Main Committee II: Draft Chairman’s report

Review of the operation of the Treaty, as provided for in its article VIII (3), taking into account the decisions and the resolutions adopted by the 1995 Review and Extension Conference, the Final Document of the 2000 Review Conference and the conclusions and recommendations for follow-on actions adopted by the 2010 Review Conference

Articles I and II and first to third preambular paragraphs

1. The Conference reaffirms that the full and effective implementation of the Treaty and the regime of non-proliferation in all its aspects has a vital role in promoting international peace and security. The Conference reaffirms that every effort should be made to implement the Treaty in all its aspects and to prevent the proliferation of nuclear weapons and other nuclear explosive devices, without hampering the peaceful uses of nuclear energy by States parties to the Treaty. The Conference remains convinced that universal adherence to the Treaty and full compliance of all parties with all its provisions are the best way to prevent the spread of nuclear weapons and other nuclear explosive devices.

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

3. The Conference notes that the non-nuclear-weapon States parties to the Treaty reaffirmed their commitment not to receive the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices directly, or indirectly, not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices.

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

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

6. The Conference recognizes that breaches of the Treaty’s obligations undermine nuclear disarmament, non-proliferation and peaceful uses of nuclear energy and emphasizes that responses to concerns over compliance with any obligation under the Treaty by any State party should be pursued by diplomatic means, in accordance with the provisions of the Treaty and the Charter of the United Nations.

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

7. The Conference emphasizes that IAEA safeguards are a fundamental component of the nuclear non-proliferation regime, play an indispensable role in the implementation of the Treaty and help to create an environment conducive to nuclear cooperation.

8. The Conference reaffirms that the IAEA is the competent authority responsible for verifying and assuring, in accordance with the Statute of IAEA and the IAEA safeguards system, compliance by States parties with their safeguards agreements undertaken in fulfilment of their obligations under article III, paragraph 1, of the Treaty with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices. It is the conviction of the Conference that noting should be done to undermine the authority of the IAEA in this regard.

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

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

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

12. The Conference recalls the importance of the application of IAEA safeguards pursuant to comprehensive safeguards agreements based on INFCIRC/153 (Corrected) to all source and special fissionable material in all peaceful nuclear activities in the States parties in accordance with the provisions of article III, paragraph 1, of the Treaty. The Conference also reaffirms that the implementation of comprehensive safeguards agreements pursuant to article III, paragraph 1, of the Treaty should be designed to provide for verification by IAEA of the correctness and completeness of a State's declarations so that there is a credible assurance of the non-diversion of nuclear material from declared activities and of the absence of undeclared nuclear material and activities.

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

14. The Conference notes the fact that 60 States have amended their small quantities protocols and 5 other States have rescinded their small quantities protocols. The Conference welcomes the fact that 17 States accepted the revised small quantities protocol since the 2010 Review Conference and urges all States parties with small quantities protocols which have not yet done so to amend or rescind them, as appropriate, as soon as possible.

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

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

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

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

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

20. The Conference stresses the importance of maintaining and observing fully the principle of confidentiality regarding all information related to implementation of safeguards in accordance with safeguards agreements and the IAEA's Statute.

21. The Conference emphasizes the importance of maintaining the credibility, effectiveness, and integrity of the IAEA's safeguards system, and stresses that safeguards implementation should remain transparent, non-discriminatory, and objective. In this regard, the Conference notes that IAEA safeguards are assessed and evaluated regularly with the view to strengthen the effectiveness and improve the efficiency of safeguards implementation. The Conference welcomes the clarifications and additional information provided in 2014 on the implementation of safeguards in the context of the State-level concept, following the intensive consultation process between the IAEA's Secretariat and Member States. The Conference notes the work of the IAEA to develop and implement State-level safeguards approaches within the scope of States' safeguards agreements. The Conference calls upon States parties to support the IAEA to effectively implement State-level safeguards approaches in close consultation and coordination with State and/or regional authorities and to implement decisions adopted by the IAEA's Board of Governors aimed at further strengthening the effectiveness and improving the efficiency of IAEA safeguards.

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

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

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

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

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

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

28. The Conference welcomes the recent accessions to the amendment to the Convention on the Physical Protection of Nuclear Material and the contribution made by the Nuclear Security Guidance Committee in the development of the Nuclear Security Series. The Conference calls on all States parties to the Convention on the Physical Protection of Nuclear Material to ratify the amendment to the Convention as soon as possible and encourages them to act in accordance with the objectives and the purpose of the amendment until such time as it enters into force. The Conference also calls on all States that have not yet done so to adhere to the Convention and adopt the amendment as soon as possible.
29. The Conference notes with concern the issue of illicit trafficking in nuclear and other radioactive materials and emphasizes the need to improve national capabilities to prevent, detect and respond to illicit trafficking in nuclear and other radioactive materials throughout their territories, in accordance with their relevant international obligations. The Conference also notes the work of the IAEA in support of the efforts of States to combat such trafficking, including the IAEA's activities undertaken to provide for an enhanced exchange of information and the continued maintenance of its incident and trafficking database. The Conference calls upon all States to improve their national capabilities to detect, deter and disrupt illicit trafficking in nuclear material throughout their territories and calls upon those States parties in a position to do so to work to enhance international partnerships and capacity-building in this regard.


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

32. The Conference urges all States parties to ensure that their nuclear-related exports did not directly or indirectly assist the development of nuclear weapons or other nuclear explosive devices and that such exports were in full conformity with the objectives and purposes of the Treaty as stipulated, particularly, in articles I, II and III, as well as the decision on principles and objectives of nuclear non-proliferation and disarmament adopted in 1995 by the Review and Extension Conference. They consider that export controls are a legitimate, necessary and desirable means of implementing the obligations of States parties under article III of the Treaty.

33. The Conference considers that effective export controls are essential for facilitating the fullest possible cooperation in the peaceful uses of nuclear energy in conformity with the Treaty. The Conference encourages the States parties to consider whether a recipient State has brought into force IAEA safeguards obligations in making nuclear export decisions. It also encourages States parties to make use of multilaterally negotiated and agreed guidelines and understandings in developing their own national export controls.
34. States parties stress that any new supply arrangements for the transfer of source or special fissionable material or equipment or material especially designed or prepared for the processing, use or production of special fissionable material to non-nuclear-weapon States should require, as a necessary precondition, acceptance of full-scope safeguards and internationally legally binding commitments not to acquire nuclear weapons or other nuclear explosive devices.

35. The Conference calls upon all States parties, in acting in pursuance of the objectives of the Treaty, to observe the legitimate right of all States parties, in particular developing States, to full access to nuclear material, equipment and technological information for peaceful purposes. The Conference encourages States parties to facilitate transfers of nuclear technology and international cooperation among States parties, in conformity with articles I, II and III of the Treaty, and to eliminate in this regard any undue constraints inconsistent with the Treaty.

Article VII

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

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

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

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

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

Regional issues

[PLACE HOLDER]