-Up to the International Court of Justice Advisory Opinion on the *Legality of the Threat or Use of Nuclear Weapons*" submitted to the 2000 and 2005 Non-Proliferation Treaty Review Conference (NPT/CONF.2010/MC.1/SB.1/WP.4 and NPT/CONF.2005/WP.41);

1.2 Reaffirm the obligation of States parties to the Non-Proliferation Treaty to pursue negotiations leading to complete nuclear disarmament, and the unequivocal undertaking by nuclear weapon States to accomplish the total elimination of their nuclear arsenals, made in 2000 to implement this obligation;

1.3 Urge the fulfilment of this obligation through the commencement of negotiations that would lead to the conclusion of the nuclear weapons convention — or a framework of mutually reinforcing instruments — prohibiting the development, testing, production, stockpiling, transfer, use and threat of use of nuclear weapons and providing for their elimination under strict and effective international control; and

1.4 Continue to explore the legal, technical and political elements required for a nuclear weapons convention or framework of instruments, and integrate this exploration into the development of a programme for action at the 2010 Review Conference of the Parties to the Non-Proliferation Treaty, encompassing and

extending the practical steps agreed in 2000 for systematic and progressive efforts to implement article VI of the Treaty.

Background

2. Regarding the obligation to achieve the elimination of nuclear weapons:

2.1 At the 1995 Review and Extension Conference, parties to the Non-Proliferation Treaty agreed to pursue systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goal of eliminating those weapons.

2.2 On 8 July 1996, the International Court of Justice delivered the advisory opinion on the *Legality of the Threat or Use of Nuclear Weapons*, in which it concluded unanimously, inter alia, that "the threat or use of nuclear weapons would generally be contrary to the rules of international law applicable in armed conflict, and in particular the principles and rules of humanitarian law" and that "there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control".

2.3 It is significant that the opinion of the International Court of Justice affirmed that the obligation to negotiate for nuclear disarmament requires the following:

- Negotiations on complete nuclear disarmament, i.e. the complete abolition and elimination of nuclear weapons
- Negotiations to be not only pursued, but to be brought to a conclusion
- International control of the disarmament process

2.4 It is also significant that the International Court of Justice did not confine the disarmament obligations only to States parties to the Non-Proliferation Treaty, but rather that this is a universal obligation.

2.5 The 2000 Review Conference of the Parties to the Non-Proliferation Treaty affirmed "an unequivocal undertaking by the nuclear weapons States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament," to which all States parties are committed under article VI.

2.6 The 2000 Review Conference also called for "The engagement as soon as appropriate of all the nuclear weapons States in the process leading to the total elimination of the nuclear weapons", and began the process of considering some of the requirements for "the achievements and maintenance of a nuclear-weapon-free world", in particular "the development of the verification capabilities that will be required to provide assurance of compliance".

3. On the proposal for a nuclear weapons convention or framework of mutually reinforcing instruments:

3.1 The General Assembly of the United Nations has adopted the resolutions entitled "Follow-up to the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*" since 1996, calling for the

implementation of the advisory opinion through the commencement of multilateral negotiations leading to the early conclusions of a nuclear weapons convention.

3.2 The United Nations General Assembly has also adopted resolutions affirming that "a nuclear-weapon-free world will ultimately require the underpinning of a universal and multilaterally negotiated legally binding instrument or a framework encompassing a mutually reinforcing set of instruments" (resolutions 55/33C of 20 November 2000 and 57/59 of 22 November 2002, entitled "Towards a nuclear-weapon-free world: the need for a new agenda").

4. The Non-Aligned Movement, at its Fifteenth Summit, held from 11 to 16 July 2009, emphasized "the necessity to start negotiations on a phased programme for the complete elimination of nuclear weapons with a specific framework of time including a nuclear weapons convention".

Model Nuclear Weapons Convention

5. In 1997, Costa Rica submitted to the Secretary-General of the United Nations the Model Nuclear Weapons Convention (A/C.1/52/7) drafted by an international consortium of lawyers, scientists and disarmament experts, setting forth the legal, technical and political issues that should be considered in order to obtain an actual nuclear weapons convention.

6. In 2007 Costa Rica submitted to the first session of the Preparatory Committee of the 2010 Review Conference of the Parties to the Non-Proliferation Treaty an updated Model Nuclear Weapons Convention (NPT/CONF.2010/PC.1/WP.17) to assist the deliberative process for the implementation of United Nations General Assembly resolutions entitled "Follow-up to the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*".

7. The Model Nuclear Weapons Convention can be considered together with the working papers on the Non-Proliferation Treaty submitted in 2005 and 2000, which:

7.1 Underlined the unanimous conclusion of the International Court of Justice that there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control;

7.2 Called on States parties to commence multilateral negotiations leading to the conclusion of a nuclear weapons convention and to invite those States that have not acceded to the Non-Proliferation Treaty to join in such negotiations; and

7.3 Called on States parties to agree to give consideration to the legal, technical and political elements required for a nuclear weapons convention or framework convention.

8. The practical steps agreed by States parties in 2000 for systematic and progressive efforts to implement article VI of the Treaty included a number of legal, technical and political steps, which could provide a basis for some of the elements required for a nuclear-weapon-free world.

9. In addition, a number of working papers submitted to the Preparatory Committee meetings for the 2010 Review Conference provide a deeper exploration of specific steps agreed in 2000 and other steps relevant to the achievements and maintenance of a nuclear-weapon-free world.

Consideration of the legal, technical and political elements required for a nuclear weapons convention or framework of instruments

10. A comprehensive overview of the legal, technical and political requirements for a nuclear-weapon-free world would be able to affirm such elements that already exist, assess those that are currently being developed, evaluate and link those that have been proposed, and identify additional elements that would also be required. These elements may include:

10.1 Non-discriminatory general obligations, applicable to States and non-States actors, prohibiting the acquisition, development, testing, production, stockpiling, transfer, use and threat of use of nuclear weapons;

10.2 Interim control, protection and accounting of nuclear weapons and fissile material holdings;

10.3 Phases and steps for the systematic and progressive destruction of all nuclear warheads and their delivery vehicles;

10.4 Mechanism for verifying the abolition and prohibition of nuclear weapons, including, inter alia:

- Agreements on data sharing with States and existing agencies,
- An international monitoring system comprising facilities and systems for monitoring by photography, radionuclide sampling, on-site and off-site sensors and other data collection systems;
- Consultation and clarification procedures;
- On-site inspections;
- A registry including information gained from State declarations, the international monitoring system, national technical means, inspections, other international organizations, non-governmental organizations and publicly available sources.

10.5 Mechanism for ensuring compliance, including, inter alia:

- Technical assistance regarding the destruction of nuclear weapons, delivery systems and facilities;
- Procedures for national implementation;
- Dispute resolution procedures;
- Penalties for non-compliance;
- Recourse to the United Nations Security Council, United Nations General Assembly and International Court of Justice for further action.

10.6 An international organization to coordinate verification, implementation and enforcement under strict and effective international control; and

10.7 Disarmament and non-proliferation education to ensure that key sectors of society understand the importance of achieving and maintaining a nuclear-weapons-free world, and how they can contribute to this goal.

11. As noted above, some of these elements may already be in existence, albeit in an underdeveloped form or with limited application. This includes, for example, disarmament measures applied to a limited number of weapons, or fissile material controls and delivery system controls applied only to certain countries. Examples include mechanisms and controls established by the nuclear-weapon-free-zone treaties, the International Atomic Energy Agency (IAEA), the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO) and follow-up agreement to the Strategic Arms Reduction Treaty (START). Consideration of the elements required for the complete prohibition and the elimination of nuclear weapons would enable gaps to be identified, preparatory work undertaken and further steps completed.

Negotiations towards a nuclear weapons convention or a framework of instruments for the complete abolition and elimination of nuclear weapons

12. For nuclear disarmament to occur, security for all will need to be maintained and enhanced. Thus, there are a number of political issues, in addition to those outlined above, that will need to be addressed. These include, inter alia, building confidence in each of the phased disarmament steps in order to proceed to the next steps, how to diminish the role of nuclear weapons in security doctrines pending nuclear abolition, building regional and international security without nuclear deterrence, the development of security assurances, achieving a balance between transparency and protection of sensitive information, the role of societal verification, how to build individual responsibility and protection into the disarmament process while respecting State sovereignty, and how to deal with delivery systems and dual-use materials.

13. In addition, there are a number of economic and environmental issues that will need to be addressed, including the possible need for financial assistance for disarmament and the harmonizing of environmental standards for destroying weapon systems and disposing of fissile materials.

14. While it is important to concentrate international attention on concrete steps towards nuclear disarmament, which are achievable in the short term, it is also important to simultaneously consider the requirements for a comprehensive nuclear disarmament regime in order to develop an international understanding of the final destination of nuclear disarmament steps. Hence, the best way to address these issues and to make progress towards complete nuclear disarmament is to commence negotiations within an incremental-comprehensive framework. Such an approach would allow all relevant issues to be raised and addressed, and would facilitate the completion of disarmament steps in areas where agreements can be reached within a short to medium timeframe. More difficult issues requiring more complex arrangements would be resolved through continuing negotiations and achieved in subsequent steps. This is what is envisaged in the call for the commencement of negotiations leading to the conclusion of a nuclear weapons convention or a framework of instruments for the complete abolition and elimination of nuclear weapons.

Conclusion

15. States parties meeting at the 2010 Review Conference of the Parties to the Non-Proliferation Treaty are encouraged to develop a programme of action based on the programme agreed at the 2000 Review Conference and the legal, technical and political elements outlined in this paper required for the establishment and maintenance of a nuclear-weapons-free world.

Recommendations

16. Following are recommendations:

(a) States parties agree to undertake the preparatory process to explore the legal, technical and political elements required for a nuclear weapons Convention or a framework of instruments; and

(b) States parties agree to commence multilateral negotiations leading to the conclusion of a nuclear weapons Convention and invite those States that have not acceded to the Treaty on the Non-Proliferation of Nuclear Weapons to join in such negotiations.

NPT/CONF.2010/WP.73

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

17 May 2010

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New York, 3-28 May 2010

Note verbale dated 17 May 2010 from the Permanent Mission of Kyrgyzstan to the United Nations addressed to the President of the Conference

The Permanent Mission of the Kyrgyz Republic to the United Nations presents its compliments to the President of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and has the honour to transmit herewith the working paper on the environmental consequences of uranium mining, presented by the Republic of Kazakhstan, the Kyrgyz Republic, the Republic of Tajikistan, Turkmenistan and the Republic of Uzbekistan at the meeting of Main Committee III of the 2010 Review Conference held on 13 May 2010.

The Permanent Mission of the Kyrgyz Republic to the United Nations requests that the present note and its annex be circulated as a working paper of the 2010 Review Conference.

Annex to the note verbale dated 17 May 2010 from the Permanent Mission of Kyrgyzstan to the United Nations addressed to the President of the Conference

Environmental consequences of uranium mining

Working paper submitted by Kyrgyzstan on behalf of Kyrgyzstan, Kazakhstan, Tajikistan, Turkmenistan and Uzbekistan

Background

1. In the report of Main Committee III of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, it was noted that there have been exceptional instances in which serious environmental consequences have resulted from uranium mining and associated nuclear fuel-cycle activities in the production and testing of nuclear weapons. Similar language is contained in the final document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

Recommendations

2. The 2010 Review Conference reiterates the appeal of the 1995 and 2000 Conferences to all Governments and international organizations that have expertise in the field of clean-up and disposal of radioactive contaminants to consider giving appropriate assistance, as may be requested, for radiological assessment and remedial purposes in affected areas, while noting the efforts that have been made to date in this regard.

NPT/CONF.2010/WP.74

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Security assurances

Working paper submitted by Uruguay

I. Introduction

1. The issue of negative security assurances figured significantly in the negotiation of the Treaty on the Non-Proliferation of Nuclear Weapons in the 1960s, although they were not expressly included in the text of the Treaty.

2. During the Treaty negotiations, a number of non-nuclear-weapon States advocated for the inclusion of express and powerful assurances against the use or threat of use of nuclear weapons against non-nuclear-weapon States that did not have such weapons in their territory or under any other circumstance.

3. However, the position of the nuclear Powers that the issue of security assurances should be addressed outside the Treaty was ultimately the one that prevailed.

4. Legal, political and moral grounds for the justified interest and legitimate aspiration of non-nuclear-weapon States concerning security assurances are set out in Article 2, paragraph 4, of the Charter of the United Nations, which establishes that "members of the Organization shall 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". The final preambular paragraph of the Treaty expressly incorporates the provisions of Article 2, paragraph 4, of the Charter of the United Nations.

II. Negative security assurances within the framework of the review conferences on the Treaty on the Non-Proliferation of Nuclear Weapons and the Security Council of the United Nations

5. Since the Treaty's entry into force in 1970, seven review conferences have been held and the issue of negative security assurances has consistently been one of the foremost topics of discussion at each of them.

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6. At the first Review Conference (Geneva, 1975), States parties, in adopting the Final Declaration, merely took note of Security Council resolution 255 (1968), which "recognizes that aggression with nuclear weapons or the threat of such aggression against a non-nuclear-weapon State would create a situation in which the Security Council, and above all its nuclear-weapon State permanent members, would have to act immediately in accordance with their obligations under the United Nations Charter".

7. That "positive" assurance, while it may have been a step forward in protecting non-nuclear-weapon States against the threat or use of nuclear weapons, also led them to demand "negative" security assurances, and to press for the negotiation of a legally binding instrument requiring nuclear-weapon States not to use nuclear weapons against non-nuclear-weapon States.

8. Failure to achieve the consensus needed to adopt a Final Declaration at the second Review Conference (Geneva, 1980) precluded any reference to negative security assurances as a legitimate aspiration of non-nuclear-weapon States.

9. At the third Review Conference (Geneva, 1985), a Final Declaration was adopted by consensus and again took note of Security Council resolution 255 (1968).

10. The fourth Review Conference (Geneva, 1990) was not able to adopt a Final Declaration and, once again, consideration of negative security assurances as well as other aspects of the disarmament and non-proliferation regime was deferred.

11. In 1995, the Security Council unanimously adopted resolution 984 (1995), taking note with appreciation of the unilateral statements made by each of the nuclear-weapon States (see S/1995/261, S/1995/262, S/1995/263, S/1995/264 and S/1995/265), in which they gave security assurances against the use of nuclear weapons to non-nuclear-weapon States that were parties to the Treaty.

12. Thus, the five permanent members of the Security Council, faced with ever more insistent demands by non-nuclear-weapon States for a legally binding instrument on negative security assurances, agreed to undertake, as a first step — albeit with some reservations and in non-binding form — not to use nuclear weapons against States parties to the Treaty or against any States that had ceased to manufacture or acquire such weapons.

13. While a Final Declaration could not be agreed upon at the fifth Review Conference (New York, 1995), Decision 2 on principles and objectives for nuclear non-proliferation and disarmament was adopted. In that decision, under the section entitled "Security assurances", the Conference took note of Security Council resolution 984 (1995) as well as the unilateral declarations of the nuclear-weapon States concerning both negative and positive security assurances, and encouraged the consideration of further steps that "could take the form of an internationally legally binding instrument".

14. In the Final Document of the sixth Review Conference (New York, 2000), the Conference agreed that legally binding security assurances by the five nuclear-weapon States to the non-nuclear-weapon States parties to the Treaty strengthen the nuclear non-proliferation regime.

15. The failure of the seventh Review Conference (New York, 2005) was a severe blow to the disarmament and non-proliferation regime governed by the Treaty on the

Non-Proliferation of Nuclear Weapons and meant that no decision could be taken with regard to negative security assurances.

16. Lastly, the Security Council, as a result of the negotiations conducted within the framework of the Summit of Heads of State and Government held on 24 September 2009, unanimously adopted resolution 1887 (2009), which, in paragraph 9, recalled the statements by each of the five nuclear-weapon States, noted by resolution 984 (1995), affirming that "[such] security assurances strengthen the nuclear non-proliferation regime".

III. The eighth Review Conference on the Treaty on the Non-Proliferation of Nuclear Weapons: proposal for an additional protocol on negative security assurances

17. Ever since the detonation of the first nuclear weapon, non-nuclear-weapon States have been plagued by insecurity and anxiety, aggravated by the fact that some Powers are undermining the objective of general and complete disarmament by continuing to possess nuclear weapons.

18. Thus, since the very beginning of the nuclear era, States have tried to find ways of protecting themselves against the possible use or threat of use of nuclear weapons.

19. As already indicated, at every review conference, an effort has been made to establish the legitimate interest and right of non-nuclear-weapon States to obtain legally binding security assurances from the five nuclear-weapon States on the understanding that such assurances would strengthen the nuclear non-proliferation regime itself.

20. Uruguay, like the vast majority of the international community, is of the view that until such time as all nuclear weapons are eliminated, greater priority must be given to negotiations leading to the adoption of a universal, unconditional and legally binding instrument on security assurances for non-nuclear-weapon States.

21. Uruguay therefore believes that the eighth Review Conference is the appropriate framework and occasion for transferring the issue of negative security assurances being called for by non-nuclear-weapon States from the political to the legal arena.

22. Accordingly, Uruguay is proposing, for consideration by the other States parties to the Treaty, that the Final Document to be adopted by the eighth Review Conference should recommend the negotiation of an additional protocol to the Treaty, encouraging nuclear-weapon States to agree to be legally bound under the protocol not to use nuclear weapons against a non-nuclear-weapon State that is a party to the Treaty and fulfils the obligations arising under it.

23. Uruguay is of the view that the appropriate framework for moving these negotiations forward is the framework of the Treaty on the Non-Proliferation of Nuclear Weapons itself, as it would enable States that are not represented in other negotiating forums to make a constructive contribution to the negotiation of a protocol while at the same time giving greater visibility to the Treaty's role as the cornerstone of the nuclear non-proliferation regime and the essential foundation for promoting nuclear disarmament and the use of nuclear energy for peaceful purposes.

24. Uruguay also believes that beyond legally establishing negative security assurances, an additional protocol to the Treaty would not only be of considerable benefit to non-nuclear-weapon States parties to the Treaty but would also be a huge incentive for countries that have not yet acceded to the Treaty to decide to do so, as the Treaty regime would offer them protection they could not obtain by remaining outside it.

NPT/CONF.2010/WP.74/Add.1

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

25 May 2010

English only

New York, 3-28 May 2010

Security assurances

Working paper submitted by Uruguay

Addendum

Add the following countries to the list of co-authors of the working paper:

Colombia and Peru

NPT/CONF.2010/WP.75

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

17 May 2010

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Note verbale dated 13 May 2010 from the delegations of the Russian Federation and the United States of America addressed to the President of the Conference

The delegations of the Russian Federation and the United States of America present their compliments to the President of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and have the honour to transmit herewith the joint statement by the delegations of the Russian Federation and the United States of America on New START (see annex).

The delegations of the Russian Federation and the United States of America request that the present note and its annex be circulated as a working paper of the 2010 Review Conference.

Annex to the note verbale dated 13 May 2010 from the delegations of the Russian Federation and the United States of America addressed to the President of the Conference

Joint statement by the delegations of the Russian Federation and the United States of America on New START

The Russian Federation and the United States of America view the signing of the Treaty on Measures for the Further Reduction and Limitation of Strategic Offensive Arms by Presidents D. A. Medvedev and B. Obama in Prague on 8 April 2010 as an important step on the path to nuclear disarmament and non-proliferation.

By signing the Treaty, Russia and the United States have once again demonstrated their unwavering commitment to fulfilling their obligations under article VI of the Treaty on the Non-Proliferation of Nuclear Weapons. The verifiable and irreversible cuts provided for by the new Treaty will reduce the deployed nuclear arsenals of the parties to the level of 50 years ago, when the nuclear arms race began.

We believe that the newly agreed reductions in strategic offensive armaments will strengthen the security of both Russia and the United States and will make relations between our countries more stable, transparent and predictable. They will thus have a beneficial effect on international stability and security. The Treaty, therefore, is not only in the interests of our two countries, but of the entire world community. Everyone will win as a result of its implementation.

The Treaty ushers in the transition to a higher level of cooperation between Russia and the United States with respect to disarmament and non-proliferation. It lays the foundation for qualitatively new bilateral relations in the strategic military field and, in effect, marks the final end of the “Cold War” period. We expect that the signing and entry into force of the new START Treaty will pave the way for an increasingly productive and mutually beneficial partnership between Russia and the United States concerning the most relevant issues on the global agenda.

The Russian Federation and the United States of America are making early ratification of the Treaty, as well as the complete and faithful implementation of its provisions, a priority. In the context of the world community’s common aspirations for achieving the ultimate goal — liberating humanity from the nuclear threat — we call upon all countries that have nuclear weapons to join in the efforts we are making in this arena, and to make an active contribution to the cause of reducing and limiting nuclear arms in conditions of strengthening international stability and ensuring equal and indivisible security for all.

NPT/CONF.2010/MC.I/1

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

24 May 2010

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Report of Main Committee I

Establishment and terms of reference

1. Pursuant to rule 34 of its rules of procedure, the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons established Main Committee I as one of its three Main Committees, and decided to allocate to it the following items for its consideration (see NPT/CONF.2010/1, annex V):

Item 16. Review of the operation of the Treaty as provided for in its article VIII, paragraph 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) Implementation of the provisions of the Treaty relating to non-proliferation of nuclear weapons, disarmament and international peace and security:

(i) Articles I and II and preambular paragraphs 1 to 3;

(ii) Article VI and preambular paragraphs 8 to 12;

(iii) Article VII, with specific reference to the main issues considered in this Committee;

(b) Security assurances:

(i) United Nations Security Council resolutions 255 (1968) and 984 (1995);

(ii) Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

Item 17. 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; Disarmament and non-proliferation education.

Officers of the Committee

2. The Conference elected Boniface Chidyausiku (Zimbabwe) as the Chairman of the Committee, and Nineta Barbulescu (Romania) and Dell Higgie (New Zealand) as Vice-Chairpersons of the Committee.

Establishment of Subsidiary Body I

3. At its fifth plenary meeting, on 5 May 2010, the Conference decided to establish, for the duration of the 2010 Review Conference, a Subsidiary Body I under Main Committee I, chaired by Alexander Marschik (Austria). The Conference further decided that Subsidiary Body I will focus on nuclear disarmament and security assurances. Furthermore, the Conference decided that Subsidiary Body I would be open-ended, that it would hold at least four meetings within the overall time allocated to the Main Committee, that its meetings would be held in private and that the outcome of its work would be reflected in the report of Main Committee I to the Conference (NPT/CONF.2010/DEC.1).

4. Accordingly, Subsidiary Body I held seven private meetings between 10 and 21 May 2010. The outcome of its work is contained in paragraph 10 below.

Documents before the Committee

5. The Committee had before it the following background documents:*

NPT/CONF.2010/2	Eighth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Chile
NPT/CONF.2010/3	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Austria
NPT/CONF.2010/4	Memorandum from the General Secretariat of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean prepared for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.2010/5	Memorandum on activities relating to the African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba) submitted by the secretariat of the African Union
NPT/CONF.2010/6	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Finland
NPT/CONF.2010/7	Memorandum on activities relating to the South Pacific Nuclear Free Zone Treaty (Treaty of Rarotonga): submitted by the Pacific Islands Forum Secretariat

* Some of the documents may also cover items allocated to other Main Committees.

NPT/CONF.2010/9	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Canada
NPT/CONF.2010/11	Steps taken to promote the achievement of an effectively verifiable Middle East zone free of nuclear weapons and other weapons of mass destruction, and the realization of the goals and objectives of the 1995 resolution on the Middle East: report submitted by Sweden
NPT/CONF.2010/12	Memorandum of the Government of Mongolia regarding the consolidation of its international security and nuclear-weapon-free status
NPT/CONF.2010/13	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Poland
NPT/CONF.2010/15	Memorandum on activities of the Kyrgyz Republic in its capacity as the depositary of the Treaty on a Nuclear-Weapon-Free Zone in Central Asia
NPT/CONF.2010/17	Note verbale dated 8 April 2010 from the Permanent Missions of Australia and Japan to the United Nations addressed to the President of the Conference
NPT/CONF.2010/18	Activities relating to the Treaty on the South-East Asia Nuclear-Weapon-Free Zone: memorandum submitted by Viet Nam
NPT/CONF.2010/19	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Algeria
NPT/CONF.2010/21	Implementation of the provisions of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Ukraine
NPT/CONF.2010/22	Implementation of Article VI and paragraph 4 (c) of the 1995 decision on “Principles and Objectives for Nuclear Non-Proliferation and Disarmament”: report submitted by the Republic of Korea
NPT/CONF.2010/24	Progress report by the Provisional Technical Secretariat of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization prepared for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.2010/26	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”: report submitted by Japan

NPT/CONF.2010/27	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by New Zealand
NPT/CONF.2010/28	National report on the implementation of the Treaty on the Non-Proliferation of Nuclear Weapons by the Russian Federation
NPT/CONF.2010/29	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Brazil
NPT/CONF.2010/30	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Kazakhstan
NPT/CONF.2010/31	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by China
NPT/CONF.2010/34	Implementation of Article VI: report submitted by the Islamic Republic of Iran
NPT/CONF.2010/35	Note verbale dated 5 May 2010 from the Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General of the Conference
NPT/CONF.2010/36	Implementation of Article VI of the NPT and paragraph 4 (c) of the 1995 decision on principles and objectives for nuclear non-proliferation and disarmament: report submitted by Australia
NPT/CONF.2010/40	Implementation of the NPT: report submitted by Cuba
NPT/CONF.2010/41	Note verbale dated 6 May 2010 from the Permanent Mission of Chile to the United Nations addressed to the Secretary-General of the Conference
NPT/CONF.2010/42	Implementation of the NPT: report submitted by Uruguay
NPT/CONF.2010/43	Note verbale dated 6 May 2010 from the International Committee of the Red Cross to the United Nations addressed to the Secretary-General of the Conference
NPT/CONF.2010/44	National report submitted by Mexico
NPT/CONF.2010/45	United States information pertaining to the Treaty on the Non-Proliferation of Nuclear Weapons

6. The following documents were submitted to the Committee on the items allocated to it:

NPT/CONF.2010/MC.I/WP.1	Subsidiary Body I: revised Chairman's draft action plan
NPT/CONF.2010/MC.I/CRP.2	Report of Main Committee I: Chairman's draft on substantive elements
NPT/CONF.2010/MC.I/CRP.3 and Rev.1	Report of Main Committee I: revised Chairman's draft on substantive elements
NPT/CONF.2010/MC.I/CRP.4 and Rev.1	Draft report of Main Committee I
NPT/CONF.2010/MC.I/CRP.5	NAM position as of 18 May 2010 on the Report of Main Committee I: Chairman's draft on substantive elements
NPT/CONF.2010/MC.I/CRP.6	NAM comments as of 20 May 2010 on the Report of Main Committee I: revised Chairman's draft on substantive elements
NPT/CONF.2010/MC.I/CRP.7	NAC specific texts suggestions on Main Committee I draft report (NPT/CONF.2010/MC.I/CRP.2), 17 May 2010
NPT/CONF.2010/MC.I/CRP.8	NAC comments and suggestions on Main Committee I draft report (NPT/CONF.2010/MC.I/CRP.3), 20 May 2010
NPT/CONF.2010/MC.I/CRP.9	US Mission suggested changes on report of Main Committee I: revised Chairman's draft on substantive elements (NPT/CONF.2010/MC.I/CRP.3/Rev.1)

7. The following documents were submitted to the Subsidiary Body on the items allocated to it:

NPT/CONF.2010/MC.I/SB.I/CRP.1 and Rev.1	Subsidiary Body I: revised Chairman's draft action plan
NPT/CONF.2010/MC.I/SB.I/CRP.2	NAM position as of 18 May 2010 on Subsidiary Body I: Chairman's draft action plan
NPT/CONF.2010/MC.I/SB.I/CRP.3	NAM changes as of 20 May 2010 on Subsidiary Body I: revised Chairman's draft action plan
NPT/CONF.2010/MC.I/SB.I/CRP.4	NAC comments and suggestions on Subsidiary Body I draft report (NPT/CONF.2010/MC.I/SB.I/CRP.1)

Work of the Committee

8. The Committee held seven formal meetings between 7 and 24 May 2010; an account of the discussions is contained in the relevant summary records (NPT/CONF.2010/MC.I/SR.1-3). After an initial general exchange of views on the agenda items allocated to it, the Committee considered proposals contained in the documents listed in paragraphs 5 and 6 above.

9. At the sixth meeting of Main Committee I, held on 21 May 2010, the Chairman of Subsidiary Body I, Alexander Marschik (Austria), presented an oral report on the work of the Body and submitted a revised Chairman's draft action plan (NPT/CONF.2010/MC.I/SB.I/CRP.1/Rev.1). At the seventh meeting of Main Committee I, held on 24 May 2010, the Chairman concluded that the Committee had not reached consensus regarding attachment of the revised Chairman's draft on substantive elements (NPT/CONF.2010/MC.I/CRP.3/Rev.1) and the revised Chairman's draft action plan of Subsidiary Body I (NPT/CONF.2010/MC.I/SB.I/CRP.1/Rev.1) to the final report of Main Committee I and to forward it to the Conference for further consideration. The Committee took note of the Chairman's statement.

NPT/CONF.2010/MC.I/WP.1

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

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Subsidiary Body I: revised Chair's draft action plan

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 Review Conference, the Conference agrees on the following action plan on nuclear disarmament, which includes concrete steps for the total elimination of nuclear weapons:

I. Principles and objectives

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.

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

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.

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.

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 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.

II. Disarmament of nuclear weapons

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 Review Conference, in a way that promotes international stability, peace and security, and based on the principle of undiminished security for all.

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 recognizes 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.

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, 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 towards 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 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 — minimize 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 unauthorized use of nuclear weapons;

  (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 is invited to convene an open-ended high-level meeting to take stock and agree on a road map 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.

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 unconditional and 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 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 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, the General Assembly is encouraged to examine, at its sixty-sixth session, 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-zone 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.

IV. Nuclear testing

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.

The Conference reaffirms the vital importance and urgency of the entry into force and universalization of the Comprehensive Nuclear-Test-Ban Treaty 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 moratoriums on nuclear-test explosions pending the entry into force of the Treaty.

The Conference resolves that:

- Action 11: All States that have not yet done so are called upon to sign and ratify the Comprehensive Nuclear-Test-Ban Treaty 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 Treaty, 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 Treaty, and all existing moratoriums on nuclear-weapon-test explosions should be maintained.
- Action 13: All States recognize 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 Treaty commit to report at the 2011 Conference on progress made towards the urgent entry into force of the Treaty.
- Action 14: All States that are signatories to the Treaty are encouraged to promote the entry into force and implementation of the Treaty at the national, regional and global levels.
- Action 15: All States that are signatories to the Comprehensive Nuclear-Test-Ban Treaty are encouraged to fully develop the Treaty verification regime, including the early completion and provisional operationalization of the international monitoring system in accordance with the mandate of the Preparatory Commission of the Comprehensive Nuclear-Test-Ban Treaty Organization, which should, upon the entry into force of the Treaty, serve as an effective, reliable, participatory and non-discriminatory verification system with global reach and provide assurance of compliance with the Treaty.
- 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.

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 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 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 General Assembly is encouraged to examine, at its sixty-sixth session, how negotiations should be pursued.

- Action 18: All States recognize 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 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.

VI. Other measures in support of nuclear disarmament

The Conference recognizes that nuclear disarmament and achieving the peace and security of a world without nuclear weapons will require openness and cooperation, 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 organizations 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 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 standardized 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 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 (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.

NPT/CONF.2010/MC.II/1

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

24 May 2010

Original: English

New York, 3-28 May 2010

Report of Main Committee II

Establishment and terms of reference

1. Under rule 34 of its rules of procedure, the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons established Main Committee II as one of its three Main Committees and decided to allocate to it the following items for its consideration (see NPT/CONF.2010/1):

> *Item 16*. Review of the operation of the Treaty, as provided for in its article VIII, paragraph 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:
>
> (c) Implementation of the provisions of the Treaty relating to non-proliferation of nuclear weapons, safeguards and nuclear-weapon-free zones:
>
> (i) Article III and the fourth and fifth preambular paragraphs, especially in their relationship to article IV and the sixth and seventh preambular paragraphs;
>
> (ii) Articles I and II and the first to third preambular paragraphs in their relationship to articles III and IV;
>
> (iii) Article VII;
>
> *Item 17*. 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.

2. Pursuant to rule 34 of its rules of procedure, the Conference also approved the establishment of subsidiary body 2 under Main Committee II. The Conference decided that subsidiary body 2 would examine "Regional issues, including with

respect to the Middle East and implementation of the 1995 Middle East resolution". It further decided that the subsidiary body would be open-ended and that the meetings of the subsidiary body would be held in private. The Conference decided that subsidiary body 2 would hold meetings within the overall time allocated to Main Committee II and that the outcome of the work of the subsidiary body would be reflected in the report of Main Committee II to the Conference.

Officers of the Committee

3. The Conference unanimously elected Ambassador Volodymyr Yelchenko (Ukraine) as the Chair of the Committee and Ambassador Marius Grinius (Canada) and Ambassador Maged Abdelaziz (Egypt) as Vice-Chairs of the Committee.

4. Subsidiary body 2 was chaired by Ms. Alison Kelly (Ireland).

Documents before the Committee

5. The Committee had before it the following documents that were relevant for its work:

(a) Conference papers

NPT/CONF.2010/1	Final report of the Preparatory Committee for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.2010/2	Eighth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Chile
NPT/CONF.2010/3	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Austria
NPT/CONF.2010/4	Memorandum from the General Secretariat of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean prepared for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.2010/5	African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba): memorandum of the secretariat of the African Union
NPT/CONF.2010/6	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Finland

NPT/CONF.2010/7	Activities relating to the South Pacific Nuclear Free Zone Treaty (Treaty of Rarotonga): memorandum submitted by the Pacific Islands Forum secretariat
NPT/CONF.2010/8	Steps to promote the achievement of a nuclear-weapon-free zone in the Middle East and the realization of the goals and objectives of the 1995 resolution on the Middle East: report submitted by Canada
NPT/CONF.2010/9	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Canada
NPT/CONF.2010/11	Steps taken to promote the achievement of an effectively verifiable Middle East zone free of nuclear weapons and other weapons of mass destruction, and the realization of the goals and objectives of the 1995 resolution on the Middle East: report submitted by Sweden
NPT/CONF.2010/12	Memorandum of the Government of Mongolia regarding the consolidation of its international security and nuclear-weapon-free status
NPT/CONF.2010/13	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Poland
NPT/CONF.2010/14	Implementation of the resolution on the Middle East adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons: background paper prepared by the United Nations Secretariat
NPT/CONF.2010/15	Memorandum on activities of Kyrgyzstan in its capacity as the depositary of the Treaty on a Nuclear-Weapon-Free Zone in Central Asia
NPT/CONF.2010/18	Activities relating to the Treaty on the South-East Asia Nuclear-Weapon-Free Zone: memorandum submitted by Viet Nam
NPT/CONF.2010/19	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Algeria
NPT/CONF.2010/20	Steps to promote the achievement of a nuclear-weapon-free zone in the Middle East and the realization of the goals and objectives of the 1995 resolutions on the Middle East: report submitted by Algeria

NPT/CONF.2010/21	Implementation of the provisions of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Ukraine
NPT/CONF.2010/25	Activities of the International Atomic Energy Agency relevant to article III of the Treaty on the Non-Proliferation of Nuclear Weapons: background paper prepared by the Secretariat of the International Atomic Energy Agency
NPT/CONF.2010/27	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by New Zealand
NPT/CONF.2010/28	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by the Russian Federation
NPT/CONF.2010/29	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Brazil
NPT/CONF.2010/30	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Kazakhstan
NPT/CONF.2010/31	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by China
NPT/CONF.2010/32	Steps to advance the Middle East process and to promote the establishment of a nuclear-weapon-free zone in the Middle East: report submitted by China
NPT/CONF.2010/33	Establishment of a nuclear-weapon-free zone in the Middle East: report submitted by the Islamic Republic of Iran
NPT/CONF.2010/37	Steps to promote the achievement of a nuclear-weapon-free zone in the Middle East and the realization of the goals and objectives of the 1995 resolution on the Middle East: report submitted by Australia
NPT/CONF.2010/38	Implementation 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: report submitted by Morocco
NPT/CONF.2010/39	Implementation of the 1995 resolution on the establishment of a nuclear-weapon-free zone in the Middle East: report submitted by Morocco

NPT/CONF.2010/40	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Cuba
NPT/CONF.2010/42	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Uruguay
NPT/CONF.2010/44	Implementation of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons and paragraph 4 of the 1995 decision on principles and objectives for nuclear non-proliferation and disarmament: report submitted by Mexico
NPT/CONF.2010/45	United States information pertaining to the Treaty on the Non-Proliferation of Nuclear Weapons

(b) Conference working papers

NPT/CONF.2010/WP.1	Multilateral nuclear supply principles of the Zangger Committee: working paper submitted by Argentina, Australia, Austria, Belgium, Bulgaria, Canada, China, Croatia, the Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Kazakhstan, Luxembourg, the Netherlands, Norway, Poland, Portugal, the Republic of Korea, Romania, the Russian Federation, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Turkey, Ukraine, the United Kingdom of Great Britain and Northern Ireland and the United States of America as members of the Zangger Committee
NPT/CONF.2010/WP.3	Repatriation of all Russian-origin fresh highly enriched uranium as well as spent fuel from Romania: working paper submitted by Romania and the Russian Federation
NPT/CONF.2010/WP.5/Rev.1 and Add.1	Proposed elements for a final document of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons on strengthening the International Atomic Energy Agency safeguards: working paper submitted by Japan, Australia, Austria, Belgium, Finland, France, Hungary, Ireland, Italy, New Zealand, Norway, Peru, the Republic of Korea, Singapore and Uruguay

NPT/CONF.2010/WP.9	New package of practical nuclear disarmament and non-proliferation measures for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons: working paper submitted by Australia and Japan
NPT/CONF.2010/WP.11	Implementation of the 1995 resolution concerning the establishment of a nuclear-weapon-free zone in the region of the Middle East: working paper submitted by the Libyan Arab Jamahiriya
NPT/CONF.2010/WP.13 and Add.1	Proposed elements for the final document of the 2010 Review Conference on strengthening the technical cooperation activities of the International Atomic Energy Agency: working paper submitted by Japan
NPT/CONF.2010/WP.14	Implementation of the 1995 resolution and 2000 outcome on the Middle East: working paper submitted by Egypt
NPT/CONF.2010/WP.15	Articles III (3) and IV, and the sixth and seventh preambular paragraphs, especially in their relationship to article III (1), (2) and (4) and the fourth and fifth preambular paragraphs (nuclear safety): working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden (“the Vienna Group of Ten”)
NPT/CONF.2010/WP.17	Article III and the fourth and fifth preambular paragraphs, especially in their relationship to article IV and the sixth and seventh preambular paragraphs (export controls): working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden (“the Vienna Group of Ten”)
NPT/CONF.2010/WP.20	Article III and the fourth and fifth preambular paragraphs, especially in their relationship to article IV and the sixth and seventh preambular paragraphs (physical protection and illicit trafficking): working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden (“the Vienna Group of Ten”)

NPT/CONF.2010/WP.21	Article III and the fourth and fifth preambular paragraphs, especially in their relationship to article IV and the sixth and seventh preambular paragraphs (compliance and verification): working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden ("the Vienna Group of Ten")
NPT/CONF.2010/WP.26	Establishment of a nuclear-weapon-free zone in the Middle East: working paper submitted by Algeria
NPT/CONF.2010/WP.29	Implementation of the resolution on the Middle East that was adopted at the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and of the outcome of the 2000 Review Conference with regard to the establishment of a nuclear-weapon-free zone in the Middle East: working paper submitted by Lebanon on behalf of the States members of the League of Arab States to the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.2010/WP.31	Council decision 2010/212/CFSP of 29 March 2010 relating to the position of the European Union for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons: working paper submitted by Spain on behalf of the European Union
NPT/CONF.2010/WP.32	France's action against proliferation: working paper submitted by France
NPT/CONF.2010/WP.38	Proposal by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden ("the Vienna Group of Ten")
NPT/CONF.2010/WP.39	Arab position regarding issues before the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons: working paper on disarmament submitted by Lebanon on behalf of the States members of the League of Arab States
NPT/CONF.2010/WP.43	Establishment of a nuclear-weapon-free zone in the Middle East: working paper submitted by the Islamic Republic of Iran

NPT/CONF.2010/WP.45	Middle East zone free of nuclear weapons as well as other weapons of mass destruction — France's commitment: working paper submitted by France
NPT/CONF.2010/WP.46	Working paper submitted by the members of the group of non-aligned States parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.2010/WP.48	Note verbale dated 29 April 2010 from the Permanent Mission of Ukraine to the United Nations addressed to the Secretary-General of the Conference
NPT/CONF.2010/WP.51	Substantive issues concerning implementation of the provisions of the Treaty on the Non-Proliferation of Nuclear Weapons: working paper submitted by the Syrian Arab Republic
NPT/CONF.2010/WP.52	Implementation of the 1995 resolution on the Middle East of the 1995 Review and Extension Conference of the Parties to the Non-Proliferation Treaty and the Final Document of the 2000 Review Conference of the Parties to the Treaty: working paper submitted by Palestine
NPT/CONF.2010/WP.54	Cluster two — Article VII: working paper submitted by Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan
NPT/CONF.2010/WP.56	Strengthening International Atomic Energy Agency safeguards: working paper submitted by Spain on behalf of the European Union
NPT/CONF.2010/WP.57	Article II of the Treaty on the Non-Proliferation of Nuclear Weapons: working paper submitted by Iraq
NPT/CONF.2010/WP.61	Non-proliferation: working paper submitted by the Islamic Republic of Iran
NPT/CONF.2010/WP.62	Non-compliance with articles I, III, IV and VI: working paper submitted by the Islamic Republic of Iran
NPT/CONF.2010/WP.64	Non-proliferation: working paper submitted by China
NPT/CONF.2010/WP.66	Nuclear issues in the Middle East: working paper submitted by China
NPT/CONF.2010/WP.67	Nuclear-weapon-free zones: working paper submitted by China

NPT/CONF.2010/WP.69	Working paper submitted by Belgium, Lithuania, the Netherlands, Norway, Poland, Spain and Turkey for consideration at the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

(c) Documents introduced in Main Committee II

(i) Main Committee II papers

NPT/CONF.2010/MC.II/INF/1	Draft programme of work: 10-14 May 2010 — Main Committee II and subsidiary body 2
NPT/CONF.2010/MC.II/INF/2	Draft programme of work: 17-21 May 2010 — Main Committee II and subsidiary body 2

(ii) Conference room papers

NPT/CONF.2010/MC.II/CRP.1	Report of Main Committee II: Chair's draft
NPT/CONF.2010/MC.II/CRP.1/Rev.1	Report of Main Committee II: revised Chair's draft
NPT/CONF.2010/MC.II/CRP.1/Rev.2	Report of Main Committee II: revised Chair's draft
NPT/CONF.2010/MC.II/CRP.2	Draft report of Main Committee II
NPT/CONF.2010/MC.II/CRP.2/Rev.1	Revised draft report of Main Committee II
NPT/CONF.2010/MC.II/SB.2/CRP.1	Report of subsidiary body 2: Chair's draft

Work of the Committee

6. The Committee held 10 plenary meetings in the period from 10 to 24 May 2010. An account of the discussions is contained in the relevant summary records (NPT/CONF.2010/MC.II/SR.__). Subsidiary body 2 of Main Committee II held four meetings between 11 and 20 May. As the meetings of subsidiary body 2 were closed meetings, there are no official records of those meetings. Main Committee II and subsidiary body 2 also held informal meetings and consultations during that period. After an item-by-item consideration of the agenda items allocated to it, the Committee, at both its formal and informal meetings, proceeded to a detailed discussion of the proposals and documents before it. The various views expressed and proposals made are reflected in the summary records of the Committee and in the working papers submitted to it. Those summary records and working papers form an integral part of the report of the Committee to the Conference.

7. At the 9th meeting of Main Committee II, on 21 May, Ms. Alison Kelly (Ireland), as Chair of subsidiary body 2, made an oral report to the Committee. She stated that for the purpose of reporting to Main Committee II the outcome of the work of subsidiary body 2, she had issued a conference room paper under her responsibility, giving an account of the status of deliberations. At the 10th meeting of Main Committee II, on 24 May, the Chair concluded that Main Committee II had not reached consensus to attach the Chair's revised draft report

(NPT/CONF.2010/MC.II/CRP.1/Rev.2), and the Chair's draft report of subsidiary body 2 (NPT/CONF.2010/MC.II/SB.2/CRP.1), to the final report of Main Committee II. The Committee took note of the final report in document NPT/CONF.2010/MC.II/CRP.2/Rev.1. Subsequently, the Chair announced the work of Main Committee II to be concluded, without prejudice to any decision to be taken otherwise by the plenary.

NPT/CONF.2010/MC.II/WP.1

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

25 May 2010

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Working paper of the Chair of Main Committee II

Reaffirmation of commitments

1. The States parties reiterate their commitment to the effective and full implementation 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.

2. The Conference reaffirms 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.

3. The Conference reaffirms that the International Atomic Energy Agency (IAEA) is the sole competent authority responsible for verifying and assuring, in accordance with the statute of IAEA and the IAEA safeguards system, compliance by States parties with their safeguards agreements undertaken in fulfilment 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 IAEA to consider, investigate, draw conclusions and decide on necessary actions in accordance with its mandate.

4. The Conference re-emphasizes the importance of access to the United Nations Security Council and the General Assembly by 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 IAEA.

5. The Conference reaffirms that the Treaty is vital in preventing the proliferation of nuclear weapons, thereby 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 as non-nuclear-weapon States, 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)).

6. 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.

7. 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.

8. 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.

9. The Conference reaffirms that the implementation of comprehensive safeguards agreements pursuant 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 assurance of the non-diversion of nuclear material from declared activities and of the absence of undeclared nuclear material and activities.

Nuclear-weapon-free zones

10. The Conference reaffirms the conviction that the establishment of 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 to the goals of general and complete disarmament.

Review of the operation of the Treaty

11. The Conference welcomes the succession of Montenegro to the Treaty in 2006.[1]

[1] To be consistent with the relevant paragraph in the texts of the other Main Committees.

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

13. 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.

14. 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.

15. 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 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.

16. The Conference recognizes additional protocols as an integral part of the IAEA 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. The Conference also notes that the additional protocol represents a confidence-building measure.

17. 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.

18. 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.

19. 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.

20. 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.

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

22. The Conference underlines the importance of 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 IAEA to obtain a fuller picture of the existing and planned nuclear programmes 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.

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

24. 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.

25. 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.[2]

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

27. The Conference welcomes the work of 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.

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

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[2] To be consistent with the relevant paragraph in the text of Main Committee III.

Nuclear-weapon-free zones

29. 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 and Pelindaba and the Treaty on a Nuclear-Weapon-Free Zone in Central Asia are making towards attaining the objective of nuclear disarmament and nuclear non-proliferation.

30. The Conference recalls the declaration by Mongolia of its nuclear-weapon-free status and supports the measures taken by Mongolia to consolidate and strengthen that status.

31. 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 Treaty on the South-East Asia Nuclear-Weapon-Free Zone.

32. The Conference welcomes the entry into force on 21 March 2009 of the Treaty on a Nuclear-Weapon-Free Zone in Central Asia. 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.

33. 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 Zone treaties and the intention to conduct consultations with the parties to the nuclear-weapon-free zones in Central and South-East Asia, in an effort to sign and ratify relevant protocols.

34. The Conference welcomes the results of the First Conference of States Parties and Signatories to Treaties that establish Nuclear-Weapon-Free Zones, held on 28 April 2005 in Mexico City, and the Second Conference of States Parties and Signatories to Treaties that establish Nuclear-Weapon-Free Zones and Mongolia, held on 30 April 2010 in New York, 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 to promote their common objectives.

Forward-looking action plan

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

36. 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.

37. 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.

38. The Conference underlines the importance of addressing all compliance challenges. These challenges need to be met firmly in order to uphold the Treaty's integrity and the authority of the IAEA safeguards system.

39. The Conference 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 efforts of IAEA to resolve safeguards implementation issues associated with States' safeguards agreements.

40. The Conference also calls upon the States parties to seek solutions to all issues related to non-proliferation in accordance with the obligations, procedures and mechanisms established by the relevant international legal instruments.

41. The Conference urges all States parties that have not yet done so to conclude and to bring into force additional protocols as soon as possible and to implement them provisionally pending their entry into force.

42. 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.

43. 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.

44. 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.

45. 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 safeguards should be supported and implemented.

46. The Conference calls upon all States parties to ensure that IAEA continues to have all political, technical and financial support so that IAEA is able to effectively meet its responsibility to apply safeguards as required by article III of the Treaty.

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

48. 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 devices 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 for nuclear non-proliferation and disarmament adopted in 1995 by the Review and Extension Conference.

49. The Conference encourages States parties to make use of the guidelines and understandings developed by supplier arrangements in developing their own national export controls.

50. 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.

51. 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 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.

52. The Conference calls upon all States to maintain the highest possible standards of security and physical protection of nuclear materials.[2]

53. 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.[2]

54. The Conference calls on all States parties to the Convention on the Physical Protection of Nuclear Material to ratify the amendment to the Convention 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.[2]

55. 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.[2]

56. 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 (2008).[2]

57. The Conference urges all States that have not yet done so to become parties to the International Convention for the Suppression of Acts of Nuclear Terrorism as soon as possible.[2]

58. The Conference encourages IAEA to continue to assist the States parties in strengthening their national regulatory controls of nuclear material, including the establishment and maintenance of 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.

Nuclear-weapon-free zones

59. 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-weapon-free zones in order to assure the total absence of nuclear weapons in the respective territories as envisaged in article VII of the Treaty.

60. 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.

61. 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.

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

63. 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.

64. 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.

NPT/CONF.2010/MC.III/1

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

26 May 2010

Original: English

New York, 3-28 May 2010

Report of Main Committee III

Establishment and terms of reference

1. Under rule 34 of its rules of procedure, the Conference established Main Committee III as one of its three Main Committees and decided to allocate to it the following items for its consideration (see document NPT/CONF.2010/1).

Item 16. 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:

(d) Implementation of the provisions of the Treaty relating to the inalienable right of all Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II:

(i) Articles III (3) and IV, preambular paragraphs 6 and 7, especially in their relationship to article III (1), (2) and (4) and preambular paragraphs 4 and 5;

(ii) Article V;

(e) Other provisions of the Treaty.

Item 17. 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.

2. Pursuant to rule 34 of its rules of procedure, the Conference also approved the establishment of Subsidiary Body 3 under Main Committee III to address agenda item 16 (e), "Other provisions of the Treaty". Additionally, the Conference decided that institutional issues also would be considered by Subsidiary Body 3. The

Conference also decided that the Subsidiary Body would be open-ended and that the meetings of the Subsidiary Body would be held in private. It further decided that Subsidiary Body 3 would hold at least four meetings within the overall time allocated to the Main Committee and that the outcome of its work would be reflected in the report of Main Committee III to the Conference (NPT/CONF.2010/DEC.1).

Officers of the Committee

3. The Conference elected Ambassador Takeshi Nakane (Japan) as the Chairman of the Committee and Ambassador Atilla Zimonyi (Hungary) and Ambassador Alfredo Labbe (Chile) as Vice-Chairmen.

4. Subsidiary Body 3 was chaired by Ambassador José Luis Cancela (Uruguay).

Documents before Main Committee III

5. The Committee had before it the following documents:

(a) **Background and conference papers**

NPT/CONF.2010/1	Final report of the Preparatory Committee for the 2010 NPT Review Conference
NPT/CONF.2010/2	Eighth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Chile
NPT/CONF.2010/3	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Austria
NPT/CONF.2010/9	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Canada
NPT/CONF.2010/13	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Poland
NPT/CONF.2010/16	Activities of the International Atomic Energy Agency relevant to article IV of the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.2010/17	Note verbale dated 8 April 2010 from the Permanent Missions of Australia and Japan to the United Nations addressed to the President of the Conference

NPT/CONF.2010/19	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Algeria
NPT/CONF.2010/21	Implementation of the provisions of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Ukraine
NPT/CONF.2010/27	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by New Zealand
NPT/CONF.2010/28	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by the Russian Federation (submitted in Russian and English for reference)
NPT/CONF.2010/41	Note verbale dated 6 May 2010 from the Permanent Mission of Chile to the United Nations addressed to the Secretary-General of the Conference
NPT/CONF.2010/45	United States information pertaining to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.2010/WP.1	Multilateral nuclear supply principles of the Zangger Committee: working paper submitted by Argentina, Australia, Austria, Belgium, Bulgaria, Canada, China, Croatia, the Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Kazakhstan, Luxembourg, the Netherlands, Norway, Poland, Portugal, the Republic of Korea, Romania, the Russian Federation, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Turkey, Ukraine, the United Kingdom of Great Britain and Northern Ireland and the United States of America as members of the Zangger Committee
NPT/CONF.2010/WP.2	Working paper prepared by Ukraine and the Russian Federation regarding recommendations on the procedures for, and consequences of, possible exercise by a State of the right to withdraw from the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.2010/WP.3	Repatriation of all Russian-origin fresh highly enriched uranium as well as spent fuel from Romania: working paper submitted by Romania and the Russian Federation
NPT/CONF.2010/WP.5/Rev.1 and Add.1	Proposed elements by for a final document of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons on strengthening the International Atomic Energy Agency safeguards: working paper submitted by Japan, Australia, Austria, Belgium, Finland, France, Hungary, Ireland, Italy, New Zealand, Norway, Peru, the Republic of Korea, Singapore and Uruguay
NPT/CONF.2010/WP.7	Multilateral approaches to the nuclear fuel cycle: working paper submitted by Sweden
NPT/CONF.2010/WP.13 and Add.1	Proposed elements for the final document of the 2010 Review Conference on strengthening the technical cooperation activities of the International Atomic Energy Agency: working paper submitted by Japan
NPT/CONF.2010/WP.15	Articles III (3) and IV, and the sixth and seventh preambular paragraphs, especially in their relationship to article III (1), (2) and (4) and the fourth and fifth preambular paragraphs (nuclear safety): working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden (“the Vienna Group of Ten”)
NPT/CONF.2010/WP.18	Articles III (3) and IV, and the sixth and seventh preambular paragraphs, especially in their relationship to article III (1), (2) and (4) and the fourth and fifth preambular paragraphs (approaches to the nuclear fuel cycle): working paper by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden (“the Vienna Group of Ten”)
NPT/CONF.2010/WP.19	Articles III (3) and IV, and the sixth and seventh preambular paragraphs, especially in their relationship to article III (1), (2) and (4) and the fourth and fifth preambular paragraphs (cooperation in the peaceful uses of nuclear energy): working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden (“the Vienna Group of Ten”)

NPT/CONF.2010/WP.20	Article III and the fourth and fifth preambular paragraphs, especially in their relationship to article IV and the sixth and seventh preambular paragraphs (physical protection and illicit trafficking): working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden ("the Vienna Group of Ten")
NPT/CONF.2010/WP.22	A shared vision for nuclear power development and international nuclear energy cooperation: working paper submitted by the Russian Federation and the Republic of Belarus
NPT/CONF.2010/WP.25	Security assurances: working paper submitted by Algeria
NPT/CONF.2010/WP.27	The right to the peaceful uses of nuclear energy: working paper submitted by Algeria
NPT/CONF.2010/WP.30	Working paper on the peaceful uses of nuclear energy submitted by the Lebanese Republic on behalf of the States members of the League of Arab States to the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.2010/WP.34	Responsible development of nuclear energy: initiatives by France: working paper submitted by France
NPT/CONF.2010/WP.38	Proposal by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden (the Vienna Group of Ten)
NPT/CONF.2010/WP.39	Arab position regarding issues before the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons: working paper on disarmament submitted by the Lebanese Republic on behalf of the States members of the League of Arab States
NPT/CONF.2010/WP.42	Other provisions of the Treaty, including article X: working paper submitted by the Islamic Republic of Iran
NPT/CONF.2010/WP.46	Working paper submitted by the members of the Group of Non-Aligned States parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.2010/WP.53	Peaceful research, production and use of nuclear energy: working paper submitted by the Islamic Republic of Iran
NPT/CONF.2010/WP.59	Article IV of the Treaty: nuclear energy for peaceful purposes
NPT/CONF.2010/WP.60	European Union international cooperation to support peaceful uses of nuclear energy: working paper presented by Spain on behalf of the European Union
NPT/CONF.2010/WP.65	Peaceful uses of nuclear energy: working paper submitted by China
NPT/CONF.2010/WP.70	Nuclear power development: meeting the world's energy needs and fulfilling article IV: working paper submitted by Canada, France and the Republic of Korea
NPT/CONF.2010/WP.71	Working paper on supporting the beneficial, sustainable, safe and secure development of nuclear energy, submitted by Belgium, Bulgaria, Côte d'Ivoire, Croatia, the Czech Republic, Estonia, Finland, France, Hungary, Italy, Japan, Latvia, Lithuania, Morocco, Mongolia, Poland, Romania, the Russian Federation, Singapore, Slovenia, Spain, Ukraine, the United Kingdom of Great Britain and Northern Ireland and the United States of America (list of sponsors as of 12 May 2010, to be complemented)
NPT/CONF.2010/WP.73	Note verbale dated 17 May 2010 from the Permanent Mission of Kyrgyzstan to the United Nations addressed to the President of the Conference

(b) **Documents submitted to Main Committee III**

NPT/CONF.2010/MC.III/WP.1	Chairman's working paper: Main Committee III
NPT/CONF.2010/MC.III/WP.2	Chairman's working paper: Subsidiary Body 3
NPT/CONF.2010/MC.III/INF/1	Draft programme of work: 10-28 May 2010 — Main Committee III and Subsidiary Body III
NPT/CONF.2010/MC.III/CRP.1	Draft indicative timetable: Main Committee III and Subsidiary Body III
NPT/CONF.2010/MC.III/CRP.2	Report of Main Committee III: Chairman's draft on substantive elements

NPT/CONF.2010/MC.III/CRP.3	Report of Main Committee III: revised Chairman's draft on substantive elements
NPT/CONF.2010/MC.III/CRP.4	Chairman's revised draft report of Main Committee III

(c) **Documents submitted to Subsidiary Body III**

NPT/CONF.2010/MC.III/SB.3/CRP.1	Revised draft report of Subsidiary Body III
NPT/CONF.2010/MC.III/SB.3/CRP.1/Rev.1	Revised draft report of Subsidiary Body III

Work of the Committee

5. The Committee held 10 meetings and the Subsidiary Body held 4 meetings from 10 to 24 May 2010. An account of the discussions is contained in the relevant summary records (NPT/CONF.2010/MC.III/SR___). Subsidiary Body 3 held 4 meetings from 11 to 24 May. As the meetings of Subsidiary Body 3 were closed meetings, there are no official records of those meetings. (Main Committee III and Subsidiary Body 3 also held informal meetings and consultations during those periods.) The Chairman of Main Committee III was assisted by the Vice-Chairmen in coordinating the informal consultations convened to examine various proposals and documents submitted to the Committee. After an item-by-item consideration of the agenda items allocated to it, the Committee, both at its formal and at its informal meetings, proceeded to a detailed discussion of the proposals and documents before it. The various views expressed and the proposals made are reflected in the summary records of the Committee and in the working papers submitted to it. Those summary records and working papers form an integral part of the report of the Committee to the Conference.

6. The Main Committee focused on articles III (3) and IV, and the sixth and seventh preambular paragraphs of the Treaty, and the Subsidiary Body focused on articles IX and X of the Treaty, and institutional issues. No consensus was reached.

NPT/CONF.2010/MC.III/WP.1*

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

24 May 2010

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Chairman's working paper: Main Committee III

Decisions and recommendations of previous Conferences

1. The Conference notes that the States parties reiterated their commitment to the effective implementation of the Treaty, the decisions and the resolution on the Middle East adopted by the 1995 Review and Extension Conference, and the Final Document of the 2000 Review Conference.

2. 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.

3. 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 conformity with all the provisions of the Treaty. States parties to the Treaty in a position to do so should also cooperate in contributing alone or together with other States parties 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 parties to the Treaty, with due consideration for the needs of the developing areas of the world.

4. 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.

* Reissued for technical reasons on 27 May 2010.

5. 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.

6. The Conference underlines the role of the International Atomic Energy Agency (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

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

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

9. The Conference underlines that the activities of IAEA 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.

10. 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.

11. The Conference emphasizes the importance of the technical cooperation activities of IAEA, and stresses the importance of sharing nuclear knowledge and of 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.

12. The Conference stresses that the IAEA technical cooperation programme, as one of the main vehicles for the transfer of nuclear technology for peaceful purposes, is formulated in accordance with the Statute and guiding principles of the Agency, as contained in INFCIRC/267, as well as the decisions of the Agency's policymaking organs.

13. The Conference notes the continuous collaborative efforts by IAEA and its member States to enhance the effectiveness and efficiency of the Agency's technical cooperation programme.

14. 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), and the strategy for the technical cooperation programme in the European region.

15. The Conference calls on States parties to make every effort and take practical steps to ensure that the resources of IAEA 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 per cent Rate of Attainment level by the end of 2009, and looks forward to reaching the rate of 100 per cent, which is central to reconfirming the commitment of IAEA member States to the Agency's technical cooperation programme, and thus recalls that the financing of technical cooperation should be in line with the concept of shared responsibility and that all members share a common responsibility towards financing and enhancing the technical cooperation activities of IAEA.

16. The Conference welcomes the commitment of the IAEA Director General to ensuring that the Agency'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 Agency during 2010.

17. 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 the Millennium Development Goals. The Conference also welcomes the initiative designed to raise $100 million over the next five years as extrabudgetary contributions to IAEA activities and encourages all States in a position to do so to make additional contributions to this initiative.

18. The Conference supports national, bilateral and international efforts to train the skilled workforce needed to develop peaceful uses of nuclear energy.

Nuclear power

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

20. 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.

21. 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 are encouraged to work with and assist recipient States, upon request, in the safe and secure management of spent fuel.

22. 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.

23. 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.

24. 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.

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

26. 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 IAEA and other international initiatives.

Multilateral approaches to the nuclear fuel cycle

27. The Conference notes the adoption by the IAEA Board of Governors in November 2009 of the resolution on establishment in the Russian Federation 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 the Russian Federation and IAEA.

28. The Conference underlines the importance of continuing to discuss further — in a non-discriminatory and transparent manner under the auspices of IAEA or regional forums — 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 those issues.

Nuclear safety and nuclear security

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

30. 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 forums, 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 IAEA. In this regard, the Conference recalls that special efforts should be made and sustained to increase awareness in those fields, through the participation of States parties, in particular those from developing countries, in training, workshops, seminars and capacity-building in a non-discriminatory manner.

31. The Conference acknowledges the primary responsibility of individual States for maintaining the safety and security 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.

32. 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.

33. 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.

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

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

36. The Conference notes the Nuclear Security Summit held in Washington, D.C., in April 2010.

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

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

39. The Conference underlines the fundamental importance of sustainable programmes, through international efforts, such as 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.

40. The Conference encourages States 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.

41. The Conference welcomes the attention to problems of safety and contamination 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.

42. The Conference encourages all Governments and international organizations that have expertise in the field of clean-up 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

43. 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.

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

45. The Conference endorses the IAEA standards for the safe transport of radioactive material and affirms that it is in the interest of all States parties that the transportation of radioactive materials continues to be conducted consistent with 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 continuing 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

46. 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

47. 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 notes 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.

48. 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.

Future oriented actions

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

(a) 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;

(b) Undertake to facilitate, and reaffirm the right of State parties to participate in, the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy;

(c) Cooperate with other States parties or international organizations in the further development of the applications of nuclear energy for peaceful purposes, with due consideration for the needs of the developing areas of the world;

(d) Give preferential treatment to the non-nuclear-weapon States parties to the Treaty, taking the needs of developing countries, in particular, into account;

(e) Facilitate transfers of nuclear technology and international cooperation among States parties in conformity with articles I, II, III and IV of the Treaty, and eliminate in this regard any undue constraints inconsistent with the Treaty;

(f) Continue efforts, in IAEA, to enhance the effectiveness and efficiency of the Agency's technical cooperation programme;

(g) Strengthen the IAEA technical cooperation programme in assisting developing States parties in the peaceful uses of nuclear energy;

(h) Make every effort and take practical steps to ensure that the IAEA's resources for technical cooperation activities are sufficient, assured and predictable;

(i) Encourage all States in a position to do so to make additional contributions to the initiative designed to raise $100 million over the next five years as extrabudgetary contributions to IAEA activities, while welcoming the contributions already pledged by countries and groups of countries in support of the IAEA activities;

(j) Encourage national, bilateral and international efforts to train the skilled workforce needed to develop peaceful uses of nuclear energy;

(k) Ensure 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;

(l) Continue to discuss further, in a non-discriminatory and transparent manner under the auspices of IAEA or regional forums, 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;

(m) 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, the International Convention for the Suppression of Acts of Nuclear Terrorism, and the Convention on the Physical Protection of Nuclear Material, and to ratify its amendment so that it may enter into force at an early date;

(n) Promote the sharing of best practices in the area of nuclear safety and security, including through dialogue with the nuclear industry and the private sector, as appropriate;

(o) Encourage States concerned, on a voluntary basis, to further minimize highly enriched uranium in stocks and in civilian use, where technically and economically feasible;

(p) 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;

(q) 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.

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

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New York, 3-28 May 2010

Working paper of the Chair of subsidiary body III: conclusions and recommendations

Article IX

1. The Conference reaffirms that the preservation of the integrity of the Treaty, achieving its universality and its strict implementation are essential to regional and international peace and security.

2. The Conference reaffirms the commitment of the parties to the Treaty to achieve its universality. States parties express their concern regarding the lack of progress in the achievement of its 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 regional and international peace and security.

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

4. 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, to apply full scope International Atomic Energy Agency (IAEA) 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.

5. 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 full scope IAEA

safeguards and international legally binding commitments not to acquire nuclear weapons or other nuclear explosive devices.

Article X

6. 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 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.

7. The Conference reaffirms that the right of withdrawal is established in the provisions of the Non-Proliferation Treaty and other relevant international law. It further underscores that under international law a withdrawing party is still responsible for violations of the Treaty 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 its withdrawal, including those related to the required IAEA safeguards.

8. 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 Charter of the United Nations.

9. 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.

Further strengthening the review process of the Treaty

10. 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 the 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 sets out the decisions and recommendations below.

1. Informal "Chairs' circle" of Non-Proliferation Treaty meetings: Chairs, Chairs of the Main Committees and President of the Review Conference

11. The Review Conference recommends that past, incumbent and incoming Chairs (or the President in the case of a review conference) of Non-Proliferation Treaty meetings, as well as the Chairs of the Main Committees 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.

2. Treaty Support Unit

12. The Review Conference decides that a Treaty Support Unit will be established, co-located within the United Nations Office for Disarmament Affairs and comprised initially of one Treaty officer. The officer 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 and IAEA, prepare for the preparatory committee meetings and the review conferences.

13. The costs associated with the Treaty Support Unit officer will be funded from within the existing assessed contributions by States parties to the Treaty and within existing resources of the review conferences, as well as with additional voluntary contributions by States in a position to do so. Specifically, the Secretary-General of the review conference is requested, in the context of other efficiencies in expenses, to find economies within the next review cycle budget of the Treaty to ensure that the position be funded without any additional assessed costs to States parties.

3. Continued efforts towards improving the effectiveness of the strengthened review process

14. 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 consider whether there should be further agreed measures.

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

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Credentials of representatives to the Conference

Final report of the Credentials Committee

1. Rule 3 of the rules of procedure of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons provides:

> "The Conference shall establish a Credentials Committee composed of the Chairman and two Vice-Chairmen elected in accordance with rule 5, and six members appointed by the Conference on the proposal of the President. The Committee shall examine the credentials of representatives and report to the Conference without delay."

2. In accordance with rule 5 of its rules of procedure, the Conference unanimously elected Abulkalam Abdul Momen (Bangladesh) as Chairman of the Credentials Committee and Ogtay Ismayil-Zada (Azerbaijan) and Steffen Kongstad (Norway) as Vice-Chairmen of the Committee.

3. In accordance with rule 3 of the rules of procedure, the Conference, on the proposal of the President, appointed the following countries as members of the Credentials Committee: Czech Republic, Mauritius, Republic of Moldova, Turkey, Uganda and United Kingdom of Great Britain and Northern Ireland.

4. At its 1st and 2nd meetings, on 6 May and 11 May 2010, the Committee examined the credentials received thus far. The Committee had before it two memorandums from the Secretary-General of the Conference dated 5 May and 10 May, containing information on the status of the credentials of the representatives of the States parties attending the Conference. Pursuant to the request in rule 3 that the Committee report to the Conference without delay, at the 9th plenary meeting on 14 May, the Chairman, on behalf of the Committee, introduced an interim report of the Committee to the Conference (NPT/CONF.2010/CC/L.1).

5. At its 1st meeting, on 6 May, the Committee noted the information relayed by the Secretary-General of the Conference and requested the Chairman to invite those States parties that had not yet done so to submit to the Secretary-General of the Conference the credentials of their representatives, in accordance with rule 2 of the rules of procedure. The request of the Committee was communicated to the States parties by means of a note by the Chairman (NPT/CONF.2010/INF.7). Delegations

which had presented no written communication were contacted directly to remind them of the terms of rule 2 regarding the presentation of their credentials.

6. At its 3rd meeting, on 26 May, the Committee had before it a memorandum from the Secretary-General of the Conference, providing updated information on the status of the credentials of the representatives of States parties participating in the Conference.

7. Having examined the information contained in the above-mentioned memorandums, and the other credentials it received subsequently, the Committee noted that, as at 25 May:

(a) Formal credentials in due form, as provided for by rule 2 of the rules of procedure, had been received by the Secretary-General of the Conference for representatives of the following 103 States parties: Algeria, Andorra, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Colombia, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Estonia, Fiji, Finland, France, Germany, Greece, Guatemala, Guyana, Holy See, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lebanon, Liechtenstein, Lithuania, Luxembourg, Malaysia, Malta, Mauritius, Mexico, Monaco, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Panama, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Serbia, Slovakia, Slovenia, South Africa, Spain, Sudan, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United States of America, Uruguay, Uzbekistan and Venezuela (Bolivarian Republic of);

(b) Provisional credentials for the representatives of the following 69 States parties had been communicated to the Secretary-General of the Conference by means of a facsimile communication from the Head of State or Government or Minister for Foreign Affairs or by means of a note verbale or letter from the Permanent Mission concerned: Afghanistan, Albania, Antigua and Barbuda, Armenia, Azerbaijan, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Comoros, Congo, Costa Rica, Côte d'Ivoire, Dominican Republic, Equatorial Guinea, Eritrea, Ethiopia, Gambia, Georgia, Ghana, Grenada, Guinea, Haiti, Iraq, Jamaica, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Maldives, Mali, Marshall Islands, Mauritania, Micronesia (Federated States of), Mongolia, Montenegro, Nauru, Niger, Papua New Guinea, Paraguay, Republic of Moldova, Rwanda, San Marino, Senegal, Sierra Leone, Singapore, Solomon Islands, Sri Lanka, Swaziland, Syrian Arab Republic, Tajikistan, Turkmenistan, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Viet Nam, Yemen, Zambia and Zimbabwe;

(c) The following 18 States parties had not submitted any written notice that they were attending the Conference, or their credentials: Burundi, Chad, Democratic People's Republic of Korea,[1] Democratic Republic of the Congo, Dominica, Gabon,

[1] Announced its withdrawal on 10 January 2003. The legal status of the Democratic People's Republic of Korea as a State party is uncertain.

Guinea-Bissau, Honduras, Kiribati, Palau, Saint Kitts and Nevis, Saint Lucia, Sao Tome and Principe, Seychelles, Somalia, Suriname, Tuvalu and Vanuatu.

8. On the proposal of the Chairman, the Committee agreed to accept the credentials of all of the participating States parties referred to in paragraph 7 (a) and (b) above, on the understanding that the originals of the credentials of the representatives of those States referred to paragraph 7 (b) would be submitted as soon as possible, in accordance with the terms of rule 2 of the rules of procedure.

9. At its 3rd meeting, the Committee unanimously adopted its report to the Conference.

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