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# Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

13 May 2003

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## Second session

Geneva, 28 April-9 May 2003

## Report of the Preparatory Committee on its second session

### I. Introduction

1. The Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons held its second session from 28 April to 9 May 2003 at the Palais des Nations in Geneva further to the decision taken at its first session (NPT/CONF.2005/PC.I/21 and Corr.1, para. 9 (a)). The session was chaired by Mr. László Molnár (Hungary) in accordance with the decision taken by the Committee at its first session (NPT/CONF.2005/PC.I/21 and Corr.1, para. 7).

2. The following 106 States parties to the Treaty on the Non-Proliferation of Nuclear Weapons participated in the work of the Preparatory Committee at its second session: Albania, Algeria, Argentina, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Cameroon, Canada, Chile, China, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Egypt, El Salvador, Estonia, Ethiopia, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Holy See, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lebanon, Libyan Arab Jamahiriya, Lithuania, Luxembourg, Madagascar, Malaysia, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Myanmar, Nepal, Netherlands, New Zealand, Nigeria, Norway, Oman, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saudi Arabia, Senegal, Serbia and Montenegro, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab Republic, Thailand, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uzbekistan, Venezuela, Viet Nam, Yemen and Zimbabwe.

3. The list of the delegations to the Preparatory Committee, including States parties, specialized agencies and international and regional intergovernmental organizations, and non-governmental organizations, is contained in document NPT/CONF.2005/PC.II/INF.4.

4. The Preparatory Committee held 19 meetings, of which summary records were provided for the opening meeting (NPT/CONF.2005/PC.II/SR.1), the general debate (NPT/CONF.2005/PC.II/SR.1-4) and the closing meeting (NPT/CONF.2005/PC.II/SR.19). The summary records are issued separately as annex I to the present report.

5. Ms. Silvana Fonseca da Silva, Chief, Weapons of Mass Destruction Branch, Department for Disarmament Affairs, served as Secretary of the Committee. Mr. Piet de Klerk, Director, Office of External Relations and Policy Coordination, and Mr. Tariq Rauf, Head, Verification and Security Policy Coordination, Office of External Relations and Policy Coordination, International Atomic Energy Agency (IAEA), represented the Agency.

## **II. Substantive and procedural issues**

### **A. Organization of work of the Preparatory Committee**

6. At the 1st meeting, on 28 April, the Chairman made the following statement:

“You will recall that the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons mandated the Chairpersons of the sessions of the Preparatory Committee ‘to carry out consultations with the States parties to prepare the ground for the outcome of the sessions as well as their agenda’. Accordingly, I carried out those consultations, which revealed diverging views on the status of the Democratic People’s Republic of Korea in the NPT. It is my conviction that a debate on the issue would only serve to the detriment of the purpose of the Preparatory Committee, namely to ‘consider principles, objectives and ways in order to promote the full implementation of the Treaty, as well as its universality’. In the light of the above, the Chair has the intention, under his own responsibility, not to open a debate on this issue and to retain the nameplate of the said country temporarily, in his custody. The Chair has therefore asked the Secretariat to hold the nameplate in the conference room for the duration of the second session of the Preparatory Committee. This is in no way meant to prejudice the outcome of ongoing consultations on the issue.”

The Committee took note of the statement.

7. The Committee continued to conduct its work on the basis of the agenda adopted at its first session (NPT/CONF.2005/PC.I/21 and Corr.1, para. 8), as follows:

1. Opening of the session.
2. Election of the Chairman.
3. Adoption of the agenda.
4. General debate on issues related to all aspects of the work of the Preparatory Committee.
5. Statements by non-governmental organizations.

6. Preparatory work for the review of the operation of the Treaty in accordance with article VIII, paragraph 3, of the Treaty, in particular, consideration of principles, objectives and ways to promote the full implementation of the Treaty, as well as its universality, including specific matters of substance related to the implementation of the Treaty and Decisions 1 and 2, as well as the resolution on the Middle East adopted in 1995, and the outcome of the 2000 Review Conference, including developments affecting the operation and purpose of the Treaty.
7. Organization of work of the Preparatory Committee:
  - (a) Election of officers;
  - (b) Dates and venues for further sessions;
  - (c) Methods of work:
    - (i) Decision-making;
    - (ii) Participation;
    - (iii) Working languages;
    - (iv) Records and documents.
8. Report on the results of the session to the next session of the Preparatory Committee.
9. Organization of the 2005 Review Conference:
  - (a) Dates and venue;
  - (b) Draft rules of procedure;
  - (c) Election of the President and other officers;
  - (d) Appointment of the Secretary-General;
  - (e) Provisional agenda;
  - (f) Financing of the Review Conference, including its Preparatory Committee;
  - (g) Background documentation;
  - (h) Final document(s).
10. Adoption of the final report and recommendations of the Preparatory Committee to the Review Conference.
11. Any other matters.

8. In the course of discussions on agenda item 7 on the organization of work of the Preparatory Committee, the following decisions were taken:

(a) Election of officers

9. At its 19th meeting, on 9 May 2003, the Committee decided to defer the election of its next Chairman to the third session of the Preparatory Committee.

(b) Participation

10. Pursuant to the relevant rules of procedure and the Committee's decision taken at its first session, at its 1st meeting, on 28 April, the Committee took note of requests to attend the meetings of the Committee as observers from specialized agencies and international and regional intergovernmental organizations, as well as from non-governmental organizations.

11. Accordingly, representatives of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL), the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, the European Commission, the League of Arab States and the Organization of the Islamic Conference attended as observers the meetings of the Committee other than those designated as closed meetings.

12. Furthermore, representatives of 37 non-governmental organizations (see NPT/CONF.2005/PC.II/INF.3 and Add.1 and Corr.1) attended the meetings of the Committee other than those designated as closed meetings.

(c) Records and documents

13. The Committee set aside four meetings for a general debate on issues related to all aspects of the work of the Preparatory Committee, in the course of which 45 statements were made. The statements are reflected in the summary records of those meetings (NPT/CONF.2005/PC.II/SR.1-4).

14. The Committee also set aside its 5th meeting, on 30 April, for presentations by representatives of non-governmental organizations. The Committee heard 11 such statements.

15. The Committee held a total of 12 meetings for a substantive discussion under agenda item 6, entitled "Preparatory work for the review of the operation of the Treaty in accordance with article VIII, paragraph 3, of the Treaty, in particular, consideration of principles, objectives and ways to promote the full implementation of the Treaty, as well as its universality, including specific matters of substance related to the implementation of the Treaty and Decisions 1 and 2, as well as the resolution on the Middle East adopted in 1995, and the outcome of the 2000 Review Conference, including developments affecting the operation and purpose of the Treaty".

16. The discussion was structured according to an indicative timetable, which provided equal time for the consideration of three clusters of issues and three specific blocs of issues. At its 1st meeting, on 28 April, the Committee took note of the indicative timetable as contained in document NPT/CONF.2005/PC.II/INF.2.

17. The Committee considered the following three clusters of issues as contained in annex VIII to the final report of the Preparatory Committee for the 2000 Review Conference (NPT/CONF.2000/1 and Corr.1):

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

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

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

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

(a) Implementation of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons and paragraphs 3 and 4 (c) of the 1995 Decision on “Principles and objectives for nuclear non-proliferation and disarmament”, as well as the agreements, conclusions and commitments listed under the section entitled “Article VI and eighth to twelfth preambular paragraphs” contained in the Final Document of the 2000 NPT Review Conference;

(b) Regional issues, including with respect to the Middle East and the implementation of the 1995 Middle East resolution and the commitments, conclusions and follow-up submissions to the Secretary-General of the United Nations, the President of the 2005 Review Conference and the Chairpersons of the Preparatory Committee meetings, in accordance with the relevant subparagraphs listed under the section entitled “Regional issues: The Middle East, particularly implementation of the 1995 Resolution on the Middle East”, contained in the Final Document of the 2000 Review Conference; and

(c) Safety and security of peaceful nuclear programmes.

19. At the 6th meeting, on 30 April, the Chairman noted that a number of delegations had indicated both in consultations with the Chair and in statements during the general debate their wish for the Committee to conduct its proceedings in a more interactive manner. Accordingly, the Chairman proposed that, while discussions would generally be guided by the list of speakers, at the same time, he would use flexibility and also give the floor to delegations wishing to make interventions and comments on statements made. The Committee concurred with the Chairman’s proposal.

20. During the session, the following documents were before the Committee:

NPT/CONF.2005/PC.II/1	Estimated cost of the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.2005/PC.II/2	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons and paragraph 4 (c) of the 1995 Decision on “Principles and objectives for nuclear non-proliferation and disarmament”: report submitted by Hungary
NPT/CONF.2005/PC.II/3	Statement of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean
NPT/CONF.2005/PC.II/3/Rev.1	Statement of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean — Revision

NPT/CONF.2005/PC.II/4	Update on the work of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization
NPT/CONF.2005/PC.II/5	Implementation of article VI and paragraph 4 (c) of the 1995 Decision on “Principles and objectives for nuclear non-proliferation and disarmament”: report submitted by the Republic of Korea
NPT/CONF.2005/PC.II/6	Report by the Kingdom of Morocco on the implementation of the Treaty on the Non-Proliferation of Nuclear Weapons and the 1995 Resolution on the Middle East
NPT/CONF.2005/PC.II/7	Measures undertaken by the Republic of Croatia on implementing the provisions of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by the Republic of Croatia
NPT/CONF.2005/PC.II/8	Implementation of article VI and paragraph 4 (c) of the 1995 Decision on “Principles and objectives for nuclear non-proliferation and disarmament”: report submitted by Slovakia
NPT/CONF.2005/PC.II/9	Report on steps taken during the past year to promote the achievement of a nuclear-weapon-free zone in the Middle East and the realization of the goals and objectives of the 1995 Resolution on the Middle East: report submitted by Egypt
NPT/CONF.2005/PC.II/10	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Lithuania
NPT/CONF.2005/PC.II/10/Corr.1 (English only)	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Lithuania — Corrigendum
NPT/CONF.2005/PC.II/11	China’s national report on steps to promote the Middle East Peace Process and the realization of a nuclear-weapon-free-zone in the Middle East: report submitted by China
NPT/CONF.2005/PC.II/12	Steps to promote the achievement of a nuclear-weapon-free-zone in the Middle East and the realization of the goals and objectives of the 1995 Resolution on the Middle East: report submitted by Australia

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NPT/CONF.2005/PC.II/13	Implementation of article VI of the NPT and paragraph 4 (c) of the 1995 Decision on “Principles and objectives for nuclear non-proliferation and disarmament”: report submitted by Australia
NPT/CONF.2005/PC.II/14	Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by New Zealand
NPT/CONF.2005/PC.II/15	Report by the Government of the People’s Democratic Republic of Algeria on steps to promote the achievement of a nuclear-weapon-free zone in the Middle East and the realization of the goals and objectives of the 1995 Resolution on the Middle East: report submitted by the Government of the People’s Democratic Republic of Algeria
NPT/CONF.2005/PC.II/16	New Agenda Coalition paper submitted by New Zealand on behalf of Brazil, Egypt, Ireland, Mexico, South Africa and Sweden as members of the New Agenda Coalition
NPT/CONF.2005/PC.II/17	Report by the Kingdom of Morocco on the implementation of the Nuclear Non-Proliferation Treaty and of paragraph 4 (c) of the 1995 Decision on the “Principles and objectives for nuclear non-proliferation”, as well as on the implementation of the 1995 Resolution on the establishment of a nuclear-weapon-free zone in the Middle East
NPT/CONF.2005/PC.II/18	Implementation of article VI of the NPT, taking into account the conclusions in the Final Document of the 2000 Review Conference and paragraph 4 (c) of the 1995 Principles and Objectives: report submitted by the Netherlands
NPT/CONF.2005/PC.II/19	Implementation of the Non-Proliferation Treaty: report submitted by Canada
NPT/CONF.2005/PC.II/20	Steps to promote the achievement of a nuclear-weapon-free zone in the Middle East and the realization of the goals and objectives of the 1995 Resolution on the Middle East: report submitted by Canada
NPT/CONF.2005/PC.II/21	Joint statement by the Russian Federation and the United States of America on the Moscow Treaty (SORT) to the second

	session of the Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.2005/PC.II/22	Provisions of the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, in particular articles VI and VII of the Treaty: report submitted by Malaysia
NPT/CONF.2005/PC.II/23	Implementation of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons and of paragraph 4 (c) of the 1995 Decision on “Principles and objectives for nuclear non-proliferation and disarmament”: report submitted by Switzerland
NPT/CONF.2005/PC.II/24	Implementation of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons and paragraph 4 (c) of the 1995 Decision on “Principles and objectives for nuclear non-proliferation and disarmament”: report submitted by Indonesia
NPT/CONF.2005/PC.II/25	The strengthened review process for the Treaty on the Non-Proliferation of Nuclear Weapons: implementation of article VI and other provisions: report submitted by South Africa
NPT/CONF.2005/PC.II/26	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by the Republic of Bulgaria
NPT/CONF.2005/PC.II/27	Implementation of article VI and paragraph 4 (c) of the 1995 Decision on “Principles and objectives for nuclear non-proliferation and disarmament”: report submitted by Finland
NPT/CONF.2005/PC.II/28	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Sri Lanka
NPT/CONF.2005/PC.II/29	Implementation of article VI and paragraph 4 (c) of the 1995 Decision on “Principles and objectives for nuclear non-proliferation and disarmament”: report submitted by Sweden

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NPT/CONF.2005/PC.II/30	Steps to promote the achievement of a nuclear-weapon-free zone in the Middle East: report submitted by Saudi Arabia
NPT/CONF.2005/PC.II/31	Steps to promote the achievement of a nuclear-weapon-free zone in the Middle East and the realization of the goals and objectives of the 1995 Resolution on the Middle East: report submitted by Japan
NPT/CONF.2005/PC.II/32	Implementation of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Japan
NPT/CONF.2005/PC.II/33	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Brazil
NPT/CONF.2005/PC.II/34	Principles and objectives for nuclear non-proliferation and disarmament: report submitted by Norway
NPT/CONF.2005/PC.II/35	Report on steps taken to promote the achievement of an effectively verifiable Middle East zone free from nuclear weapons as well as other weapons of mass destruction, and the realization of the goals and objectives of the 1995 Resolution on the Middle East: report submitted by Sweden
NPT/CONF.2005/PC.II/36	Steps taken to promote the environment necessary to encourage nations to establish an effectively verifiable Middle East zone free of weapons of mass destruction and the realization of the goals and objectives of the 1995 Resolution on the Middle East: report submitted by the United States of America
NPT/CONF.2005/PC.II/37	Implementation of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons and of paragraph 4 (c) of the 1995 Decision on the “Principles and objectives for nuclear non-proliferation and disarmament” as well as of the 13 practical steps of the 2000 Final Document: report submitted by Belgium
NPT/CONF.2005/PC.II/38	Paper submitted by the Permanent Delegation of the League of Arab States to the United Nations in Geneva on behalf of the League of Arab States to the second session of the Preparatory Committee for

	the 2005 Review Conference of the Parties to the Treaty of the Non-Proliferation of Nuclear Weapons
NPT/CONF.2005/PC.II/39	Implementation of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons and paragraphs 3 and 4 (c) of the 1995 Decision on “Principles and objectives for nuclear non-proliferation and disarmament”: report submitted by Ireland
NPT/CONF.2005/PC.II/40	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Mongolia
NPT/CONF.2005/PC.II/41	Implementation of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons and of paragraph 4 (c) of the 1995 Decision on the principles and objectives for nuclear non-proliferation and disarmament: report submitted by Mexico
NPT/CONF.2005/PC.II/42	Implementation of article VI and paragraph 4 (c) of the 1995 Decision on “Principles and objectives for nuclear non-proliferation and disarmament”: report submitted by Romania
NPT/CONF.2005/PC.II/43	Report on the Middle East submitted under paragraph 16, subparagraph 7, of the chapter of the Final Document of the 2000 NPT Review Conference devoted to article VII, on measures taken by France to promote the achievement of a zone free of nuclear weapons as well as other weapons of mass destruction and the realization of the goals and objectives of the 1995 Resolution on the Middle East: report submitted by France
NPT/CONF.2005/PC.II/44	Establishment of a nuclear-weapon-free-zone in the Middle East: report submitted by the Islamic Republic of Iran
NPT/CONF.2005/PC.II/45	Implementation of article VI: report submitted by the Islamic Republic of Iran
NPT/CONF.2005/PC.II/46	Realization of the goals and objectives of the 1995 Resolution on the Middle East within the framework of the strengthened NPT review process: report submitted by the Syrian Arab Republic

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NPT/CONF.2005/PC.II/47	Realization of the goals and objectives of the 1995 Resolution on the Middle East: report submitted by Jordan
NPT/CONF.2005/PC.II/48	Report of the United Kingdom of Great Britain and Northern Ireland on the goals and objectives of the 1995 Resolution on the Middle East
NPT/CONF.2005/PC.II/49	Improving the effectiveness of the strengthened review process for the Treaty on the Non-Proliferation of Nuclear Weapons and implementation of article VI of the Treaty and paragraph 4 (c) of the 1995 Decision on “Principles and objectives for nuclear non-proliferation and disarmament”: report submitted by Peru
NPT/CONF.2005/PC.II/WP.1	Verification of nuclear disarmament: first interim report on studies into the verification of nuclear warheads and their components: working paper submitted by the United Kingdom of Great Britain and Northern Ireland
NPT/CONF.2005/PC.II/WP.2	Reporting by States Parties: working paper submitted by Canada
NPT/CONF.2005/PC.II/WP.3	China’s working paper on nuclear disarmament and reduction of the danger of nuclear war
NPT/CONF.2005/PC.II/WP.4	China’s working paper on the prevention of nuclear weapons proliferation
NPT/CONF.2005/PC.II/WP.5	China’s working paper on the nuclear-weapon-free zones
NPT/CONF.2005/PC.II/WP.6	China’s working paper on the peaceful uses of nuclear energy
NPT/CONF.2005/PC.II/WP.7	China’s working paper on the Middle East nuclear issue
NPT/CONF.2005/PC.II/WP.8/Corr.1	Report of the United Kingdom of Great Britain and Northern Ireland on the goals and objectives of the 1995 Resolution on the Middle East (see document NPT/CONF.2005/PC.II/48)
NPT/CONF.2005/PC.II/WP.9	Further strengthening of the review process of the Treaty on the Non-Proliferation of Nuclear Weapons: working paper submitted by South Africa

NPT/CONF.2005/PC.II/WP.10	Working paper submitted by the Republic of Cuba
NPT/CONF.2005/PC.II/WP.11	Working paper: Security assurances: submitted by New Zealand on behalf of Brazil, Egypt, Ireland, Mexico, Sweden, and South Africa as members of the New Agenda Coalition
NPT/CONF.2005/PC.II/WP.12	Cluster issues — Article VII: working paper submitted by Uzbekistan
NPT/CONF.2005/PC.II/WP.13	Reductions of non-strategic weapons: working paper submitted by Austria, Mexico and Sweden
NPT/CONF.2005/PC.II/WP.14	Negative security assurances: working paper submitted by the Islamic Republic of Iran
NPT/CONF.2005/PC.II/WP.15	Working paper submitted by Japan
NPT/CONF.2005/PC.II/WP.16	NGO participation in the NPT review process: working paper submitted by Canada
NPT/CONF.2005/PC.II/WP.17	Working paper submitted by Belgium, the Netherlands and Norway for consideration at the second session of the Preparatory Committee for the 2005 NPT Review Conference
NPT/CONF.2005/PC.II/WP.18	Working paper on disarmament and non-proliferation education: submitted by Egypt, Hungary, Japan, Mexico, New Zealand, Peru, Poland and Sweden
NPT/CONF.2005/PC.II/WP.19	Working paper submitted by Malaysia on behalf of the Group of Non-Aligned and Other States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.2005/PC.II/CRP.1	Draft report of the Preparatory Committee on its second session
NPT/CONF.2005/PC.II/INF.1	Information note
NPT/CONF.2005/PC.II/INF.2	Indicative timetable
NPT/CONF.2005/PC.II/INF.3	List of non-governmental organizations
NPT/CONF.2005/PC.II/INF.3/Add.1	List of non-governmental organizations — Addendum
NPT/CONF.2005/PC.II/INF.3/Corr.1	List of non-governmental organizations — Corrigendum
NPT/CONF.2005/PC.II/INF.4	List of participants
NPT/CONF.2005/PC.II/MISC.1	Provisional list of participants

## **B. Organization of the 2005 Review Conference**

21. The Preparatory Committee, in conformity with its task of preparing for the 2005 Review Conference, considered issues contained in agenda item 9. It took the following actions:

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

22. In response to the request made by the Committee at its first session, the Secretariat provided to the Committee an estimate of the costs of the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons including its Preparatory Committee that was contained in document NPT/CONF.2005/PC.II/1. At its 19th meeting, on 9 May, the Committee took note of the cost estimates.

## **III. Summary of the results**

23. In accordance with the Final Document of the 2000 NPT Review Conference, paragraph 7 of the section on “Improving the effectiveness of the strengthened review process for the Treaty”, the Chairman prepared a factual summary of the Committee’s consideration of the issues, which is contained in annex II to the present report.

## **Annex I**

### **Summary records of the second session of the Preparatory Committee**

*[To be distributed individually as NPT/CONF.2005/PC.II/SR.1-4 and 19]*

## Annex II

### Chairman's factual summary

1. States parties reaffirmed that the Treaty on the Non-Proliferation of Nuclear Weapons was the cornerstone of the global non-proliferation regime and the essential foundation for the pursuit of nuclear disarmament. In the current international climate, where security and stability were increasingly challenged, both globally and regionally, by the proliferation of weapons of mass destruction and their means of delivery, preserving and strengthening the Non-Proliferation Treaty was vital to peace and security.

2. States parties stressed their commitment to the effective implementation of the objectives of the Treaty, the decisions and the resolution of the 1995 Review and Extension Conference adopted without a vote, and the Final Document of the 2000 Review Conference, adopted by consensus.

3. States parties reaffirmed that the Treaty rests on three pillars: non-proliferation, disarmament and peaceful nuclear cooperation. It was also reaffirmed that each article of the Treaty is binding on the respective States parties at all times and in all circumstances. It is imperative that all States parties be held fully accountable with respect to the strict compliance with all of their obligations under the Treaty.

4. States parties stressed the increasingly grave threat to the Treaty and international security posed by the proliferation of weapons of mass destruction, nuclear, biological and chemical, and their means of delivery, as well as the possibility that non-State actors might gain access to these weapons. The tragic events of 11 September 2001 highlighted the dangers of weapons of mass destruction falling into the hands of terrorists. The gravity of this threat reinforces the need to strengthen the Treaty. States parties also expressed the view that the Treaty can only fulfil its role if there is confidence in the compliance by all States parties. Recent challenges to the Treaty and to the nuclear non-proliferation regime have further increased the necessity of full compliance and the need to actively work towards universal adherence. In this respect, States parties expressed the readiness to reinforce the efficiency of the regime, as well as instruments and procedures to react to cases of non-compliance. Some States parties suggested that recommendations for the 2005 Review Conference should be examined in this area. It was also remarked that all States parties have a responsibility for addressing non-compliance and that the price of proliferation is unacceptably high.

5. It was stressed that the best way to strengthen the nuclear non-proliferation regime was through full compliance by all States parties with all of the provisions of the Treaty. While recognizing and supporting the legitimate right of all States to utilize the atom for peaceful purposes, ownership of the capability that could be utilized to develop nuclear weapons places a special responsibility on the States concerned to build confidence with the international community that would remove any concerns about nuclear weapons proliferation. Such States need to ensure that the International Atomic Energy Agency is able to verify that these capabilities are being used for peaceful purposes only, including through the mechanisms available under the Additional Protocol for strengthened safeguards.

6. Multilateralism was emphasized as a core principle in the area of disarmament and non-proliferation with a view to maintaining and strengthening universal norms and enlarging their scope. Strong support was expressed for the enforcement of existing multilateral treaties. The need to seek treaties and other international agreements that respond to today's threats to peace and stability was underlined. Support was expressed for the Security Council to take effective action to deal with non-compliance with weapons of mass destruction undertakings.

7. States parties welcomed the accession of Cuba, as well as of Timor-Leste, as States parties to the Treaty, which brings the Treaty closer to its universality.

8. States parties further stressed that continued support to achieve universality of the Treaty was essential. Concern was expressed about the ongoing development of nuclear weapons and missile programmes in different regions, including those of States not parties to the Treaty. States parties called upon States outside the Treaty — India, Israel and Pakistan — to accede unconditionally to the Treaty as non-nuclear-weapon States, promptly and without condition, and bring into force the required comprehensive safeguards agreements, together with the Model Additional Protocol, for ensuring nuclear non-proliferation, and to reverse clearly and urgently any policies to pursue any nuclear weapons development or deployment and to refrain from any action that could undermine regional and international peace and security and the efforts of the international community towards nuclear disarmament and the prevention of nuclear weapons proliferation.

9. The view was expressed that the Treaty should be seen in its larger context of coherent commitments and credible progress towards nuclear disarmament. Without the fulfilment of article VI over time, the Treaty, in which non-proliferation and disarmament were mutually interdependent and reinforcing, would lose its true value.

10. The importance of increased transparency with regard to the nuclear weapons capabilities and the implementation of agreements pursuant to article VI, and as a voluntary confidence-building measure to support further progress on nuclear disarmament, was confirmed. It was emphasized that accountability and transparency of nuclear disarmament measures by all States parties remained the main criteria with which to evaluate the Treaty's operation. The nuclear-weapon States were called upon to increase transparency and accountability with regard to their nuclear weapons arsenals and their implementation of disarmament measures.

11. States parties remained committed to implementing article VI of the Treaty and paragraphs 3 and 4 (c) of the 1995 Decision on "Principles and objectives for nuclear non-proliferation and disarmament" and the Final Document of the 2000 Review Conference, in particular the unequivocal undertaking and the 13 practical steps for systematic and progressive efforts to implement nuclear disarmament that were agreed to. Disappointment continued to be expressed in the progress made in implementing these steps, notwithstanding the recognition of the incremental nature of the process involved. It was also noted that the goal of nuclear disarmament could best be achieved through a series of balanced, incremental and reinforcing steps. States parties stressed the importance of irreversibility in this context. Concern was expressed that despite the intentions of, and past achievements in, bilateral and unilateral reductions, the total number of nuclear weapons deployed and stockpiled still amounts to thousands.

12. The nuclear-weapon States reiterated their commitment to nuclear disarmament and informed other States parties of their respective measures taken in accordance with article VI of the Treaty, for example, reductions of nuclear weapons arsenals, reduced reliance on nuclear weapons, and that new nuclear weapons were not being developed. In particular, the Russian Federation and the United States of America made a joint submission to the Preparatory Committee on the Treaty on Strategic Offensive Reductions (Moscow Treaty) signed by the Russian Federation and the United States of America on 24 May 2002. The Treaty provides for legally binding reductions of strategic nuclear warheads by two thirds in comparison to the level established under the START Treaty. Several States parties welcomed the Moscow Treaty as a significant step towards nuclear disarmament and strategic stability. The hope was expressed that the Treaty would enter into force at an early date. Other achievements in nuclear disarmament over the past 20 years through unilateral and bilateral measures were also emphasized. France indicated that it was pursuing dismantlement of its fissile material installations and had dismantled its nuclear weapons testing site. The United Kingdom of Great Britain and Northern Ireland announced that it was taking forward work on the verification of nuclear disarmament. China presented a working paper on its basic positions on nuclear disarmament.

13. Concern and uncertainty about existing nuclear arsenals, new approaches to the future role of nuclear weapons, as well as the possible development of new generations of nuclear weapons were expressed. With regard to the Moscow Treaty, the view was expressed that reductions in deployments and in operational status could not substitute for irreversible cuts in, and the total elimination of, nuclear weapons.

14. Strong support was expressed for the Comprehensive Nuclear-Test-Ban Treaty (CTBT), as reflected in the Final Declaration adopted at the Conference on Facilitating the Entry into Force of the CTBT in November 2001, and in the Joint Ministerial Statement on the CTBT, launched by the CTBT Foreign Ministers' Meeting organized by Australia, Japan and the Netherlands in September 2002. The importance and urgency of the early entry into force of the Treaty was underscored. States which had not ratified the Treaty, especially those remaining 13 States whose ratification was necessary, and in particular those two remaining nuclear-weapon States whose ratification was a prerequisite for its entry into force, were urged to do so without delay. Strong hope was expressed that more countries would sign and ratify the Treaty between now and the 2003 Conference on Facilitating the Entry into Force to be held from 3 to 5 September in Vienna. States parties reaffirmed the importance of maintaining a moratorium on nuclear-weapon-test explosions or any other nuclear explosions and noted the progress made by the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization in establishing the International Monitoring System.

15. The withdrawal from the Anti-Ballistic Missile Treaty by the United States of America and its decision on the development of missile defence systems were noted. Certain concerns were expressed that the withdrawal had brought an additional element of uncertainty to international security, had impacted negatively on strategic stability, and would have negative consequences on nuclear disarmament and non-proliferation. Concern was also expressed about the risk of a new arms race on Earth and in outer space. It was noted that the Joint Declaration by the Russian

Federation and the United States of America signed in May 2002 confirmed the close interconnection between strategic offensive and defensive armaments.

16. The importance of further reductions in non-strategic nuclear weapons, based on unilateral initiatives and as an integral part of the nuclear arms reduction and disarmament process, was emphasized. There were calls for the formalization and increased transparency in the implementation of the Presidential Nuclear Initiatives of 1991 and 1992 of the Russian Federation and the United States of America on reducing non-strategic nuclear weapons. It was also pointed out that substantial reductions of non-strategic nuclear weapons had taken place through unilateral actions, and that the dismantling of those weapons under the 1991 Presidential Nuclear Initiative had been partly concluded. It was stressed by some States parties that non-strategic weapons must be further reduced in a transparent, accountable, verifiable and irreversible manner, and that negotiations should begin on further reductions of those weapons as soon as possible. Substantive proposals were made on this issue. It was argued that those proposals would also serve the purpose of helping to ensure that terrorists would not be able to gain access to non-strategic nuclear weapons, and the importance of enhancing security of transport and storage with regard to those weapons was also emphasized. A view was expressed that the issue of non-strategic nuclear weapons was of a comprehensive nature and was linked to other aspects of strategic stability and therefore could not be considered separately from other types of weapons.

17. States parties emphasized that the commencement of negotiations on a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, in accordance with the Shannon report and the mandate contained therein, was the next logical step in the process of nuclear disarmament. States that had not yet done so were called upon to declare moratoria on the production of fissile material for nuclear weapons or other nuclear explosive devices. The Conference on Disarmament was urged to agree on a programme of work. States parties reiterated the agreement to establish a subsidiary body to deal with nuclear disarmament. States parties encouraged the Conference on Disarmament to overcome the impasse so that the Conference might resume its substantive work. In that regard, States parties took note of a cross-group effort to develop a programme of work.

18. The importance of arrangements by all nuclear-weapon States to place, as soon as practicable, fissile material designated by each of them as no longer required for military purposes, under International Atomic Energy Agency (IAEA) or other relevant international verification, and arrangements for the disposition of such material for peaceful purposes was stressed. Some nuclear-weapon States reported on the actions they had taken in that regard.

19. It was noted that the first phase of the Trilateral Initiative — involving IAEA, the Russian Federation and the United States of America — for placing excess nuclear materials from dismantled weapons under international safeguards had been successfully completed by September 2002. A model legal framework had been agreed that was now available to be used in new verification agreements between the IAEA and the Russian Federation or the United States of America. The Russian Federation and the United States of America were urged to approach IAEA to carry out the verification requirements set forth in the Plutonium Management and

Disposition Agreement signed by the two States. The Agency was urged to continue research and development into the practical aspects of verifying plutonium declared excess to military use. Consideration should also be given to the possible inclusion of other nuclear-weapon States. States parties were informed by the United States of America of the placement of fissile material under IAEA safeguards. It was also noted that several hundred tons of fissile material had been removed from military stockpiles and would be disposed of so that it was no longer usable in nuclear weapons. Progress was welcomed in agreements for disposing of highly enriched uranium and plutonium. The G-8 Global Partnership announcement in June 2002 was highlighted as a positive contribution towards cooperation in reducing threats from all weapons of mass destruction through practical initiatives. Some States parties also noted the safeguards experience of IAEA in verifying nuclear materials and expressed the view that the Agency could play an important role in verifying nuclear disarmament agreements.

20. The view was held that the attainment of a nuclear-weapon-free world should be accompanied by the pursuit of other effective arms control agreements at the global and also particularly at the regional level, in line with the goal of general and complete disarmament.

21. Many States parties recalled that regular reports should be submitted by all States parties on the implementation of article VI as outlined in paragraph 15, subparagraph 12, of the 2000 Final Document. It was stressed that such reporting would promote increased confidence in the overall Nuclear Non-Proliferation Treaty regime through transparency. It was also expressed that such transparency provided valuable means to address and respond to compliance concerns. States parties recognized the value of reports and used them in substantive deliberation, in line with their wish for enhanced interaction.

22. States parties recalled the 2000 Final Document and the request that all States parties, particularly the nuclear-weapon States, the States of the Middle East and other interested States should report to the Secretary-General of the United Nations, to the President of the 2005 Review Conference, as well as the Chairpersons of the Preparatory Committee meetings to be held in advance of that Conference, on the steps that they had taken to promote the achievement of a nuclear-weapon-free zone in the Middle East and the realization of the goals and objectives of the 1995 Resolution on the Middle East.

23. Support was expressed for the concept of internationally recognized nuclear-weapon-free zones established on the basis of arrangements freely arrived at among States in the regions concerned. The contribution of such zones to enhancing global and regional peace and security, including the cause of global nuclear non-proliferation, was emphasized. It was noted that the number of States covered by the nuclear-weapon-free zones had now exceeded 100. The establishment of nuclear-weapon-free zones created by the Treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba was considered a positive step towards attaining the objective of global nuclear disarmament. Cuba's accession to the Tlatelolco Treaty was welcomed, as it made the nuclear-weapon-free zone in Latin America and the Caribbean complete. The importance of the entry into force of all the existing nuclear-weapon-free zone treaties was stressed. Support for Mongolia's nuclear-weapon-free status was also reiterated. Efforts aimed at establishing new nuclear-weapon-free zones in different regions of the world were welcomed. Some States parties were encouraged by the

fact that Central Asian countries had been engaged in consultations and reached a draft agreement to establish a nuclear-weapon-free zone in the region, which would contribute to regional security and the prevention of nuclear terrorism. Hope was expressed that the consultations between the Central Asian States and the nuclear-weapon States would lead to a successful outcome. In that context, Central Asian and South-East Asian States were invited to respond to nuclear-weapon States' comments and suggestions. States parties noted that no progress had been achieved in the establishment of nuclear-weapon-free zones in the Middle East, South Asia and other regions.

24. On the issue of universality, States parties reaffirmed the importance of the Resolution on the Middle East adopted by the 1995 Review and Extension Conference and recognized that the resolution remained valid until its goals and objectives were achieved. The resolution was an essential element of the outcome of the 1995 Conference and of the basis on which the Treaty on the Non-Proliferation of Nuclear Weapons had been indefinitely extended without a vote in 1995. States parties reiterated their support for the establishment of a Middle East zone free of nuclear weapons as well as other weapons of mass destruction. States parties noted that all States in the region of the Middle East, with the exception of Israel, were States parties to the Non-Proliferation Treaty. States parties called upon Israel to accede to the Treaty as soon as possible and to place its nuclear facilities under comprehensive IAEA safeguards. Some States parties affirmed the importance of establishing a mechanism within the Non-Proliferation Treaty review process to promote the implementation of the 1995 Resolution on the Middle East.

25. Some States parties noted the road map — the authoritative international plan for peace developed by the Quartet of the United States of America, the United Nations, the European Union and the Russian Federation — delivered on 30 April 2003. A view was expressed that the road map could be an important step in the direction of the establishment of a Middle East zone free of nuclear weapons as well as other weapons of mass destruction.

26. States parties recalled that there remained unresolved questions regarding Iraq's programmes of weapons of mass destruction and their means of delivery, and noted the importance of clarifying those outstanding issues. In that context, the view was expressed that the objective of disarming Iraq of its weapons of mass destruction capabilities in accordance with United Nations Security Council Resolution 687 (1991) represented a step towards establishing in the Middle East a zone free of weapons of mass destruction and their means of delivery. Some States parties took note of the readiness of IAEA to resume its verification activities in Iraq.

27. States parties expressed concern at the increased tension in South Asia and the continuing retention of nuclear weapons programmes and options by India and Pakistan. States parties urged both States to accede to the Non-Proliferation Treaty as non-nuclear-weapon States and to place all their nuclear facilities under comprehensive IAEA safeguards. States parties noted that both States have declared moratoria on further testing and their willingness to enter into legal commitments not to conduct any further nuclear testing by signing and ratifying the Comprehensive Nuclear-Test-Ban Treaty, and both States were called upon to sign the Comprehensive Nuclear-Test-Ban Treaty. States parties noted the willingness expressed by both States to participate in negotiations on a treaty banning the

production of fissile material for nuclear weapons and other nuclear explosive devices. Pending the conclusion of a legal instrument, States parties urged both States to commit to a moratorium on the production of such fissile material. The importance of the full implementation by both States of Security Council resolution 1172 (1998) was emphasized.

28. A wide range of concerns was expressed on the recent developments regarding the Democratic People's Republic of Korea's nuclear issue. In this regard, States parties called upon the DPRK to show its political will to cooperate with the international community in increasing mutual confidence. In particular, States parties expressed concern about or deplored the DPRK's nuclear weapons programme, which undermine peace and security on the Korean peninsula and beyond. States parties felt that the DPRK's decision to withdraw from the Treaty represented a serious challenge to the global non-proliferation regime. States parties called upon the DPRK to dismantle its nuclear weapons programme in a prompt, verifiable and irreversible way. States parties called for a denuclearized Korean peninsula and urged the DPRK to reconsider its course of action and to comply with all safeguards obligations pursuant to the Treaty. They stressed that the DPRK nuclear issue should be resolved peacefully, through diplomatic means, and urged the DPRK to take the necessary action to de-escalate and improve the situation and to engage in talks with countries concerned in a responsible, forthcoming and constructive manner. States parties welcomed the talks between the United States, the DPRK and China held at Beijing from 23 to 25 April 2003 and expressed the hope that those talks would prove to be an important first step towards resolution of the DPRK nuclear issue. States parties believed that the issue should continue to be dealt with multilaterally, with the participation of the concerned countries. The view was expressed that the nuclear-weapon-free status of the Korean peninsula should be maintained, that the legitimate security concerns of the DPRK should be addressed and that the relevant sides should exercise restraint and demonstrate sincerity and flexibility. The Preparatory Committee took note of a statement by the Chair at the first meeting of the session related to the views of States parties on the DPRK's status in the Treaty.

29. It was recalled that both the 1995 Review and Extension Conference and the 2000 Review Conference had underscored the importance of security assurances. It was further recalled that the Final Document of the 2000 Review Conference called upon the Preparatory Committee to make recommendations to the 2005 Review Conference on security assurances. It was emphasized that negative security assurances, a key basis of the 1995 extension decision, remained essential and should be reaffirmed. Many States parties reaffirmed that non-nuclear-weapon States parties should be effectively assured by nuclear-weapon States against the use or threat of use of nuclear weapons. Reaffirmations were expressed of commitments under Security Council resolution 984 (1995). Many States parties stressed that efforts to conclude a universal, unconditional and legally binding instrument on security assurances to non-nuclear-weapon States should be pursued as a matter of priority. Some States parties were of the view that this could take the form of an agreement or protocol to the Treaty, without prejudice to the legally binding security assurances already given by the five nuclear-weapon States in the framework of the treaties regarding nuclear-weapon-free zones. Pending the conclusion of such negotiations, the nuclear-weapon States were called upon to honour their commitments under the respective Security Council resolutions. Concern was

expressed that recent developments might undermine commitments made under the respective Security Council resolutions. A view was held that the issue of security assurances was linked with fulfilment of the Treaty obligations. Several States parties, including one nuclear-weapon State, emphasized the importance of a no-first-use policy. A proposal was also made that a further subsidiary body should be established to Main Committee I at the 2005 Review Conference to address the issue of security assurances for non-nuclear-weapon States.

30. States parties agreed that education on disarmament and non-proliferation was important to strengthening disarmament and non-proliferation for future generations. In that connection, they welcomed recommendations for utilizing education in pursuit of that objective which were contained in the report of the Secretary-General of the United Nations on disarmament and non-proliferation education, submitted by the Secretary-General to the General Assembly at its fifty-seventh session.<sup>a</sup> It was recalled that the General Assembly, in its resolution 57/60 of 22 November 2002, entitled “United Nations study on disarmament and non-proliferation education”, conveyed the recommendations for implementation, as appropriate, by Member States, the United Nations and other international organizations, civil society, non-governmental organizations and the media. States parties were encouraged to include in their education and training programmes information on the Treaty, including its Review Conferences and the work of States parties to implement the Treaty.

31. States parties recognized IAEA safeguards as a fundamental pillar of the nuclear non-proliferation regime and commended the important work of IAEA in implementing the safeguards system to verify compliance with the non-proliferation obligations of the Treaty. States parties reaffirmed their convictions that IAEA safeguards provided assurance that States were complying with their undertakings, and also provided the mechanism for States to demonstrate that compliance. IAEA safeguards thereby promoted further confidence among States, helped to strengthen their collective security and played a key role in preventing the proliferation of nuclear weapons and other nuclear explosive devices.

32. States parties welcomed the efforts of IAEA in strengthening safeguards and the Agency’s completion of the conceptual framework for integrated safeguards, as well as the first steps taken towards their application. The importance of the Model Additional Protocol as an essential tool for the efficient and effective functioning of the IAEA safeguards system was underlined. Attention was drawn to the fact that States parties must have both a comprehensive safeguards agreement and an Additional Protocol in place for IAEA to be able to provide assurance of both non-diversion of declared material and the absence of undeclared activities or material. States parties recognized that the efforts by IAEA and interested States contributed to a wider adherence to a strengthened safeguard system. Many States voiced their expectation that the strengthened safeguards system (that is, a comprehensive safeguards agreement coupled with the Additional Protocol) constituted the Non-Proliferation Treaty’s safeguards standard, and that this would come to be recognized as a requirement for new arrangements for nuclear supply to non-nuclear-weapon States by the 2005 Review Conference. States that had not yet concluded comprehensive safeguards agreements with IAEA were called upon to do so without further delay. States parties reaffirmed the need for the Additional Protocol to be universalized and expressed their support for the implementation of the updated IAEA action plan. Many States parties called upon those that had not

yet signed or ratified the Additional Protocol to do so as soon as possible. It was also stated that efforts to achieve universal application of the Model Additional Protocol should not hamper efforts towards achieving universality of comprehensive safeguards agreements. Support was expressed for a properly funded IAEA safeguards system, and it was noted that the IAEA Director-General had proposed an increase in the 2004-2005 budget for safeguards.

33. States parties reaffirmed that IAEA was the competent authority responsible for verifying and assuring, in accordance with the statute of IAEA and the IAEA safeguards system, compliance with its safeguards agreements with States parties undertaken in fulfilment of their obligations under article III, paragraph 1, of the Treaty, with a view to preventing the diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices. It was also reaffirmed that nothing should be done to undermine the authority of IAEA in that regard. It was recalled that States parties that had concerns regarding non-compliance with the safeguards agreements of the Treaty by other States parties should direct such concerns, along with supporting evidence and information, to IAEA to consider, investigate, draw conclusions and decide on necessary actions in accordance with its statute.

34. The importance of building confidence in the peaceful character of nuclear activities, in particular through transparency measures required by IAEA, was emphasized. All States parties, particularly those with advanced nuclear programmes, were called upon to conclude, bring into force and implement an Additional Protocol to their comprehensive safeguards agreement at the earliest opportunity, which enhances the confidence of States parties and helps eliminate concerns regarding their nuclear programmes. In that context, and in the light of the scope of its nuclear programme, the Islamic Republic of Iran was called upon to sign an Additional Protocol and to ensure full and forthcoming cooperation with IAEA, whose secretariat is expected to provide a comprehensive report at the June 2003 meeting of the IAEA Board of Governors. The inalienable right of all States parties in full compliance with the Treaty to develop the research, production and use of nuclear energy for peaceful purposes without discrimination, as well as the inviolability of nuclear facilities, were reaffirmed. States parties noted the Islamic Republic of Iran's statement of 29 April 2003 solemnly declaring that it does not seek to acquire nuclear weapons and that it is engaged in addressing in a detailed and substantiated manner the questions which have been raised about its nuclear programme. States parties also noted the Islamic Republic of Iran's statement of 8 May 2003 underlining the need to avoid prejudgement about its nuclear programme in order to maintain the integrity of the IAEA process.

35. It was reiterated that export controls were a key element of the non-proliferation regime under the Non-Proliferation Treaty. States parties underlined that effective export controls, together with comprehensive safeguards, were central to cooperation in the peaceful uses of nuclear energy, which depends on the existence of a climate of confidence about non-proliferation. The important role of the international export control framework for nuclear-related materials and technologies, namely the Zangger Committee and the Nuclear Suppliers Group, were noted, in particular their utility in guiding States in setting up their national export control policies. The importance of transparency in export controls was widely recognized. It was reaffirmed that nothing in the Treaty should be interpreted as affecting the inalienable right of all parties to the Treaty to develop research,

production and the use of nuclear energy for peaceful purposes in keeping with the non-proliferation obligations of articles I and II of the Treaty.

36. States parties noted the importance of combating nuclear terrorism and strongly supported existing IAEA initiatives in that regard. The IAEA action plan on protection against nuclear terrorism was widely noted and supported. The Agency's work in support of States' efforts to prevent the illicit trafficking of nuclear and other radioactive material was also commended. In that context, States parties stressed the importance of contributions to the Nuclear Security Fund of IAEA. States parties called for support of the G-8's Kananaskis principles to prevent terrorists, and those harbouring them, from acquiring weapons of mass destruction and related material.

37. States parties urged the strengthening of the physical protection of nuclear material and facilities as an element of the non-proliferation regime that should be emphasized particularly in the light of the heightened risk of nuclear terrorism. They noted the conclusion of the work to prepare a well-defined draft amendment to the Convention on the Physical Protection of Nuclear Material (CPPNM) and called for early action with respect to the strengthening of CPPNM. States parties recommended the early convening of a diplomatic conference to amend the CPPNM. Many States parties called upon States that had not yet done so to accede to the CPPNM. Support was expressed for the IAEA's International Physical Protection Service. States parties welcomed the organizing in March 2003 of the International Conference on Security of Radioactive Sources by the Russian Federation, the United States of America and IAEA as well as its call for stronger national and international security over radioactive sources, especially those that could be used by terrorists to produce a "dirty bomb". The urgent need to deal with orphan sources was highlighted by many States. Support was expressed for a new initiative sponsored by the Russian Federation, the United States and IAEA on the safe management of radioactive sources. All States were urged to implement the principles incorporated in the IAEA Code of Conduct on the Safety and Security of Radioactive Sources.

38. The importance of strengthening nuclear safety, radiation protection, the safety of radioactive waste management and the safe transport of radioactive materials was stressed. The need for maintaining the highest standards of safety at civilian nuclear installations through national measures and international cooperation was also emphasized. The efforts of IAEA in the promotion of safety in all its aspects were welcomed. States parties that had not yet acceded to the Convention on Nuclear Safety as well as the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management were encouraged to do so.

39. States parties emphasized that all transport of nuclear and radioactive material, including maritime transport, should be carried out in a safe and secure manner in strict conformity with international standards established by the relevant international organizations, such as IAEA and the International Maritime Organization. Some States parties called for effective liability arrangements, prior notification and consultation. States carrying out international transport stated that those transports were carried out in a safe and secure manner and in strict conformity with all relevant international standards. States parties welcomed the conclusions on safety contained in IAEA General Conference resolution GC(46)RES/9. States parties commended and looked forward to the International

Conference on the Safety of Transport of Radioactive Material, to be organized by IAEA in July 2003, which would facilitate mutual understanding on transport safety among participants.

40. States parties attached importance to United Nations General Assembly resolution 56/24 L of 29 November 2001 on the prohibition of the dumping of radioactive wastes and called upon States to take appropriate measures to prevent any dumping of nuclear or radioactive wastes that would be in breach of established international law. Support was also expressed for the effective implementation of the Code of Practice on the International Transboundary Movement of Radioactive Waste of IAEA as a means of enhancing the protection of all States from the dumping of radioactive wastes on their territories.

41. States parties reiterated their strong support for article IV of the Treaty, which provides a framework for cooperation and confidence in the peaceful uses of nuclear energy. The inalienable right of the States parties to engage in research, production and the use of nuclear energy for peaceful purposes without discrimination was reaffirmed. It was noted that full and transparent implementation of strengthened safeguards was necessary to build the confidence which was a prerequisite for international nuclear cooperation. A call was also made to fully ensure the free, unimpeded and non-discriminatory transfer of nuclear technology for peaceful purposes. In that context, States parties expressed wide support for the technical cooperation activities of IAEA, underlining that technical cooperation played an important role in further developing the application of nuclear energy for peaceful purposes. It was also stated that full compliance with all provisions of the Treaty was the basic condition for receiving the benefits of article IV. The importance of aligning technical cooperation programmes with the development goals and needs of the country concerned was emphasized, as well as the need to increase public awareness in that regard. States parties stressed the importance of providing the Agency with adequate voluntary resources for those activities. Attention was drawn to the significance of developing proliferation-resistant nuclear technologies and support was expressed for the work being carried out by IAEA under the International Project on Innovative Nuclear Reactors and Fuel Cycles (INPRO) project.

42. States parties took note of proposals for the further strengthening of the Treaty's review process. The importance of interactivity was emphasized and broader participation of States parties was encouraged.

43. Many States parties emphasized the value of the involvement and contribution of civil society in the process of Treaty review. Substantive proposals were made for the enhanced participation of non-governmental organizations.

#### *Notes*

<sup>a</sup> A/57/124.