

2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

24 May 2010

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English only

New York, 3-28 May 2010

Report of Main Committee I: Revised Chairman's Draft on Substantive Elements

- I. Review of the operation of the Treaty, as provided for in its article VIII (3), taking into account the decisions and the resolution adopted by the 1995 NPT Review and Extension Conference and the Final Document of the 2000 Review Conference
 - A. 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 recalls that the overwhelming majority of States entered into legally binding commitments not to receive, manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices in the context, *inter alia*, of the corresponding legally binding commitments by the nuclear-weapon States to nuclear disarmament in accordance with the Treaty.
 3. 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.
 4. 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

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to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices.

- 5. 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, and the final document of the 2000 Review Conference,¹ adopted by consensus.
- 6. 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.
- 7. The Conference emphasized 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.
- 8. The Conference recognizes that breaches of the Treaty's obligations undermine nuclear non-proliferation, disarmament and peaceful uses of nuclear energy.
- 9. The Conference deplores the nuclear test explosions carried out by the Democratic People's Republic of Korea in 2006 and 2009. The Conference recalls all relevant United Nations Security Council resolutions and that the Democratic People's Republic of Korea cannot have the status of a nuclear-weapon-State.

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B. Article VI and the eighth to twelfth preambular paragraphs

- 1. The Conference notes with concern that despite achievements in bilateral and unilateral reductions by some nuclear-weapon States the total estimated number of nuclear weapons deployed and stockpiled still amounts to several thousands. The Conference expresses its deep concern at the continued risk for humanity represented by the existence of nuclear weapons and the possibility that these weapons could be used and the catastrophic humanitarian consequences that would result from the use of nuclear weapons.
- 2. The Conference notes the new proposals and initiatives from Governments and civil society related to achieving a world free of nuclear weapons.

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¹ NPT/CONF.2000/28.

3. The Conference affirms that the final phase of the nuclear disarmament process and other related measures should be pursued within a legal framework with specified timelines.
4. The Conference reaffirms the essential role of the Comprehensive Nuclear-Test-Ban Treaty within the nuclear disarmament and non-proliferation regime and that, by constraining the development of nuclear weapons and their qualitative improvement, the Treaty combats both horizontal and vertical nuclear proliferation. The Conference notes concern that any development of new types of nuclear weapons may result in the resumption of nuclear test explosions and a lowering of the nuclear threshold. The Conference calls on all States to refrain from any action which would defeat the object and purpose of the Comprehensive Nuclear-Test-Ban Treaty pending its entry into force.

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5. The Conference welcomes that 181 States have signed the Comprehensive Nuclear-Test-Ban Treaty and that 151 States, including 35 whose ratification is necessary for its entry into force, have deposited instruments of ratifications. The Conference welcomes the recent expressions by remaining States whose ratifications are necessary for the Treaty to enter into force of their intention to pursue and complete the ratification process, including by Indonesia and the United States of America. The Conference also welcomes the recent expression by Iraq, Papua New Guinea and Thailand of their intentions to pursue and complete the ratification process.

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6. The Conference welcomes the high-level political support for the Treaty expressed during the Conference on Facilitating the Entry in Force of the Comprehensive Nuclear-Test-Ban Treaty, convened in New York in September 2009, in accordance with article XIV of the Treaty, where specific and practical measures to promote the entry into force of the Treaty were adopted. The Conference stresses the importance of the International Monitoring System and commends the progress made by the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization towards its completion.
7. The Conference expresses concern that after more than a decade the Conference on Disarmament has been unable to commence negotiations and substantive deliberations pursuant to an agreed programme of work.
8. The Conference notes the International Court of Justice advisory opinion on the Legality of the threat or use of nuclear weapons issued at The Hague on 8 July 1996.

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9. The Conference welcomes the conclusion of negotiations on the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms as well as the

unilateral reduction measures announced and implemented by other nuclear-weapon States.

10. The Conference recognises that reductions in the operational status of nuclear weapons and announced measures related to de-targeting contribute to the process of nuclear disarmament through the enhancement of confidence-building measures and a diminishing role for nuclear weapons in security policies.

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11. The Conference welcomes the declared moratoria by some nuclear-weapon States on the production of fissile material for nuclear weapons.

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12. The Conference notes the regular reports submitted by States parties within the framework of the strengthened review process on the 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", and recalling the advisory opinion of the International Court of Justice of 8 July 1996.

13. The Conference notes the increased transparency of some nuclear-weapon States with respect to the number of nuclear weapons in their national inventories.

14. The Conference notes the cooperation between Norway and the United Kingdom of Great Britain and Northern Ireland in establishing a system for nuclear disarmament verification, including development of information barrier systems and managed access inspections.

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C. Article VII and the security of non-nuclear-weapon States

1. The Conference reaffirms that, in accordance with the Charter of the United Nations, States must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State or in any other manner inconsistent with the purposes of the United Nations.

2. The Conference welcomes the statements by some nuclear-weapon States regarding measures related to strengthening negative security assurances and notes the calls by non-nuclear-weapon States for unconditional legally binding negative security assurances.

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II. Role of the Treaty in the promotion of non-proliferation of nuclear weapons and of nuclear disarmament in strengthening international peace and security and measures aimed at strengthening the implementation of the Treaty and achieving its universality, including disarmament and non-proliferation education

1. The Conference welcomes the accessions to the Treaty of Cuba in 2002 and Timor-Leste in 2003 as well as the succession of Serbia in 2001 and Montenegro in 2006, bringing the total number of States that have become parties to the Treaty to 190, and reaffirms the urgency and importance of achieving the universality of the Treaty.
2. The Conference urges all States not yet party to the Treaty, namely India, Israel and Pakistan, all of which operate unsafeguarded nuclear facilities to accede to the Treaty as non-nuclear-weapon States, promptly and without condition.
3. The Conference reiterates the call on the three States that operate unsafeguarded nuclear facilities and that have not yet acceded to the Treaty on the Non-Proliferation of Nuclear Weapons to reverse clearly and urgently any policies to pursue any nuclear-weapon development or deployment and to refrain from any action which 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.
4. The Conference underscores the importance of disarmament and non-proliferation education as a useful and effective means to advance the goals of the Treaty in support of achieving a world without nuclear weapons.

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