



**STOCKHOLM INTERNATIONAL  
PEACE RESEARCH INSTITUTE**

## **2015 Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT)**

**UN Headquarters: 27 April – 22 May 2015**

### **New York: 12 May 2015**

The 2015 NPT Review Conference opened at UN headquarters on 27 April and will continue till 22 May 2015.

On **Tuesday, 12<sup>th</sup> May, Subsidiary Bodies (SB) 1 and 2** met, as well as **Main Committee (MC) III**. Under the rules of procedure, the sessions of the Subsidiary Bodies (SB) are ‘closed’ to civil society and observers.

The **draft Reports** circulated as **Conference Room Papers (CRPs)** are for the use of States parties only, they are not circulated to civil society or uploaded on the official 2015 NPT Review Conference website. However, in the interest of transparency and accountability, some States parties have made the CRPs available to civil society and the media. The **CRPs can be found on the website of Reaching Critical Will:** <http://www.reachingcriticalwill.org/disarmament-fora/npt/2015>.

In the afternoon session, a **revised report of SB1** was discussed. Though it was not criticized by the nuclear-weapon States (NWS) as strongly as yesterday, nonetheless they still were not comfortable with the proposed text on nuclear disarmament issues,

the inclusion of specific benchmarks and timelines, as well as on the humanitarian impact of nuclear weapons.

### **Subsidiary Body 1: Revised draft substantive elements**

The Conference underlines the necessity of implementing fully article VI of the Treaty, Decisions 1 and 2 and the Resolution on the Middle East adopted by the 1995 Extension and Review Conference, the Final Document adopted by the 2000 Review Conference and the conclusions and recommendations for follow-on actions adopted at the 2010 Review Conference.

The Conference agrees that understandings and concerns pertaining to the catastrophic humanitarian consequences of any use of nuclear weapons should underpin and lend urgency to efforts by all States leading to the total elimination of nuclear weapons. It is in the interest of the very survival of humanity that the nearly seventy-year record of non-use of nuclear weapons be extended forever.

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

The Conference urges the nuclear-weapon States to comply fully with their nuclear disarmament obligations under the Treaty and completely implement their unequivocal nuclear disarmament commitments, including the 13 practical steps, that were agreed and reaffirmed by consensus at the 2000 and 2010 Review Conferences of the Treaty, in order to accomplish the total elimination of their nuclear weapons.

While acknowledging that substantive progress has been made in implementing nuclear disarmament commitments since the 2010 Review Conference, the Conference recognizes that greater and accelerated implementation efforts are required, particularly on the part of the nuclear-weapon States, including through the specification of concrete benchmarks and timelines, as agreed in the present document.

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

The Conference recalls the commitment of all States parties to pursue policies that are fully compatible with the Treaty and the objective of achieving a world without nuclear weapons as well as the need for all States to make special efforts to establish the necessary framework to achieve and maintain a world without nuclear weapons.

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

1. The Conference agrees that awareness of the catastrophic humanitarian consequences of any use of nuclear weapons should compel urgent action for the full implementation of article VI.
2. The Conference affirms the need for all nuclear-weapon States, in implementing their unequivocal undertaking, and pending the establishment of a legal framework to achieve and maintain a world without nuclear weapons, to reduce further and eliminate, in a transparent, irreversible and verifiable manner, all types of nuclear weapons, strategic and

- non-strategic, deployed and non-deployed, regardless of location, including through negotiations as well as unilateral, bilateral, regional and multilateral measures.
3. The Conference encourages the Russian Federation and the United States of America to commence negotiations at an early date to achieve greater reductions and transparency in their stockpiles of nuclear weapons with a view to concluding such negotiations as soon as possible. The Conference acknowledges the importance of addressing issues pertaining to other types of related strategic offensive and defensive weapon systems with a view to facilitating and accelerating the nuclear disarmament process. The Conference further encourages the nuclear-weapon States to engage over the course of the next review cycle of the Treaty with a view to achieving rapid reductions in the global stockpile of nuclear weapons.
  4. The Conference calls upon the nuclear-weapon States to cease the development of new nuclear weapons and the qualitative improvement of existing nuclear weapon systems that are designed to support new military missions or provide for new military capabilities.
  5. The Conference calls upon all States concerned to continue to review their military and security concepts, doctrines and policies over the course of the forthcoming review cycle with a view to reducing the role and significance of nuclear weapons therein.
  6. The Conference calls upon the nuclear-weapon States to undertake further efforts to comprehensively address risks associated with nuclear weapons, which are greater than many States parties previously understood, including, *inter alia*, those stemming from threats posed by non-state actors

and by the vulnerability of command and control systems to cyber threats.

7. Pending the total elimination of nuclear weapons, the Conference emphasizes the need to reduce rapidly, as an interim measure, the operational status of nuclear weapon systems, leading to a phased removal of all nuclear weapons from high alert levels, which would, in the view of many States parties, increase international stability and security while lowering the humanitarian risks associated with nuclear weapons.
8. The Conference encourages the nuclear-weapon States to build upon and expand their efforts to enhance transparency and increase mutual confidence, including by intensifying their discussions on definitions and terminology related to nuclear weapons with a view to facilitating and accelerating nuclear disarmament.
9. The Conference calls upon the nuclear-weapon States to provide annual reports on their nuclear disarmament-related undertakings and, starting in 2017, to include the following standard information on: (i) the number, type (strategic or non-strategic) and status (deployed or non-deployed) of nuclear warheads; (ii) the number and the type of delivery vehicles; (iii) the measures taken to diminish the role and significance of nuclear weapons in military and security concepts, doctrines and policies; (iv) the measures taken to reduce the risk of accidental or unauthorized use of nuclear weapons; (v) the measures taken to de-alert or reduce the operational readiness of nuclear weapon systems; (vi) the number and type of weapons and delivery systems dismantled and reduced as part of nuclear disarmament efforts; (vii) the amount of fissile material for military purposes. The Conference agrees that each session of the

Preparatory Committee and the Review Conference should allocate specific time to review the reports submitted by the nuclear-weapon States.

10. The Conference calls upon non-nuclear-weapon States to increase the quality, quantity and consistency of their reports as a contribution to enhanced transparency.
11. The Conference welcomes the pursuit of all effective measures for the full implementation of article VI, which can be multilateral, plurilateral, bilateral and unilateral. Pending the establishment of the necessary legal framework to achieve and maintain a world without nuclear weapons, the Conference endorses the accelerated pursuit of various intermediate practical building blocks that can be realized simultaneously.
12. The Conference reaffirms and recognizes that the total elimination of nuclear weapons is the only absolute guarantee against the humanitarian risks posed by the continued existence of nuclear weapons, including the use or threat of use of nuclear weapons, and the legitimate interest of non-nuclear-weapon States in receiving unequivocal and legally binding security assurances from nuclear-weapon States, which could strengthen the nuclear non-proliferation regime.
13. Pending the urgent conclusion of an international legally binding instrument on negative security assurances, the Conference encourages all States concerned to ratify the nuclear-weapon-free zone treaties and their relevant protocols and to review any related reservations and interpretive declarations over the course of the next review cycle.

14. Bearing in mind the legacy of health and environmental consequences resulting from nuclear tests and the disproportionate effects on children's and women's health, the Conference calls upon the eight remaining States listed in Annex 2 of the Comprehensive Nuclear-Test-Ban Treaty to sign and ratify that Treaty without waiting for any other State to do so. Pending the entry into force of that Treaty, all States commit to cease and refrain from any action that would defeat its object and purpose, to uphold moratoriums on nuclear test explosions and to close, dismantle or convert any sites used for nuclear test explosions.
15. The Conference urges States to commence immediately and to conclude rapidly substantive negotiations, before the end of the next review cycle, in the Conference on Disarmament, on a treaty banning the production of fissile material for use in nuclear weapons or other nuclear explosive devices in accordance with the report of the Special Coordinator of 1995 (CD/1299) and the mandate contained therein. These negotiations should take into account in particular all substantive work undertaken during the past review cycle.
16. The Conference encourages all States, in cooperation with international organizations and civil society, to pursue and intensify efforts to develop nuclear disarmament verification capabilities, taking into account the central role of the International Atomic Energy Agency in the area of verification, that will be required to provide assurance of compliance with nuclear disarmament agreements for the achievement and maintenance of a world without nuclear weapons, including through the new and continuing initiatives pursued under the leadership of Norway and the United Kingdom of Great Britain and Northern Ireland, as well as the International Partnership for Nuclear

Disarmament Verification initiated by the United States of America. The Conference notes additional proposals for concrete and practical measures for disarmament verification.

17. Noting that many States parties believe that a legal framework is necessary for the full implementation of article VI, the Conference encourages all States to engage, without delay, within the framework of the United Nations disarmament machinery, in an inclusive process to identify and elaborate the legal provisions required for the achievement and maintenance of a world without nuclear weapons. These legal provisions could be enacted through various approaches, including, *inter alia*, a stand-alone instrument, which could take the form of a nuclear-weapons-ban treaty or a comprehensive nuclear weapons convention, as referred to in resolution A/RES/68/32, that would include a phased programme for the complete elimination of nuclear weapons within a specified timeframe; a framework agreement comprising mutually supporting instruments that would establish the key prohibitions, obligations and arrangements for time-bound, irreversible and verifiable nuclear disarmament; a phased process of interlocking and mutually-reinforcing steps; or other arrangements.

18. The Conference encourages all States, in cooperation with the United Nations and other international organizations, the Red Cross and Red Crescent Movement, non-governmental organizations, academic institutions and the private sector, to continue and intensify efforts to raise the awareness of the public, and younger and future generations in particular, on all topics relating to nuclear disarmament and non-proliferation education, including on the humanitarian impact of nuclear weapons. The Conference also encourages all States to make use of new information and communication technology in these efforts.

## **Main Committee II: Draft Chairman's report**

Review of the operation of the Treaty, as provided for in its article VIII (3), taking into account the decisions and the resolutions adopted by the 1995 Review and Extension Conference, the Final Document of the 2000 Review Conference and the conclusions and recommendations for follow on actions adopted by the 2010 Review 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 all its provisions are the best way to prevent the spread of nuclear weapons and other nuclear explosive devices.

2. The Conference notes that the nuclear-weapon States reaffirmed their commitment not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices directly, or indirectly, and not in any way to assist, encourage or induce any non-nuclear-weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices.

3. The Conference notes that the non-nuclear-weapon States parties to the Treaty reaffirmed their commitment not to receive the transfer from any transferor whatsoever of nuclear weapons or

other nuclear explosive devices or of control over such weapons or explosive devices directly, or indirectly, not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices.

4. The Conference reaffirms the commitment of States parties to the effective implementation of the objectives and provisions of the Treaty, the decisions and resolution of the 1995 Review and Extension Conference adopted without a vote, the final document of the 2000 Review Conference, adopted by consensus, and the conclusions and recommendations for follow-on actions adopted by consensus by the 2010 Review Conference.

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

6. The Conference recognizes that breaches of the Treaty's obligations undermine nuclear disarmament, non-proliferation and peaceful uses of nuclear energy and emphasizes that responses to concerns over compliance with any obligation under the Treaty by any State party should be pursued by diplomatic means, in accordance with the provisions of the Treaty and the Charter of the United Nations. Article III and fourth and fifth preambular paragraphs, especially in their relationship to article IV and sixth and seventh preambular paragraphs.

7. The Conference emphasizes that IAEA safeguards are a fundamental component of the nuclear non-proliferation regime,

play an indispensable role in the implementation of the Treaty and help to create an environment conducive to nuclear cooperation,

8. The Conference reaffirms that the IAEA is the competent authority responsible for verifying and assuring, in accordance with the Statute of IAEA and the IAEA safeguards system, compliance by States parties with their safeguards agreements undertaken in fulfilment of their obligations under article III, paragraph 1, of the Treaty with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices. It is the conviction of the Conference that nothing should be done to undermine the authority of the IAEA in this regard.

9. The Conference underlines the importance of complying with all non-proliferation obligations and addressing all non-compliance matters in order to uphold the Treaty's integrity and the authority of the safeguards system. The Conference emphasizes that responses to concerns over compliance with any obligation under the Treaty by any State party should be pursued by diplomatic means, in accordance with the provisions of the Treaty and the Charter of the United Nations.

10. The Conference underscores the importance of resolving all cases of non-compliance with safeguards obligations in full conformity with the IAEA's Statute and the respective legal obligations of States parties. In this regard, the Conference calls upon the States parties to extend their cooperation to the IAEA. The Conference reaffirms the importance of access to the United Nations Security Council and the General Assembly by the IAEA, including its Director General, in accordance with Article XII.C. of the Statute of IAEA and paragraph 19 of INFCIRC/153 (Corrected), and the role of the United Nations Security Council and the General Assembly, in accordance with the Charter of the United Nations, in upholding compliance with IAEA safeguards

agreements and ensuring compliance with safeguards obligations by taking appropriate measures in the case of any violations notified by the IAEA.

11. The Conference considers that safeguards should be implemented in a manner designed to comply with article IV of the Treaty and avoid hampering the economic or technological development of the parties or international cooperation in the field of peaceful nuclear activities.

12. The Conference recalls the importance of the application of IAEA safeguards pursuant to comprehensive safeguards agreements based on INFCIRC/153 (Corrected) to all source and special fissionable material in all peaceful nuclear activities in the States parties in accordance with the provisions of article III, paragraph I, of the Treaty. The Conference also 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 declarations 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.

13. The Conference notes the fact that 172 States parties have in force comprehensive safeguards agreements with IAEA and welcomes the fact that six additional States have brought into force comprehensive safeguards agreements with the IAEA since the 2010 Review Conference. The Conference urges the non-nuclear weapon States party to the Treaty that have yet to bring into force comprehensive safeguards agreements to do so as soon as possible and without further delay.

14. The Conference notes the fact that 60 States have amended their small quantities protocols and 5 other States have rescinded

their small quantities protocols. The Conference welcomes the fact that 17 States accepted the revised small quantities protocol since the 2010 Review Conference and urges all States parties with small quantities protocols which have not yet done so to amend or rescind them, as appropriate, as soon as possible.

15. The Conference welcomes the fact that 124 States parties have brought additional protocols into force and that 24 of these States have brought the additional protocol into force since the 2010 Review Conference. The Conference calls on all States parties that have not yet done so to conclude and to bring into force additional protocols as soon as possible and to implement them provisionally pending their entry into force.

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

17. The Conference recognizes that comprehensive safeguards agreements based on INFCIRC/153 (Corrected) are not sufficient for the IAEA to provide credible assurances regarding the absence of undeclared nuclear material and activities. The Conference notes that the implementation of the measures of the Model Additional Protocol (INFCIRC/540 (Corrected)) provides the IAEA with additional information and access, strengthens the IAEA's ability to provide assurances of the absence of undeclared nuclear material and activities in a State as a whole, and provides increased confidence about the State's compliance with its obligations under article III, paragraph 1, of the Treaty. States parties with additional protocols in force consider that the comprehensive safeguards agreement, together with the additional protocol, represents the current verification standard which enables

the IAEA to provide assurances on the non-diversion of declared nuclear material and on the absence of undeclared nuclear material and activities in a State as a whole.

18. The Conference notes that it is the sovereign decision of any State to conclude an additional protocol, but once in force, the additional protocol is a legal obligation, States parties emphasize that there is a distinction between the legal obligations of States and voluntary measures aimed at facilitating and strengthening the implementation of safeguards and aimed at confidence building, bearing in mind the obligation of States to cooperate with the IAEA to facilitate the implementation of safeguards agreements.

19. The Conference notes the importance of the voluntary offer agreements and the additional protocols implemented by the nuclear-weapon States, It also notes that such agreements provide the IAEA with valuable experience in implementing safeguards, The Conference calls for the wider application of safeguards to peaceful nuclear facilities in the nuclear-weapon States, under the relevant voluntary offer safeguards agreements, in the most economic and practical way possible, taking into account the availability of the IAEA resources, and stresses that comprehensive safeguards and additional protocols should be universally applied once the complete elimination of nuclear weapons has been achieved.

20. The Conference stresses the importance of maintaining and observing fully the principle of confidentiality regarding all information related to implementation of safeguards in accordance with safeguards agreements and the IAEA's Statute, 21. The Conference emphasizes the importance of maintaining the credibility, effectiveness, and integrity of the IAEA's safeguards system, and stresses that safeguards implementation should remain transparent, non-discriminatory, and objective, In this regard, the Conference notes that IAEA safeguards are assessed and evaluated

regularly with the view to strengthen the effectiveness and improve the efficiency of safeguards implementation. The Conference welcomes the clarifications and additional information provided in 2014 on the implementation of safeguards in the context of the State-level concept, following the intensive consultation process between the IAEA's Secretariat and Member States, The Conference notes the work of the IAEA to develop and implement State-level safeguards approaches within the scope of States' safeguards agreements, The Conference calls upon States parties to support the IAEA to effectively implement State-level safeguards approaches in close consultation and coordination with State and/or regional authorities and to implement decisions adopted by the IAEA's Board of Governors aimed at further strengthening the effectiveness and improving the efficiency of IAEA safeguards,

22. The Conference welcomes additional technical and financial contributions by States to help the IAEA meet its safeguards responsibilities, and to enhance the related technology base, including the modernization of its Safeguards Analytical Laboratories, It notes the assistance provided by States to the IAEA, including through the IAEA's Member State Support Programme, to facilitate capacity building, including related research and development, and implementation of safeguards and welcomes the fact that such assistance will continue to be provided towards that end, The Conference calls upon all States parties to ensure that IAEA continues to have all political, technical and financial support so that it is able to effectively meet its responsibility to apply safeguards as required by article III of the Treaty and the relevant safeguards agreements. The Conference also encourages IAEA to further develop a robust, flexible, adaptive and cost-effective international technology base for advanced safeguards through cooperation among Member States.

23. The Conference notes the importance of effective physical protection of all nuclear material and nuclear facilities and the need

for strengthening international cooperation in this respect. The Conference recognizes that the primary responsibility for nuclear security rested with individual States. The Conference recalls that, when developing nuclear energy, including nuclear power, the use of nuclear energy must be accompanied by appropriate and effective levels of nuclear security, consistent with States' national legislation and respective international obligations.

24. The Conference reaffirms the central role of the IAEA in strengthening the nuclear security framework globally and in coordinating international activities in the field of nuclear security, and stresses the need to strengthen the coordination and complementarity of nuclear security activities. It welcomes the outcome of the International Conference on Nuclear Security: Enhancing Global Efforts, organized by the IAEA in Vienna in July 2013, in particular the Ministerial Declaration, and the organization of the next international conference on nuclear security in 2016.

25. The Conference encourages IAEA to continue to assist States in strengthening their national regulatory controls of nuclear material, including the establishment and maintenance of State systems of accounting for and control of nuclear material. The Conference also encourages States to take full advantage of the IAEA services in the field of nuclear security, such as the Integrated Nuclear Security Support Plans (INSSPs), International Nuclear Security Advisory Service (INSServ) and International Physical Protection Advisory Service (IPPAS) missions.

26. The Conference calls upon States to broaden their support to IAEA and to contribute to the Nuclear Security Fund to ensure that the IAEA has the necessary resources to implement its nuclear security activities.

27. The Conference recalls its encouragement to States parties to maintain the highest possible standards of security and physical protection of nuclear material and facilities. The Conference calls on all States to apply, as appropriate, the Nuclear Security Recommendations on Physical Protection of Nuclear Material and Nuclear Facilities contained in IAEA document INFCIRC/225/Revision 5 and in other relevant international instruments at the earliest possible date. The Conference also calls upon all States that have not yet done so to become parties to the International Convention for the Suppression of Acts of Nuclear Terrorism as soon as possible.

28. The Conference welcomes the recent accessions to the amendment to the Convention on the Physical Protection of Nuclear Material and the contribution made by the Nuclear Security Guidance Committee in the development of the Nuclear Security Series. The Conference calls on all States parties to the Convention on the Physical Protection of Nuclear Material to ratify the amendment to the Convention as soon as possible and encourages them to act in accordance with the objectives and the purpose of the amendment until such time as it enters into force. The Conference also calls on all States that have not yet done so to adhere to the Convention and adopt the amendment as soon as possible.

29. The Conference notes with concern the issue of illicit trafficking in nuclear and other radioactive materials and emphasizes the need to improve national capabilities to prevent, detect and respond to illicit trafficking in nuclear and other radioactive materials throughout their territories, in accordance with their relevant international obligations. The Conference also notes the work of the IAEA in support of the efforts of States to combat such trafficking, including the IAEA's activities undertaken to provide for an enhanced exchange of information and the continued maintenance of its incident and trafficking

database. The Conference calls upon all States to improve their national capabilities to detect, deter and disrupt illicit trafficking in nuclear material throughout their territories and calls upon those States parties in a position to do so to work to enhance international partnerships and capacity-building in this regard.

30. States parties express concerns related to the threat of terrorism and the risk that non-State actors might acquire nuclear weapons and their means of delivery. They welcome the contribution of the Global Partnership against the Spread of Weapons and Materials of Mass Destruction and the Global Initiative to Combat Nuclear Terrorism in enhancing the physical protection of nuclear facilities and fissile material worldwide. The Conference recalls the obligation of all States to implement fully the United Nations Security Council resolution 1540 (2004). The Conference also calls upon States parties to establish and enforce effective domestic controls to prevent the proliferation of nuclear weapons as set out in United Nations Security Council resolutions 1540 (2004), 1673 (2006), 1810 (2008) and 2055 (2012).

31. The Conference welcomes the vital contribution made by the Nuclear Security Summits in Washington, Seoul and The Hague and the commitments of participating States to further strengthen nuclear security and looks forward to the summit to be held in the United States in 2016. It underscores the need for parties and international institutions to promote shared nuclear security goals, and the essential role of international institutions and initiatives, including the IAEA, the United Nations, Interpol, the Global Initiative to Combat Nuclear Terrorism, and the Global Partnership Against the Spread of Weapons and Materials Mass Destruction, in promoting nuclear security in their respective areas of competency.

32. The Conference urges all States parties to ensure that their nuclear-related exports did not directly or indirectly assist the development of nuclear weapons or other nuclear explosive

devices and that such exports were in full conformity with the objectives and purposes of the Treaty as stipulated, particularly, in articles I, II and III, as well as the decision on principles and objectives of nuclear non-proliferation and disarmament adopted in 1995 by the Review and Extension Conference. They consider that export controls are a legitimate, necessary and desirable means of implementing the obligations of States parties under article III of the Treaty.

33. The Conference considers that effective export controls are essential for facilitating the fullest possible cooperation in the peaceful uses of nuclear energy in conformity with the Treaty. The Conference encourages the States parties to consider whether a recipient State has brought into force IAEA safeguards obligations in making nuclear export decisions. It also encourages States parties to make use of multilaterally negotiated and agreed guidelines and understandings in developing their own national export controls.

34. States parties stress that any new supply arrangements for the transfer of source or special fissionable material or equipment or material especially designed or prepared for the processing, use or production of special fissionable material to non-nuclear weapon States should require, as a necessary precondition, acceptance of full-scope safeguards and internationally legally binding commitments not to acquire nuclear weapons or other nuclear explosive devices.

35. 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. The Conference encourages States parties to facilitate transfers of nuclear technology and international cooperation among States parties, in conformity with

articles I, II and III of the Treaty, and to eliminate in this regard any undue constraints inconsistent with the Treaty.

## Article VII

36. The Conference reaffirms the conviction that the establishment of the internationally recognized nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned enhances global and regional peace and security, strengthens the nuclear non -proliferation regime and contributes towards realizing the objectives of nuclear disarmament. The Conference reaffirms its support for internationally recognised nuclear-weapon-free zones established on the basis of arrangements freely arrived at among the States of the region concerned, and in accordance with the 1999 Guidelines of the United Nations Disarmament Commission.

37. The Conference recognizes the continuing contributions that the Antarctic Treaty, the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco), the South Pacific Nuclear Free Zone Treaty (Treaty of Rarotonga), the Treaty on the Southeast Asia Nuclear Weapon-Free Zone (Bangkok Treaty), the African Nuclear-Weapon-Free Zone Treaty (Pelindaba Treaty) and the Treaty on a Nuclear-Weapon-Free Zone in Central Asia are making towards attaining the objectives of nuclear disarmament and nuclear non-proliferation. The Conference welcomes the parallel declarations adopted by the nuclear-weapon States and Mongolia on 17 September 2012, concerning Mongolia's nuclear-weapon-free status. The Conference also welcomes the increased cooperation amongst the parties to the zones and notes with satisfaction the Third Conference of the States Parties and Signatories to Treaties that Established Nuclear-Weapon-Free Zones and Mongolia which took place in 2015.

38. The Conference welcomes the progress toward ratification by the nuclear-weapon States of the relevant protocols to nuclear-weapon-free-zone treaties and the continuing efforts in this regard of the parties to the Treaty on the Southeast Asia Nuclear Weapon-Free Zone and the nuclear-weapon States pertaining to the Protocol to that Treaty. States parties look forward to the nuclear-weapon States signing and ratifying the Protocol to that Treaty as soon as possible. The Conference welcomes the signature and ratification by nuclear-weapon States of the Protocol to the Treaty on a Nuclear-Weapon-Free Zone in Central Asia. The Conference stresses the importance of the signature and ratification by the nuclear-weapon States that have not yet done so of the relevant protocols to the treaties that establish nuclear-weapon-free zones in order to assure the total absence of nuclear weapons in the respective territories as envisaged in article VII of the Treaty.

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

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

Regional issues

[PLACE HOLDER]

**Draft Chairman's working paper: Main Committee III**

*Decisions and recommendations of previous Conferences*

1. The Conference notes that the States parties reiterated their commitment to the effective implementation of the Treaty, the decisions and the resolution on the Middle East adopted by the 1995 Review and Extension Conference, the Final

Document of the 2000 Review Conference and the conclusions and recommendations for follow-on actions of the 2010 Review Conference.

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

3. The Conference reaffirms that all States parties to the Treaty undertake to facilitate, and have the right to participate in, the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy in conformity with all the provisions of the Treaty. States parties to the Treaty in a position to do so should also cooperate in contributing alone or together with other States parties or international organizations to the further development of the applications of nuclear energy for peaceful purposes, especially in the territories of non-nuclear-weapon States parties to the Treaty, with due consideration for the needs of the developing areas of the world.

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

5. The Conference calls upon all States parties, in acting in pursuance of the

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

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

Explanatory note: Discussion of technical cooperation and multilateral approaches to the nuclear fuel cycle will continue in the MCIII meeting on 12 May, and will be reflected in a further revision.

*Peaceful uses of nuclear energy*

7. The Conference firmly believes that fostering the development of the peaceful uses of nuclear energy by providing a framework of confidence and cooperation within which those uses can take place is one of the fundamental objectives of the Treaty. Moreover, the Conference emphasizes that cooperation to accelerate and enlarge the contribution of atomic energy to peace, health and prosperity throughout the world is the core objective enshrined in the statute of IAEA. The Conference encourages all States parties to actively cooperate among themselves and through IAEA, in the peaceful uses and applications of nuclear energy, including through international technical cooperation.

8. The Conference recognizes that science and technology, including nuclear science, are an indispensable element in achieving social and economic

development for all.

9. The Conference underlines that IAEA activities in the field of nuclear power and non-power applications have contributed in an important way to meeting energy needs, improving health, combating poverty, protecting the environment, developing agriculture, managing the use of water resources and optimizing industrial processes, thus helping to achieve the Millennium Development Goals, and that these activities, as well as bilateral and other multilateral cooperation, contribute to achieving objectives set forth in article IV of the Treaty.

10. The Conference encourages Member States to cooperate and support fully the efforts of the IAEA to expand the extent that nuclear sciences and applications are utilized to promote development for all, including the achievement of the Millennium Development Goals and the Post-2015 Development Agenda.

11. The Conference encourages States parties to provide necessary support to IAEA in modernizing the Seibersdorf Nuclear Application Laboratories through its Renovation of the Nuclear Applications Laboratories (ReNuAL) project.

12. The Conference encourages all State parties and relevant organizations to strengthen their public communication activity, considering that education and public communication play an important role in disseminating information to and raising the awareness of the public in general on the utility of peaceful uses of nuclear science and technology.

13. The Conference reaffirms the commitment of the States parties to encourage national, bilateral and international efforts to train the necessary skilled workforce needed to develop peaceful uses of nuclear energy and calls on the States parties to promote existing offers, support potential developments, and identify unsatisfied needs.

14. 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.

*Nuclear Power*

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

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

17. The Conference notes the Second Regional Conference on Energy and Nuclear Power in Africa organized by the IAEA in Cape Town, South Africa in May 2011, the International Ministerial Conference on Nuclear Power in the 21st Century, organized by the IAEA in Cooperation with OECD/Nuclear Energy Agency in Saint Petersburg, Russian Federation in June 2013, and the Third Conference on Energy and Nuclear Power in Africa, organized by the IAEA. in Mombasa, Kenya in April 2015.

18. The Conference recognizes the safety and security issues associated with nuclear energy, as well as the important issue of managing spent fuel and radioactive waste in a sustainable manner, while also recognizing the continuing international efforts to address those issues. Nuclear fuel suppliers are encouraged to work with and assist recipient States, upon request, in the safe and secure management of spent fuel.

19. The Conference recognizes that the development of an appropriate

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

20. The Conference emphasizes the need for States embarking on nuclear energy programmes to develop a robust national technical, human resource, and regulatory infrastructure to ensure safety and security for all reactor and fuel cycle activities consistent with international standards, guidelines, and recommendations at a very early stage of the process.

21. The Conference confirms that, when developing nuclear energy, including nuclear power, the use of nuclear energy should be accompanied by commitments to, and ongoing implementation of, the highest levels of safety, security and non-proliferation

standards, in accordance with IAEA standards and consistent with die national legislation and respective international obligations of States.

22, 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.

23. The Conference recognizes bilateral and multilateral efforts to promote cooperation on future approaches to nuclear power such as the IAEA's INPRO project and the Generation IV International Forum, and encourages further development of nuclear reactor technologies that are safer, more economic, more resource efficient, and reduce proliferation risks, including ones that are more suitable for the electric power grids of smaller markets.

24. The Conference acknowledges that competent human resources are a key

component for all nuclear power programmes, including new and expanding ones. The Conference underlines that partnerships and collaboration with the IAEA as well as amongst other Parties, industry, and academic institutions make a valuable contribution to developing such capacity. The Conference welcomes initiatives directed at expanding nuclear knowledge and expertise as well as training in the field of nuclear energy, including the Capacity Building Initiative proposed by France.

#### Nuclear safety

25. The Conference recognizes that nuclear safety and security have the common aim of protecting human health, society and the environment, while acknowledging the distinctions between the two areas, and affirming the importance of coordination in this regard. While nuclear safety and nuclear security are national responsibilities, IAEA should play the key role in the development of safety standards, nuclear security guidance and relevant conventions based on best practices.

26. The Conference recognizes that the primary responsibility for nuclear safety rests with individual States, reaffirms the central role of IAEA in nuclear safety related matters, including through the establishment of nuclear safety standards, owing to its mandatory functions and longstanding expertise; and stresses that any possible review of nuclear safety standards at the global level must be carried out within IAEA in an inclusive, gradual and transparent manner, with the guidance and participation of and in consultation with all member States, that shall incorporate the views of all member States.

27. The Conference recognizes that the primary responsibility for nuclear security rests with individual States and that IAEA has the mandate, the authority and the

central role in the area of nuclear security and that the UN, through instruments such as UNSCR 1540, also have an important role; and reaffirms that any process to develop multilateral norms, guidelines or rules on nuclear security should be pursued within the framework of IAEA, should be driven by Member States, should be negotiated - -multilaterally in -a - gradual, -inclusive -- and transparent --manner incorporating the views of all Member States and should not encroach upon the mandate, competence and central role of IAEA in the area of nuclear security.

28. The Conference emphasizes that measures and initiatives aimed at strengthening nuclear safety and nuclear security must not be used as a pretext or leverage to violate, deny or restrict the inalienable right of States parties to develop research, production and use of nuclear energy for peaceful purposes without discrimination.

29. The Conference notes that a demonstrated global record of safety is a key element for the peaceful uses of nuclear energy and that continuous efforts are required to ensure that the technical and human requirements of safety are maintained at the optimal level. Although safety is a national responsibility, international cooperation on all safety-related matters is important.

30. The Conference encourages the efforts of IAEA, as well as of other relevant forums, in the promotion of safety in all its aspects, and encourages all States parties to take the appropriate national, regional and international steps to enhance and foster a safety culture. The Conference encourages the continuous improvement of nuclear, radiation, transport and waste safety and appropriate subsequent actions, by recognizing the role that further analyses of the lessons learned from past experience have to play in reinforcing national, regional and international nuclear safety frameworks that serve for the peaceful uses of nuclear science and

technology.

31. 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.

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

33. The Conference encourages efforts to assist States in meeting IAEA standards of nuclear safety, bilaterally and through the IAEA. In this regard, the Conference recalls that special efforts should be made and sustained to increase awareness in those fields, through the participation of States parties, in particular those from developing countries, in training, workshops, seminars and capacity-building in a non-discriminatory manner. The Conference underlines the fundamental importance of sustainable programmes, through national, regional and international efforts, for education and training in nuclear radiation, transport, waste safety and nuclear security, while focusing on building institutional capacity and technical and managerial capabilities in States parties.

34. The Conference underscores the need to facilitate the effective participation of

all interested States in the IAEA Safety Standards Committees given their importance.

35. The Conference welcomes the efforts made by the IAEA in the aftermath of the accident at the Fukushima Daiichi Nuclear Power Station and reaffirms the outcomes of the Ministerial Conference on Nuclear Safety, hosted by the IAEA in June 2011, as well as the adoption of the IAEA Ministerial Declaration on Nuclear Safety.

36. The Conference welcomes the efforts made by the IAEA, including the Fukushima Ministerial Conference on Nuclear Safety held in December 2012, in working towards publishing the Fukushima Report and taking into account the findings by the Government of Japan, UNSCEAR\*, and other relevant international organizations and fora, to share the lessons learned from the accident at the Fukushima Daiichi Nuclear Power Station in March 2011 for further improvement of global nuclear safety. (\* The 2013 report of the United Nations Scientific Committee on the Effects on Atomic Radiation on "Levels and effects of radiation exposure due to the nuclear accident after the 2011 great east-Japan earthquake and tsunami".)

37. The Conference recognizes that the IAEA's Action Plan on Nuclear Safety has served as a significant benchmark in guiding, a comprehensive and coordinated national, regional and international approach to strengthening nuclear safety; and reaffirms the importance of robust implementation of the Action Plan. The Conference also emphasizes the importance of States continuing to take active steps to fulfil the actions contained in the IAEA Action Plan on Nuclear Safety as a matter of priority and to identify a scope for further enhancing nuclear safety.

38. The Conference welcomes the Vienna Declaration on Nuclear Safety, adopted unanimously at the Diplomatic Conference of the Convention on Nuclear Safety held in February 2015 and the principles on design, siting and construction of new

nuclear power plants contained therein as well as the guidance it provides on comprehensive and systematic safety assessments to be carried out periodically and regularly for existing installations throughout their lifetime. Furthermore, the Conference notes that the Vienna Declaration on Nuclear Safety is an integral part of the existing Convention on Nuclear Safety Review Meeting Process by requesting Member States to all commit to consider the principles agreed on, in future national reports, starting immediately with the ones to be submitted to the 7th Review Meeting and onwards.

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

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

41. The Conference encourages States concerned to further minimize highly enriched uranium stocks and to further minimize their use, including by converting radioisotope production to low-enriched uranium fuel and targets or by using other non-highly enriched uranium technologies, where technically and economically feasible, taking into account the need for an assured and reliable supply of medical isotopes.

42. The Conference recognizes the importance of applying best practices and basic

principles, as developed by IAEA, in mining and processing, including those related to environmental management of uranium mining.

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

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

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

*Safe transport of radioactive materials*

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

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

48. The Conference endorses the IAEA standards for the safe transport of radioactive material and affirms that it is in the interest of all States parties that the

transportation of radioactive materials continues to be conducted consistent with safety, security and environmental protection standards and guidelines. The Conference takes note of the concerns of small island developing States and other coastal States with regard to the transportation of radioactive materials by sea and, in this regard, welcomes continuing efforts to improve communication between shipping and coastal States for the purpose of addressing concerns regarding transport safety, security and emergency preparedness.

49. The Conference welcomes the guidelines on best practices for Voluntary and Confidential Government-to-Government Communications on the transport of MOX Fuel, high level radioactive waste and, as appropriate, irradiated nuclear fuel by sea, and encourages the continuation of the dialogue process between shipping and coastal States aimed at improving mutual understanding, confidence-building and enhanced communication in relation to the ' safe maritime transport of radioactive material, taking into account necessary confidentiality for security purposes.

Armed attacks against nuclear installations devoted to peaceful purposes

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

*Nuclear liability and emergency response*

51. The Conference recalls the Paris Convention on Third Party Liability in the Field of Nuclear Energy, the Vienna Convention on Civil Liability for Nuclear Damage, the Brussels Convention supplementary to the Paris Convention, the Joint

Protocol Related to the Application of the Vienna Convention and the Paris Convention, stresses the importance of earliest possible entry into force of the 2004 Protocols amending the Paris and Brussels Conventions and welcomes the entry into force of the Convention on Supplementary Compensation for Nuclear Damage, with a view to establishing a global nuclear liability regime based on the principles of nuclear liability law, without prejudice to other liability regimes.

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

53. The Conference encourages States Parties to strengthen their national, bilateral, regional and international emergency preparedness and response mechanisms, as appropriate, to facilitate timely information exchange during a nuclear emergency, and improve bilateral, regional and international cooperation to that effect.

54. The Conference notes that the IAEA plays a key role, which must be supported by States, in coordinating international cooperation with regard to preparedness and response to nuclear emergencies. The Conference encourages States to make use of the various services and activities offered by IAEA to improve preparedness and response to nuclear emergencies.

## **Looking Ahead**

On Wednesday, SB-1 will continue to consider its revised report in the morning session that originally was slated for Main Committee I. MC.II will meet in the afternoon and SB.III will meet both in the morning and the afternoon sessions. The atmosphere at the Conference remains charged given the discussions in SB1 and MC.I and this likely will be exacerbated in the days to come. A report combining the draft reports of MC.I and SB.1 on nuclear disarmament and nuclear non-proliferation issues is scheduled to be circulated on Thursday morning.

Tariq Rauf

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