

IKV Pax Christi Recommendations to the 2010 NPT Review Conference

IKV Pax Christi is the joint peace organization of the Dutch Interchurch Peace Council (IKV) and Pax Christi Netherlands. IKV Pax Christi works for peace, reconciliation and justice in the world. We join with people in conflict areas to work on a peaceful and democratic society. We enlist the aid of people in the Netherlands who, like IKV Pax Christi, want to work for political solutions to crises and armed conflicts. IKV Pax Christi combines knowledge, energy and people to attain its objectives. More information about IKV Pax Christi can be found at www.nonukes.nl.

IKV Pax Christi is looking for a balanced outcome to the Nuclear Non Proliferation Treaty (NPT) Review Conference, wherein each area of substantive concern: Disarmament, Non Proliferation, Peaceful Uses are addressed equally. Recognizing that each of these areas will be addressed by the Review Conference in a committee, and also that the Review Conference will likely establish a subsidiary body on the issue of Implementing the 1995 Resolution on the Middle East. We expect states parties at the Review Conference to approach the conference with flexibility and produce a balanced outcome. The outcome must reflect the current window of opportunity for concrete progress in disarmament.

The window of opportunity for significant progress in nuclear disarmament that was pushed open further by U.S. President Obama in Prague, and in United Nations Security Council Resolution 1887, endorses a world free of nuclear weapons. This NPT Review Conference is a key opportunity for states to make progress on their nuclear disarmament obligations under the NPT. There are specific steps that the Netherlands can take to create a balanced outcome, both at, and in advance of the Review Conference. The Netherlands engages with a number of groups of states (including within the EU) where it can have a substantial impact (see the annex for this list of groupings).

IKV Pax Christi recommends that the Netherlands actively engage with NPT states parties toward a positive outcome of the Review Conference. This paper outlines the key recommendations and provides additional information about each. IKV Pax Christi recommends that Members of Parliament encourage the following:

- Statements should be issued by NATO governments acknowledging their responsibilities under the NPT and declaring their willingness to eliminate the role of nuclear weapons in NATO and supporting the removal of American nuclear weapons stored in Europe.
- Non- nuclear weapons states with bilateral positive security assurances should declare that their umbrella agreements apply ONLY in response to nuclear attacks.
- Nuclear weapons states should declare that they will not modernize their weapons and weapons delivery systems, and these declarations should be supported and encouraged by states hosting nuclear weapons or protected by nuclear sharing or umbrella agreements.
- All NPT member states should negotiate Additional Protocol Agreements with the IAEA without delay. The IAEA should report on progress with universalizing the Additional Protocol at the next meeting of NPT states parties.
- NPT states parties should significantly increase their contributions to the IAEA.
- European nuclear utilities should insist that customer states renounce the development of proliferation sensitive technology.
- NPT states parties should agree to close current loopholes in the safeguards system through the negotiation of an amendment to Annex II of the Additional Protocol.
- NPT states parties should agree to establish the IAEA as the international authority to control the entire nuclear fuel cycle.

IKV Pax Christi looks forward to a positive outcome of the NPT Review Conference and to working with all interested parties to ensure its success.

Recommendations towards Main Committee 1 - Disarmament

Russia and the United States

The two states holding the largest arsenals have made significant reductions in the number of nuclear weapons since the height of the cold war, however, the time has come for the Russian Federation and the United States to reduce their arsenals to 500 or fewer weapons each. This will create the conditions necessary for other nuclear weapons states to engage in negotiations towards zero nuclear weapons. The early conclusion of negotiations on a START follow-on treaty is a very positive step. These two states can demonstrate their commitment to their disarmament obligations before the Review Conference by signing the START follow-on as soon as negotiations are complete. As the process for national ratifications is moving forward, a new round of negotiations should begin on the next step in deep reductions. The next round should bring the total number of nuclear weapons between the two states down to 1,000. This will then create the conditions for other nuclear weapons states to engage in multilateral disarmament negotiations.

The START follow-on agreement should be signed as soon as possible. The United States and Russian Federation should begin the next round of negotiations for deep reductions, with the goal of no more than 500 total weapons each.

All Nuclear Weapons States

There is a need to not only reaffirm the commitments made in the 2000 consensus outcome document (also called the 13 Practical Steps) at this Review Conference but to go beyond them. This while maintaining a commitment to the core principles of disarmament- transparency, verifiability and irreversibly. A simple reaffirmation of the 13 practical steps is not be enough. However, the 13 practical steps are important and this Review Conference has recognized that by including the outcome of the 2000 Review Conference in the agenda. UN Security Council Resolution 1887 which resolved “to seek a safer world for all and to create the conditions for a world without nuclear weapons”¹, and the UN Secretary General’s Five Point Plan for nuclear disarmament both demonstrate that the political climate for global nuclear disarmament has never been as favorable as it is now. The review conference must take these, as well as recommendations put forward by the Weapons of Mass Destruction Commission (Blix Commission, 2006) and the International Commission on Nuclear Non Proliferation and Disarmament (2009) into consideration when developing an action plan for nuclear disarmament.

This Review Conference should decide on an action plan for nuclear disarmament that goes further than the 2000 ‘13 practical steps’ and takes into consideration the UN Secretary General’s five point disarmament plan and recommendations from other international commissions.

Increasing the transparency of nuclear weapons holdings will build confidence among non nuclear weapons states that, at least this obligation under the 13 steps, is being met. It is not necessary for states to report all locations of their nuclear weapons, but it is important to set a baseline for disarmament by having an accurate count of how many nuclear weapons there are in total among the five recognized nuclear weapons states under the NPT. In order to avoid potential problems associated with counting rules, the nuclear weapons states could simply present a total number of nuclear weapons they currently possess without going into detail about strategic vs. sub-strategic (tactical) weapons. The Cold War policy of neither confirming nor denying the storage of US nuclear weapons in Europe should also be ended. This would increase the level of accountability by providing

¹ S/RES/1887 (2009)

a baseline for comparison in future reporting, so that demonstrable reductions towards zero can be honestly assessed.

Nuclear weapons states should provide an accurate count of the numbers of nuclear weapons they possess; in calculating reductions, nuclear weapons states should not make a distinction between strategic and sub-strategic (tactical) nuclear weapons.

Fissile Materials Treaty

Currently, negotiating a treaty to ban fissile materials for nuclear explosive devices, is meant to take place in Geneva at the Conference on Disarmament, and a program of work is currently being discussed which would allow for these negotiations to begin. NPT states agreed that this was the next logical step towards disarmament in 2000 (it is one of the 13 practical steps). The EU, in a working paper to the NPT said a “Fissile material cut-off treaty as the next logical multilateral instrument to be negotiated for the cessation of the nuclear arms race and nuclear disarmament in accordance with article VI of the NPT”². It is important that these negotiations begin, and the NPT Review Conference can recommend a deadline and request that negotiations be completed by 2013. There are a number of issues related to a fissile materials treaty that will need to be dealt with in the negotiations including stocks and the intrusiveness of inspections in creating a verification mechanism. The problem is that under the current rules of procedure, the Conference on Disarmament cannot seem to agree to begin the negotiations. The NPT Review Conference should therefore recommend that if the CD cannot enter into negotiations within the next year, then negotiations should be established through another fora- either diplomatic conferences (as with the Anti-Personnel Landmine treaty or Ottawa Process and the Cluster Munitions Convention or Oslo Process) or under the auspices of a group established for that purpose in the General Assembly.

Negotiations on a Fissile Materials (Cutoff) Treaty should be completed by November 2013; Failure to enter into negotiations before May 2011 should lead to the establishment of a new forum or mechanism for negotiations under the auspices of the General Assembly.

Nuclear Security Doctrines & Strategies

Reducing the reliance on nuclear weapons in national security strategies is one of the necessary steps in moving towards zero nuclear weapons. When nuclear weapons are not seen as a primary guarantor of security, or as the glue that holds alliances together, then there is less reluctance in disarming them and further risk of proliferation. When nuclear weapons are recognized as a 20th century weapon, not applicable to 21st century security threats, their elimination becomes much more possible. Russia may be reducing the role of nuclear weapons in their national military doctrine, and the United States Nuclear Posture Review is expected to present a range of options, including options for greater disarmament. These actions can be further strengthened by no first use declarations on the part of nuclear weapons states. Currently, only China maintains a no first use policy. This unilateral measure is one that can be taken rather easily, and can build confidence among non nuclear weapons states in order to reduce the risks of proliferation.

Nuclear Weapons States should declare no first use policies.

Non Nuclear weapons states who rely on positive security assurances from nuclear weapons states can also reduce the role that nuclear weapons play in their national security strategies. They can demand that a no first use policy be put in place regarding their nuclear umbrella and can make it clear to the global community that their reliance on nuclear weapons only applies in relation to a strike on their territory with a nuclear weapon, as opposed to large scale conventional attack, or chemical or biological weapons attacks.

Non- nuclear weapons states with bilateral positive security assurances should declare that their umbrella agreements apply ONLY in response to nuclear attacks.

² NPT/CONF.2010/PC.I/WP.26

Negative Security Assurances

The non nuclear weapons states and especially the Non Aligned Movement (NAM) have been calling for legally binding negative security assurances for a long time. This would be a further guarantee that those states who have willingly given up the option to develop nuclear weapons, and remain in good standing with their arms control and disarmament agreements, will not have nuclear weapons used against them. Many nuclear weapons states argue that the assurances proved in UN Security Council Resolutions 255 and 984 should be enough to make the non nuclear weapons states feel at ease. However, these resolutions do not in fact guarantee that nuclear weapons will not be used against a country that does not possess nuclear weapons. Instead, they offer 'positive security assurances' wherein a country possessing nuclear weapons will use them to respond to the use of nuclear weapons on an unarmed state. In advance of the NPT Review Conference, the nuclear weapons states should, at the very least, make no first use policy declarations, in order to provide this kind of security assurance. While these declarations are not legally binding, they do provide the political space to begin negotiations on negative security assurances in the near future, and demonstrate political will to do so.

States should declare their willingness to negotiate a legally binding international arrangement on negative security assurances.

Nuclear Weapons in NATO

While the NATO strategic concept is currently being reviewed, and latest reports suggest that it will be adopted in early 2011, NATO states currently hosting nuclear weapons (Belgium, Germany, Italy, the Netherlands and Turkey) have a role to play in the broader disarmament efforts. In November 2009 four Dutch elder statesmen called for the withdrawal of US tactical nuclear weapons from non nuclear weapons states and for an end to task in NATO. In February, a Belgian group of prominent former political leaders recognized what an important signal the withdrawal of US nuclear weapons hosted in Europe would send to the non nuclear weapons states at the NPT Review Conference, and encouraged their government to follow the German example and call for an urgent withdrawal.

Following a Dutch initiative, in their letter of 26 February 2010, the Foreign Ministers of five NATO member states (Belgium, Germany, Luxemburg, the Netherlands and Norway) recognized the coming Review Conference as "a crucial milestone for strengthening the international regime for nuclear disarmament and nonproliferation." In light of that they have called for the "inclusion of sub-strategic nuclear weapons in subsequent steps towards nuclear disarmament".

NATO Secretary General Rasmussen has agreed to include a discussion at the "next Foreign Ministers meeting in Tallinn on how NATO can contribute to arms control and disarmament, including with an eye to our new Strategic Concept."³ This discussion is an opportunity to discuss, on a NATO level, the role of sub-strategic weapons in NATO with a view to their removal.

Statements should be issued by NATO governments acknowledging their responsibilities under the NPT and declaring their willingness to eliminate the role of nuclear weapons in NATO and supporting the removal of American nuclear weapons stored in Europe.

³ http://www.nato.int/cps/en/natolive/opinions_61803.htm

Nuclear Weapons Free Zones

The entire southern hemisphere is currently covered by nuclear weapons free zone agreements, yet when nuclear weapons states have not yet signed or ratified the relevant provisions in these agreements, they are not as effective a guarantor of security as they were designed to be. All nuclear weapons states should sign and ratify the relevant protocols of nuclear weapons free zone agreements, and the Review Conference should call on them to do so in a timely manner.

Nuclear weapons states who have not agreed to all articles of Nuclear Weapons Free Zone treaties should discuss their concerns with a view to finding a compromise at the meeting of states parties to Nuclear Weapons Free Zone agreements on 30 April 2010 at UN Headquarters.

De-Alerting Nuclear Weapons

It is estimated that the US can launch 1,600 nuclear warheads within a few minutes. Russia can launch around a thousand. Keeping these nuclear weapons on hair-trigger alert is unacceptable. This calls for measures such as removing nuclear warheads from missiles, storing nuclear bombs and cruise missiles away from airports, keeping submarines in seaports and – when these ships sail – establishing alerts that last at least one full day. Such measures reduce the chance of errors and of the risk that can occur during a coup or an attack on nuclear facilities.

The NPT Review Conference should encourage nuclear weapons states to take weapons off of ‘hair trigger alert’ and encourage the de-coupling of warheads from their delivery systems.

Modernization

A number of nuclear weapons states continue debating the issue of nuclear weapons modernization. The very debate undermines the credibility of their commitment to the NPT, and specifically their disarmament obligations under Article VI. This was explicitly recognized by a group of non nuclear weapons states in a working paper presented to the 2009 NPT Preparatory Committee meeting, in which they stated “the development of new types of nuclear weapons...and the lack of significant progress in diminishing the role of nuclear weapons in security policies undermine disarmament commitments and work counter to the letter and spirit of the Treaty”⁴. Modernization of nuclear weapons systems, including missiles and launch platforms, also undermine the credibility of states calling for strengthening of the non proliferation aims of the NPT.

Nuclear weapons states should declare that they will not modernize their weapons and weapons delivery systems, and these declarations should be supported and encouraged by states hosting or protected by nuclear sharing or umbrella agreements.

Recommendations towards Main Committee 2 - Non Proliferation

Role of the International Atomic Energy Agency (IAEA)

The International Atomic Energy Agency plays an important role in inspecting non-nuclear weapon states. The agency is responsible to make sure that non-nuclear weapon states do not abuse their right to peaceful use of nuclear energy to obtain nuclear weapon state status. However, the IAEA is subject to restrictions. The verification system has several weaknesses. The introduction of a voluntary additional protocol has increased the IAEA’s access to locations and information, but not all countries have ratified the protocol. That puts a restriction on its operation. The Additional Protocol⁵ is understood as the international standard in verification of non proliferation and should become a

⁴ [NPT/CONF.2010/PC.III/WP.30](#)

⁵ http://www.iaea.org/OurWork/SV/Safeguards/sg_protocol.html

requirement under the NPT. The Review Conference should make this recommendation to its member states.

All NPT member states should negotiate Additional Protocol Agreements with the IAEA without delay. The IAEA should report on progress with universalizing the Additional Protocol at the next NPT meeting of states parties.

NPT states parties and the EU should seek to increase their regular contributions to the IAEA in order that the agency can significantly increase its budget and remove the “zero real growth” constraint placed on it. The agency is continually being asked to take on more responsibility, yet is only able to do this through extra-budgetary support for key functions.

NPT states parties should significantly increase their contributions to the IAEA.

Materials Trade & Export Controls

Articles I and II of the NPT require effective nuclear export controls. Nuclear control regimes, namely the Zangger Committee and the Nuclear Suppliers Group exist and should be more transparent. Increased transparency on the parts of these regimes would be an effective tool for developing further cooperation around trade of these materials. European nuclear utilities do not generally require that customer states give up their national development of proliferation sensitive technologies including uranium enrichment and plutonium reprocessing. European companies need to exercise more restraint in selling nuclear technology.

European nuclear utilities should insist that customer states renounce the development of proliferation sensitive technology.

The Additional Protocol is the recognized safety and verification standard in regards to weapons usable materials. Bilateral trade agreements for nuclear materials, with states who have not negotiated an additional protocol with the IAEA should be reconsidered. Additionally, there are current loopholes in the existing safeguards system which should be closed through an amendment of Annex II of the Additional Protocol. This amendment could, inter alia, deal with changes in technology, and the proliferation sensitivity in existing procurement practices.

NPT states parties should agree to close current loopholes in the safeguards system through the negotiation of an amendment to Annex II of the Additional Protocol.

Universalisation

There has been discussion among some nuclear armed states (states who possess nuclear weapons but may not necessarily be part of the NPT regime) that maybe the time has come to start negotiating nuclear disarmament outside of an NPT framework, in a broader and more inclusive context. This also follows the UN Secretary General’s Five Point Plan for disarmament, which states: “All parties to the Nuclear Non-Proliferation Treaty, especially the nuclear-weapon States, should fulfill its requirement to enter into negotiations on nuclear disarmament, which could focus on either a convention or framework of agreements banning nuclear-weapons.”⁶ The NPT remains the cornerstone of the nuclear non proliferation regime, but the time has come to build the foundations of a nuclear disarmament regime that can carry the original goal of the NPT – the elimination of all nuclear weapons - to completion.

NPT states parties should encourage ongoing discussions in the Conference on Disarmament on nuclear disarmament.

⁶ <http://www.un.org/en/events/peaceday/2009/sgproposal.shtml>

Recommendations towards Main Committee 3 - Peaceful Uses

Multilateralisation of the Nuclear Fuel Cycle

An international authority must be established to control fissile materials. This body must hold final authority to regulate the fissile materials cycle- both civilian and military and the size of nuclear capacities. All existing enrichment and breeder conversion reactors and heavy water factories must be placed under the authority of this international authority. This includes factories and reprocessing facilities located in the nuclear weapon states. The authority will be authorized to grant production licenses to existing sites and, where needed, regulate the expansion of production capacity. It will also be authorized to work with the IAEA, that will serve as operator, to set up verification and security measures to prevent misuse of fissile materials. The manufacturers will remain accountable for the sound commercial operation of their business. Putting the nuclear fuel cycle under international control in this way will reduce proliferation risks, while allowing for states who do not yet have an indigenous fuel cycle capacity to develop peaceful nuclear uses if they so choose. Mohamed ElBaradei, then director of the IAEA, argued in early 2008 for putting the entire fissile material cycle, including the monitoring and control of nuclear waste, under supranational supervision, “so that no one country has the exclusive capability to produce the material for nuclear weapons”. Ruud Lubbers, former Dutch prime minister, has lent his support to this call. He, and IKV Pax Christi urge that the IAEA – like the European Atomic Energy Community– be given a supranational status as legal owner of all the fissile material used for peaceful purposes. The IAEA is already in place as a regulatory body for some fissile materials for weapons use under agreements with nuclear weapons states.

NPT states parties should agree to establish the IAEA as the international authority to control the entire nuclear fuel cycle.

Recommendations towards a Subsidiary Body on the Middle East

International Conference

The NPT Review Conference should ask the UN Secretary General to convene a meeting of all states in the region to discuss the conditions necessary to negotiate an international and effectively verifiable treaty for the establishment of a weapons of mass destruction free zone in the Middle East. This conference should be required to report back to the UN General Assembly on its progress, and a secondary report should be sent by the UN Secretary General to the next meeting of NPT States Parties.

NPT states parties should agree to urge the UN Secretary General to convene a conference of all states in the region to discuss a Middle East Weapons of Mass Destruction Free Zone.

Special Coordinator

The NPT Review Conference should give serious consideration to appointing a special coordinator, working from the UN Secretary General’s office, who would be responsible for coordinating the international conference, consulting with states in the region and providing regular updates to the UN General Assembly on progress made.

The NPT Review Conference should appoint a special coordinator to engage with states parties in the Middle East.

Recommendations towards Strengthening the NPT

Withdrawal from the Treaty (Article X)

Currently, withdrawal from the treaty triggers UN Security Council action. This should be modified, so that the power to negotiate with states who are considering withdrawal is held by states in good standing with the treaty not only those in the UN Security Council where the recognized nuclear weapons states hold veto power.

The Review Conference should decide that any invocation of Article X triggers an immediate meeting of NPT states parties, with decision making powers.

Institution Building- shifting the meeting pattern

The NPT Review Conference should seek to establish a new meeting pattern to reflect on the new spirit for disarmament. Replacing the current 14-day Preparatory Committee meetings with annual General Conferences of States parties lasting 7 days and reducing the Review Conference from 20 days to 10 days would afford greater continuity and focus to states parties. The total duration of meetings in a five-year cycle would thus be 12 days shorter than under the current process, which would yield budgetary savings by reducing conferencing costs. Shorter meetings might require substantive topics (clusters) to be broken up and discussed separately each year, but this could allow detailed examination and consideration of, for example, nuclear disarmament and security assurances one year, regional issues the next year, peaceful uses and withdrawal the third year and so on throughout the five-year cycle. These annual conferences would be empowered with decision-making authority.

The Review Conference should include in its outcome agreement a decision to meet annually.

Engagement with Civil Society

The rules of procedure do not currently reflect the ongoing practices with civil society, namely the allocation of one session at each meeting of states parties to civil society statements and the practice of keeping the doors open to the Main Committees. The Review Conference should enshrine these agreements in its outcome document while looking for more effective modes of interaction, including the inclusion of statements of civil society in the final documents of the Review Conference. In addition, the EU can sustain interaction with churches and civil society by organizing hearings both in advance of and following the Review Conference⁷.

NPT states parties should agree to concretize the current practices with civil society by including these practices into the 2010 final document.

⁷ In the spirit of Article 17 of the Treaty on the Functioning of the EU and Article 11 of the Treaty on the EU.

Background and additional information

NPT Review Conference Modalities

The 2010 Review Conference is expected to consider a number of key issues, including: universality of the Treaty; nuclear disarmament, including specific practical measures; nuclear non-proliferation, including the promoting and strengthening of safeguards; measures to advance the peaceful use of nuclear energy, safety and security; regional disarmament and non-proliferation; implementation of the 1995 resolution on the Middle East; measures to address withdrawal from the Treaty; measures to further strengthen the review process; and ways to promote engagement with civil society in strengthening NPT norms and in promoting disarmament education.

The NPT Review Conference has already agreed an agenda (at the conclusion of the 2009 Preparatory Committee) which means that substantive discussions can take place from the outset. The Conference President (Philippine Ambassador Cabactulan) has been circulating a draft timetable of work. In this timetable there are provisions for three Main Committees to meet each of which deals with a specific aspect of the treaty.

Main Committee 1 deals primarily with issues related to nuclear disarmament (Article VI obligations). Main Committee 2 deals with issues of non proliferation (Article I, II, and III). Main Committee three deals with issues related to peaceful uses (Article VI). The rules of procedure allow for each of the Main Committees to also establish subsidiary bodies, and it is expected that this Review Conference will establish at least one subsidiary body to deal with Implementation of the 1995 Resolution on Establishing a Middle East zone free of nuclear weapons as well as all other weapons of mass destruction.

Dutch engagement with groups

The Netherlands is taking a particularly active role in the 2010 NPT Review conference preparations, and is expected to play a dynamic role at the conference itself. There are a number of formal and informal groupings in which the Dutch participate, including:

- **The European Union**
 - o The EU Common Position will likely be set by early April. This will be the overarching guide for EU statements (about 5-6 expected), working papers and priorities during the NPT. The Common Position will include 5- 6 priority items for collective EU action.
 - o The Common Position will serve as a framework, but the statements submitted by the EU will offer an opportunity to go into more specific depth around key issues. While the 2010 NPT President Ambassador Cabactulan has indicated that he will accept only seven (7) minute statements from groups, there is still an opportunity to expand on key elements in the five or six statements that will be delivered.
- **The Vienna Group of 10**
 - o This informal group is comprised of Australia, Austria, Canada, Denmark, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden. This group initially came together during the 2007 NPT Preparatory Committee Meeting and put forward a series of working papers for discussion. These working papers include suggestions on protecting nuclear materials, achieving the entry into force of the Comprehensive Test Ban Treaty, and promoting a multilateral approach to the related to protecting nuclear materials and promoting international control of the nuclear fuel cycle.

- **NATO- 7**
 - This informal group is comprised of Belgium, Lithuania, the Netherlands, Norway, Poland, Spain and Turkey. They submitted a comprehensive working paper to the review cycle which called “for the inclusion of all non-strategic nuclear weapons by those States which possess them in their general arms control and disarmament processes, with a view to their reduction and elimination.”⁸ The working paper also voiced support for the development of multilateral nuclear fuel supply mechanisms.
- **Group of 20**
 - This is a cross regional group that the Netherlands has convened as a discussion forum to address challenging NPT issues. It does not present working papers or joint statements. It is a group, that includes the NPT Nuclear Weapons States, that meets to address and attempt solutions at contentious issues. The group has a few times in preparation for this Review Conference and will likely serve as an informal platform for discussions to continue during the Review Conference itself.
- **NATO – 5**
 - This group of five foreign ministers (Belgium, Germany, Luxembourg, the Netherlands and Norway) sent a letter to NATO Secretary General Rasmussen requesting that US sub strategic weapons in Europe be included in the coming Talinn meeting of NATO. The letter also recognized that this meeting, taking place on the eve of the NPT Review Conference provides an “opportunity to open a comprehensive discussion on these issues”.

⁸ This included the non-strategic weapons of all nuclear weapons states under the NPT.

The Treaty on the Non-Proliferation of Nuclear Weapons (NPT)⁹

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

⁹ <http://www.un.org/en/conf/npt/2010/npttext.shtml>

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 Depositaries 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.

Note:

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.