Draft report of the Preparatory Committee on its second session

I. Introduction

1. The Preparatory Committee for the 2010 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 2008 at the Palais des Nations in Geneva further to the decision taken at its first session (NPT/CONF.2010/PC.I/22, para. 11 (a)). The session was chaired by Mr. Volodymyr Yelchenko (Ukraine) in accordance with the decision taken by the Committee at its first session (NPT/CONF.2010/PC.I/22, para. 8).

2. At the first meeting of the Preparatory Committee, on 28 April, the High Representative for Disarmament Affairs, Mr. Sergio Duarte, delivered a statement.

3. 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: Afghanistan, Algeria, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Belarus, Belgium, Benin, Bhutan, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Canada, Chile, China, Colombia, Congo, Costa Rica, Côte d’Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Ecuador, Egypt, El Salvador, Estonia, Finland, France, Germany, Ghana, Greece, Guatemala, Holy See, Hungary, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Malta, Mexico, Moldova, Mongolia, Montenegro, Morocco, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nigeria, Norway, Oman, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, 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.
4. 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.2010/PC.II/INF.6.

5. The Preparatory Committee held .. meetings, of which summary records were provided for the opening meeting (NPT/CONF.2010/PC.II/SR.1), the general debate (NPT/CONF.2010/PC.II/SR.1-3 and 5) and the closing meeting (NPT/CONF.2010/PC.II/SR....). The summary records are issued separately as annex I to the present report.

6. M. Thomas Markram, Senior Political Officer, Weapons of Mass Destruction Branch, United Nations Office for Disarmament Affairs, served as Secretary of the Committee. 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

7. The Committee continued to conduct its work on the basis of the agenda adopted at its first session (NPT/CONF.2010/PC.I/15), as follows:
   1. Opening of the session.
   2. Election of the Chairman.
   3. Adoption of the agenda.
   4. General debate on issues related to all aspects of the work of the Preparatory Committee.
   5. Statements by non-governmental organizations.
   6. Preparatory work for the review of the operation of the Treaty in accordance with article VIII, paragraph 3, of the Treaty, in particular, consideration of principles, objectives and ways to promote the full implementation of the Treaty, as well as its universality, including specific matters of substance related to the implementation of the Treaty and Decisions 1 and 2, as well as the resolution on the Middle East, adopted in 1995, and the outcomes of the 1975, 1985, 2000 and 2005 Review Conferences, including developments affecting the operation and purpose of the Treaty, and thereby considering approaches and measures to realize its purpose, reaffirming the need for full compliance with the Treaty.*

7. Organization of work of the Preparatory Committee:
   (a) Election of officers;

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* The Committee decides that it understands the reference in the agenda to “reaffirming the need for full compliance with the Treaty” to mean that it will consider compliance with all the provisions of the Treaty.
(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 2010 Review Conference:
   (a) Dates and venue;
   (b) Draft rules of procedure;
   (c) Election of the President and other officers;
   (d) Appointment of the Secretary-General;
   (e) Provisional agenda;
   (f) Financing of the Review Conference, including its Preparatory Committee;
   (g) Background documentation;
   (h) Final document(s).

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

11. Any other matters.

8. At its first meeting, on 28 April 2008, the Committee took note of the indicative timetable for its second session (NPT/CONF.2010/PC.II/INF.2).

9. 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**

10. At its 12th meeting, on 6 May 2008, the Committee adopted the following decision:

   “The Committee decides to elect Ambassador Boniface Guwa Chidyausiki of Zimbabwe as Chairman of its third session.” (NPT/CONF.2010/PC.II/DEC.1, *Agenda item 7* (a))

(b) **Dates and venues for further sessions**

11. At its 12th meeting, on 6 May 2008, the Committee adopted the following decision:

   “The Committee decides to hold its third session in New York from 4 to 15 May 2009.” (NPT/CONF.2010/PC.II/DEC.1, *Agenda item 7* (b))
(c) **Methods of work**

(ii) Participation

12. Pursuant to the relevant rules of procedure and the Committee's decision taken at its first session, the Committee, at its 1st meeting, on 28 April 2008, 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.

13. Accordingly, representatives of Brazilian-Argentine Agency for Accounting and Control of Nuclear Materials (ABACC), Organization for the Prohibition of Chemical Weapons, Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, the European Commission, and the League of Arab States attended as observers the meetings of the Committee other than those designated as closed meetings.

14. Furthermore, representatives of 64 non-governmental organizations (see NPT/CONF.2005/PC.II/INF.4/Rev.1) attended the meetings of the Committee other than those designated as closed meetings.

(iv) **Records and documents**

15. 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 47 statements were made. Furthermore, in accordance with the decision adopted at its first session, the Committee invited the representative of the League of Arab States and the Representative of the Brazilian-Argentine Agency for Accounting and Control of Nuclear Materials to make a statement at the end of the general debate. The statements are reflected in the summary records of those meetings (NPT/CONF.2010/PC.II/SR.1-3 and 5).

16. At its 4th meeting, on 29 April, the Committee heard 15 statements by non-governmental organizations.

17. The Committee held a total of nine meetings for a substantive discussion under agenda item 6.

18. The discussion was structured according to an indicative timetable (NPT/CONF.2010/PC.II/INF 3, and Rev. 1 and 2), which provided equal time for the consideration of three clusters of issues and three specific blocks of issues.

19. The Committee considered the following three clusters of issues based on the allocation of items to the Main Committees of the 2005 Review Conference (NPT/CONF.2005/DEC.1):
(a) Implementation of the provisions of the Treaty relating to non-proliferation of nuclear weapons, disarmament and international peace and security;
(b) Implementation of the provisions of the Treaty relating to non-proliferation of nuclear weapons, safeguards and nuclear-weapon-free zones;
(c) Implementation of the provisions of the Treaty relating to the inalienable right of all 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.

20. The Committee considered the following three specific blocs of issues:
   (a) Nuclear disarmament and security assurances;
   (b) Regional issues, including with respect to the Middle East and the implementation of the 1995 Middle East resolution;
   (c) Other provisions of the Treaty, including article X.

21. At the 5th meeting, on 30 April, the Chairman, noting the practice followed during the previous sessions of the Preparatory Committee aimed at promoting an interactive debate, proposed that, while discussions would generally be guided by the list of speakers, at the same time, he would encourage delegations to make comments after a statement or proposal, as appropriate. The Committee concurred with the Chairman’s proposal.

B. Organization of the 2010 Review Conference

22. The Preparatory Committee, in conformity with its task of preparing for the 2010 Review Conference, considered issues contained in agenda item 9. It took the following actions:

   (a) Dates and venue

23. At its 12th meeting, on 6 May 2008, the Committee adopted the following decision:

   “The Committee decides to hold the Review Conference in New York from 26 April to 21 May 2010.” (NPT/CONF.2010/PC.II/DEC.1, Agenda item 9 (a))

   (d) Appointment of the Secretary-General

24. At its 12th meeting, on 6 May 2008, the Committee adopted the following decision:

   “The Committee decides to invite the Secretary-General of the United Nations, in consultations with the members of the Preparatory Committee, to nominate an official to act as provisional Secretary-General for the 2010 Review Conference, a
nomination which would later be confirmed by the Conference itself.”
(NPT/CONF.2010/PC.II/DEC.1, Agenda item 9 (d))

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

25. 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 2010 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.2010/PC.II/1.

26. At its 12th meeting, on 6 May 2008, the Committee adopted the following decisions:

“The Committee takes note of the estimated costs of the 2010 Review Conference and its Preparatory Committee (NPT/CONF.2010/PC.II/1). It is understood that the workload statistics of the second session of the Preparatory Committee will determine whether the costs estimates contained in Annex I, or in Annex II, would be used to base requests for advance payment for both the third session of the Preparatory Committee and the 2010 Review Conference. The Committee agrees that assessed and outstanding dues must be paid in proper time.”

“The Committee, in order to promote greater financial transparency and accountability and taking into account the practice of multilateral and other organizations, requests the Secretary-General of the United Nations to provide a financial report to the Review Conference and each session of its Preparatory Committee to be circulated as an official document.”
(NPT/CONF.2010/PC.II/DEC1, Agenda item 9, (f))

C. Documentation

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

NPT/CONF.2010/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.2010/PC.II/2 Implementation of the Treaty on the Non-Proliferation of Nuclear weapons: Report submitted by Canada

NPT/CONF.2010/PC.II/3 Steps to promote the achievement of a nuclear-weapon-free zone in the Middle East and the realization of the goals and objectives of the 1995 Resolution on the Middle East: Report submitted by Canada
Implementation of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons and paragraph 4(c) of the 1995 Decision on “Principles and Objectives for Nuclear Non-Proliferation and Disarmament”: Report submitted by Japan

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

Establishment of a nuclear-weapon-free zone in the Middle East: Report submitted by the Islamic Republic of Iran

Implementation of Article VI: Report submitted by the Islamic Republic of Iran

Implementation of Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons and paragraph 4 (c) of the 1995 Decision on “Principles and objectives for nuclear non-proliferation and disarmament”: Report submitted by Australia

Steps to promote the achievement of a nuclear-weapon-free zone in the Middle East and the realisation of the goals and objectives of the 1995 resolution on the Middle East: Report submitted by Australia

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

Nuclear-weapon-free zones: Working paper submitted by Mongolia
<table>
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<tr>
<th>Document Code</th>
<th>Title</th>
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<tbody>
<tr>
<td>NPT/CONF.2010/PC.II/WP.2</td>
<td>Working paper submitted by the Syrian Arab Republic on behalf of the States members of the League of Arab States</td>
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<tr>
<td>NPT/CONF.2010/PC.II/WP.3</td>
<td>Establishment of a nuclear-weapon-free zone in the Middle East: Working paper submitted by the Islamic Republic of Iran</td>
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<tr>
<td>NPT/CONF.2010/PC.II/WP.4</td>
<td>The issue of non-compliance with Articles I, III, IV and VI: Working paper submitted by the Islamic Republic of Iran</td>
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<td>NPT/CONF.2010/PC.II/WP.5</td>
<td>Nuclear disarmament: Working paper submitted by the Islamic Republic of Iran</td>
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<tr>
<td>NPT/CONF.2010/PC.II/WP.6</td>
<td>Peaceful uses of nuclear energy: Working paper submitted by the Islamic Republic of Iran</td>
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<tr>
<td>NPT/CONF.2010/PC.II/WP.7</td>
<td>Towards the strengthening of the IAEA Safeguards System and the Universal Application of Additional Protocol: Working paper submitted by Japan</td>
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<tr>
<td>NPT/CONF.2010/PC.II/WP.8</td>
<td>Cluster 3: Peaceful uses of nuclear energy and Japan's experience</td>
</tr>
<tr>
<td>NPT/CONF.2010/PC.II/WP.9</td>
<td>Disarmament and non-proliferation education (addendum): Working paper submitted by Japan</td>
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<td>NPT/CONF.2010/PC.II/WP.10</td>
<td>Cluster 1: Nuclear Disarmament, working paper submitted by Japan</td>
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<tr>
<td>NPT/CONF.2010/PC.II/WP.11</td>
<td>Perspectives on issues related to withdrawal from the Treaty on the Non-proliferation of Nuclear Weapons: bolstering the benefits of the NPT regime to prevent withdrawal, working paper submitted by Japan</td>
</tr>
<tr>
<td>NPT/CONF.2010/PC.II/WP.12</td>
<td>Article III and Preambular paragraphs 4 and 5, especially in their relationship to article IV and Preambular paragraphs 6 and 7 (Compliance and verification), working paper submitted by Australia, Austria, Canada, Denmark, Hungary, Ireland, the</td>
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Netherlands, New Zealand, Norway and Sweden) the “Vienna Group of Ten”)

Article III and Preambular paragraphs 4 and 5, especially in their relationship to article IV and Preambular paragraphs 6 and 7 (Physical protection and illicit trafficking), working paper submitted by Australia, Austria, Canada, Denmark, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden) the “Vienna Group of Ten”)

Article V, Article VI and Preambular paragraphs 8 to 12: Comprehensive Nuclear-Test Ban Treaty (CTBT), working paper submitted by Australia, Austria, Canada, Denmark, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden) the “Vienna Group of Ten”)

Article III and Preambular paragraphs 4 and 5, especially in their relationship to article IV and Preambular paragraphs 6 and 7 (Export Controls), working paper submitted by Australia, Austria, Canada, Denmark, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden) the “Vienna Group of Ten”)

Article III (3) and IV, Preambular paragraphs 6 and 7, especially in their relationship to article III (1), (2) and (4) and Preambular paragraphs 4 and 6 (Approaches to the Nuclear Fuel Cycle), working paper submitted by Australia, Austria, Canada, Denmark, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden) the “Vienna Group of Ten”)

Article III (3) and IV, Preambular paragraphs 6 and 7, especially in their relationship to article III (1), (2) and (4) and Preambular paragraphs 4 and 5 (Nuclear Safety), working paper submitted by Australia, Austria, Canada, Denmark,
Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden (the "Vienna Group of Ten")

NPT/CONF.2010/PC.II/WP.18

Article III (3) and IV, Preambular paragraphs 6 and 7, especially in their relationship to article III (1), (2) and (4) and Preambular paragraphs 4 and 6 (Co-operation in the peaceful uses of nuclear energy), working paper submitted by Australia, Austria, Canada, Denmark, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden (the "Vienna Group of Ten")

NPT/CONF.2010/PC.II/WP.19

[Working paper submitted by Syria in Arabic]

NPT/CONF.2010/PC.II/WP.20

Establishing a Nuclear Weapon Free Zone in the Middle East, working paper submitted by Egypt

NPT/CONF.2010/PC.II/WP.21

Creating a new momentum for a Fissile Material Cut-off Treaty (FMCT): Working paper submitted by Germany

NPT/CONF.2010/PC.II/WP.22

Working towards a successful 2010 NPT Review Conference: Working paper submitted by Germany

NPT/CONF.2010/PC.II/WP.23

Nuclear-weapon-free zone Treaties: Working paper submitted by Slovenia on behalf of the EU

NPT/CONF.2010/PC.II/WP.24

Other provisions of the Treaty, including Article X: Working paper submitted by Iran

NPT/CONF.2010/PC.II/WP.25

Negative security assurances: Working paper submitted by Iran

NPT/CONF.2010/PC.II/WP.26

New Agenda Coalition Paper: Submitted by New Zealand on behalf of Brazil, Egypt, Ireland, Mexico, New Zealand, South Africa and Sweden as Members of the New Agenda Coalition
NPT/CONF.2010/PC.II/WP.27 Compliance and the Treaty on the Non-Proliferation of Nuclear Weapons, working paper submitted by the United States of America

NPT/CONF.2010/PC.II/WP.28 Non-Proliferation, Working paper submitted by the Islamic Republic of Iran


NPT/CONF.2010/PC.II/WP.32 “To ensure access to nuclear fuel supply and enrichment services” – Multilateral Enrichment Sanctuary Project (MESP)

NPT/CONF.2010/PC.II/WP.33 Nonproliferation and the Middle East, Working paper submitted by the United States of America

... Decisions adopted by the Committee

NPT/CONF.2010/PC.II/CRP.1* Draft decisions on the Organization of work of the Preparatory Committee and the 2010 Review Conference (Decisions 1 to 3)

NPT/CONF.2010/PC.II/CRP.2 Draft decisions on the Organization of work of the Preparatory Committee and the 2010 Review Conference (Decisions 3 to 6)

NPT/CONF.2010/PC.II/CRP.3 Revised Draft decisions on the Organization of work of the Preparatory Committee and the 2010 Review Conference (Decisions 1 to 3)
III. Summary of the results
(to be added)
Annex I

Summary records of the second session of the Preparatory Committee

[To be distributed individually as NPT/CONF.2010/PC.II/SR.1-3, 5 and ...]