

2005

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

2-27 May 2005
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2005 NPT Review Conference

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THE 2005 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 on the Non-Proliferation of Nuclear Weapons (NPT) will meet at the United Nations in New York from 2 to 27 May 2005. The President-designate of the Conference is Mr. Sérgio de Queiroz Duarte, Ambassador-at-large of Brazil.

The Treaty, particularly article VIII, paragraph 3, envisages a review of the operation of the Treaty every five years, a provision which was reaffirmed by the States parties at the 1995 NPT Review and Extension Conference and the 2000 NPT Review Conference.

At the 2005 Review Conference, States parties will examine the implementation of the Treaty's provisions since 2000.

The NPT is a landmark international treaty whose objective is to prevent the spread of nuclear weapons and weapons technology, to promote co-operation in the peaceful uses of nuclear energy and to further the goal of achieving nuclear disarmament and general and complete disarmament. The NPT represents the only binding commitment in a multilateral treaty to the goal of disarmament by the nuclear-weapon States.

Opened for signature in 1968, the Treaty entered into force in 1970. Since its entry into force, the NPT has been the cornerstone of global nuclear non-proliferation regime. Adherence to the Treaty by 188 States, including the five nuclear-weapon States, renders the Treaty the most widely adhered to multilateral disarmament agreement.

History of the Treaty

From the beginning of the nuclear age, and the use of nuclear weapons in Hiroshima and Nagasaki in 1945, it has been apparent that the development of nuclear capabilities by States could enable them to divert technology and materials for weapons purposes. Thus the problem of preventing such diversions became a central issue in discussions on peaceful uses of nuclear energy. Initial efforts, which began in 1946, to create an international system enabling all States to have access to nuclear technology under appropriate safeguards, were

terminated in 1949 without the achievement of this objective, due to serious political differences between the major Powers. By then, both the United States and the former Soviet Union had tested nuclear weapons, and were beginning to build their stockpiles.

In December 1953, US President Dwight D. Eisenhower in his "Atoms for Peace" proposal, presented to the eighth session of the United Nations General Assembly, and urged that an international organization be established to disseminate peaceful nuclear technology, while guarding against development of weapons capabilities in additional countries. His proposal resulted in 1957 in the establishment of the IAEA, which was charged with the dual responsibility of promotion and control of nuclear technology. IAEA technical assistance activities began in 1958. An interim safeguards system for small nuclear reactors, put in place in 1961, was replaced in 1964 by a system covering larger installations and, over the following years, was expanded to include additional nuclear facilities (INFCIRC/66 and revisions). In recent years, efforts to strengthen the effectiveness and improve the efficiency of the IAEA safeguards system culminated in the approval of the Model Additional Protocol (INFCIRC/540) by the IAEA Board of Governors in May 1997. (For detailed information see Fact Sheet No. 2.)

Within the framework of the United Nations, the principle of nuclear non-proliferation was addressed in negotiations as early as 1957 and gained significant momentum in the early 1960s. The structure of a treaty to uphold nuclear non-proliferation as a norm of international behaviour had become clear by the mid-1960s, and by 1968 final agreement had been reached on a Treaty that would prevent the proliferation of nuclear weapons, enable co-operation for the peaceful use of nuclear energy and further the goal of achieving nuclear disarmament. The Treaty provided, in article X, for a conference to be convened 25 years after its entry into force to decide whether the Treaty should continue in force indefinitely, or be extended for an additional fixed period or periods. Accordingly, at the NPT Review and Extension Conference in May 1995, States parties to the Treaty agreed—without a vote—on the Treaty's indefinite

extension, and decided that review conferences should continue to be held every five years.

The NPT Review Process

Conferences to review the operation of the Treaty have been held at five-year intervals since the Treaty went into effect in 1970. Each conference has sought to find agreement on a final declaration that would assess the implementation of the Treaty's provisions and make recommendations on measures to further strengthen it. Consensus on a Final Declaration was reached at the 1975, 1985 and 2000 Review Conferences, but could not be achieved in 1980, 1990, and 1995. Differences centred on the question of whether or not the nuclear-weapon States had sufficiently fulfilled the requirements of article VI (nuclear disarmament) as well as on issues such as nuclear testing, qualitative nuclear-weapon developments, security assurances to non-nuclear-weapon States by nuclear-weapon States, and on cooperation in the field of nuclear energy for peaceful purposes.

The 1995 NPT Review and Extension Conference had two objectives: to review the Treaty's operation and to decide on its extension. While not being able to agree on a consensus review of the Treaty's implementation, States parties adopted without a vote a package of decisions. These decisions consisted of (a) elements for a strengthened review process for the Treaty, (b) principles and objectives for nuclear non-proliferation and disarmament, and (c) the indefinite extension of the Treaty; as well as a resolution on the Middle East.

The 2000 Review Conference was expected to test both the strength of the new review mechanism and the concept of accountability which had been agreed upon when States parties accepted the "permanence of the Treaty" and extended it indefinitely. The Conference was successful in concluding its deliberations with agreement on the Treaty's past performance and on a number of key issues pertaining to nuclear non-proliferation and disarmament, nuclear safety and the peaceful uses of nuclear energy. This marked the first time in 15 years that the States parties had been able to achieve an agreed Final Document.

The Final Document reaffirmed the central role of the NPT in ongoing global efforts to strengthen nuclear non-proliferation and disarmament and reflected consensus language dealing with virtually all the major aspects of the Treaty. In addition, after noting that the Conference deplored the nuclear test explosions carried out by India and Pakistan in 1998, the Document reaffirmed that any new State party to the Treaty will be

accepted only as a non-nuclear-weapon State, regardless of its nuclear capabilities.

The most critical and delicate achievement was the incorporation in the Document of a set of practical steps for the systematic and progressive efforts to implement article VI of the Treaty. These steps provide benchmarks by which future progress by the States parties can be measured. One of the most frequently quoted among them is the nuclear weapon States' agreement, for the first time, to undertake unequivocally to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament.

Despite these major achievements of the Conference, the Final Document was the result of a compromise between divergent and partly conflicting positions; sensitive issues were put aside for the sake of the Conference and the Treaty.

Towards the 2005 Review Conference

The Preparatory Committee for the 2005 NPT Conference, established pursuant to General Assembly resolution 56/24 O of 29 November 2001, held three sessions in the period April 2002 to May 2004. It devoted most of its meetings to a substantive preparation of the Conference and considered principles, objectives, and ways to promote the full implementation of the Treaty as well as its universality. In this context it took into account the decisions and the resolution on the Middle East adopted in 1995, as well as the outcome of the 2000 Review Conference. According to the agreement reached in 2000, the Preparatory Committee was expected to make every effort to produce a consensus report containing recommendations to the Review Conference. However, due to the persistence of divergent views, the Committee was unable to reach agreement on the substantive issues under consideration. Furthermore, it was also unable to agree on the provisional agenda for the 2005 Conference. Nevertheless, on some organizational and procedural matters for the Conference, the Committee was able to make recommendations, such as on the draft rules of procedure as well as chairmanship of the three Main Committees to be established at the Conference. Accordingly, Main Committee I should be chaired by a representative of the Group of Non-Aligned and Other States, i.e., the Chairman of the third session of the Preparatory Committee (Indonesia); Main Committee II should be chaired by a representative of the Group of Eastern European States, i.e., the Chairman of the second session of the Preparatory Committee (Hungary), and that Main Committee III should be chaired by a representative of

the Western Group, i.e., the Chairman of the first session of the Preparatory Committee (Sweden).

Since the 2000 Review Conference, two States have acceded to the Treaty: Cuba (2002) and Timor Leste (2003). The international community welcomed these accessions as important developments in strengthening the nuclear non-proliferation regime. India, Israel and Pakistan have chosen not to join the Treaty. In January 2003, the Democratic People's Republic of Korea announced its withdrawal from the Treaty.

Among the issues which are expected to be considered at great length at the Review Conference in view of recent developments are: universality of the Treaty, nuclear non-proliferation and disarmament, safeguards, verification and compliance, nuclear-weapon-free zones, security assurances, peaceful uses of nuclear energy, and withdrawal from the Treaty.

Early entry into force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) was one of the issues addressed at the 2000 NPT Review Conference. The CTBT was opened for signature on 24 September 1996 and, as of January 2005, 174 States have signed and 120 have ratified it. All five nuclear-weapon States have signed the Treaty. France, the United Kingdom and the Russian Federation have ratified it. Of the 44 whose ratification is required for the Treaty to enter into force, only 33 have so far done so. At the two Conferences convened to consider measures to facilitate the entry into force of the Comprehensive Nuclear-Test-Ban Treaty, held, respectively, in 2001 in New York and 2003 in Vienna, ratifying and signatory States adopted Final Declarations calling on all States that have not done so to sign and ratify the Treaty without delay. The Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO Preparatory Commission), which was established in November 1996, has been at work in Vienna, Austria, to carry out the necessary preparations for the effective implementation of the CTBT. From the outset, it has concentrated its work on establishing an effective global verification regime in the form of an International Monitoring System (IMS) and International Data Centre (IDC), and implementing necessary training programmes for the verification regime envisaged in the Treaty.

Negotiations of a treaty banning the production of fissile material for nuclear weapons and other nuclear explosive devices, has been long on the international agenda. But to date, the Geneva-based Conference on Disarmament (CD) has not been able to start such negotiation as the Conference has not been able to reach agreement on its substantive programme of work that

would include other issues related to nuclear disarmament as well.

Efforts to reduce their nuclear weapons were made by the Russian Federation and the United States. At the Moscow Summit, on 24 May 2002, both States signed the Strategic Offensive Reductions Treaty (SORT), by which they agreed to limit their deployed strategic nuclear warheads to an aggregate number of 1700–2200 for each Party by 31 December 2012.

In September 2002, the parties to the Trilateral Initiative, the Russian Federation, the United States and the IAEA met to review the status of the initiative and concluded that the task entrusted to the Trilateral Initiative Working Group has been fulfilled. The Initiative was launched in 1996 to develop a new IAEA verification system for weapon-origin material designated by the United States and the Russian Federation as released from their defence programmes. The removal of weapon-origin fissile material from the defence programmes of the Russian Federation and the United States is in furtherance of the commitment to disarmament undertaken by the two states pursuant to Article VI of the NPT.

The terrorist attacks of 11 September 2001 in the United States awoke the world to the fear over the possibility of future acts of terrorism involving weapons of mass destruction. They also highlighted the increased importance for disarmament and non-proliferation to prevent non-State actors from acquiring, developing, trafficking in or using nuclear, chemical and biological weapons and their means of delivery. The Security Council by its resolution 1540 (2004) specifically addressed that concern. It requires that all States adopt and implement effective laws that prohibit any non-State actor from manufacturing, acquiring, possessing, developing, transporting, transferring or using nuclear, chemical and biological weapons and their means of delivery, in particular for terrorist purposes, and to take and enforce effective measures to establish domestic controls to prevent the proliferation of such weapons.

As of February 2005, 63 NPT States parties have ratified Additional Protocols to their IAEA Safeguards Agreements for the Agency's application of strengthened safeguards, outlined in the "Model Additional Protocol" (INFCIRC/540 Corr.) which was approved by the IAEA Board of Governors in May 1997. Currently 152 States have safeguards agreements with the IAEA and a total of 908 facilities are under routine safeguards inspections. The increase in the number of Additional Protocols since the 2000 Review Conference has been significant, with

42 additional States having signed such protocols and 53 States have brought them into force. (For detailed information see Fact Sheet No. 2.)

Concern over non-compliance with the safeguards provisions of the Treaty has continued, especially since the IAEA remains unable to verify nuclear material subject to safeguards in the DPRK, and divergent views continue to persist with regard to the DPRK's status vis-à-vis the NPT after its withdrawal from the Treaty on 1 January 2003. The situation in the DPRK continues to pose a serious challenge to the nuclear non-proliferation regime, as the Agency has never been allowed by the DPRK to verify the completeness and correctness of the DPRK's initial 1992 declaration. Since December 2002, the Agency has not been permitted to perform any verification activities in the DPRK and therefore cannot provide any level of assurance of the non-diversion of nuclear material.

In December 2003, after intensive contacts with the United Kingdom and United States governments, Libya announced that it had decided to eliminate materials, equipment and programmes that might be used to produce internationally banned weapons. It also announced its intention to fulfil all its obligations under the relevant regimes on the non-proliferation of weapons of mass destruction and to accept international inspection teams to verify its compliance with its commitments. As a result of its verification activities in 2004, the IAEA confirmed that, for many years, Libya had pursued a clandestine programme of uranium conversion and enrichment. Recent IAEA assessments of Libya's declarations concerning its uranium conversion programme, enrichment programme and other past nuclear related activities appear to be consistent with the information available to, and verified by, the Agency. However, further investigations are needed in order to verify the completeness and correctness of Libya's declarations. These investigations are ongoing. (For detailed information see Fact Sheet 2.)

In recent years, the IAEA Board of Governors devoted considerable attention to the implementation of Iran's comprehensive safeguards agreement. In a resolution adopted on 29 November 2004, the Board noted with interest the agreement between Iran and France, Germany and the United Kingdom issued on 15 November 2004, and welcomed the fact that Iran had decided to continue and extend its suspension of all

enrichment related and reprocessing activities. The Board underlined that the full and sustained implementation of this suspension, which is a voluntary, non-legally-binding confidence-building measure, to be verified by the IAEA, is essential to addressing outstanding issues.

The importance of nuclear-weapon-free-zones for non-proliferation as well as disarmament and the establishment of such a zone in the Middle East was underlined in the resolution on the Middle East of the 1995 Review Conference and reaffirmed in 2000. This subject will be one of the main issues at the 2005 Review Conference.

Since the 2000 Review Conference, considerable progress has been made towards establishing a nuclear-weapon-free zone in Central Asia. In February 2005, the five Central Asian States announced reaching an agreement on the treaty text.

The Preparatory Committee has not been able either to make recommendations to the 2005 Review Conference on the issue of legally-binding security assurances by the five nuclear-weapon States parties to the NPT.

According to the IAEA's Member States, the benefits of peaceful nuclear technology should be available to all States. Through its Technical Cooperation Programme (TCP), the Agency works in partnership with Member States using nuclear technology to assist them to achieve their major sustainable development priorities in a cost-effective manner. In 2003 the TC Programme disbursed more than US\$73.2 million worth of equipment, services, and training. An agreement has been reached for a target figure for the Technical Cooperation Fund for 2005 and 2006 of \$77.5 million for each of the two years. (For detailed information see Fact Sheet No. 2.)

As in the past, the issue of the inalienable right of the parties to the NPT to develop, research, produce and use nuclear energy for peaceful purposes without discrimination will continue to receive one of the highest attentions. In this respect, several proposals have been made recently aimed at finding ways to prevent nuclear technology and materials from being diverted to covert and illegal weapons programmes, while ensuring States' parties legitimate right to peaceful uses of nuclear energy.

INTERNATIONAL ATOMIC ENERGY AGENCY

The International Atomic Energy Agency (IAEA) was established in 1957 as an autonomous organization under the aegis of the United Nations.

In his “Atoms for Peace” address to the United Nations General Assembly in December 1953, U.S. President Dwight Eisenhower laid down a challenge that “It is not enough to take this [nuclear] weapon out of the hands of the soldiers. It must be put in the hands of those who will know how to strip its military casing and adapt it to the arts of peace.” It is time to “devise methods whereby this fissionable material would be allocated to serve the peaceful pursuits of mankind.” In the spirit of “Atoms for Peace”, the Agency has for nearly half a century served as the world’s focal point for peaceful nuclear cooperation and, through the application of its safeguards system, has ensured that nuclear technology serves only peaceful activities.

Aims and Activities

The 1968 Treaty on the Non-Proliferation of Nuclear Weapons (NPT) is based on three pillars—nuclear nonproliferation; peaceful nuclear cooperation; and nuclear disarmament—and the premise that progress in any one pillar strengthens the integrity of the whole.

The IAEA’s work also focuses on three pillars: preventing further nuclear proliferation through the application of the Agency’s safeguards system; enhancing the safety and security of nuclear material and facilities as well as of other radioactive materials; and mobilizing nuclear science and technology to the benefit of all the Agency’s Member States.

To achieve these objectives, the IAEA fosters research and development in the various peaceful uses of nuclear energy, including electricity generation and medical, agricultural, industrial and environmental applications. It assists most of its 137 Member States through technical cooperation programmes and promotes the exchange of scientific and technical information between them. The IAEA’s work also includes setting the framework for cooperative efforts to build and strengthen an international nuclear safety and security regime and

verifying States’ fulfilment of their non-proliferation undertakings.

The IAEA thus continues to play an important role within the operating framework of its three pillars as a catalyst for sustainable development, as a cornerstone for nuclear safety and security, and verification of nuclear non-proliferation.

Verification

The Agency verifies States’ nuclear non-proliferation commitments and provides assurances to the international community of the exclusively peaceful use of nuclear material and activities (<http://www.iaea.org/OurWork/SV/Safeguards/index.html>). Effective verification is vital to the continued success of nuclear non-proliferation efforts. In this regard, the Agency verification activities ensure that nuclear material and facilities intended for peaceful use are not used for the production of nuclear weapons or other nuclear explosive devices. Safeguards are essentially a technical means for verifying a State’s fulfilment of its commitments to the peaceful use of nuclear energy as reflected in legal instruments such as the NPT and nuclear-weapon-free zone (NWFZ) treaty arrangements.

NPT safeguards obligations

Non-nuclear-weapon States (NNWS) party to the NPT have the legal obligation to bring into force “comprehensive” safeguards agreements with the Agency that cover all of a State’s nuclear material. Comprehensive safeguards agreements are also required by nuclear-weapon-free zone treaties, which have thus far been concluded for Latin America and the Caribbean, the South Pacific, Africa and Southeast Asia. Additionally, for each of the five NPT nuclear-weapon States (NWS), agreements known as “voluntary offer” safeguards agreements (VOA) are in force. These voluntary agreements—like those of the NNWS—are based on the safeguards obligations and procedures contained in Agency document INFCIRC/153 (Corr.). However, they apply only to nuclear material in facilities voluntarily submitted by the NWS concerned for Agency verification. The other type

of safeguards agreement, modelled on Agency document INFCIRC/66 Rev.2, is “item specific” and covers individual facilities, specified nuclear material, and/or specified items of equipment or non-nuclear material, and is applied in States that are not party to the NPT.

The verification-related objectives of the NPT are to ensure that safeguards are applied to all nuclear material in all peaceful nuclear activities of the NNWS parties to the Treaty and to provide assurances to the international community that these NNWS fulfill their non-proliferation undertakings. The Agency endeavours to fulfil these objectives through a system that is designed to detect, in timely manner, diversion of significant quantities (SQ)¹ of nuclear material from peaceful nuclear activities to the manufacture of nuclear weapons or of other nuclear explosive devices, and to deter such diversion by the risk of early detection. However, these objectives cannot be fulfilled without the conclusion of comprehensive safeguards agreements by the States.

The basic features of the Agency’s traditional safeguards system are:

- *nuclear material accounting*, through which, on the basis of information provided primarily by the State, the Agency establishes an initial inventory of nuclear material in the State, and records subsequent changes to it;
- *containment and surveillance measures* to monitor access to and movement of nuclear material; and
- *on-site inspections and visits* during which Agency inspectors have the right to carry out a variety of measures (such as verifying facility design information; examining records; taking measurements and samples of nuclear material for IAEA analysis; and verifying the functioning and calibration of instruments) for the purpose of verifying the correctness and completeness of States’ declarations concerning nuclear materials accountancy and their nuclear programmes.

On-site inspections are the most important practical feature of comprehensive safeguards agreements. Inspections are of three types: ad hoc, routine and special.

¹ A significant quantity is the approximate quantity of any given type of nuclear material, which, taking into account any conversion process involved is required for the manufacture of a nuclear explosive device. The timely detection of diversion is a reference to the maximum time-frame within which the Agency seeks to detect any diversion from peaceful use. For this quantification, the Agency looks at the “conversion times” required to convert different types of nuclear material into a nuclear explosive device.

Ad hoc and routine inspections constitute the bulk of Agency inspections. They ensure IAEA access to nuclear material and operating records and to locations where nuclear material is, or may be, used or stored. Special inspections have been exceptional and may be prompted by the State itself, or by the IAEA, if the Agency considers that information made available by the State is not adequate for the Agency to fulfill its responsibilities under the relevant safeguards agreement.

Strengthening the Agency’s safeguards system

Since their inception, Agency safeguards have continually evolved, taking into account both changes in technology and specific verification-related challenges that have arisen. The principal impetus behind what has become known as the strengthened safeguards system was the discovery of Iraq’s clandestine uranium enrichment and nuclear-weapons programmes. These revelations in 1991 highlighted the shortcomings of the traditional safeguards system. At that time, the Agency’s Board of Governors agreed that the system would henceforth have to provide assurance not only of the non-diversion of declared nuclear material, but also of the absence of any undeclared nuclear material and activities. To do this, the safeguards system had to move beyond its traditional focus on the “correctness” of a State’s declarations concerning nuclear material and activities to incorporate more qualitative assessments of the “completeness” of a State’s declarations.

The IAEA began to introduce safeguards strengthening measures in 1992. The focus of these strengthening measures was on obtaining more information from States about their nuclear material, facilities and plans, on gaining more access to locations at which nuclear material is or could be present, and on using new verification technology.

Between 1993 and 1995, the Agency developed further measures for strengthening the effectiveness and improving the efficiency of the safeguards system. Some of the measures could be implemented under the legal authority already conferred upon the Agency in comprehensive safeguards agreements. Others required additional legal authority. To this end, in June 1996, the Board of Governors decided to establish an open-ended Committee to negotiate a legal instrument that would provide that authority. The Committee negotiated the text of the Model Protocol Additional to Safeguards Agreements between States and the IAEA for the Application of Safeguards, which the Board of Governors approved in May 1997 (and subsequently published as IAEA document INFCIRC/540(Corr.)). The Board requested the Director General, *inter alia*, to use

the Model as the standard for additional protocols to be concluded by States and other parties to comprehensive safeguards agreements with the Agency.

The Model Additional Protocol

The Model Additional Protocol is the key to a strengthened safeguards system and embodies powerful new tools to help the Agency verify States' compliance with their non-proliferation undertakings. Building on earlier strengthening measures, an additional protocol, in combination with the relevant safeguards agreement, enables the IAEA to obtain a comprehensive picture of a State's nuclear material, activities and plans. Under an additional protocol, a State is required to provide information and access to the Agency related to: all aspects of its nuclear fuel cycle; nuclear fuel cycle-related research and development; all buildings on a nuclear "site"; the manufacture and export of sensitive nuclear-related equipment and technologies; long-term plans for the development of the nuclear fuel cycle; and broader physical access ("complementary access"). The wider use of environmental sampling and the granting of one-year multiple-entry visas to inspectors are some of the technical and administrative tools that ensure the robustness of the strengthened system.

By representing an advantageous balance between the rights and obligations of the State and the Agency, the additional protocol is fast becoming the safeguards standard. While a State concluding an additional protocol incurs certain additional obligations, the State's rights are protected through the Agency's obligation: not to verify in a mechanistic or systematic fashion the information provided under the additional protocol; to provide, within established periods, advance notice to the State in writing of requests for complementary access; to make arrangements for managed access upon request by the State; to inform the State of the activities carried out under the additional protocol, the results of activities in respect of any questions or inconsistencies and the resulting conclusions it has drawn from those activities; to agree on Subsidiary Arrangements with the State, if either the State or the Agency considers it necessary; and to maintain a stringent regime to ensure effective protection against disclosure of all commercial, technological, and industrial secrets and other confidential information.

Integrated safeguards are the optimum combination of all safeguards measures available to the Agency under comprehensive safeguards agreements and additional protocols to achieve the maximum effectiveness and efficiency within available resources. The Agency has focused on several aspects related to integrated safeguards, which have been implemented in Australia,

Indonesia and Norway. State specific integrated safeguards approaches are under development for Canada, Hungary, Japan, Poland, Slovenia and Uzbekistan. In order to facilitate the implementation of integrated safeguards, the Agency has drawn up guidelines for unannounced and short notice inspections and for dealing with anomalies, questions and inconsistencies.

Status of safeguards agreements and additional protocols

There are currently 152 States with safeguards agreements with the Agency and 908 facilities under routine safeguards inspection. Of the 184 NNWS party to the NPT, 40 have yet to conclude or bring into force a comprehensive safeguards agreement.

Ninety States party to the NPT have concluded additional protocols, 62 of which have brought additional protocols into force and it is being applied provisionally in two States pending entry into force. The increase in the number of additional protocols since the last NPT Review Conference in 2000 has been dramatic, with 42 additional States having signed such protocols and 53 States having brought them into force.

Comprehensive safeguards agreements are in force in 32 of the 33 States party to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) and in all of the States party to the South Pacific Nuclear-Free Zone Treaty (Treaty of Rarotonga) and to the Southeast Asia NWFZ Treaty (Treaty of Bangkok). The Agency stands ready to assist States in the development of NWFZ involving safeguards verification—as it has done in the case of the African NWFZ Treaty (Treaty of Pelindaba), which is not yet in force—including the possible establishment of such zones in Central Asia and in the Middle East.

The Agency's Safeguards Implementation Report (SIR) for 2003 reported that for 19 States with both a comprehensive safeguards agreement and an additional protocol in force or being otherwise applied, the Agency—having found no indication of the existence of undeclared nuclear material or activities—concluded that all nuclear material had been placed under safeguards and remained in peaceful nuclear activities or was otherwise adequately accounted for. In addition, for 125 other States (and Taiwan, China), the Agency was able to reach a more limited conclusion—namely, that the nuclear material and other items that had been placed under safeguards remained in peaceful nuclear activities or was otherwise adequately accounted for. With regard to the Islamic Republic of Iran and the Socialist People's Libyan Arab Jamahiriya, both of which had been

engaged in previously undeclared nuclear activities, the Agency found that both States were in breach of their obligations to comply with their respective safeguards agreements. No verification activities were carried out during 2003 in the Democratic People's Republic of Korea (DPRK) due to the expulsion of the Agency's inspectors in December 2002 following the DPRK's ending of the "freeze" on its nuclear activities. With regard to 44 NNWSs party to the NPT that had no comprehensive safeguards agreements in force in 2003, the Agency was not able to implement safeguards, nor could safeguards conclusions be drawn for those States.

Current verification issues

As indicated in the IAEA's report to the Security Council of 27 January 2003, and confirmed in subsequent statements of the Director General before the Security Council, the IAEA found no evidence or plausible indication of the revival of a nuclear weapons programme in Iraq between 16 December 1998 and 27 November 2002 when Agency inspectors had been absent from the country (<http://www.iaea.org/NewsCenter/Focus/iaeaIraq/index.shtml>). Since the inspectors' withdrawal on 17 March 2003, on the eve of military action, Agency inspectors have not been able to return to Iraq to carry out the Agency's Security Council mandated verification activities. However, the IAEA has continued to focus its activities on analysing the additional information collected during inspections; consolidating its overall information assets; and collecting and analysing a variety of new information, including satellite imagery, to update its knowledge of relevant locations in Iraq. With the support of Member States, the IAEA has also been able to continue with some of its investigations outside of Iraq, following up on inspections and subsequent analysis. These post-inspection activities have revealed no evidence of the revival of a nuclear weapons programme in Iraq.

In resolution 1546 (2004), the Security Council, *inter alia*, reaffirmed its intention to revisit the mandate of the Agency in Iraq. Given the level of instability in the country, and Iraq's past nuclear weapon-related activities and capabilities, it is important and urgent that a credible verification and monitoring system be reinstated. The Agency's mandate in Iraq under various Security Council resolutions still stands and the Agency awaits the results of the review and further guidance from the Security Council. In the meantime, the Agency is maintaining its capacity in its Iraq Nuclear Verification Office. Once the security situation permits, it would be prudent for Agency inspectors to return to Iraq, to bring the nuclear file to closure and—through implementation of the Security Council approved plan for long term monitoring—to provide ongoing assurances that pro-

grammes related to the development and production of weapons of mass destruction have not been resumed.

The situation in the DPRK continues to pose a serious challenge to the nuclear non-proliferation regime (<http://www.iaea.org/NewsCenter/Focus/IaeaDprk/index.shtml>). The Agency has never been allowed by the DPRK to verify the completeness and correctness of the DPRK's initial 1992 declaration—specifically, to verify that the DPRK has declared all the nuclear material that is subject to Agency safeguards under its comprehensive safeguards agreement pursuant to the NPT, and has, since 1993, been unable to implement fully its NPT safeguards agreement with the DPRK. Since December 2002, the Agency has not been permitted to perform any verification activities in the DPRK and therefore cannot provide any level of assurance of the non-diversion of nuclear material. On 10 January 2003, the DPRK announced its immediate withdrawal from the NPT. However, in a resolution adopted on 12 February 2003, the IAEA Board of Governors confirmed that the Agency's NPT safeguards agreement with the DPRK remained binding and in force. The Board further stated that it was essential and urgent that the DPRK enable the Agency to take the necessary measures to verify compliance with that Agreement. The Board decided to report, as provided for in Article XII.C. of the Statute, through the Director General, the DPRK's non-compliance and the Agency's inability to verify non-diversion of nuclear material subject to safeguards, to all Members of the Agency and to the Security Council and General Assembly of the United Nations; and in parallel stressed its desire for a peaceful resolution of the DPRK nuclear issue and its support for diplomatic means to that end.

In recent years, the Board devoted considerable attention to the implementation of Iran's NPT comprehensive safeguards agreement (<http://www.iaea.org/NewsCenter/Focus/iaeaIran/index.shtml>). The Director General has submitted seven reports to the IAEA Board of Governors, which has adopted six resolutions urging Iran, *inter alia*, to demonstrate full cooperation and transparency, with a view to enabling the Agency to deal with remaining open questions and unresolved issues. Iran signed an Additional Protocol to its safeguards agreement in December 2003 and has undertaken to act in accordance with the provisions of the Protocol pending its entry into force. Nevertheless, further cooperation with the Agency by Iran is required for the Agency to be able to clarify outstanding issues such as the origin of uranium contamination found at various locations in Iran and the extent of Iran's centrifuge programme. In his report of 15 November 2004 on the implementation of safeguards in Iran, the Director General stated that, while all the declared nuclear material in Iran had been accounted for, and therefore such material is not diverted

to prohibited activities, the IAEA was not yet in a position to conclude that there were no undeclared nuclear materials or activities in Iran. In a resolution adopted on 29 November 2004, the Board of Governors noted with interest the agreement between Iran, France, Germany and the United Kingdom with the support of the High Representative of the European Union made public on 15 November 2004, and welcomed the fact that Iran had decided to continue and extend its suspension of all enrichment related and reprocessing activities. The Board underlined that the full and sustained implementation of this suspension, which is a voluntary, non-legally-binding confidence-building measure, to be verified by the IAEA, is essential to addressing outstanding issues.

As a result of its verification activities in 2004, the IAEA confirmed that, for many years, Libya had pursued a clandestine programme of uranium conversion and enrichment (<http://www.iaea.org/NewsCenter/Focus/IaeaLibya/index.shtml>). The Director General's report of 1 June 2004 to the Board of Governors stated that, starting in the early 1980s and continuing until the end of 2003, Libya had failed to meet its obligations under its safeguards agreement with respect to the reporting of nuclear material imported into Libya and the subsequent processing and use of the material, as well as with regard to the declaration of facilities and other locations where the material had been stored and processed. The report also stated that Libya had received documents related to nuclear weapon design and fabrication. Libya has begun to take steps to dismantle and eliminate its equipment, materials and programmes related to the production of nuclear weapons in a manner verifiable by the Agency. The Agency's assessments of Libya's declarations concerning its uranium conversion programme, enrichment programme and other past nuclear related activities appear to be consistent with the information available to, and verified by, the Agency. While Libya has shown good cooperation, there are still some areas related to the acquisition of uranium hexafluoride, uranium conversion technology and enrichment technology that need further investigation in order for the IAEA to verify the completeness and correctness of Libya's declarations. These investigations are ongoing. Libya signed an Additional Protocol to its safeguards agreement in March 2004 and has undertaken to act in accordance with the provisions of the Protocol pending its entry into force.

On 23 August 2004, the Republic of Korea (ROK) informed the Agency that in June of 2004 the Government had discovered that laboratory-scale experiments involving the enrichment of uranium and the separation of plutonium had been conducted by scientists at the Korea Atomic Energy Research Institute in 2000. In his report to the Board of Governors of 11 November 2004, the Director General indicated that

the Agency had found that, on a number of occasions, starting in 1982 and continuing until 2000, the ROK had conducted experiments and activities involving uranium conversion, uranium enrichment, and plutonium separation, which it had failed to report to the Agency in accordance with its obligations under its safeguards agreement. The report further stated that, although the quantities of nuclear material involved had not been significant, the nature of the activities and the failures by the ROK to report these activities in a timely manner were a matter of serious concern. However, based on the information provided by the ROK and the verification activities carried out by the Agency to date, there was no indication that the undeclared experiments had continued. At its session on 26 November 2004, the Board of Governors concluded that it shared the Director General's view that, given the nature of the nuclear activities described in his report, the failure of the ROK to report these activities in accordance with its safeguards agreement was of serious concern. The Agency will continue the process of verifying the correctness and completeness of the ROK's declarations pursuant to its safeguards agreement and additional protocol.

Nuclear Technology

The bargain underlying the IAEA's creation in 1957 presaged the central bargain of the NPT—countries choosing not to develop nuclear weapons would get international support and assistance for all peaceful uses of nuclear energy. Article II of the Agency's Statute, 'Objective', reads, in its entirety,

"The Agency shall seek to accelerate and enlarge the contribution of atomic energy to peace, health and prosperity throughout the world. It shall ensure, 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."

The principal peaceful benefit that the founders had in mind was nuclear power. And nuclear power still remains the most prominent peaceful application of nuclear energy and the one with the greatest quantifiable economic benefit.

There are today 440 nuclear power plants in 30 countries providing 16% of the world's electricity. Most are in developed countries. France gets 78% of its electricity from nuclear power. For Sweden the figure is 50%. For Switzerland and the Republic of Korea it is 40%. For Japan it is 25%, for the UK 24%, for the USA 20%, and for the Russian Federation 17%.

Current nuclear expansion is centred in the Far East and South Asia. Of 26 new reactors now under construc-

tion, 19 are located in Asia. Twenty of the last 30 reactors to have been connected to the grid are in the Far East and South Asia. Although China and India currently get only 2.2% and 3.3% of their electricity from nuclear power respectively, both have growing energy demands and significant plans for nuclear expansion. China currently has nine operating reactors and two under construction. India has 14 in operation and nine under construction.

The Agency provides support to interested Member States in establishing, maintaining and strengthening nuclear science, nuclear power, the nuclear fuel cycle and spent fuel management (<http://www.iaea.org/OurWork/ST/NE/index.html>). Recognizing that continual innovation is essential if a technology is to survive and flourish in the 21st century, the Agency also works to catalyse innovation in nuclear technologies. Finally, the Agency helps interested Member States, mainly in the developing world, to develop or enhance their indigenous capacity for comprehensive energy system planning consistent with their national sustainable development objectives. The IAEA is the sole UN agency building capacity in overall energy planning.

The Agency is also active concerning the front- and back-end of the nuclear fuel cycle. It assembles and disseminates authoritative data on uranium resources, exploration, mining and production. Through published guidelines and technical documents, and through training courses and workshops, the Agency promotes best practices in uranium mining and production to minimize environmental impacts.

In addition, the Agency is the only independent and non-commercial organization that provides a forum for the exchange of experience and promotion of best practices on the technical, scientific and safety aspects of the use and reliability of nuclear fuel. Agency activities focus on the exchange of information, research, practical experience and best practices. They also promote harmonization of advanced methods for fuel design, fabrication and use among Member States with different reactor designs. They provide access to advances in core corrosion monitoring and control, and in validation and verification of national fuel performance codes.

The Agency's International Project on Innovative Nuclear Reactors and Fuel Cycles (INPRO) has 21 members—Argentina, Armenia, Brazil, Bulgaria, Canada, Chile, China, the Czech Republic, France, Germany, India, Indonesia, the Republic of Korea, the Netherlands, Pakistan, the Russian Federation, South Africa, Spain, Switzerland, Turkey and the European Commission. INPRO published an initial report in 2003 that outlined the potential of nuclear power and specified guidelines

and a methodology for evaluating innovative concepts. In 2004 this methodology was tested through pilot applications in a series of case studies, and a final report on the updated INPRO methodology is to be published early in 2005. INPRO complements the other major international initiative to promote innovation—the US initiated Generation IV International Forum (GIF).

Research reactors

For nuclear research and technology development to continue to prosper, research reactors must be safely and reliably operated, adequately utilized, refurbished when necessary, provided with adequate non-proliferating fuel cycle services and safely decommissioned at the end of life. Moreover, since about 60% of the operating research reactors in the world are over 30 years old, ageing core materials and the technology of ageing management are priority issues in the majority of Member States with research reactors.

Among its other efforts to reduce proliferation risks, the Agency provides support to the RERTR programme, which stands for Reduced Enrichment for Research and Test Reactors. This programme promotes the conversion of research reactors from highly enriched uranium (HEU) fuel, suitable for weapons, to low enriched uranium (LEU), which is unsuitable for weapons.

Medical, agricultural, industrial and environmental applications

The Agency also works to foster the role of nuclear science and technology in support of sustainable human development in addition to electricity generation (<http://www.naweb.iaea.org/na/index.html>). This involves both advancing and exploiting knowledge to tackle pressing worldwide challenges: hunger, disease, natural resource management, environmental pollution, and climate change. Nuclear techniques boost production of tropical plants and combat insects and diseases. Nuclear tools improve the food safety and help to cut air pollution. Radiology saves the lives of cancer patients throughout the developing world. And many of these nuclear techniques are relatively cheap, simple to handle and offer excellent and often unique benefits in such areas as insect control, water resources management, human health, and environmental protection. The IAEA promotes the transfer of nuclear technology for peaceful purposes to Member States with the appropriate infrastructure, including Safeguards Agreements, required to use the technology.

The Agency is bridging the technology gap by putting science to work for development, which requires

'capacity building' to train scientists and prepare institutions. Working together with bilateral, multilateral, and non-governmental aid partners, the IAEA is contributing to the social and economic development of its Member States and delivering sizeable human benefits. The IAEA's main areas of activities are: research and development, which is conducted jointly through laboratories and universities worldwide; energy and electricity assistance to help countries plan their energy needs including nuclear generation of electricity and the Agency's technical cooperation programme which promotes research, adaptation and the transfer of nuclear science for meeting basic human needs.

Technical Cooperation

Through its Technical Cooperation Programme (TCP), the IAEA works in partnership with Member States using nuclear technology to assist them to achieve their major sustainable development priorities in a cost-effective manner (<http://www-tc.iaea.org/tcweb/default.asp>). The partnership nature of the programme is becoming more evident as Member States develop their capacity and experience in nuclear technology. Now many more States are able to provide mutual support to enhance the application of nuclear technology and thereby contribute to improving the quality of life in individual countries.

Each year the Agency supports more than 800 technical cooperation projects worldwide with over 100 Member States participating in national, regional and interregional projects. The Agency's assistance is targeted to priority needs and provided where such technology is the most effective and appropriate, and the recipient Member State has adequate infrastructure to adopt and sustain such technology safely. Much care is taken to ensure that nuclear technology is used only when a State has the necessary safety infrastructure to support it and, when nuclear technology can make a practical and unique contribution. In this context it is important to remember that developed countries use nuclear technology extensively in medicine, agriculture and industry. According to the Agency's Member States, the benefits of peaceful nuclear technology should be available to all States.

In 2003 the TC Programme disbursed more than US\$73.2 million worth of equipment, services, and training. Support for projects involved 3,121 expert and lecturer assignments, 2,848 meeting and workshop participants, 2,107 participants in training courses and 1,411 fellows and visiting scientists. Of the assistance delivered in 2003, nearly equal portions of 21% were related to nuclear safety and human health; 16% was devoted to food and agriculture, 10% to physical and chemical

sciences and marine environment. Water resources and industry received 9%, 6% went to human resource development and capacity building. Nuclear power and nuclear fuel cycle, material technologies, disposal radioactive waste management technologies both received 5%. An agreement has been reached for a target figure for the Technical Cooperation Fund for 2005 and 2006 of \$77.5 million for each of the two years.

Nuclear Safety and Security

The safety and security of nuclear activities around the globe are key elements of the IAEA's mandate (<http://www.iaea.org/OurWork/SS/index.html>). This includes the emphasis on defence in depth, risk management and international cooperation. It also comprises of a concerted drive to upgrade facilities with older design features. The IAEA also assists developing Member States in establishing a solid radiation protection infrastructure. A further emphasis has been on the safety and security of the transport of nuclear material. Particularly in recent years, further strengthening physical protection of nuclear material and nuclear facilities and enhancing the security of nuclear material and radioactive sources worldwide have constituted a dual focus of the IAEA's work. Despite the considerable progress achieved, maintaining an effective and transparent global nuclear safety and security regime remains of paramount importance.

The adoption of four safety related conventions since the Chernobyl accident has proven to be a powerful mechanism for enhancing nuclear safety worldwide. Nonetheless, there is a need to further strengthen the nuclear legal regime. In July 2004, the Director General circulated proposed amendments to the 1979 *Convention on Physical Protection of Nuclear Material* (CPPNM) to all States Parties with a view to extending its scope to cover, *inter alia*, the physical protection of nuclear material used for peaceful purposes not only in international transport and storage, but also in domestic transport, storage, and use; it should also include the protection against sabotage of nuclear material and facilities used for peaceful purposes.

Apart from this framework of safety and security conventions, the IAEA establishes nuclear safety standards as the global reference for protecting people and the environment. International safety standards exist for nuclear power plants, research reactors, radioactive waste management, for the transport of radioactive materials, and for the use of radiation and radioactive materials in medicine, industry and research. Where appropriate, these safety standards are co-sponsored by other relevant international organizations.

All countries receiving IAEA support for projects must adhere to these safety standards. The IAEA contributes towards the application of these standards by:

- rendering safety services on request;
- by fostering international information exchange on safety;
- by promoting education and training in relevant subjects; and
- by providing safety related assistance.

As a central body for international information exchange, the IAEA organizes conferences and seminars, and produces a wide range of publications increasingly also through the Internet. In the event of a radiological emergency or accident, the IAEA is responsible for conveying authoritative information about the situation to all of its Member States rapidly. In addition, it is also the main coordinating body for the development and maintenance of the Joint Radiation Emergency Management Plan of the International Organizations. This plan lays out how each organization acts during an emergency response.

On nuclear security, the IAEA is meeting the challenges posed by the current security environment through its nuclear security plan. The IAEA has developed an action plan against nuclear terrorism within the framework of the nuclear security plan. The action plan covers three lines of defence: prevention; detection; and response; supplemented with activities in support of information management and co-ordination. It embraces advisory, evaluation, and training services, as well as legislative and technical support.

At the core of the action plan is the assessment of States' needs for improved nuclear security. Since 2001, the IAEA has carried out over 60 advisory and evaluation missions to help States identify and remedy their nuclear security needs. The IAEA assigns high priority to training and offers workshops in an international, regional, and national context, depending on the subject areas. The Agency also works to bring about universal adherence to, and implementation of existing international legal instruments relevant to the enhancement of protection against nuclear terrorism, including the *Convention on the Physical Protection of Nuclear Material (CPPNM)* and the *Code of Conduct for the Safety and Security of Radioactive Sources*. International cooperation is also essential for identifying best practices to combat nuclear terrorism, as well as for knowledge sharing, resource allocation, information exchange and early warning. While coordinating its work with States and groups of

States, which also provide bilateral security support, the IAEA facilitates the provision of physical protection equipment upgrades, as well as of equipment for accounting and for detection of nuclear smuggling. Additionally the IAEA provides information collected for its Illicit Trafficking Database, which compiles data related to the illicit trafficking in nuclear and other radioactive materials. The IAEA also provides nuclear forensics support to Member States for the characterization of confiscated material through dedicated laboratories around the world, and it supports the upgrading of tools for the detection of radioactive materials in trafficking.

Financially, the extra-budgetary funding received by the Nuclear Security Fund has, in general terms, met the Agency's targets. The IAEA has responded with a very high implementation rate and in 2003 the Agency target was exceeded. The expectation is that in 2004 implementation will once again be at 100 % or above.

Governance and Policy-Making

The Agency consists of the General Conference, the Board of Governors, and the Secretariat. The General Conference comprises all Member States of the Agency, each having one vote. The Conference normally meets once a year in September at the Agency's headquarters in Vienna (Austria).

The Board of Governors, which currently consists of 35² members designated or elected on the basis of regional distribution or technological expertise, carries out the statutory functions of the Agency. The Board usually meets five times per year at the Agency's headquarters in Vienna.

The Secretariat has six functional departments, each headed by a Deputy Director General: Nuclear Energy; Nuclear Safety and Security; Nuclear Sciences and Applications; Safeguards; Technical Co-operation and Management, and the Secretariat as a whole is headed by the Director General, who is appointed for a four-year term by the Board with the approval of the General Conference. The current Director General, Dr. Mohamed ElBaradei, was appointed in December 1997. The IAEA

² The 43rd General Conference, which concluded 1 October 1999, adopted a resolution to amend the Agency Statute to expand the Board's membership to 43. This change will take effect once it has been accepted by two thirds of all Member States and once the General Conference has confirmed a list of all Member States, which has been adopted by the Board, by which each Member is allocated to one of the eight regional areas listed in the Statute.

submits annual reports on its work to the General Assembly of the United Nations.

The Secretariat has over 2200 professional and support staff from more than 90 countries. In addition to its Vienna headquarters, the Agency has liaison offices in New York and Geneva, as well as safeguards regional offices in Tokyo and Toronto. It also has two international laboratories and research centres.

Membership

Membership in the Agency is open to all States, whether or not Members of the United Nations or any of its specialized agencies, which deposit an instrument of acceptance of the IAEA's Statute after their membership has been approved by the General Conference, on the recommendation of the Board of Governors.

In November 2004, there were 137 Member States. The IAEA's regular budget for 2004 was US\$268.5 million and it is expected to increase to US\$280 million for 2005.

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Information correct as of 23 December 2004.

2

CHRONOLOGY OF EVENTS RELATING TO NUCLEAR NON-PROLIFERATION

16 July 1945

The United States successfully tested its first nuclear bomb.

August 1945

Atom bombs were dropped on Hiroshima (6 August) and Nagasaki (9 August).

29 August 1949

The Soviet Union tested its first nuclear bomb.

3 October 1952

The United Kingdom tested its first nuclear bomb.

25 March 1957

The Treaty formally establishing the European Atomic Energy Community (EURATOM) is signed in Rome.

29 July 1957

The Statute of the International Atomic Energy Agency (IAEA), opened for signature on 26 October 1956, comes into force. The Agency is established to facilitate the peaceful uses of nuclear energy, while ensuring that the assistance the Agency provides will not be used for military purposes.

20 November 1959

On the initiative of Ireland, the UN General Assembly adopts resolution 1380 (XIV), by which it suggests that the Ten-Nation Disarmament Committee consider the feasibility of an international agreement by which the nuclear-weapon Powers would not hand over control of those weapons to other Powers, and non-nuclear-weapon States would not manufacture such weapons.

1 December 1959

The Antarctic Treaty is signed in Washington, stipulating that Antarctica shall be used for peaceful purposes only. It prohibits any measures of a military nature, including the testing of any type of weapons.

13 February 1960

France tested its first nuclear bomb.

20 December 1960

On the initiative of Ireland, the General Assembly adopts resolution 1576 (XV), by which it calls upon both nuclear- and non-nuclear-weapon States, pending agreement on the prevention of wider dissemination of nuclear weapons, to refrain, as a temporary and voluntary measure, from acts that would lead to further proliferation.

1961

The IAEA establishes its first safeguards system.

4 December 1961

On the initiative of Sweden, the General Assembly adopts resolution 1664 (XVI), by which it requests the Secretary-General to inquire under what conditions States not possessing nuclear weapons would be willing to undertake not to acquire them.

Upon the initiative of Ireland, the General Assembly adopts, without a vote, resolution 1665 (XVI), by which it calls upon the nuclear-weapon States in particular to endeavour to conclude an international agreement on non-dissemination of nuclear weapons and upon all States to cooperate for this purpose.

5 August 1963

The Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water (the Partial Test-Ban Treaty) is signed by the Soviet Union, the United Kingdom and the United States. On 8 August, it is opened for signature in Moscow, London and Washington.

16 October 1964

China tested its first nuclear bomb.

17 August 1965

The United States submits to the Eighteen-Nation Committee on Disarmament a draft treaty to prevent the spread of nuclear weapons.

24 September 1965

The USSR submits to the General Assembly a draft treaty to prevent the spread of nuclear weapons.

19 November 1965

On the initiative of eight non-aligned States, the General Assembly adopts resolution 2028 (XX), which contains five principles on which negotiation of a non-proliferation treaty is to be based.

1965

The IAEA revises its safeguards system.

November 1966

The General Assembly adopts two resolutions on non-proliferation: resolution 2149 (XXI), by which it appeals to all States, pending conclusion of a nuclear non-proliferation treaty, to renounce actions that might hamper agreement on such a treaty, and resolution 2153 A (XXI), in which it calls upon the Eighteen-Nation Committee on Disarmament to give priority to the question of non-proliferation and also to consider the question of assurances to non-nuclear-weapon States.

27 January 1967

The Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (the Outer Space Treaty) is opened for signature (A/RES/2222 (XI), annex). The Treaty prohibits the placing of nuclear weapons or any other weapons of mass destruction in outer space, stipulating that that environment shall be used exclusively for peaceful purposes.

14 February 1967

The Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (the Treaty of Tlatelolco) is opened for signature in Mexico City. The Treaty establishes the first nuclear-weapon-free zone in a densely populated region, and creates the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL) to oversee its implementation.

August 1967

The Eighteen-Nation Committee on Disarmament considers two separate but identical draft texts of a non-proliferation treaty, submitted by the USSR and the United States, as well as a number of amendments submitted by other members.

19 December 1967

The General Assembly adopts resolution 2346 A (XXII), in which it requests the Eighteen-Nation Committee on

Disarmament to present it with a full report on the negotiations on a non-proliferation treaty on or before 15 March 1968.

1 January 1968

The Treaty establishing the European Atomic Energy Community (EURATOM) enters into force.

January–March 1968

The Eighteen-Nation Committee on Disarmament examines further revisions of the draft treaty texts submitted by the USSR and the United States, which incorporate some of the suggestions of the non-nuclear-weapon States, and submits another revision to the General Assembly at its resumed twenty-second session.

12 June 1968

After further revision—concerning mainly the preamble and articles IV and V—the General Assembly commends the draft text of the Treaty on the Non-Proliferation of Nuclear Weapons, which is annexed to Assembly resolution 2373 (XXII).

19 June 1968

The UN Security Council adopts resolution 255 (1968) on security assurances to non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

1 July 1968

The Treaty on the Non-Proliferation of Nuclear Weapons (also known as the "Non-Proliferation Treaty", or the "NPT") is opened for signature in London, Moscow and Washington—the United Kingdom, the USSR and the United States having been designated the depositary Governments.

16 September 1968

The IAEA revises its safeguards system with further additional provisions for safeguarded nuclear material in conversion plants and fabrication plants.

5 March 1970

The NPT enters into force. The IAEA establishes its safeguards system for NPT parties.

11 February 1971

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 (the Sea-Bed Treaty) is opened for signature.

26 May 1972

The United States and the USSR sign two agreements to halt the growth in their strategic arms: the Treaty on the Limitation of Anti-Ballistic Missile Systems (the Anti-Ballistic Missile Treaty) and the Interim Agreement on Certain Measures with respect to the Limitation of Strategic Offensive Arms. These agreements are referred to as SALT I.

18 May 1974

India conducted a peaceful nuclear explosion.

3 July 1974

The United States and the USSR sign the Treaty on the Limitation of Underground Nuclear Weapon Tests (the Threshold Test-Ban Treaty).

5–30 May 1975

The First Review Conference of the Parties to the NPT is held in Geneva. The Conference adopts a Final Declaration by consensus.

28 May 1976

The United States and the USSR sign the Treaty on Underground Nuclear Explosions for Peaceful Purposes (the Peaceful Nuclear Explosions Treaty).

21 September 1977

Fifteen nuclear supplier countries, known as the Nuclear Suppliers Group or the London Club, reach agreement in London on a set of principles and guidelines to govern the transfer of nuclear materials, equipment and technology. The suppliers' policies are based on a "trigger list" of nuclear and other materials for which certain conditions would have to be met before they would be exported.

23 May–30 June 1978

The General Assembly holds its tenth special session—the first special session devoted to disarmament—in New York. The session ends with the adoption by consensus of a Final Document.

At the special session and later in the year at the General Assembly session, the five nuclear-weapon States make unilateral declarations establishing criteria for granting security assurances to non-nuclear-weapon States.

18 June 1979

The United States and the USSR sign the Treaty on the Limitation of Strategic Offensive Arms (referred to as SALT II).

3 March 1980

The Convention on the Physical Protection of Nuclear Material is opened for signature in Vienna and New York; the Convention applies to nuclear material used for peaceful purposes while in international nuclear transport (INFCIRC/274/Rev.1).

11 August–7 September 1980

The Second NPT Review Conference is held in Geneva. The Conference is unable to agree on a Final Declaration.

7 June–10 July 1982

The General Assembly holds its second special session devoted to disarmament in New York. At the special session, China, France and the USSR update their unilateral declarations regarding security assurances to non-nuclear-weapon States.

6 August 1985

The South Pacific Nuclear Free Zone Treaty (the Treaty of Rarotonga) is opened for signature.

27 August–21 September 1985

The Third NPT Review Conference is held in Geneva. The Conference adopts a Final Declaration by consensus.

23 March–10 April 1987

The UN Conference for the Promotion of International Cooperation in the Peaceful Uses of Nuclear Energy is held in Geneva, but is unable to reach agreement on principles for international cooperation that would promote the objectives of the full utilization of nuclear energy for peaceful purposes and the prevention of the proliferation of nuclear weapons.

16 April 1987

The Missile Technology Control Regime, established by seven industrialized countries, establishes guidelines for sensitive missile-relevant transfers.

30 November 1987

The General Assembly, by its resolution 42/38 C in conjunction with resolution 41/59 N, establishes a system for an annual register of data on nuclear explosions to be submitted to it by the Secretary-General following notification of such tests by Member States.

8 December 1987

The United States and the USSR sign the Treaty on the Elimination of Their Intermediate-Range and Shorter-Range Missiles (the INF Treaty).

1 June 1990

The United States and the USSR sign verification Protocols to the 1974 Threshold Test-Ban Treaty and the 1976 Peaceful Nuclear Explosions Treaty.

20 August–14 September 1990

The Fourth NPT Review Conference is held in Geneva. The Conference is unable to adopt a Final Declaration.

7–18 January 1991

The Amendment Conference of the States Parties to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water convenes in New York.

10 July 1991

South Africa accedes to the Non-Proliferation Treaty as a non-nuclear-weapon State after terminating its nuclear weapons programme.

18 July 1991

Argentina and Brazil establish the Brazilian-Argentine Agency for Accounting and Control of Nuclear Materials.

31 July 1991

The United States and the USSR sign the Treaty on the Reduction and Limitation of Strategic Offensive Arms (the START I Treaty), by which the two sides undertake to reduce their nuclear weapons from their current levels of between 10,000 and 11,000 weapons to between 8,000 and 9,000 weapons.

September–October 1991

The United States and the USSR make unilateral announcements of further reductions and other measures for their respective nuclear arsenals.

31 January 1992

At the meeting of the Security Council held at the level of Heads of State or Government, the Council emphasizes that the proliferation of weapons of mass destruction constitutes a threat to international peace and security.

9 March 1992

China accedes to the NPT.

3 April 1992

The Nuclear Suppliers Group, meeting in Warsaw, revises its "Guidelines for transfers of nuclear-related dual-

use equipment, material and related technology", requiring full-scope safeguards as a condition of export.

23 May 1992

The Lisbon Protocol to the START I Treaty is signed by Belarus, Kazakhstan, the Russian Federation and Ukraine, as successor States of the former USSR in connection with the Treaty, and by the United States. By the Protocol, Belarus, Kazakhstan and Ukraine undertake to adhere to the NPT as non-nuclear-weapon States in the shortest possible time.

2 August 1992

France accedes to the NPT.

27 October 1992

The UN Secretary-General submits to the First Committee of the General Assembly his report entitled "New dimensions of arms regulation and disarmament in the post-cold war era", in which he refers to the NPT as providing an indispensable framework for global non-proliferation efforts.

3 January 1993

The United States and the Russian Federation sign the Treaty on Further Reduction and Limitation of Strategic Offensive Arms (the START II Treaty), by which they undertake to further significantly reduce their nuclear arsenals.

9 February 1993

Belarus accedes to the NPT as a non-nuclear-weapon State.

1 April 1993

The Nuclear Suppliers Group, meeting in Lucerne, Switzerland, revises the 1977 London Guidelines for Nuclear Transfers.

10 August 1993

The Conference on Disarmament decides to give its Ad Hoc Committee on a Nuclear Test Ban a mandate to negotiate a comprehensive nuclear-test-ban treaty. A special meeting (informal) of the Amendment Conference of the Partial Test-Ban Treaty is held in New York.

February 1994

Negotiations on a comprehensive nuclear-test-ban treaty begin in the Conference on Disarmament. Consultations begin in the Conference on Disarmament regarding a mandate to negotiate a treaty on the prohibition of the production of fissile material for weapons purposes.

14 February 1994

Kazakhstan accedes to the NPT as a non-nuclear-weapon State.

20 September 1994

The International Convention on Nuclear Safety is opened for signature in Vienna (INFCIRC/449 and Add.1).

5 December 1994

Ukraine accedes to the NPT as a non-nuclear-weapon State.

11 April 1995

The Security Council adopts resolution 984 (1995) on security assurances to non-nuclear-weapon States that are parties to the NPT.

17 April–12 May 1995

The Review and Extension Conference of the Parties to the NPT convenes. The NPT is indefinitely extended and decisions on "Strengthening the review process for the Treaty", "Principles and objectives on nuclear non-proliferation and disarmament" and a "Resolution on the Middle East" are adopted without a vote.

9 December 1995

The Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies is agreed to by 33 States.

15 December 1995

The Treaty on the Southeast Asia Nuclear Weapon-Free Zone (the Bangkok Treaty) is opened for signature.

26 January 1996

The US Senate ratifies START II with an overwhelming majority and without amendment.

29 January 1996

France declares a moratorium on nuclear testing.

11 April 1996

The African Nuclear-Weapon-Free-Zone Treaty (the Pelindaba Treaty) is opened for signature.

19–20 April 1996

The Summit on Nuclear Safety and Security is held in Moscow.

8 July 1996

The International Court of Justice issues an advisory opinion on the legality of the threat or use of nuclear

weapons. The Court agreed unanimously that the threat or use of force by means of nuclear weapons that was contrary to article 2, paragraph 4 (refraining from the threat or use of force) of the Charter and did not meet the requirements of article 51 (inherent right of individual or collective self-defence) was unlawful, and that such threat or use of force should be compatible with international law applicable in armed conflict. It split evenly, in favour and against, on the decision that it could not conclude definitively whether the threat or use of nuclear weapons would be lawful in all circumstances. It decided unanimously that "there exists an obligation to...bring to a conclusion negotiations leading to nuclear disarmament".

29 July 1996

China declares a moratorium on nuclear testing.

14 August 1996

The Canberra Commission on the Elimination of Nuclear Weapons issues its report.

10 September 1996

The General Assembly adopts the Comprehensive Nuclear-Test-Ban Treaty (CTBT) by a vote of 158 to 3, with 5 abstentions.

24 September 1996

The CTBT is opened for signature in New York. Seventy-one States, including all five nuclear-weapon States, sign the Treaty on that day.

19 November 1996

The Preparatory Commission for the CTBT Organization is established with its Headquarters in Vienna.

16 May 1997

The IAEA Board of Governors approves the Model Additional Protocol (INFCIRC/540), which is aimed at strengthening safeguards.

27 March 1997

The Treaty on the Southeast Asia Nuclear Weapon-Free Zone (the Bangkok Treaty) enters into force.

May 1998

India tests its nuclear devices on 11 and 13 May.

May 1998

Pakistan tests its nuclear devices on 28 and 30 May.

6 June 1998

The Security Council, by its resolution 1172 (1998), condemns the nuclear tests conducted by India and Pakistan as a threat to global nuclear non-proliferation and disarmament. The resolution urges the countries to become parties to the NPT without delay or conditions.

9 June 1998

Foreign Ministers of Brazil, Egypt, Ireland, Mexico, New Zealand, Slovenia, South Africa and Sweden issue a joint declaration entitled "Towards a nuclear-weapon-free world: the need for a new agenda", calling upon States to commit themselves to the elimination of their nuclear weapons or nuclear weapons capability.

11 August 1998

The Conference on Disarmament establishes an ad hoc committee to commence negotiations on a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices (CD/1547).

18 September 1998

Brazil accedes to the NPT.

4 December 1998

The General Assembly adopts resolution A/53/584 on "Mongolia's international security and nuclear-weapon-free status" by consensus.

June 1999

The United States and the Russian Federation agree to engage in discussions on START III negotiations.

25 July 1999

The Tokyo Forum for Nuclear Non-Proliferation and Disarmament issues its report.

6–8 October 1999

The First Conference on Facilitating the Entry into Force of the CTBT is held in Vienna and adopts a Final Declaration.

24 April–19 May 2000

The Sixth Review Conference of the States Parties to the NPT is held in New York. The Conference adopted a Final Document which in a balanced way reviews the operation of the Treaty, taking into account the decisions and the resolution adopted by the 1995 Review and Extension Conference, and sets out a number of practical steps to be achieved in the future. Furthermore, it also contains undertakings by the States parties on "improving the effectiveness of the strengthened review process of the Treaty."

4 May 2000

The Russian Federation ratifies START II.

13 September 2000

The Foreign Ministers of Brazil, Egypt, Ireland, Mexico, New Zealand, South Africa and Sweden (New Agenda Coalition) issue a communiqué on their meeting to review progress in their joint initiative "Towards a Nuclear-Weapon-Free World: The Need for a New Agenda."

10–11 May 2001

The Nuclear Suppliers Group meeting in Aspen, Colorado, establishes a standing intersessional body, the Consultative Group, tasked to hold consultations on issues associated with its Guidelines on nuclear supply and the technical annexes. The NSG also agrees to amend the Guidelines on nuclear supply and the technical annexes to increase clarity on current policies and conditions of supply.

31 May 2001

The Russian Federation and the United States conduct the final inspection pursuant to the provisions of the INF Treaty.

18 June 2001

The Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management enters into force.

2 November 2001

The IAEA holds a Special Session on Combating Nuclear Terrorism, addressing among others the issue of assistance to States in that matter, and to reinforce international programmes for nuclear security and safety.

11–13 November 2001

The second Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty is held in New York and adopts a Final Declaration.

5 December 2001

The Russian Federation and the United States have completed reductions of their respective nuclear arsenals to the levels required under START I.

24 May 2002

The Russian Federation and the United States sign the "Treaty on Strategic Offensive Reductions" (SORT) at the Moscow Summit ("Moscow Treaty"), agreeing upon reducing and limiting their respective strategic nuclear

warheads to an aggregate number of 1700-2200 for each Party by 31 December 2012.

13 June 2002

Following the announcement on 13 December 2001, the United States withdraws from the 1972 Anti-Ballistic Missile Treaty (ABM).

26–27 June 2002

The leaders of the Group of Eight Nations (G8) announce the Global Partnership Against the Spread of Weapons and Materials of Mass Destruction at their summit in Kananaskis, Canada. Participants pledge to raise up to USD 20 billion over the next 10 years to combat the threat of WMD. Additionally, the G8 leaders agree on a comprehensive set of non-proliferation principles and a specific set of guidelines for new or expanded cooperation projects to address non-proliferation, disarmament, counter-terrorism and nuclear safety issues.

14 September 2002

The first Joint Ministerial Statement on the CTBT is launched.

4 November 2002

Cuba accedes to the NPT as a non-nuclear-weapon State.

25 November 2002

The Hague Code of Conduct Against Ballistic Missile Proliferation (HCOG) is launched.

10 January 2003

The Democratic People's Republic of Korea announces its withdrawal from the NPT.

5 May 2003

Timor Leste accedes to the NPT.

1 June 2003

The SORT enters into force.

16 June 2003

The IAEA Board of Governors discusses the nuclear programme of Iran, disclosing that Iran had failed to report certain nuclear material and activities.

3–5 September 2003

The third Conference on Facilitating the Entry into Force of the CTBT is held in Vienna and adopts a Final Declaration.

11 September 2003

Following the initiative of the United States of 31 May 2003, 10 other states join the Proliferation Security Initiative (PSI) and issue a statement on Interdiction Principles. To enhance efforts to prevent the proliferation of WMD, their delivery systems, and related materials on the ground, in the air and at sea to and from countries of proliferation concern, PSI envisions partnerships of states employing their national capabilities to develop a broad range of legal, diplomatic, economic, military and other tools to interdict shipments of such items.

23 September 2003

The Foreign Ministers of the NAC issue a joint statement in which they renew their commitment to achieve a world free from nuclear weapons.

26 November 2003

Following a report of 10 November, the IAEA Board of Governors adopts a resolution condemning Iran's pursuit of clandestine nuclear activities in violation of its IAEA safeguards agreement (GOV/2003/81).

18 December 2003

Iran signs the Additional Protocol to its IAEA safeguards agreement.

19 December 2003

Libya announces that it would dismantle its WMD programmes, disclose all relevant information about those programmes, and allow IAEA inspectors to verify its compliance.

6 January 2004

Libya ratifies the CTBT and accedes to the Chemical Weapons Convention (CWC).

10 March 2004

Libya signs the Additional Protocol with the IAEA.

23 September 2004

The second Joint Ministerial Statement on the CTBT is launched.

15 November 2004

Iran signs an agreement with France, Germany and the United Kingdom, in which Iran states its decision to continue and extend its suspension of all enrichment related and reprocessing activities.

3

29 November 2004

The IAEA Board of Governors adopts a resolution, noting with interest the agreement between Iran, France, Germany and the United Kingdom, and welcoming the fact that Iran had decided to continue and extend its suspension of all enrichment related and reprocessing activities.

2–27 May 2005

The Seventh Review Conference of the States Parties to the NPT is scheduled to convene in New York.

**THE 1995 NPT REVIEW AND EXTENSION CONFERENCE:
DECISIONS AND RESOLUTION ADOPTED**

Decision 1

**STRENGTHENING THE REVIEW PROCESS
FOR THE TREATY**

1. The Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons examined the implementation of article VIII, paragraph 3, of the Treaty and agreed to strengthen the review process for the operation of the Treaty with a view to assuring that the purposes of the Preamble and the provisions of the Treaty are being realized.

2. The States party to the Treaty participating in the Conference decided, in accordance with article VIII, paragraph 3, that Review Conferences should continue to be held every five years and that, accordingly, the next Review Conference should be held in the year 2000.

3. The Conference decided that, beginning in 1997, the Preparatory Committee should hold, normally for a duration of 10 working days, a meeting in each of the three years prior to the Review Conference. If necessary, a fourth preparatory meeting may be held in the year of the Conference.

4. The purpose of the Preparatory Committee meetings would be to consider principles, objectives and ways in order to promote the full implementation of the Treaty, as well as its universality, and to make recommendations thereon to the Review Conference. These include those identified in the decision on principles and objectives for nuclear non-proliferation and disarmament, adopted on 11 May 1995. These meetings should also make the procedural preparations for the next Review Conference.

5. The Conference also concluded that the present structure of three Main Committees should continue and the question of an overlap of issues being discussed in more than one Committee should be resolved in the General Committee, which would coordinate the work of the Committees so that the substantive responsibility for the preparation of the report with respect to each specific issue is undertaken in only one Committee.

6. It was also agreed that subsidiary bodies could be established within the respective Main

Committees for specific issues relevant to the Treaty, so as to provide for a focused consideration of such issues. The establishment of such subsidiary bodies would be recommended by the Preparatory Committee for each Review Conference in relation to the specific objectives of the Review Conference.

7. The Conference further agreed that Review Conferences should look forward as well as back. They should evaluate the results of the period they are reviewing, including the implementation of undertakings of the States parties under the Treaty, and identify the areas in which, and the means through which, further progress should be sought in the future. Review Conferences should also address specifically what might be done to strengthen the implementation of the Treaty and to achieve its universality.

Decision 2

**PRINCIPLES AND OBJECTIVES
FOR NUCLEAR NON-PROLIFERATION
AND DISARMAMENT**

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

Reaffirming the preamble and articles of the Treaty on the Non-Proliferation of Nuclear Weapons,

Welcoming the end of the cold war, the ensuing easing of international tension and the strengthening of trust between States,

Desiring a set of principles and objectives in accordance with which 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 provided for in article VIII, paragraph 3, of the Treaty, the enhancement and strengthening of which is welcomed,

Reiterating the ultimate goals of the complete elimination of nuclear weapons and a treaty on general and complete disarmament under strict and effective international control,

The Conference affirms the need to continue to move with determination towards the full realization and effective implementation of the provisions of the Treaty, and accordingly adopts the following principles and objectives:

Universality

1. Universal adherence to the Treaty on the Non-Proliferation of Nuclear Weapons is an urgent priority. All States not yet party to the 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.

Non-proliferation

2. The proliferation of nuclear weapons would seriously increase the danger of nuclear war. The Treaty on the Non-Proliferation of Nuclear Weapons has a vital role to play in preventing the proliferation of nuclear weapons. Every effort should be made to implement the 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.

Nuclear disarmament

3. Nuclear disarmament is substantially facilitated by the easing of international tension and the strengthening of trust between States which have prevailed following the end of the cold war. The undertakings with regard to nuclear disarmament as set out in the Treaty on the Non-Proliferation of Nuclear Weapons should thus be fulfilled with determination. In this regard, the nuclear-weapon States reaffirm their commitment, as stated in article VI, to pursue in good faith negotiations on effective measures relating to nuclear disarmament.

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:

- (a) The completion by the Conference on Disarmament of the negotiations on a universal and internationally and effectively verifiable Comprehensive Nuclear-Test-Ban Treaty no later than 1996. Pending the entry into force of a Comprehensive Test-Ban Treaty, the nuclear-weapon States should exercise utmost restraint;
- (b) The immediate commencement and early conclusion of negotiations on a non-discriminatory and universally applicable convention banning the production of fissile material for nuclear weapons or

other nuclear explosive devices, in accordance with the statement of the Special Coordinator of the Conference on Disarmament and the mandate contained therein;

- (c) The determined pursuit by the nuclear-weapon States of systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goal of eliminating those weapons, and by all States of general and complete disarmament under strict and effective international control.

Nuclear-weapon-free zones

5. 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 is reaffirmed.

6. The development of nuclear-weapon-free zones, especially in regions of tension, such as in the Middle East, as well as the establishment of zones free of all weapons of mass destruction, should be encouraged as a matter of priority, taking into account the specific characteristics of each region. The establishment of additional nuclear-weapon-free zones by the time of the Review Conference in the year 2000 would be welcome.

7. The cooperation of all the nuclear-weapon States and their respect and support for the relevant protocols is necessary for the maximum effectiveness of such nuclear-weapon-free zones and the relevant protocols.

Security assurances

8. Noting United Nations Security Council resolution 984 (1995), which was adopted unanimously on 11 April 1995, as well as the declarations of the nuclear-weapon States concerning both negative and positive security assurances, further steps should be considered to assure non-nuclear-weapon States party 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.

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.

Peaceful uses of nuclear energy

14. Particular importance should be attached to ensuring the exercise of 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 as well as III of the Treaty.

15. Undertakings to facilitate participation in the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy should be fully implemented.

16. In all activities designed to promote the peaceful uses of nuclear energy, preferential treatment

should be given to the non-nuclear-weapon States party to the Treaty, taking the needs of developing countries particularly into account.

17. Transparency in nuclear-related export controls should be promoted within the framework of dialogue and cooperation among all interested States party to the Treaty.

18. All States should, through rigorous national measures and international cooperation, maintain the highest practicable levels of nuclear safety, including in waste management, and observe standards and guidelines in nuclear materials accounting, physical protection and transport of nuclear materials.

19. Every effort should be made to ensure that the International Atomic Energy Agency has the financial and human resources necessary to meet effectively its responsibilities in the areas of technical cooperation, safeguards and nuclear safety. The Agency should also be encouraged to intensify its efforts aimed at finding ways and means for funding technical assistance through predictable and assured resources.

20. Attacks or threats of attack on nuclear facilities devoted to peaceful purposes jeopardize nuclear safety 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.

The Conference requests that the President of the Conference bring the present decision, the decision on strengthening the review process for the Treaty and the decision on the extension of the Treaty on the Non-Proliferation of Nuclear Weapons, to the attention of the heads of State or Government of all States and seek their full cooperation on these documents and in the furtherance of the goals of the Treaty.

Decision 3

EXTENSION OF THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

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

Having convened in New York from 17 April to 12 May 1995, in accordance with article VIII, paragraph 3, and article X, paragraph 2, of the Treaty on the Non-Proliferation of Nuclear Weapons,

Having reviewed the operation of the Treaty and affirming that there is a need for full compliance with the Treaty, its extension and its universal adherence, which are essential to international peace and security and the attainment of the ultimate goals of the complete elimina-

tion of nuclear weapons and a treaty on general and complete disarmament under strict and effective international control,

Having reaffirmed article VIII, paragraph 3, of the Treaty and the need for its continued implementation in a strengthened manner and, to this end, emphasizing the decision on strengthening the review process for the Treaty and the decision on principles and objectives for nuclear non-proliferation and disarmament, also adopted by the Conference,

Having established that the Conference is quorate in accordance with article X, paragraph 2, of the Treaty,

Decides that, as a majority exists among States party to the Treaty for its indefinite extension, in accordance with article X, paragraph 2, the Treaty shall continue in force indefinitely.

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 1992,¹ 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 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 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.

¹ S/23500.

**FINAL DOCUMENT OF THE 2000 REVIEW CONFERENCE OF THE PARTIES TO
THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS**

**Review of the operation of the Treaty, taking into account the decisions and
the resolution adopted by the 1995 Review and Extension Conference**

**Articles I and II and first to third
preambular paragraphs**

1. The Conference reaffirms that the full and effective implementation of the Treaty and the regime of non-proliferation in all its aspects has a vital role in promoting international peace and security. The Conference reaffirms that every effort should be made to implement the Treaty in all its aspects and to prevent the proliferation of nuclear weapons and other nuclear explosive devices, without hampering the peaceful uses of nuclear energy by States parties to the Treaty. The Conference remains convinced that universal adherence to the Treaty and full compliance of all parties with its provisions are the best way to prevent the spread of nuclear weapons and other nuclear explosive devices.
2. The Conference recalls that the overwhelming majority of States entered into legally binding commitments not to receive, manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices in the context, inter alia, of the corresponding legally binding commitments by the nuclear-weapon States to nuclear disarmament in accordance with the Treaty.
3. The Conference notes that the nuclear-weapon States reaffirmed their commitment not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices directly, or indirectly, and not in any way to assist, encourage or induce any non-nuclear-weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices.
4. The Conference notes that the non-nuclear-weapon States parties to the Treaty reaffirmed their commitment not to receive the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices directly, or indirectly, not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices.
5. The Conference reaffirms that the strict observance of the provisions of the Treaty remains central to achieving the shared objectives of preventing, under any circumstances, the further proliferation of nuclear weapons and preserving the Treaty's vital contribution to peace and security.
6. The Conference expresses its concern with cases of non-compliance of the Treaty by States parties, and calls on those States non-compliant to move promptly to full compliance with their obligations.
7. The Conference welcomes the accessions of Andorra, Angola, Brazil, Chile, Comoros, Djibouti, Oman, the United Arab Emirates and Vanuatu to the Treaty since 1995, bringing the number of States parties to 187, and reaffirms the urgency and importance of achieving the universality of the Treaty.
8. The Conference urges all States not yet party to the Treaty, namely Cuba, India, Israel and Pakistan, to accede to the Treaty as non-nuclear-weapon States, promptly and without condition, particularly those States that operate unsafeguarded nuclear facilities.
9. The Conference deplores the nuclear test explosions carried out by India and then by Pakistan in 1998. The Conference declares that such actions do not in any way confer a nuclear-weapon-State status or any special status whatsoever. The Conference calls upon both States to undertake the measures set out in United Nations Security Council resolution 1172 (1998).
10. The Conference also calls upon all State parties to refrain from any action that may contravene or undermine the objectives of the Treaty as well as of United Nations Security Council resolution 1172 (1998).

11. The Conference notes that the two States concerned have declared moratoriums on further testing and their willingness to enter into legal commitments not to conduct any further nuclear tests by signing and ratifying the Comprehensive Nuclear-Test-Ban Treaty. The Conference regrets that the signing and ratifying has not yet taken place despite their pledges to do so.

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

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

1. The Conference recalls and reaffirms the decision of the 1995 Review and Extension Conference entitled "Principles and objectives for nuclear non-proliferation and disarmament", noting paragraph 1 of the principles and objectives and the elements relevant to article III of the Treaty, in particular paragraphs 9 to 13 and 17 to 19, and to article VII of the Treaty, in particular paragraphs 5 to 7. It also recalls and reaffirms the Resolution on the Middle East adopted by that Conference.

2. The Conference notes that recommendations made at previous Conferences for the future implementation of article III provide a helpful basis for States parties to the Treaty on the Non-Proliferation of Nuclear Weapons and the International Atomic Energy Agency (IAEA) to strengthen the non-proliferation regime and provide assurance of compliance with non-proliferation undertakings.

3. The States parties urge the international community to enhance cooperation in the field of non-proliferation issues and to seek solutions to all concerns or issues related to non-proliferation in accordance with the obligations, procedures and mechanisms established by the relevant international legal instruments.

4. The Conference reaffirms that the Treaty on the Non-Proliferation of Nuclear Weapons is vital in preventing the proliferation of nuclear weapons and in providing significant security benefits. The Conference remains convinced that universal adherence to the Treaty can achieve this goal, and it urges all four States not parties to the Treaty, Cuba, India, Israel and Pakistan, to

accede to it without delay and without conditions, and to bring into force the required comprehensive safeguards agreements, together with Additional Protocols consistent with the Model contained in INFCIRC/540 (Corrected).

5. The Conference reaffirms the fundamental importance of full compliance with the provisions of the Treaty and the relevant safeguards agreements.

6. The Conference recognizes that IAEA safeguards are a fundamental pillar 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 disarmament and to nuclear cooperation.

7. The Conference reaffirms that IAEA is the competent authority responsible for verifying and assuring, in accordance with the statute of IAEA and the IAEA 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. 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.

8. The Conference emphasizes that measures should be taken to ensure that the rights of all States parties under the provisions of the preamble and the articles of the Treaty are fully protected and that no State party is limited in the exercise of these rights in accordance with the Treaty.

9. The Conference emphasizes the importance of access to the 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 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.

10. The Conference considers that IAEA safeguards provide assurance that States are complying with their undertakings under relevant safeguards agreements and assist States in demonstrating this compliance.

11. The Conference stresses that the non-proliferation and safeguards commitments in the Treaty are also essential for peaceful nuclear commerce and cooperation and that IAEA safeguards make a vital contribution to the environment for peaceful nuclear development and international cooperation in the peaceful uses of nuclear energy.

12. The Conference stresses that comprehensive safeguards and additional protocols should be universally applied once the complete elimination of nuclear weapons has been achieved. In the meantime, 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 IAEA resources.

13. The Conference reiterates the call by previous Conferences of the States parties for the application of IAEA 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. The Conference notes with satisfaction that, since 1995, 28 States have concluded safeguards agreements with IAEA in compliance with article III, paragraph 4, of the Treaty, 25 of which have brought the agreements into force.¹

14. The Conference notes with concern that IAEA continues to be unable to verify the correctness and completeness of the initial declaration of nuclear material made by the Democratic People's Republic of Korea, and is therefore unable to conclude that there has been no diversion of nuclear material in that country.

15. The Conference looks forward to the fulfilment by the Democratic People's Republic of Korea of its stated intention to come into full compliance with its Treaty safeguards agreement with IAEA, which remains binding and in force. The Conference emphasizes the importance of the Democratic People's Republic of Korea preserving and making available to IAEA all information needed to verify its initial declaration.

16. The Conference reaffirms 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.

17. 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.

18. The Conference notes the measures endorsed by the IAEA Board of Governors in June 1995 for strengthening and making more efficient the safeguards system, and notes also that these measures are being implemented pursuant to the existing legal authority conferred upon IAEA by comprehensive safeguards agreements.

19. The Conference also fully endorses the measures contained in the Model Protocol Additional to the Agreement(s) between State(s) and the International Atomic Energy Agency for the Application of Safeguards (INFCIRC/540(Corrected)), which was approved by the IAEA Board of Governors in May 1997. The safeguards-strengthening measures contained in the Model Additional Protocol will provide IAEA with, *inter alia*, enhanced information about a State's nuclear activities and complementary access to locations within a State.

20. 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 implementation of the measures specified in the Model Additional Protocol will provide, 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 are now being introduced as an integral part of IAEA's safeguards system. The Conference notes, in particular, the relationship between the additional protocol and the safeguards agreement between IAEA and a State party as set out in article 1 of the Model Additional Protocol. In this regard, it recalls the interpretation provided by the IAEA secretariat on 31 January 1997 and set out in document GOV/2914 of 10 April 1997 that, once concluded, the two agreements had to be read and interpreted as one agreement.

21. The Conference notes the high priority that IAEA attaches, in the context of furthering the development of

¹ Algeria, Antigua and Barbuda, Argentina, Azerbaijan, Bahamas, Barbados, Belarus, Belize, Brazil, Cambodia, Chile, Czech Republic, Dominica, Estonia, Ethiopia, Grenada, Guyana, Kazakhstan, Monaco, Namibia, St. Kitts and Nevis, San Marino, Slovenia, Ukraine and Zimbabwe.

the strengthened safeguards system, to integrating traditional nuclear-material verification activities with the new strengthening measures and looks forward to an expeditious conclusion of this work. It recognizes that the aim of these efforts is to optimize the combination of all safeguards measures available to IAEA in order to meet the Agency's safeguards objectives with maximum effectiveness and efficiency within available resources. Furthermore, the Conference notes that credible assurance of the absence of undeclared nuclear material and activities, notably those related to enrichment and reprocessing, in a State as a whole could permit a corresponding reduction in the level of traditional verification efforts with respect to declared nuclear material in that State, which is less sensitive from the point of view of non-proliferation. The Conference notes the important work being undertaken by IAEA in the conceptualization and development of integrated safeguards approaches, and encourages continuing work by IAEA in further developing and implementing these approaches on a high-priority basis.

22. The Conference recognizes that measures to strengthen the effectiveness and improve the efficiency of the safeguards system with a view to providing credible assurance of the non-diversion of nuclear material from declared activities and of the absence of undeclared nuclear material and activities must be implemented by all States parties to the Non-Proliferation Treaty, including the nuclear-weapon States. The Conference also recognizes that the interests of nuclear non-proliferation will be effectively served by the acceptance of IAEA safeguards strengthening measures by States with item-specific safeguards agreements. The Conference welcomes the additional protocol concluded by Cuba and urges it also to bring the protocol into force as soon as possible.

23. The Conference notes that bilateral and regional safeguards play a key role in the promotion of transparency and mutual confidence between neighbouring States, and that they also provide assurances concerning nuclear non-proliferation. The Conference considers that bilateral or regional safeguards could be useful in regions interested in building confidence among their member States and in contributing effectively to the non-proliferation regime.

24. The Conference stresses the need to respect the letter and the spirit of the Treaty with respect to technical cooperation with States not party to the Treaty.

25. The Conference recognizes that nuclear material supplied to the nuclear-weapon States for peaceful purposes should not be diverted for the production of nuclear weapons or other nuclear explosive devices, and

should be, as appropriate, subject to IAEA safeguards agreements.

26. The Conference notes that all nuclear-weapon States have now concluded 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, when implemented with regard to that State, and as consistent with that State's obligations under article I of the Treaty. The Conference invites such States to keep the scope of those additional protocols under review.

27. The Conference commends IAEA for making its experience in the verification of nuclear non-proliferation available to the Conference on Disarmament in connection with the negotiation of a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices.

28. The Conference takes note of the Declaration of the Moscow Nuclear Safety and Security Summit of April 1996, including in relation to the safe and effective management of weapons fissile material designated as no longer required for defence purposes, and the initiatives stemming from it.

29. The Conference underlines the importance of international verification of nuclear material designated by each nuclear-weapon State as no longer required for military purposes that has been irreversibly transferred to peaceful purposes. The Conference supports recent unilateral offers and mutual initiatives to place excess material under appropriate IAEA verification arrangements. Nuclear materials designated by each of the nuclear-weapon States as no longer required for military purposes should as soon as practicable be placed under IAEA or other relevant verification.

30. The Conference notes the considerable increase in the Agency's safeguards responsibilities since 1995. It further notes the financial constraints under which the IAEA safeguards system is functioning and calls upon all States parties, noting their common but differentiated responsibilities, to continue their political, technical and financial support of IAEA in order to ensure that the Agency is able to meet its safeguards responsibilities.

31. The Conference welcomes the significant contributions by States parties through their support programmes to the development of technology and techniques that facilitate and assist the application of safeguards.

32. The Conference considers 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.

33. The Conference recognizes that the transfer of nuclear-related equipment, information, material and facilities, resources or devices should be consistent with States' obligations under the Treaty.

34. The Conference, recalling the obligations of all States parties under articles I, II and III of the Treaty, calls upon all States parties not to cooperate or give assistance in the nuclear or nuclear-related field to States not party to the Treaty in a manner which assists them in manufacturing nuclear weapons or other nuclear explosive devices.

35. The Conference 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 shall be subject to the safeguards required by article III of the Treaty.

36. The Conference reaffirms paragraph 12 of decision 2 (Principles and objectives for nuclear non-proliferation and disarmament), adopted on 11 May 1995 by the Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

37. The Conference recognizes that there are nuclear-related dual-use items of equipment, technology and materials not identified in article III, paragraph 2, of the Treaty that are relevant to the proliferation of nuclear weapons and therefore to the Treaty as a whole. The Conference calls upon all States parties to ensure that their exports of nuclear-related dual-use items to States not party to the Treaty do not assist any nuclear-weapons programme. The Conference reiterates that each State party should also ensure that any transfer of such items is in full conformity with the Treaty.

38. The Conference recognizes the particular requirement for safeguards on unirradiated direct-use nuclear material, and notes the projections by IAEA that the use of separated plutonium for peaceful purposes is expected to increase over the next several years. The Conference recognizes the non-proliferation benefits of the conversion of civilian research reactors to low-enriched

uranium fuel. The Conference notes with appreciation that many research reactors are discontinuing the use of highly enriched uranium fuel in favour of low-enriched uranium fuel as a result of the Reduced Enrichment for Research and Test Reactors Programme. The Conference expresses satisfaction at the considerable work undertaken to ensure the continuing effectiveness of IAEA safeguards in relation to reprocessing, to the storage of separated plutonium and to uranium enrichment.

39. The Conference welcomes the additional transparency on matters pertaining to the management of plutonium resulting from the establishment, in 1997, of Guidelines for the Management of Plutonium (see INF-CIRC/549), setting out the policies that several States, including the nuclear-weapon States, have decided to adopt.

40. The Conference welcomes the announcement made by some nuclear-weapon States that they have ceased the production of fissile material for use in nuclear weapons or other nuclear explosive devices.

41. The Conference notes the conclusion drawn by the Board of Governors of IAEA that the proliferation risk with regard to neptunium is considerably lower than that with regard to uranium or plutonium and that at present there is practically no proliferation risk with regard to americium. The Conference expresses satisfaction at the recent decisions of the IAEA Board of Governors, which enabled IAEA to enter into exchanges of letters with States, on a voluntary basis, to ensure the regular and timely receipt of information as well as the application of measures required for efficient implementation of certain monitoring tasks regarding the production and transfer of separated neptunium, and which requested the Director General of IAEA to report to the Board when appropriate with respect to the availability of separated americium, using relevant information available through the conduct of regular IAEA activities and any additional information provided by States on a voluntary basis.

42. The Conference notes the paramount importance of effective physical protection of all nuclear material, and calls upon all States to maintain the highest possible standards of security and physical protection of nuclear materials. The Conference notes the need for strengthened international cooperation in physical protection. In this regard, the Conference notes that 63 States have become party to the Convention on the Physical Protection of Nuclear Material.

43. Expressing concern about the illicit trafficking of nuclear and other radioactive materials, the Conference urges all States to introduce and enforce appropriate measures and legislation to protect and ensure the secu-

riety of such material. The Conference welcomes the activities in the fields of prevention, detection and response being undertaken by IAEA in support of efforts against illicit trafficking. The Conference acknowledges the Agency's efforts to assist member States in strengthening their regulatory control on the applications of radioactive materials, including its ongoing work on a registry of sealed sources. It also welcomes the Agency's activities undertaken to provide for the enhanced exchange of information among its member States, including the continued maintenance of the illicit trafficking database. The Conference recognizes the importance of enhancing cooperation and coordination among States and among international organizations in preventing, detecting and responding to the illegal use of nuclear and other radioactive material.

44. The Conference notes that 51 States parties to the Treaty have yet to bring into force comprehensive safeguards agreements,² and urges them to do so as soon as possible. This includes States parties without substantial nuclear activities. The Conference notes that in the case of States without substantial nuclear activities, the conclusion of safeguards agreements involves simplified procedures. The Conference recommends that the Director General of IAEA continue his efforts to further facilitate and assist these States parties in the conclusion and the entry into force of such agreements.

45. The Conference welcomes the fact that since May 1997, the IAEA Board of Governors has approved additional protocols to comprehensive safeguards agreements with 43 States and that 12 of those additional protocols are currently being implemented. The Conference encourages all States parties, in particular those States parties with substantial nuclear programmes, to conclude additional protocols as soon as possible and to bring them into force or provisionally apply them as soon as possible.

46. The Conference urges IAEA to continue implementing strengthened safeguards measures as broadly as

² Andorra, Angola, Bahrain, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Comoros, Congo, Djibouti, Equatorial Guinea, Eritrea, Gabon, Georgia, Guinea, Guinea-Bissau, Haiti, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Liberia, Mali, Marshall Islands, Mauritania, Micronesia (Federated States of), Mozambique, Niger, Oman, Palau, Qatar, Republic of Moldova, Rwanda, Sao Tome and Principe, Saudi Arabia, Seychelles, Sierra Leone, Somalia, Tajikistan, the former Yugoslav Republic of Macedonia, Togo, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Vanuatu and Yemen.

possible, and further urges all States with safeguards agreements to cooperate fully with IAEA in the implementation of these measures.

47. The Conference recommends that the Director General of IAEA and the IAEA member States consider ways and means, which could include a possible plan of action, to promote and facilitate the conclusion and entry into force of such safeguards agreements and additional protocols, including, for example, specific measures to assist States with less experience in nuclear activities to implement legal requirements.

48. The Conference calls upon all States parties to give their full and continuing support to the IAEA safeguards system.

49. The Conference notes the agreement between the Russian Federation and the United States of America to convert in the Russian Federation 500 tonnes of highly enriched uranium (HEU) from the Russian Federation's nuclear weapons to low enriched uranium for use in commercial reactors. It welcomes the conversion to date of over 80 tonnes of HEU in the framework of this agreement. The Conference also recognizes the affirmation by the President of the Russian Federation and the President of the United States of America of the intention of each country to remove by stages approximately 50 tonnes of plutonium from their nuclear weapons programmes and to convert it so that it can never be used in nuclear weapons.

50. The Conference requests that IAEA continue to identify the financial and human resources needed to meet effectively and efficiently all of its responsibilities, including its safeguards verification responsibilities. It strongly urges all States to ensure that IAEA is provided with these resources.

51. The Conference recognizes that national rules and regulations of States parties are necessary to ensure that the States parties are able to give effect to their commitments with respect to the transfer of nuclear and nuclear-related dual-use items to all States taking into account articles I, II and III of the Treaty, and, for States parties, also fully respecting article IV. In this context, the Conference urges States parties that have not yet done so to establish and implement appropriate national rules and regulations.

52. The Conference recommends that the list of items triggering IAEA safeguards and the procedures for implementation, in accordance with article III, paragraph 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.

54. The Conference 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.

55. The Conference encourages all other States that separate, hold, process or use separated plutonium in their civil nuclear activities to adopt policies similar to those which have been adopted by the participants in the Guidelines for the Management of Plutonium (see INFCIRC/549). Furthermore, the Conference encourages the States concerned to consider similar policies for the management of highly enriched uranium used for peaceful purposes.

56. The Conference urges all States that have not yet done so to adhere to the Convention on the Physical Protection of Nuclear Material on the earliest possible date and to apply, as appropriate, the recommendations on the physical protection of nuclear material and facilities contained in IAEA document INFCIRC/225/Rev.4 (Corrected) and in other relevant guidelines. It welcomes the ongoing informal discussions among legal and technical experts, under the aegis of IAEA, to discuss whether there is a need to revise the Convention on the Physical Protection of Nuclear Material.

Article IV and sixth and seventh preambular paragraphs

Treaty on the Non-Proliferation of Nuclear Weapons and the peaceful uses of nuclear energy

1. The Conference affirms that the Treaty fosters the development of the peaceful uses of nuclear energy by providing a framework of confidence and cooperation within which those uses can take place.

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 also reaffirms the undertaking by all parties to the Treaty to facilitate, and have the right to participate in, the fullest possible exchange of equipment, material and scientific and technological information for the peaceful uses of nuclear energy among States parties to the Treaty. The Conference notes the contribution that such uses can make to progress in general and to helping to overcome the technological and economic disparities between developed and developing countries.

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-weapon States parties to the Treaty, taking the needs of developing countries, in particular, into account.

5. Referring to paragraphs 14 to 20 of the decision on Principles and Objectives of 1995, the Conference reasserts the need to continue to enhance the peaceful uses of nuclear energy by all States parties and cooperation among them.

6. The Conference underlines the role of IAEA in assisting developing countries in the peaceful use of nuclear energy through the development of effective programmes aimed at improving their scientific, technological, and regulatory capabilities. In this context, the Conference takes note of the medium-term strategy of IAEA.

7. The Conference affirms that every effort should be made to ensure that IAEA has the financial and human resources necessary to effectively meet its responsibilities as foreseen in article III.A of the statute of IAEA.

8. The Conference recognizes the importance of the concept of sustainable development as a guiding principle for the peaceful use of nuclear energy. The Conference endorses the role of IAEA in assisting member States, upon request, in formulating projects that meet the objective of protecting the global environment by applying sustainable development approaches. The Conference recommends that IAEA continue taking this objective into account when planning its future activities. It further notes that IAEA regularly reports to the General Assembly on progress made in these fields.

9. The Conference recognizes the importance of safety and non-proliferation features, as well as aspects related to radioactive waste management being addressed in nuclear power development as well as other nuclear activities related to the nuclear fuel cycle at the technological level. The Conference recalls the role of IAEA in

the assessment of prospective nuclear power technologies in this respect.

10. The Conference commends IAEA for its efforts to enhance the effectiveness and efficiency of the Agency's Technical Cooperation Programme and to ensure the continuing relevance of the programme to the changing circumstances and needs of recipient member States. In this context, the Conference welcomes the new strategy for technical cooperation, which seeks to promote socio-economic impact within its core competencies, by integrating its assistance into the national development programme of each country with a view to ensuring sustainability through expanding partnerships in development, model project standards and the use of country programme frameworks and thematic plans. The Conference recommends that IAEA continue taking this objective and the needs of developing countries, notably least developed countries, into account when planning its future activities.

11. The Conference acknowledges the need for the parties to the Treaty to discuss regularly and take specific steps towards the implementation of article IV of the Treaty.

Nuclear and radiation safety, safe transport of radioactive materials, radioactive waste and liability

Nuclear and radiation safety

1. The Conference affirms that the Treaty on the Non-Proliferation of Nuclear Weapons can help to ensure that international cooperation in nuclear and radiation safety will take place within an appropriate non-proliferation framework. 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 safety, radiological protection and radioactive waste management.

2. 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 indispensable. The Conference encourages the efforts of IAEA 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 the awareness in these fields, through appropriate training.

3. The Conference welcomes the activities of IAEA directed towards the strengthening of nuclear safety in operating power and research reactors. The Conference further endorses the work of IAEA in the organization of international peer review services, the support to the regulatory bodies and other relevant areas of the infrastructure of member States through the Technical Cooperation Programme, the safety standards advisory commission and committees in the preparation of internationally recognized safety standards, the emergency response unit and the continuing work on transport safety matters.

4. The Conference welcomes the entry into force of the Convention on Nuclear Safety, and encourages all States, in particular those operating, constructing or planning nuclear power reactors that have not yet taken the necessary steps to become party to the Convention, to do so. It would also welcome a voluntary application of the related provisions of the Convention to other relevant nuclear installations dedicated to the peaceful uses of nuclear energy. The Conference also expresses its satisfaction with the outcome of the first review meeting under the Convention on Nuclear Safety, and looks forward to the report from the next review meeting, in particular with respect to those areas where the first review meeting found that there was room for safety improvements.

5. The Conference encourages all States that have not yet done so to become parties to 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 Convention on Physical Protection of Nuclear Material.

6. The Conference notes the bilateral and multilateral activities that have enhanced the capabilities of the international community to study, minimize and mitigate the consequences of the accident at the Chernobyl nuclear power plant in support of the actions taken by the Governments concerned.

7. 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.

8. The Conference notes the importance of openness, transparency and public information concerning the safety of nuclear facilities.

Safe transport of radioactive materials

9. The Conference endorses the IAEA regulations for the safe transport of radioactive materials and urges States to ensure that these standards are maintained. The Conference notes the decision in 1997 by the International Maritime Organization (IMO) to incorporate the Code for the Safe Carriage of Irradiated Nuclear Fuel, Plutonium and High-level Radioactive Wastes in Flasks on Board Ships (INF Code) into the International Convention for the Safety of Life at Sea.

10. The Conference underlines the importance of effective national and international regulations and standards for the protection of the States concerned from the risks of transportation of radioactive materials. The Conference affirms that it is in the interests of all States that any transportation of radioactive materials be conducted in compliance with the relevant international standards of nuclear safety and security and environmental protection, without prejudice to the freedoms, rights and obligations of navigation provided for in international law. 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.

11. Recalling resolution GC(43)/RES/11 of the General Conference of IAEA, adopted by consensus in 1999, the Conference invites States shipping radioactive materials to provide, as appropriate, assurances to concerned States, upon their request, that the national regulations of the shipping State take IAEA transport regulations into account and to provide them with relevant information relating to shipments of such materials. The information provided should in no case be contradictory to the measures of physical security and safety.

12. The Conference notes that States parties have been working bilaterally and through international organizations to improve cooperation and exchange of information among the States concerned. In this context, the Conference calls upon States parties to continue working bilaterally and through the relevant international organizations to examine and further improve measures and international regulations relevant to international maritime transportation of radioactive material and spent fuel.

Spent fuel and radioactive waste

13. The Conference notes that a major issue in the debate over the use of nuclear technologies is the safety of the management of spent fuel and of radioactive waste. The Conference notes the conclusion of the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management and encourages States that have not yet taken the necessary steps to become party to the Convention, to do so. The Conference expresses the hope that this Convention will enter into force at the earliest possible date. The Conference underlines the importance of managing fuel and radioactive waste that were excluded from this Convention because they are within military or defence programmes in accordance with the objectives stated in this Convention.

14. The Conference commends the efforts of IAEA in radioactive waste management, and calls upon the Agency, in view of the increasing importance of all aspects of radioactive waste management, to strengthen its efforts in this field as resources permit. The Conference recognizes the activities of IAEA in the search for new approaches on radioactive waste management solutions that are both safe and publicly acceptable. It endorses IAEA programmes to assist member States in spent fuel and radioactive waste management through, *inter alia*, safety standards, peer reviews and Technical Cooperation activities.

15. The Conference also notes that the contracting parties to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (London Convention) have urged all States that have not done so to accept the 1993 amendment of annex I to the London Convention, which prohibits contracting parties from dumping radioactive wastes or other radioactive matter at sea.

Liability

16. The Conference notes the adoption of the 1997 Protocol to Amend the 1963 Vienna Convention on Civil Liability for Nuclear Damage and the Convention on Supplementary Compensation for Nuclear Damage. The Conference also notes the existence of various national and international liability mechanisms. Furthermore, the Conference stresses the importance of having effective liability mechanisms in place.

Technical cooperation

1. The Conference reaffirms the undertaking of those parties to the Treaty in a position to do so to cooperate in contributing alone, or together with other States or inter-

national 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.

2. The Conference recognizes the benefits of the peaceful applications of nuclear energy and nuclear techniques in the fields referred to in articles II and III of the statute of IAEA, and their contribution to achieving sustainable development in developing countries and for generally improving the well-being and the quality of life of the peoples of the world.

3. The Conference acknowledges the importance of the work of IAEA as the principal agent for technology transfer among the international organizations referred to in article IV, paragraph 2, of the Treaty, and affirms the importance of the Technical Cooperation activities of IAEA, as well as bilateral and other multilateral cooperation, in fulfilling the obligations set forth in article IV of the Treaty.

4. The Conference recognizes that voluntary resources provided to and received from States parties to the Treaty under the IAEA Technical Cooperation Fund represent the most important contribution to the implementation of the Agency's Technical Cooperation Programme, the major instrument for its cooperation with developing countries. The Conference expresses its appreciation to all IAEA member States party to the Treaty which respect their commitments to the Technical Cooperation Fund by pledging and paying in full their contributions.

5. The Conference notes, however, that there has been a growing gap between the approved target figures for the Technical Cooperation Fund and the actual payments.

6. The Conference stresses that every effort should be made to ensure that IAEA's financial and human resources necessary for Technical Cooperation activities are assured, predictable and sufficient to meet the objectives mandated in article IV, paragraph 2, of the Treaty and article II of the IAEA statute. The Conference notes IAEA General Conference resolutions GC(43)/RES/6 and GC(43)/RES/14, and urges States members of IAEA to make every effort to pay in full and on time their voluntary contributions to the Technical Cooperation Fund and reminds them of their obligation to pay their Assessed Programme Costs. It also encourages IAEA to continue to manage its Technical Cooperation activities in an effective and cost-efficient manner, and in accordance with article III.C of the IAEA statute.

7. The Conference notes the consultation among States members of IAEA on the target for the Technical Cooperation Fund for the coming years and encourages member States to reach agreement on the indicative planning figures (IPF).

8. The Conference notes that the special needs and priorities of the least developed countries parties to the Treaty should be taken into account in bilateral and multilateral nuclear technical assistance and cooperation programmes. The Conference recommends that IAEA continue, through its Technical Cooperation Programme, to give special attention to the needs and priorities of least developed countries.

9. 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), as well as the regional Technical Cooperation Programme in Central and Eastern Europe.

10. The Conference notes the significant level of bilateral cooperation between States parties in the peaceful uses of nuclear energy worldwide and welcomes the reports thereon. The Conference recognizes that it is the responsibility of States parties to create the conditions to enable this cooperation, in which commercial entities play an important role in a manner that conforms with the States parties' obligations under articles I and II of the Treaty. The Conference urges States in a position to do so to continue and where possible increase their cooperation in this field, particularly to developing countries and parties to the Treaty with economies in transition.

11. 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.

Conversion of nuclear materials to peaceful uses

1. The Conference notes steps taken by nuclear-weapon States to reduce their nuclear weapons arsenals and underlines the importance of international verification, as soon as practicable, of nuclear weapons material designated by each nuclear-weapon State as no longer required for military programmes and that has been irreversibly transferred to peaceful purposes. This process requires strict procedures for the safe handling, storage and disposal of sensitive nuclear materials, as well as the safe management of radioactive contaminants in strict compliance with the highest possible standards of environmental protection and nuclear and radiation safety.
2. The Conference takes note of the Declaration of the Moscow Nuclear Safety and Security Summit of April 1996, including the measures in relation to the safe and effective management of weapons fissile material designated as no longer required for defence purposes, and the initiatives stemming therefrom.
3. The Conference also notes 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 of nuclear weapons.
4. The Conference calls upon all Governments and international organizations that have expertise in the field of cleanup and disposal of radioactive contaminants to consider giving appropriate assistance, as may be requested, for radiological assessment and remedial purposes in these affected areas, while noting the efforts that have been made to date in this regard.

Article V

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

Article VI and eighth to twelfth preambular paragraphs

1. The Conference notes the reaffirmation by the States parties of their commitment to article VI and the eighth to twelfth preambular paragraphs of the Treaty.
2. The Conference notes that, despite the achievements in bilateral and unilateral arms reduction, the total number of nuclear weapons deployed and in stockpile still amounts to many thousands. The Conference

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

3. The Conference takes note of the proposal made by the Secretary-General of the United Nations that the convening of a major international conference that would help to identify ways of eliminating nuclear dangers be considered at the Millennium Summit.

4. The Conference reaffirms that the cessation of all nuclear-weapon-test explosions or any other nuclear explosions will contribute to the non-proliferation of nuclear weapons in all its aspects, to the process of nuclear disarmament leading to the complete elimination of nuclear weapons and, therefore, to the further enhancement of international peace and security.

5. The Conference welcomes the adoption by the General Assembly and subsequent opening for signature of the Comprehensive Nuclear-Test-Ban Treaty in New York on 24 September 1996, and notes that 155 States have signed it and that 56 of them, including 28 whose ratification is necessary for its entry into force, have deposited their instruments of ratification. The Conference welcomes the ratifications by France and the United Kingdom of Great Britain and Northern Ireland and the recent decision by the State Duma of the Russian Federation to ratify the Treaty. The Conference calls upon all States, in particular on those 16 States whose ratification is a prerequisite for the entry into force of the Comprehensive Nuclear-Test-Ban Treaty, to continue their efforts to ensure the early entry into force of the Treaty.

6. The Conference welcomes the final declaration adopted at the Conference on facilitating the entry into force of the Comprehensive Nuclear-Test-Ban Treaty, convened in Vienna in October 1999, in accordance with article XIV of the Treaty.

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

8. The Conference notes the establishment, in August 1998, by the Conference on Disarmament, of the Ad Hoc Committee under item 1 of its agenda entitled "Cessation of the nuclear arms race and nuclear disarmament" to negotiate, on the basis of the report of the Special Coordinator (CD/1299) and the mandate contained therein, 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 regrets that negotiations have not been pursued on this issue as

recommended in paragraph 4 (b) of the 1995 decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament".

9. The Conference welcomes the significant progress achieved in nuclear weapons reductions made unilaterally or bilaterally under the Strategic Arms Reduction Treaty (START) process, as steps towards nuclear disarmament. Ratification of START II by the Russian Federation is an important step in the efforts to reduce strategic offensive weapons and is welcomed. Completion of ratification of START II by the United States remains a priority.

10. The Conference also welcomes the significant unilateral reduction measures taken by other nuclear-weapon States, including the close-down and dismantling of nuclear weapon-related facilities.

11. The Conference welcomes the efforts of several States to cooperate in making nuclear disarmament measures irreversible, in particular, through initiatives on the verification, management and disposition of fissile material declared excess to military purposes.

12. The Conference reiterates the important contribution made by Belarus, Kazakhstan and Ukraine to the implementation of article VI of the Treaty through their voluntary withdrawal of all tactical and strategic nuclear weapons from their territories.

13. The Conference welcomes the signing, in September 1997, by Belarus, Kazakhstan, the Russian Federation, Ukraine and the United States of America of significant agreements relating to the Treaty on the Limitation of Anti-Ballistic Missile Systems, including a Memorandum of Understanding. The Conference welcomes the ratification of these documents by the Russian Federation. Ratification of these documents by the other countries remains a priority.

14. The Conference notes the nuclear-weapon States' declaration that none of their nuclear weapons are targeted at any State.

15. The Conference agrees on the following 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":

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.

2. A moratorium on nuclear-weapon-test explosions or any other nuclear explosions pending entry into force of that Treaty.

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.

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.

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

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.

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.

8. The completion and implementation of the Trilateral Initiative between the United States of America, the Russian Federation and the International Atomic Energy Agency.

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 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 that these weapons will 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.

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.

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

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.

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.

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

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

2. The Conference reaffirms that the total elimination of nuclear weapons is the only absolute guarantee against the use or threat of use of nuclear weapons. The Conference agrees that legally binding security assurances by the five nuclear-weapon States to the non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons strengthen the nuclear non-proliferation regime. The Conference calls upon the Preparatory Committee to make recommendations to the 2005 Review Conference on this issue.

3. The Conference notes the reaffirmation by the nuclear-weapon States of their commitment to the United Nations Security Council resolution 984 (1995) on security assurances for non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

4. The Conference notes the establishment in March 1998 by the Conference on Disarmament of the Ad Hoc Committee on effective international arrangements to assure non-nuclear-weapon States against the use, or threat of use, of nuclear weapons.

5. The Conference recognizes the important role which the establishment of new nuclear-weapon-free zones and the signature to the protocols of new and previously existing zones by the nuclear-weapon States has played in extending negative security assurances to non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons in the zones concerned. The Conference underlines the importance of concerned States taking steps to bring into effect the assurances provided by nuclear-weapon-free-zone treaties and their protocols.

6. The Conference welcomes and supports the steps taken to conclude further nuclear-weapon-free-zone treaties since 1995, and 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 towards realizing the objectives of nuclear disarmament.

7. The Conference supports proposals for the establishment of nuclear-weapon-free zones where they do not yet exist, such as in the Middle East and South Asia.

8. The Conference welcomes and supports the declaration by Mongolia of its nuclear-weapon-free status, and takes note of the recent adoption by the Mongolian parliament of legislation defining that status as a unilateral measure to ensure the total absence of nuclear weapons on its territory, bearing in mind its unique conditions, as a concrete contribution to promoting the aims of nuclear non-proliferation and a practical contribution to promoting political stability and predictability in the region.

9. The Conference further welcomes the Joint Declaration on the Denuclearization of the Korean Peninsula between the Republic of Korea and the Democratic People's Republic of Korea and urges its rapid implementation.

10. The Conference recognizes the continuing contributions that the Antarctic Treaty and the treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba are making towards the achievement of nuclear non-proliferation and disarmament objectives, particularly in the southern hemisphere and adjacent areas, and towards keeping the areas covered by those treaties free of nuclear weapons, in accordance with international law. In this context, the Conference welcomes the vigorous efforts being made among States parties and signatories to those treaties in order to promote their common objectives.

11. The Conference stresses the importance of the signature and ratification of the treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba by all regional States, as well as the signature and ratification by the nuclear-weapon States that have not yet done so of the relevant protocols to those treaties, recognizing that security assurances are available to States parties to those Treaties. In this context, the Conference takes note of the statement of the five nuclear-weapon States that the internal processes are under way to secure the few lacking ratifications to the treaties of Rarotonga and Pelindaba, and that consultations with the States parties to the Treaty of Bangkok have been accelerated, paving the way for adherence by the five nuclear-weapon States to the protocol to that Treaty.

12. The Conference welcomes the consensus reached in the General Assembly since its thirty-fifth session that the establishment of a nuclear-weapon-free zone in the Middle East would greatly enhance international peace and security. The Conference urges all parties directly concerned to consider seriously taking the practical and urgent steps required for the implementation of the pro-

posal 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, and pending the establishment of the zone, to agree to place all their nuclear activities under IAEA safeguards.

13. The Conference further welcomes the report on the establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned, adopted by consensus by the Disarmament Commission on 30 April 1999.

14. The Conference regards the establishment of additional nuclear-weapon-free zones as a matter of priority, and in this respect supports the intention and commitment of the five Central Asian States to establish a nuclear-weapon-free zone in their region, welcomes the practical steps they have taken towards implementation of their initiative and notes with satisfaction the substantial progress they have made in drawing up and agreeing on a draft treaty on the establishment of a nuclear-weapon-free zone in Central Asia.

15. The Conference, taking note of all initiatives by States parties, believes that the international community should continue to promote the establishment of new nuclear-weapon-free zones in accordance with the relevant guidelines of the United Nations Disarmament Commission and in that spirit welcomes the efforts and proposals that have been advanced by the States parties since 1995 in various regions of the world.

16. Regional issues

The Middle East, particularly implementation of the 1995 Resolution on the Middle East:

1. The Conference reaffirms the importance of the Resolution on the Middle East adopted by the 1995 Review and Extension Conference and recognizes that the resolution remains valid until the goals and objectives are achieved. The Resolution, which was co-sponsored by the depositary States (Russian Federation, United Kingdom of Great Britain and Northern Ireland and United States of America), is an essential element of the outcome of the 1995 Conference and of the basis on which the Treaty on the Non-Proliferation of Nuclear Weapons was indefinitely extended without a vote in 1995.

2. The Conference reaffirms its endorsement of 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.

3. The Conference recalls that in paragraph 4 of the 1995 Resolution on the Middle East the Conference "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". The Conference notes, in this connection, that the report of the United Nations Secretariat on the implementation of the 1995 Resolution on the Middle East (NPT/CONF.2000/7) states that several States have acceded to the Treaty and that, with these accessions, all States of the region of the Middle East, with the exception of Israel, are States parties to the Treaty on the Non-Proliferation of Nuclear Weapons. The Conference welcomes the accession of these States and reaffirms 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 Treaty in the Middle East.

4. The Conference notes the requirement under article III of the Non-Proliferation Treaty for non-nuclear-weapon States parties to conclude agreements with IAEA to meet the requirements of the statute of IAEA. In this regard, the Conference notes from paragraph 44 of the review of article III that nine States parties in the region have yet to conclude comprehensive safeguards agreements with IAEA and invites those States to negotiate such agreements and bring them into force as soon as possible. The Conference welcomes the conclusion of an Additional Protocol by Jordan and invites all other States in the Middle East, whether or not party to the Treaty, to participate in IAEA's strengthened safeguards system.

5. The Conference notes the unanimous adoption by the United Nations Disarmament Commission, at its 1999 session, of guidelines on the establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned.³ The Conference notes that, at that session, the Disarmament Commission encouraged the estab-

lishment of a nuclear-weapon-free zone in the Middle East, as well as the development of zones free from all weapons of mass destruction. The Conference notes the adoption without a vote by the General Assembly, for the twentieth consecutive year, of a resolution proposing the establishment of a nuclear-weapon-free zone in the region of the Middle East.

6. The Conference invites all States, especially States of the Middle East, to reaffirm or declare their support for the objective of establishing an effectively verifiable Middle East zone free of nuclear weapons as well as other weapons of mass destruction, to transmit their declarations of support to the Secretary-General of the United Nations and to take practical steps towards that objective.

7. 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 and the realization of the goals and objectives of the 1995 Resolution on the Middle East. It requests that the Secretariat prepare a compilation of those reports in preparation for consideration of these matters at the Preparatory Committee meetings and the 2005 Review Conference.

8. The Conference requests the President of the 2000 Review Conference to convey the Final Document of the Conference, including its conclusions and recommendations, to the Governments of all States, including those States parties unable to attend the Conference and to States that are not party to the Treaty.

9. Recalling paragraph 6 of the 1995 Resolution on the Middle East, the Conference reiterates the appeal to all States parties to the Treaty on the Non-Proliferation of Nuclear Weapons 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. The Conference notes the statement by the five nuclear-weapon States reaffirming their commitment to the 1995 Resolution on the Middle East.

³ Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 42 (A/54/42), annex I, sect. C.

10. Bearing in mind the importance of full compliance with the Non-Proliferation Treaty, the Conference notes the statement of 24 April 2000 by the IAEA Director General that, since the cessation of IAEA inspections in Iraq on 16 December 1998, the Agency has not been in a position to provide any assurance of Iraq's compliance with its obligations under Security Council resolution 687 (1991). The Conference further notes that IAEA carried out an inspection in January 2000 pursuant to Iraq's safeguards agreement with IAEA during which the inspectors were able to verify the presence of the nuclear material subject to safeguards (low enriched, natural and depleted uranium). The Conference reaffirms the importance of Iraq's full continuous cooperation with IAEA and compliance with its obligations.

South Asia and other regional issues:

11. The Conference emphasizes that nuclear disarmament and nuclear non-proliferation are mutually reinforcing.

12. With respect to the nuclear explosions carried out by India and then by Pakistan in May 1998, the Conference recalls Security Council resolution 1172 (1998), adopted unanimously on 6 June 1998, and calls upon both States to take all of the measures set out therein. Notwithstanding their nuclear tests, India and Pakistan do not have the status of nuclear-weapon States.

13. The Conference urges India and Pakistan to accede to the Non-Proliferation Treaty as non-nuclear-weapon States and to place all their nuclear facilities under comprehensive Agency safeguards. The Conference further urges both States to strengthen their non-proliferation export control measures over technologies, material and equipment that can be used for the production of nuclear weapons and their delivery systems.

14. The Conference notes that India and Pakistan have declared moratoriums on further testing and their willingness to enter into legal commitments not to conduct any further nuclear testing by signing and ratifying the Comprehensive Nuclear-Test-Ban Treaty. The Conference urges both States to sign the Treaty, in accordance with their pledges to do so.

15. The Conference notes the willingness expressed by India and Pakistan to participate in the negotiation in the Conference on Disarmament of a treaty banning the production of fissile material for

nuclear weapons and other nuclear explosive devices. Pending the conclusion of a legal instrument, the Conference urges both countries to observe a moratorium on the production of such material. The Conference also urges both States to join other countries in actively seeking an early commencement of negotiations on this issue, in a positive spirit and on the basis of the agreed mandate, with a view to reaching early agreement.

16. The Conference notes with concern that, while the Democratic People's Republic of Korea remains a party to the Non-Proliferation Treaty, IAEA continues to be unable to verify the correctness and completeness of the initial declaration of nuclear material made by the Democratic People's Republic of Korea and is therefore unable to conclude that there has been no diversion of nuclear material in the Democratic People's Republic of Korea. The Conference looks forward to the fulfilment by the Democratic People's Republic of Korea of its stated intention to come into full compliance with its safeguards agreement with IAEA, which remains binding and in force. The Conference emphasizes the importance of action by the Democratic People's Republic of Korea to preserve and make available to IAEA all information needed to verify its initial inventory.

Article IX

1. The Conference reaffirms its conviction that the preservation of the integrity of the Treaty and its strict implementation are essential to international peace and security.

2. The Conference recognizes the crucial role of the Treaty in nuclear non-proliferation, nuclear disarmament and the peaceful uses of nuclear energy.

3. The Conference reaffirms that in accordance with article IX, States not currently States parties may accede to the Treaty only as non-nuclear-weapon States.

4. The Conference undertakes to make determined efforts towards the achievement of the goal of universality of the Treaty. These efforts should include the enhancement of regional security, particularly in areas of tension such as the Middle East and South Asia.

5. The Conference reaffirms the long-held commitment of parties to the Treaty to universal membership and notes that this goal has been advanced by the accession to the Treaty of several new States since the 1995 Review and Extension Conference, thereby bringing its membership to 187 States parties. The Conference reaf-

firmly the importance of the Treaty in establishing a norm of international behaviour in the nuclear field.

6. The Conference therefore calls upon those remaining States not party 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 IAEA safeguards on all their nuclear activities. These States are Cuba, India, Israel and Pakistan. In this context, the Conference welcomes the signature by Cuba of the protocol additional to its safeguards agreements with IAEA.

7. The Conference particularly urges those non parties to the Treaty that operate unsafeguarded nuclear facilities—India, Israel and Pakistan—to take similar action, and affirms the important contribution this would make to regional and global security.

8. The Conference also takes note that the widening of the entry into force of protocols additional to safeguards agreements with IAEA will strengthen the nuclear safeguards regime and facilitate the exchange of nuclear and nuclear-related material in peaceful nuclear cooperation.

9. In this connection, the Conference underlines the necessity of universal adherence to the Treaty and of strict compliance by all existing parties with their obligations under the Treaty.

10. The Conference requests the President of the Conference to convey formally the views of States parties on this issue to all non-parties and to report their responses to the parties. Such efforts should contribute to enhancing the universality of the Treaty and the adherence of non-parties to it.

Improving the effectiveness of the strengthened review process for the Treaty

1. The States parties reaffirmed the provisions in the Decision on "Strengthening the Review Process for the Treaty" adopted at the 1995 Review and Extension Conference.

2. The States parties stressed that three sessions of the Preparatory Committee, normally for a duration of 10 working days each, should be held in the years prior to the Review Conference. A fourth session, would, if necessary, be held in the year of the Review Conference.

3. The States parties recommended that specific time be allocated at sessions of the Preparatory Committee to address specific relevant issues.

4. Recalling the Decision on subsidiary bodies of the 2000 Review Conference (NPT/CONF.2000/DEC.1),

subsidiary bodies can be established at the Review Conference to address specific relevant issues.

5. The States parties, recalling paragraph 4 of Decision 1 of the 1995 NPT Review and Extension Conference, agreed that the purpose of the first two sessions of the Preparatory Committee would be to "consider principles, objectives and ways in order to promote the full implementation of the Treaty, as well as its universality". To this end, each session of the Preparatory Committee should consider specific matters of substance relating 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 subsequent Review Conferences, including developments affecting the operation and purpose of the Treaty.

6. The States parties also agreed that the Chairpersons of the sessions of the Preparatory Committee should carry out consultations with the States parties to prepare the ground for the outcome of the sessions as well as their agenda.

7. The consideration of the issues at each session of the Preparatory Committee should be factually summarized and its results transmitted in a report to the next session for further discussion. At its third and, as appropriate, fourth sessions, the Preparatory Committee, taking into account the deliberations and results of its previous sessions, should make every effort to produce a consensus report containing recommendations to the Review Conference.

8. The States parties agreed that the procedural arrangements for the Review Conference should be finalized at the last session of the Preparatory Committee.

9. The States parties also agreed that a meeting should be allocated to non-governmental organizations to address each session of the Preparatory Committee and the Review Conference.

5

**LIST OF STATES THAT HAVE RATIFIED OR ACCEDED TO THE NPT
AS OF MARCH 1, 2005
(as reported by one or more of the Depositary Governments)**

Afghanistan	Cyprus
Albania	Czech Republic
Algeria	Democratic People's Republic of Korea*
Andorra	Democratic Republic of the Congo
Angola	Denmark
Antigua and Barbuda	Djibouti
Argentina	Dominica
Armenia	Dominican Republic
Australia	Ecuador
Austria	Egypt
Azerbaijan	El Salvador
Bahamas	Equatorial Guinea
Bahrain	Eritrea
Bangladesh	Estonia
Barbados	Ethiopia
Belarus	Fiji
Belgium	Finland
Belize	France
Benin	Gabon
Bhutan	Gambia
Bolivia	Georgia
Bosnia and Herzegovina	Germany
Botswana	Ghana
Brazil	Greece
Brunei Darussalam	Grenada
Bulgaria	Guatemala
Burkina Faso	Guinea
Burundi	Guinea-Bissau
Cambodia	Guyana
Cameroon	Haiti
Canada	Holy See
Cape Verde	Honduras
Central African Republic	Hungary
Chad	Iceland
Chile	Indonesia
China	Iran (Islamic Republic of)
Colombia	Iraq
Comoros	Ireland
Congo	Italy
Costa Rica	Jamaica
Côte d'Ivoire	Japan
Croatia	Jordan
Cuba	Kazakhstan

¹ Announced its withdrawal on 10 January 2003.

6

Kenya
Kiribati
Kuwait
Kyrgyzstan
Lao People's Democratic Republic
Latvia
Lebanon
Lesotho
Liberia
Libyan Arab Jamahiriya
Liechtenstein
Lithuania
Luxembourg
Madagascar
Malawi
Malaysia
Maldives
Mali
Malta
Marshall Islands
Mauritania
Mauritius
Mexico
Micronesia (Federated States of)
Monaco
Mongolia
Morocco
Mozambique
Myanmar
Namibia
Nauru
Nepal
Netherlands
New Zealand
Nicaragua
Niger
Nigeria
Norway
Oman
Palau
Panama
Papua New Guinea
Paraguay
Peru
Philippines
Poland
Portugal
Qatar
Republic of Korea
Republic of Moldova
Romania
Russian Federation
Rwanda
Saint Kitts and Nevis
Saint Lucia
Saint Vincent and the Grenadines
Samoa
San Marino
Sao Tome and Principe
Saudi Arabia
Senegal
Serbia and Montenegro
Seychelles
Sierra Leone
Singapore
Slovakia
Slovenia
Solomon Islands
Somalia
South Africa
Spain
Sri Lanka
Sudan
Suriname
Swaziland
Sweden
Switzerland
Syrian Arab Republic
Tajikistan
Thailand
The former Yugoslav Republic of Macedonia
Timor-Leste
Togo
Tonga
Trinidad and Tobago
Tunisia
Turkey
Turkmenistan
Tuvalu
Uganda
Ukraine
United Arab Emirates
United Kingdom of Great Britain and Northern Ireland
United Republic of Tanzania
United States of America
Uruguay
Uzbekistan
Vanuatu
Venezuela
Viet Nam
Yemen
Zambia
Zimbabwe

TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

The States concluding this Treaty, hereinafter referred to as the Parties to the Treaty,

Considering the devastation that would be visited upon all mankind by a nuclear war and the consequent need to make every effort to avert the danger of such a war and to take measures to safeguard the security of peoples,

Believing that the proliferation of nuclear weapons would seriously enhance the danger of nuclear war,

In conformity with resolutions of the United Nations General Assembly calling for the conclusion of an agreement on the prevention of wider dissemination of nuclear weapons,

Undertaking to co-operate in facilitating the application of International Atomic Energy Agency safeguards on peaceful nuclear activities,

Expressing their support for research, development and other efforts to further the application, within the framework of the International Atomic Energy Agency safeguards system, of the principle of safeguarding effectively the flow of source and special fissionable materials by use of instruments and other techniques at certain strategic points,

Affirming the principle that the benefits of peaceful applications of nuclear technology, including any technological by-products which may be derived by nuclear-weapon States from the development of nuclear explosive devices, should be available for peaceful purposes to all Parties to the Treaty, whether nuclear-weapon or non-nuclear-weapon States,

Convinced that, in furtherance of this principle, all Parties to the Treaty are entitled to participate in the fullest possible exchange of scientific information for, and to contribute alone or in co-operation with other States to, the further development of the applications of atomic energy for peaceful purposes,

Declaring their intention to achieve at the earliest possible date the cessation of the nuclear arms race and

to undertake effective measures in the direction of nuclear disarmament,

Urging the co-operation of all States in the attainment of this objective,

Recalling the determination expressed by the Parties to the 1963 Treaty banning nuclear weapons tests in the atmosphere, in outer space and under water in its Preamble to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to this end,

Desiring to further the easing of international tension and the strengthening of trust between States in order to facilitate the cessation of the manufacture of nuclear weapons, the liquidation of all their existing stockpiles, and the elimination from national arsenals of nuclear weapons and the means of their delivery pursuant to a Treaty on general and complete disarmament under strict and effective international control,

Recalling that, in accordance with the Charter of the United Nations, States must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the Purposes of the United Nations, and that the establishment and maintenance of international peace and security are to be promoted with the least diversion for armaments of the world's human and economic resources,

Have agreed as follows:

Article I

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; and not in any way to assist, encourage, or induce any non-nuclear-weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices.

Article II

Each non-nuclear-weapon State Party to the Treaty undertakes not to receive the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices directly, or indirectly; not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices; and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices.

Article III

1. Each non-nuclear-weapon State Party to the Treaty undertakes to accept safeguards, as set forth in an agreement to be negotiated and concluded with the International Atomic Energy Agency in accordance with the Statute of the International Atomic Energy Agency and the Agency's safeguards system, for the exclusive purpose of verification of the fulfilment of its obligations assumed under this Treaty with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices. Procedures for the safeguards required by this Article shall be followed with respect to source or special fissionable material whether it is being produced, processed or used in any principal nuclear facility or is outside any such facility. The safeguards required by this Article shall be applied on all source or special fissionable material in all peaceful nuclear activities within the territory of such State, under its jurisdiction, or carried out under its control anywhere.

2. 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.

3. The safeguards required by this Article shall be implemented 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 co-operation 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.

4. Non-nuclear-weapon States Party to the Treaty shall conclude agreements with the International Atomic Energy Agency to meet the requirements of this Article either individually or together with other States in accordance with the Statute of the International Atomic Energy Agency. Negotiation of such agreements shall commence within 180 days from the original entry into force of this Treaty. For States depositing their instruments of ratification or accession after the 180-day period, negotiation of such agreements shall commence not later than the date of such deposit. Such agreements shall enter into force not later than eighteen months after the date of initiation of negotiations.

Article IV

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.

Article V

Each Party to the Treaty undertakes to take appropriate measures to ensure that, in accordance with this Treaty, under appropriate international observation and through appropriate international procedures, potential benefits from any peaceful applications of nuclear explosions will be made available to non-nuclear-weapon States Party to the Treaty on a non-discriminatory basis and that the charge to such Parties for the explosive devices used will be as low as possible and exclude any charge for research and development. Non-nuclear-weapon States Party to the Treaty shall be able to obtain such benefits, pursuant to a special international agreement or agreements, through an appropriate international body with adequate representation of non-nuclear-weapon States. Negotiations on this subject shall commence as soon as possible after the Treaty enters into force. Non-nuclear-weapon States Party to the Treaty so

desiring may also obtain such benefits pursuant to bilateral agreements.

Article VI

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.

Article VII

Nothing 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.

Article VIII

1. Any Party to the Treaty may propose amendments to this Treaty. The text of any proposed amendment shall be submitted to the Depositary Governments which shall circulate it to all Parties to the Treaty. Thereupon, if requested to do so by one-third or more of the Parties to the Treaty, the Depositary Governments shall convene a conference, to which they shall invite all the Parties to the Treaty, to consider such an amendment.

2. Any amendment to this Treaty must be approved by a majority of the votes of all the Parties to the Treaty, including the votes of all nuclear-weapon States Party to the Treaty and all other Parties which, on the date the amendment is circulated, are members of the Board of Governors of the International Atomic Energy Agency. The amendment shall enter into force for each Party that deposits its instrument of ratification of the amendment upon the deposit of such instruments of ratification by a majority of all the Parties, including the instruments of ratification of all nuclear-weapon States Party to the Treaty and all other Parties which, on the date the amendment is circulated, are members of the Board of Governors of the International Atomic Energy Agency. Thereafter, it shall enter into force for any other Party upon the deposit of its instrument of ratification of the amendment.

3. Five years after the entry into force of this Treaty, a conference of Parties to the Treaty shall be held in Geneva, Switzerland, in order to review the operation of this Treaty with a view to assuring that the purposes of the Preamble and the provisions of the Treaty are being realised. At intervals of five years thereafter, a majority of the Parties to the Treaty may obtain, by submitting a

proposal to this effect to the Depositary Governments, the convening of further conferences with the same objective of reviewing the operation of the Treaty.

Article IX

1. This Treaty shall be open to all States for signature. Any State which does not sign the Treaty before its entry into force in accordance with paragraph 3 of this Article may accede to it at any time.

2. This Treaty shall be subject to ratification by signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of the United Kingdom of Great Britain and Northern Ireland, the Union of Soviet Socialist Republics and the United States of America, which are hereby designated the Depositary Governments.

3. This Treaty shall enter into force after its ratification by the States, the Governments of which are designated Depositories of the Treaty, and forty other States signatory to this Treaty and the deposit of their instruments of ratification. For the purposes of this Treaty, a nuclear-weapon State is one which has manufactured and exploded a nuclear weapon or other nuclear explosive device prior to 1 January 1967.

4. For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Treaty, it shall enter into force on the date of the deposit of their instruments of ratification or accession.

5. The Depositary Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or of accession, the date of the entry into force of this Treaty, and the date of receipt of any requests for convening a conference or other notices.

6. This Treaty shall be registered by the Depositary Governments pursuant to Article 102 of the Charter of the United Nations.

Article X

1. 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. It shall give notice of such withdrawal to all other Parties to the Treaty and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

2. Twenty-five years after the entry into force of the Treaty, a conference shall be convened to decide whether the Treaty shall continue in force indefinitely, or shall be extended for an additional fixed period or periods. This decision shall be taken by a majority of the Parties to the Treaty.¹

Article XI

This Treaty, the English, Russian, French, Spanish and Chinese texts of which are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of this Treaty shall be transmitted by the Depositary Governments to the Governments of the signatory and acceding States.

IN WITNESS WHEREOF the undersigned, duly authorized, have signed this Treaty.

DONE in triplicate, at the cities of London, Moscow and Washington, the first day of July, one thousand nine hundred and sixty-eight.

¹ On 11 May 1995, in accordance with article X, paragraph 2, the Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons decided that the Treaty should continue in force indefinitely (see decision 3 in Fact Sheet 4).

2005 NPT Review Conference

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