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**1995 REVIEW AND EXTENSION CONFERENCE OF
THE PARTIES TO THE TREATY ON
THE NON-PROLIFERATION OF NUCLEAR WEAPONS**

1. On 9 June 1995, the Director General received the following letter, addressed to him by the Governor from Australia on the Board of Governors:

"On behalf of the delegations of Algeria, Argentina, Australia, Austria, Belgium, Canada, Croatia, the Czech Republic, Denmark, Egypt, Finland, Greece, Hungary, the Islamic Republic of Iran, Japan, the Republic of Korea, the Netherlands, New Zealand, the Russian Federation, the Slovak Republic, South Africa, Thailand, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, I should like to convey to you the following request:

"To issue as an Information Circular of the International Atomic Energy Agency (IAEA), in time for the June session of its Board of Governors, a number of important documents recording the outcome of the 1995 NPT Review and Extension Conference held in New York from 17 April to 12 May which we believe are particularly relevant to the work of the IAEA.

"The first of these is an advance copy of the first of three documents which President Dhanapala intends to send to UN Member States. Entitled "Organization and work of the Conference" [NPT/CONF.1995/32/(Part 1)], it includes as an Annex the texts of the three decisions taken and the resolution adopted on 11 May - decisions entitled "Strengthening the Review Process for the Treaty", "Principles and Objectives for Nuclear Non-Proliferation and Disarmament" and "Extension of the Treaty on the Non-Proliferation of Nuclear Weapons" and a resolution on the Middle East.

"The second document consists of texts of the reports of Main Committees II and III, NPT/CONF.1995/MC.II/1 and NPT/CONF.1995/MC.III/1, as submitted to the Drafting Committee and both dated 5 May."

2. The material in question is accordingly attached for the information of all Member States.

ADVANCE COPY

INFCIRC/474

NPT/CONF.1995/32 (Part I)

**1995 Review and Extension Conference of the Parties to the
Treaty on the Non-Proliferation of Nuclear Weapons**

FINAL DOCUMENT

Part I

Organization and Work of the Conference

New York, 1995

The Final Document of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons consists of three parts:

- I. Organization and Work of the Conference (NPT/CONF.1995/32 (Part I))
- II. Documents issued at the Conference (NPT/CONF.1995/32 (Part II))
- III. Summary Records and Verbatim Records (NPT/CONF.1995/32 (Part III))

Part I. Organization and Work of the Conference

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ORGANIZATION AND WORK OF THE CONFERENCE

Introduction

1. At its forty-seventh session the General Assembly of the United Nations, in its resolution 47/52 A, took note of the decision of the parties to the Treaty on the Non-Proliferation of Nuclear Weapons, following appropriate consultations, to form a preparatory committee for a conference to review the operation of the Treaty and to decide on its extension, as called for in article X, paragraph 2, and also provided for in article VIII, paragraph 3, of the Treaty.
2. The Preparatory Committee held four sessions: the first in New York from 10 to 14 May 1993, the second in New York from 17 to 21 January 1994, the third in Geneva from 12 to 16 September 1994 and the fourth in New York from 23 to 27 January 1995. Progress reports on the first three sessions of the Committee were issued as documents NPT/CONF.1995/PC.I/2, NPT/CONF.1995/PC.II/3 and NPT/CONF.1995/PC.III/15, respectively.
3. Pursuant to the request of the Preparatory Committee, the Secretariat of the United Nations, the International Atomic Energy Agency, the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean and the South Pacific Forum prepared a number of background papers, which were submitted to the Conference as background documents as follows:
 - (a) By the Secretariat of the United Nations:
 - Developments since the Fourth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons towards the realization of the purposes of the tenth preambular paragraph of the Treaty (NPT/CONF.1995/2)
 - Implementation of articles I and II of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.1995/3)
 - Developments since the Fourth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons relating to article VI of the Treaty (NPT/CONF.1995/4)
 - Implementation of article VII of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.1995/5)

Developments with regard to effective international arrangements to assure non-nuclear-weapons States against the use or threat of use of nuclear weapons (NPT/CONF.1995/6)

Other activities relevant to article III (NPT/CONF.1995/7/Part II)

(b) By the International Atomic Energy Agency:

Activities of the International Atomic Energy Agency relevant to article III of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.1995/7/Part I)

Activities of the International Atomic Energy Agency relevant to article IV of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.1995/8)

Activities of the International Atomic Energy Agency relevant to article V of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.1995/9)

(c) By the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean:

Memorandum from the General Secretariat of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean prepared for the 1995 Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.1995/10 and Add.1)

(d) By the South Pacific Forum secretariat:

South Pacific Nuclear-Free-Zone Treaty (NPT/CONF.1995/11).

4. The final report of the Preparatory Committee for the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.1995/1) was issued as a document of the Conference prior to its opening. The report included, inter alia, the provisional agenda for the Conference, a proposed allocation of items to the Main Committees of the Conference, the draft rules of procedure and a schedule for the division of costs of the Conference.

Organization of the Conference

5. In accordance with the decision of the Preparatory Committee, the Conference was convened on 17 April 1995 at United Nations Headquarters in New York. After the opening of the Conference by Mr. Pasi Patokallio of Finland, Chairman of the fourth session of the Preparatory Committee, the Conference elected by acclamation as its President Mr. Jayantha Dhanapala of Sri Lanka. The Conference also unanimously confirmed the nomination of

Mr. Prvoslav Davinic, Director of the United Nations Centre for Disarmament Affairs, as Secretary-General of the Conference.

6. At the same meeting, H.E. Mr. Boutros Boutros-Ghali, Secretary-General of the United Nations, and H.E. Mr. Hans Blix, Director General of the International Atomic Energy Agency, addressed the Conference. The Hon. Warren E. Christopher, Secretary of State of the United States of America, welcomed the participants on behalf of the host country.

7. At the opening meeting, the Conference adopted its agenda and the allocation of items to the Main Committees of the Conference as proposed by the Preparatory Committee (NPT/CONF.1995/1).

8. At its 16th meeting, on 10 May 1995, the Conference adopted the rules of procedure (NPT/CONF.1995/28).

9. The rules of procedure provided for the establishment of three Main Committees, a general committee, a drafting committee and a credentials committee.

10. The Conference unanimously elected the Chairmen and Vice-Chairmen of the three Main Committees, the Drafting Committee and the Credentials Committee, as follows:

Main Committee I	Chairman	Mr. Isaac E. Ayewah (Nigeria)
	Vice-Chairman	Mr. Richard Starr (Australia)
	Vice-Chairman	Mr. Anatoli M. Zlenko (Ukraine)
Main Committee II	Chairman	Mr. André Erdős (Hungary)
	Vice-Chairman	Mr. Enrique de la Torre (Argentina)
	Vice-Chairman	Mr. Rajab Sukayri (Jordan)
Main Committee III	Chairman	Mr. Jaap Ramaker (Netherlands)
	Vice-Chairman	Mr. Yanko Yanes (Bulgaria)
	Vice-Chairman	Mr. Gustavo Alvarez Goyoaga (Uruguay)
Drafting Committee	Chairman	Mr. Tadeusz Strulak (Poland)
	Vice-Chairman	Mr. Nabil Fahmy (Egypt)
	Vice-Chairman	Mr. Pasi Patokallio (Finland)
Credentials Committee	Chairman	Mr. Andelfo Garcia (Colombia)
	Vice-Chairman	Mr. Alyaksandr Sychou (Belarus)
	Vice-Chairperson	Ms. Mary Elizabeth Hoinkes (United States of America)

11. The Conference also unanimously elected 33 vice-presidents from the following States parties: Algeria, Australia, Austria, Bangladesh, Belarus, Bulgaria, Cameroon, Canada, China, Congo, Czech Republic, Finland, France, Indonesia, Iran (Islamic Republic of), Japan, Malaysia, Mali, Mexico, Norway, Peru, Romania, Russian Federation, Slovakia, South Africa, Sweden, Trinidad and Tobago, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America and Venezuela.

12. The Conference appointed representatives from the following States parties as members of the Credentials Committee: Armenia, Germany, Italy, Lesotho, Lithuania and Myanmar.

Participation in the Conference

13. One hundred and seventy-five States parties to the Treaty on the Non-Proliferation of Nuclear Weapons participated in the Conference as follows: Afghanistan, Albania, Algeria, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Holy See, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zaire, Zambia and Zimbabwe.

14. In accordance with subparagraph 1 (a) of rule 44, 10 States not parties to the Treaty, namely Angola, Brazil, Chile, Cuba, Djibouti, Israel, Oman, Pakistan, United Arab Emirates and Vanuatu, attended the Conference as observers.

15. In accordance with subparagraph 1 (b) of rule 44, Palestine was granted observer status.

16. The United Nations and the International Atomic Energy Agency participated in the Conference in accordance with paragraph 2 of rule 44.

17. In accordance with paragraph 3 of rule 44, the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, the European Community, the League of Arab States, the South Pacific Forum, the International Committee of the Red Cross, the Nuclear Energy Agency of the Organization for Economic Cooperation and Development, the North Atlantic Assembly, the Organization of African Unity and the Organization of the Islamic Conference were granted observer agency status.

18. One hundred and ninety-five research institutes and non-governmental organizations attended the Conference in accordance with paragraph 4 of rule 44.

19. A list of all delegations to the Conference, including States parties, observers, the United Nations and the International Atomic Energy Agency, observer agencies and research institutes and non-governmental organizations, is contained in Part II of the present document.

20. The Credentials Committee held four meetings and, on 9 May 1995, adopted its report to the Conference on the credentials of States parties (NPT/CONF.1995/CC/1). At its 16th plenary meeting, on 10 May, the Conference took note of the report.

Financial arrangements

21. At its 16th plenary meeting, the Conference decided to adopt the cost-sharing formula proposed by the Preparatory Committee in the appendix to rule 12 of the rules of procedure (NPT/CONF.1995/28). The final schedule of costs as contained in document NPT/CONF.1995/29 was based on the actual participation of States parties in the Conference.

Work of the Conference

22. The Conference held 19 plenary meetings between 17 April and 12 May 1995, when it concluded its work.

23. The general debate in the plenary, in which 116 States parties took part, was held from 18 to 25 April.

24. Main Committee I held 12 meetings between 19 April and 6 May 1995. Its report (NPT/CONF.1995/MC.I/1) was submitted to the Conference at the 15th meeting on 8 May 1995. Main Committee II held 10 meetings between 19 April and 5 May 1995. Its report (NPT/CONF.1995/MC.II/1) was submitted to the Conference at the 14th meeting on 5 May 1995. Main Committee III held 6 meetings between 20 April and 5 May 1995. Its report (NPT/CONF.1995/MC.III/1) was submitted to the Conference at the 14th meeting on 5 May 1995. The reports of the three Main Committees as submitted to the Conference constitute part of the Final Document.

25. The Drafting Committee met in the period from 28 April to 12 May 1995. Its report (NPT/CONF.1995/DC/1) was submitted to the Conference at the 19th meeting on 12 May 1995. At that meeting, the Conference took note of the report.

Documentation

26. A list of the documents of the Conference is contained in Part II of the present document.

Conclusions of the Conference

27. At its 19th plenary meeting, on 12 May 1995, the Conference, notwithstanding extensive consultations and considerable effort, was unable to adopt a final declaration on the review of the operation of the Treaty.

28. In connection with agenda item 19, entitled "Decision on the extension of the Treaty as provided for in article X, paragraph 2", the Conference had before it the following proposals:

- (a) A draft resolution submitted by Mexico (NPT/CONF.1995/L.1/Rev.1);
- (b) A draft decision submitted by Canada, on behalf of Albania, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, the Bahamas, Barbados, Belarus, Belgium, Benin, Bolivia, Bulgaria, Cambodia, Cameroon, the Central African Republic, Chad, Costa Rica, Côte d'Ivoire, Croatia, the Czech Republic, Denmark, Dominica, the Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Greece, Grenada, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kazakstan, Kyrgyzstan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malta, the Marshall Islands, the Federated States of Micronesia, Monaco, Mongolia, the Netherlands, New Zealand, Nicaragua, Norway, Palau, Panama, Paraguay, Peru, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Romania, the Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Senegal,

Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, Tajikistan, the former Yugoslav Republic of Macedonia, Togo, Tonga, Turkey, Turkmenistan, Tuvalu, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uzbekistan (NPT/CONF.1995/L.2), which was later also sponsored by Guyana, Haiti, Nauru, Nepal, the Philippines, Suriname, Venezuela and Zaire;

- (c) A draft decision submitted by Indonesia, on behalf of the Democratic People's Republic of Korea, Iran (Islamic Republic of), Jordan, Malaysia, Mali, Myanmar, Nigeria, Papua New Guinea, Thailand and Zimbabwe (NPT/CONF.1995/L.3), which was later also sponsored by Ghana, the United Republic of Tanzania and Zambia.

29. The Conference had before it also the following draft decisions proposed by the President:

- (a) A draft decision entitled "Strengthening the Review Process for the Treaty" (NPT/CONF.1995/L.4);
- (b) A draft decision entitled "Principles and Objectives for Nuclear Non-Proliferation and Disarmament" (NPT/CONF.1995/L.5);
- (c) A draft decision entitled "Decision on the Extension of the Treaty on the Non-Proliferation of Nuclear Weapons" (NPT/CONF.1995/L.6).

30. At its 17th plenary meeting, on 11 May 1995, the Conference decided to take action on the three draft decisions proposed by the President as follows:

- (a) NPT/CONF.1995/L.4 was adopted without a vote as Decision 1 (NPT/CONF.1995/32/DEC.1);
- (b) NPT/CONF.1995/L.5 was adopted without a vote as Decision 2 (NPT/CONF.1995/32/DEC.2);
- (c) NPT/CONF.1995/L.6 was adopted without a vote as Decision 3 (NPT/CONF.1995/32/DEC.3).

The text of these decisions is contained in the annex to this document.

31. Consequently, the sponsors of draft resolution NPT/CONF.1995/L.1/Rev.1, of draft decision NPT/CONF.1995/L.2 and of draft decision NPT/CONF.1995/L.3 did not pursue action with regard to their specific proposals.

32. In connection with rule 24 of the rules of procedure, i.e. submission of other proposals, the Conference had before it a draft resolution sponsored by Algeria, Bahrain, Egypt, Iraq, Jordan, Kuwait, the Libyan Arab Jamahiriya, Mauritania, Morocco, Qatar, Saudi Arabia, the Sudan, Tunisia and Yemen contained in document NPT/CONF.1995/L.7 and a draft resolution sponsored by the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America contained in document NPT/CONF.1995/L.8.

33. At its 17th meeting, the Conference adopted draft resolution NPT/CONF.1995/L.8, as orally amended, without a vote as Resolution 1 (NPT/CONF.1995/32/RES/1). The text of the resolution is contained in the annex to this document. The sponsors of draft resolution NPT/CONF.1995/L.7 did not pursue action with regard to their proposal.

Annex

NPT/CONF.1995/32/DEC.1	Decision entitled "Strengthening the Review Process for the Treaty"
NPT/CONF.1995/32/DEC.2	Decision entitled "Principles and Objectives for Nuclear Non-Proliferation and Disarmament"
NPT/CONF.1995/32/DEC.3	Decision entitled "Extension of the Treaty on the Non-Proliferation of Nuclear Weapons"
NPT/CONF.1995/32/RES/1	Resolution on the Middle East

11 May 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

Decision

STRENGTHENING THE REVIEW PROCESS FOR THE TREATY

1. The Conference examined the implementation of article VIII, 3, of the Treaty and agreed to strengthen the review process for the operation of the Treaty with a view to assuring that the purposes of the Preamble and the provisions of the Treaty are being realized.
2. The States party to the Treaty participating in the Conference decided, in accordance with article VIII, 3, of the Treaty, that Review Conferences should continue to be held every five years and that, accordingly, the next Review Conference should be held in the year 2000.
3. The Conference decided that, beginning in 1997, the Preparatory Committee should hold, normally for a duration of 10 working days, a meeting in each of the three years prior to the Review Conference. If necessary, a fourth preparatory meeting may be held in the year of the Conference.
4. The purpose of the Preparatory Committee meetings would be to consider principles, objectives and ways in order to promote the full implementation of the Treaty, as well as its universality, and to make recommendations thereon to the Review Conference. These include those identified in the Decision on Principles and Objectives for Nuclear Non-Proliferation and Disarmament adopted on 11 May 1995. These meetings should also make the procedural preparations for the next Review Conference.
5. The Conference also concluded that the present structure of three Main Committees should continue and the question of an overlap of issues being discussed in more than one Committee should be resolved in the General Committee, which would coordinate the work of the Committees so that the substantive responsibility for the preparation of the report with respect to each specific issue is undertaken in only one Committee.
6. It was also agreed that subsidiary bodies could be established within the respective Main Committees for specific issues relevant to the Treaty, so as to provide for a focused consideration of such issues. The establishment of such subsidiary bodies would be recommended by the Preparatory Committee for each Review Conference in relation to the specific objectives of the Review Conference.

7. The Conference agreed further that Review Conferences should look forward as well as back. They should evaluate the results of the period they are reviewing, including the implementation of undertakings of the States parties under the Treaty, and identify the areas in which, and the means through which, further progress should be sought in the future. Review Conferences should also address specifically what might be done to strengthen the implementation of the Treaty and to achieve its universality.

New York, 17 April-12 May 1995

Decision

PRINCIPLES AND OBJECTIVES FOR NUCLEAR NON-PROLIFERATION
AND DISARMAMENT

Reaffirming the preamble and articles of the Treaty on the Non-Proliferation of Nuclear Weapons,

Welcoming the end of the cold war, the ensuing easing of international tension and the strengthening of trust between States,

Desiring a set of principles and objectives in accordance with which nuclear non-proliferation, nuclear disarmament and international cooperation in the peaceful uses of nuclear energy should be vigorously pursued and progress, achievements and shortcomings evaluated periodically within the review process provided for in article VIII (3) of the Treaty, the enhancement and strengthening of which is welcomed,

Reiterating the ultimate goals of the complete elimination of nuclear weapons and a treaty on general and complete disarmament under strict and effective international control,

The Conference affirms the need to continue to move with determination towards the full realization and effective implementation of the provisions of the Treaty, and accordingly adopts the following principles and objectives:

Universality

1. Universal adherence to the Treaty on the Non-Proliferation of Nuclear Weapons is an urgent priority. All States not yet party to the Treaty are called upon to accede to the Treaty at the earliest date, particularly those States that operate unsafeguarded nuclear facilities. Every effort should be made by all States parties to achieve this objective.

Non-proliferation

2. The proliferation of nuclear weapons would seriously increase the danger of nuclear war. The Treaty on the Non-Proliferation of Nuclear Weapons has a vital role to play in preventing the proliferation of nuclear weapons. Every effort should be made to implement the Treaty in all its aspects 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.

Nuclear disarmament

3. Nuclear disarmament is substantially facilitated by the easing of international tension and the strengthening of trust between States which have prevailed following the end of the cold war. The undertakings with regard to nuclear disarmament as set out in the Treaty on the Non-Proliferation of Nuclear Weapons should thus be fulfilled with determination. In this regard, the nuclear-weapon States reaffirm their commitment, as stated in article VI, to pursue in good faith negotiations on effective measures relating to nuclear disarmament.

4. The achievement of the following measures is important in the full realization and effective implementation of article VI, including the programme of action as reflected below:

(a) The completion by the Conference on Disarmament of the negotiations on a universal and internationally and effectively verifiable Comprehensive Nuclear-Test-Ban Treaty no later than 1996. Pending the entry into force of a Comprehensive Test-Ban Treaty, the nuclear-weapon States should exercise utmost restraint;

(b) The immediate commencement and early conclusion of negotiations on a non-discriminatory and universally applicable convention banning the production of fissile material for nuclear weapons or other nuclear explosive devices, in accordance with the statement of the Special Coordinator of the Conference on Disarmament and the mandate contained therein;

(c) The determined pursuit by the nuclear-weapon States of systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goals of eliminating those weapons, and by all States of general and complete disarmament under strict and effective international control.

Nuclear-weapon-free zones

5. The conviction that the establishment of 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 is reaffirmed.

6. The development of nuclear-weapon-free zones, especially in regions of tension, such as in the Middle East, as well as the establishment of zones free of all weapons of mass destruction should be encouraged as a matter of priority, taking into account the specific characteristics of each region. The establishment of additional nuclear-weapon-free zones by the time of the Review Conference in the year 2000 would be welcome.

7. The cooperation of all the nuclear-weapon States and their respect and support for the relevant protocols is necessary for the maximum effectiveness of such nuclear-weapon-free zones and the relevant protocols.

Security assurances

8. Noting United Nations Security Council resolution 984 (1995), which was adopted unanimously on 11 April 1995, as well as the declarations by the nuclear-weapon States concerning both negative and positive security assurances, further steps should be considered to assure non-nuclear-weapon States party to the Treaty against the use or threat of use of nuclear weapons. These steps could take the form of an internationally legally binding instrument.

Safeguards

9. The International Atomic Energy Agency (IAEA) is the competent authority responsible to verify and assure, in accordance with the statute of the IAEA and the Agency's safeguards system, compliance with its safeguards agreements with States parties undertaken in fulfilment of their obligations under article III (1) of the Treaty, with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices. Nothing should be done to undermine the authority of the IAEA in this regard. States parties that have concerns regarding non-compliance with the safeguards agreements of the Treaty by the States parties should direct such concerns, along with supporting evidence and information, to the IAEA to consider, investigate, draw conclusions and decide on necessary actions in accordance with its mandate.

10. All States parties required by article III of the Treaty to sign and bring into force comprehensive safeguards agreements and which have not yet done so should do so without delay.

11. IAEA safeguards should be regularly assessed and evaluated. Decisions adopted by its Board of Governors aimed at further strengthening the effectiveness of IAEA safeguards should be supported and implemented and the IAEA's capability to detect undeclared nuclear activities should be increased. Also States not party to the Treaty on the Non-Proliferation of Nuclear Weapons should be urged to enter into comprehensive safeguards agreements with the IAEA.

12. 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 IAEA full-scope safeguards and internationally legally binding commitments not to acquire nuclear weapons or other nuclear explosive devices.

13. Nuclear fissile material transferred from military use to peaceful nuclear activities should, as soon as practicable, be placed under IAEA safeguards in the framework of the voluntary safeguards agreements in place with the nuclear-weapon States. Safeguards should be universally applied once the complete elimination of nuclear weapons has been achieved.

Peaceful uses of nuclear energy

14. Particular importance should be attached to ensuring the exercise of the inalienable right of all the parties to the Treaty to develop research, production and use of nuclear energy for

peaceful purposes without discrimination and in conformity with articles I, II as well as III of the Treaty.

15. Undertakings to facilitate participation in the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy should be fully implemented.
16. In all activities designed to promote the peaceful uses of nuclear energy, preferential treatment should be given to the non-nuclear-weapon States party to the Treaty, taking the needs of developing countries particularly into account.
17. Transparency in nuclear-related export controls should be promoted within the framework of dialogue and cooperation among all interested States party to the Treaty.
18. All States should, through rigorous national measures and international cooperation, maintain the highest practicable levels of nuclear safety, including in waste management, and observe standards and guidelines in nuclear materials accounting, physical protection and transport of nuclear materials.
19. Every effort should be made to ensure that the IAEA has the financial and human resources necessary in order to meet effectively its responsibilities in the areas of technical cooperation, safeguards and nuclear safety. The IAEA should also be encouraged to intensify its efforts aimed at finding ways and means for funding technical assistance through predictable and assured resources.
20. Attacks or threats of attack on nuclear facilities devoted to peaceful purposes jeopardize nuclear safety and raise serious concerns regarding the application of international law on the use of force in such cases, which could warrant appropriate action in accordance with the provisions of the Charter of the United Nations.

The Conference requests that the President of the Conference bring this decision, the Decision on Strengthening the Review Process for the Treaty and the Decision on the Extension of the Treaty to the attention of the heads of State or Government of all States and seek their full cooperation on these documents and in the furtherance of the goals of the Treaty.

11 May 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

Decision

EXTENSION OF THE TREATY ON THE NON-PROLIFERATION OF
NUCLEAR WEAPONS

The Conference of the States Party to the Treaty on the Non-Proliferation of Nuclear Weapons (hereinafter referred to as "the Treaty") convened in New York from 17 April to 12 May 1995, in accordance with articles VIII,3 and X,2 of the Treaty,

Having reviewed the operation of the Treaty and affirming that there is a need for full compliance with the Treaty, its extension and its universal adherence, which are essential to international peace and security and the attainment of the ultimate goals of the complete elimination of nuclear weapons and a treaty on general and complete disarmament under strict and effective international control,

Having reaffirmed article VIII,3 of the Treaty and the need for its continued implementation in a strengthened manner and, to this end, emphasizing the Decision on Strengthening the Review Process for the Treaty and the Decision on Principles and Objectives for Nuclear Non-Proliferation and Disarmament also adopted by the Conference,

Having established that the Conference is quorate in accordance with article X,2 of the Treaty,

Decides that, as a majority exists among States party to the Treaty for its indefinite extension, in accordance with its article X,2, the Treaty shall continue in force indefinitely.

11 May 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

Resolution on the Middle East

The Conference of the States parties to the Treaty on the Non-Proliferation of Nuclear Weapons,

Reaffirming the purpose and provisions of the Treaty on the Non-Proliferation of Nuclear Weapons,

Recognizing that, pursuant to article VII of the Treaty on the Non-Proliferation of Nuclear Weapons, the establishment of nuclear-weapon-free zones contributes to strengthening the international non-proliferation regime,

Recalling that the Security Council, in its statement of 31 January 1992, ^{1/} affirmed that the proliferation of nuclear and all other weapons of mass destruction constituted a threat to international peace and security,

Recalling also General Assembly resolutions adopted by consensus supporting the establishment of a nuclear-weapon-free zone in the Middle East, the latest of which is resolution 49/71 of 15 December 1994,

Recalling further the relevant resolutions adopted by the General Conference of the International Atomic Energy Agency concerning the application of Agency safeguards in the Middle East, the latest of which is GC(XXXVIII)/RES/21 of 23 September 1994, and noting the danger of nuclear proliferation, especially in areas of tension,

Bearing in mind Security Council resolution 687 (1991) and in particular paragraph 14 thereof,

Noting Security Council resolution 984 (1995) and paragraph 8 of the Decision on Principles and Objectives for Nuclear Non-Proliferation and Disarmament adopted by the Conference on 11 May 1995,

Bearing in mind the other Decisions adopted by the Conference on 11 May 1995,

1. Endorses the aims and objectives of the Middle East peace process and recognizes that efforts in this regard, as well as other efforts, contribute to, inter alia, a Middle East zone free of nuclear weapons as well as other weapons of mass destruction;
2. Notes with satisfaction that in its report Main Committee III of the Conference (NPT/CONF.1995/MC.III/1) recommended that the Conference "call on those remaining States not parties to the Treaty to accede to it, thereby accepting an international legally binding commitment not to acquire nuclear weapons or nuclear explosive devices and to accept International Atomic Energy Agency safeguards on all their nuclear activities";
3. Notes with concern the continued existence in the Middle East of unsafeguarded nuclear facilities, and reaffirms in this connection the recommendation contained in paragraph VI/3 of the report of Main Committee III urging those non-parties to the Treaty which operate unsafeguarded nuclear facilities to accept full scope International Atomic Energy Agency safeguards;
4. Reaffirms the importance of the early realization of universal adherence to the Treaty on the Non-Proliferation of Nuclear Weapons, and calls upon all States of the Middle East that have not yet done so, without exception, to accede to the Treaty as soon as possible and to place their nuclear facilities under full scope International Atomic Energy Agency safeguards;
5. Calls upon all States in the Middle East to take practical steps in appropriate forums aimed at making progress towards, inter alia, the establishment of an effectively verifiable Middle East zone free of weapons of mass destruction, nuclear, chemical and biological, and their delivery systems, and to refrain from taking any measures that preclude the achievement of this objective;
6. Calls upon all States party to the Treaty on the Non-Proliferation of Nuclear Weapons, and in particular the nuclear-weapon States, to extend their cooperation and to exert their utmost efforts with a view to ensuring the early establishment by regional parties of a Middle East zone free of nuclear and all other weapons of mass destruction and their delivery systems.

**1995 Review and Extension Conference
of the Parties to the Treaty on the
Non-Proliferation of Nuclear Weapons**

NPT/CONF.1995/MC.II/1
5 May 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

REPORT OF MAIN COMMITTEE II

Establishment and terms of reference

1. Under rule 34 of its rules of procedure as provisionally applied, the Conference established Main Committee II as one of its three Main Committees and decided to allocate to it the following items for its consideration (see NPT/CONF.1995/1):

Item 16. Review of the operation of the Treaty as provided for in its article VIII, paragraph 3:

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

- (i) Article III and preambular paragraphs 4 and 5, especially in their relationship to article IV and preambular paragraphs 6 and 7;
- (ii) Articles I and II and preambular paragraphs 1 to 3 in their relationship to articles III and IV;
- (iii) Article VII;

(e) Other provisions of the Treaty.

Item 17. 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 promoting wider acceptance of the Treaty.

Officers of the Committee

2. The Conference unanimously elected Mr. André Erdős (Hungary) as the Chairman of the Committee and Mr. Enrique J. de la Torre (Argentina) and Mr. Rajal Sukayri (Jordan) as Vice-Chairmen of the Committee.

Documents before the Committee

3. The Committee had before it the following documents:



(a) Background documents

NPT/CONF.1995/5 and Corr.1	Implementation of article VII of the Treaty
NPT/CONF.1995/7/Part I	Activities of IAEA relevant to article III of the Treaty
NPT/CONF.1995/7/Part II	Other activities relevant to article III
NPT/CONF.1995/8	Activities of IAEA relevant to article IV of the Treaty
NPT/CONF.1995/10 and Add.1	Memorandum from the General Secretariat of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean prepared for the Conference
NPT/CONF.1995/11	South Pacific Nuclear-Free-Zone Treaty
NPT/CONF.1995/14	Letter dated 27 March 1995 from the Permanent Representative of Indonesia addressed to the provisional Secretary- General of the Conference (previously issued as NPT/CONF.1995/PC.III/13)
NPT/CONF.1995/17	Letter dated 10 April 1995 from the Deputy Director of the United States Arms Control and Disarmament Agency addressed to the provisional Secretary-General of the Conference
NPT/CONF.1995/18	Letter dated 17 April 1995 from the representative of China to the United Nations and deputy head of the Chinese delegation addressed to the Secretary- General of the Conference
NPT/CONF.1995/19	Letter dated 17 April 1995 from the alternate head of the Indonesian delegation addressed to the Secretary-General of the Conference
NPT/CONF.1995/20	Letter dated 17 April 1995 from the representatives of France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America addressed to the Secretary-General of the Conference

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NPT/CONF.1995/21 and
Corr.1

Multilateral nuclear supply principles: working paper submitted by Australia, Austria, Belgium, Bulgaria, Canada, the Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Luxembourg, the Netherlands, Norway, Poland, Portugal, Romania, the Russian Federation, the Slovak Republic, South Africa, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America as members of the Zangger Committee

NPT/CONF.1995/24

Letter dated 21 April 1995 from the head of the delegation of the United Kingdom of Great Britain and Northern Ireland addressed to the Secretary-General of the Conference

NPT/CONF.1995/25

Note verbale dated 24 April 1995 from the delegation of the Russian Federation addressed to the Secretary-General of the Conference

NPT/CONF.1995/26

Letter dated 25 April 1995 from the Permanent Representative of China to the United Nations and deputy head of the Chinese delegation addressed to the Secretary-General of the Conference

(b) Documents submitted to and introduced in Main Committee II

NPT/CONF.1995/MC.II/WP.1

Article III - introduction: working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden

NPT/CONF.1995/MC.II/WP.2

Article III - safeguards: working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden

NPT/CONF.1995/MC.II/WP.3

Article III - state systems of accounting and control: working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden

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- NPT/CONF.1995/MC.II/WP.4 Article III - financing of safeguards: working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden
- NPT/CONF.1995/MC.II/WP.5 Article III - safeguards in nuclear-weapon States: working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden
- NPT/CONF.1995/MC.II/WP.6 Article III - IAEA inspectors: working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden
- NPT/CONF.1995/MC.II/WP.7 Article III - export licensing: working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden
- NPT/CONF.1995/MC.II/WP.8 Article III - physical protection: working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden
- NPT/CONF.1995/MC.II/WP.9 Article III - plutonium: working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden
- NPT/CONF.1995/MC.II/WP.10 Prevention of nuclear-weapon proliferation, nuclear safeguards and nuclear-weapon-free zones: working paper submitted by China
- NPT/CONF.1995/MC.II/WP.11 Article III - IAEA safeguards, including special inspections and preventing clandestine nuclear weapon programmes: working paper submitted by Romania
- NPT/CONF.1995/MC.II/WP.12 Article III - export licensing: working paper submitted by Romania
- NPT/CONF.1995/MC.II/WP.13 Article VII - nuclear-weapon-free zones: working paper submitted by Egypt

- NPT/CONF.1995/MC.II/WP.14 Article VII - South East Asia nuclear-weapon-free zones: working paper submitted by Brunei Darussalam, Indonesia, Malaysia, the Philippines, Singapore and Thailand
- NPT/CONF.1995/MC.II/WP.15 and Add.1 Article III - conditions of nuclear supply (full-scope safeguards): working paper submitted by Argentina, Armenia, Australia, Austria, Belgium, Brunei Darussalam, Cambodia, Canada, Croatia, the Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Indonesia, Ireland, Japan, the Republic of Korea, Kyrgyzstan, Malaysia, the Netherlands, New Zealand, Nigeria, Norway, Peru, the Philippines, Poland, Romania, Samoa, Singapore, Slovakia, South Africa, Sri Lanka, Sweden and Thailand
- NPT/CONF.1995/MC.II/WP.16 Article VII - nuclear-weapon-free zones: working paper submitted by Argentina, Australia, Bolivia, Fiji, Mexico, New Zealand, Nigeria, Peru, Samoa, Solomon Islands and South Africa
- NPT/CONF.1995/MC.II/WP.17 Article VII - nuclear-weapon-free zone in Central Asia: working paper submitted by Kyrgyzstan
- NPT/CONF.1995/MC.II/WP.18 Articles III and VII - nuclear safeguards, nuclear-weapon-free zones and export control, working paper submitted by the Movement of Non-Aligned Countries

(c) Conference room papers

- NPT/CONF.1995/MC.II/CRP.1 Schedule of the meetings of Committee II
- NPT/CONF.1995/MC.II/CRP.2 Chairman's proposal for a possible structure of discussion
- NPT/CONF.1995/MC.II/CRP.3 Copies of the transparencies on strengthening the effectiveness and improving the efficiency of the IAEA safeguards system as presented by Richard Hooper (IAEA), on 21 April 1995

Work of the Committee

4. The Committee held 10 meetings, from 19 April to 5 May 1995; an account of the discussion is contained in the relevant summary records (NPT/CONF.1995/MC.II/SR.1-10). The Committee also held informal consultations

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during that period. The Chairman of the Committee was assisted by the Vice-Chairmen in coordinating the informal consultations convened to examine various proposals and documents submitted to the Committee. After an item-by-item consideration of the agenda items allocated to it, the Committee, at both its formal and informal meetings, proceeded to a detailed discussion of the proposals and documents before it; the results of the discussions are outlined in paragraph 6 below. The various views expressed and proposals made are reflected in the summary records of the Committee and in the working papers submitted to it. Those summary records and working papers form an integral part of the report of the Committee to the Conference. In addition, at its second meeting, the Committee invited Mr. R. Hooper of IAEA to make a presentation on the subject of strengthening the effectiveness and improving the efficiency of the IAEA safeguards system.

5. The Committee established a working group to consider the proposals related to nuclear-weapon-free zones, which was chaired by Mr. de la Torre (Argentina). The text on article VII was considered in a working group of Main Committees I and II. The Committee also established a drafting group to draft the text concerning export control and related matters which was chaired by Mr. Phillip MacKinnon (Canada).

Conclusions and recommendations

6. The Committee agreed on the following formulations for the Final Document of the Conference:

A. Review of Article III

1. The Conference recalls the generally positive assessment of the previous Review Conferences of the implementation of article III, and notes that recommendations at those Conferences for the future implementation of that article provide a helpful basis for States parties to the Treaty on the Non-Proliferation of Nuclear Weapons and the International Atomic Energy Agency (IAEA) to strengthen the barriers to proliferation and provide assurance of compliance with non-proliferation undertakings.
2. The Conference recognizes that the IAEA safeguards are an important integral part of the international regime for non-proliferation and play an indispensable role in ensuring the implementation of the Treaty. For this reason, it calls on all States parties to give their full and continuing support to the IAEA safeguards system.
3. The Conference affirms its determination to strengthen further the barriers to proliferation of nuclear weapons and other nuclear explosive devices and recalls the statement of 31 January 1992 by the President of the United Nations Security Council that reinforces the message that nuclear proliferation is a major threat to international peace and security, and that fully effective IAEA safeguards play an integral role in the implementation of the Treaty. The Conference emphasizes the importance of access to the Security Council by the Director General of IAEA and the vital role of the Council in upholding compliance with IAEA safeguards

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agreements and ensuring compliance with safeguards obligations by taking appropriate measures in the case of any violations notified to it by IAEA.

4. The Conference reaffirms that the non-proliferation Treaty is vital to preventing the spread of nuclear weapons and in providing significant security benefits. The parties remain convinced that universal adherence to the Treaty and full compliance with its provisions is indispensable to achieve this goal and they urge all States not parties to the Treaty to accede to it and conclude and bring into force comprehensive safeguards agreements with IAEA, as required by article III of the Treaty. It further affirms that full adherence to non-proliferation and safeguards commitments by all States parties helps to create an environment conducive to nuclear disarmament.

5. The Conference reaffirms the importance of both the safeguards system and the legitimate right of States parties to the benefits of the peaceful uses of nuclear energy, with particular attention to the needs of developing countries. It also reaffirms that the safeguards required by article III shall be implemented in a manner designed to comply with article IV and to avoid hampering the economic or technological development of the parties as well as international cooperation in the field of peaceful nuclear activities, including the international exchange of nuclear material and equipment for the processing, use or production of nuclear material for peaceful purposes in accordance with the provisions of article III and the principle of safeguards set forth in the preamble to the Treaty.

6. The Conference reaffirms that each State party to the Treaty has undertaken not to provide source or special fissionable material, or equipment or material especially designed or prepared for the processing, use or production of special fissionable material, to any non-nuclear-weapon State for peaceful purposes, unless the source or special fissionable material shall be subject to the safeguards required by article III.

7. The Conference reaffirms the conviction that IAEA safeguards provide assurance that States are complying with their undertakings and assist States in demonstrating this compliance. IAEA safeguards thereby promote further confidence among States and, being a fundamental element of the Treaty, help to strengthen their collective security. Such safeguards play a key role in preventing the proliferation of nuclear weapons and other nuclear explosive devices.

8. The Conference stresses that the non-proliferation and safeguards commitments in the Treaty are essential also for peaceful nuclear commerce and cooperation and that IAEA [full-scope] safeguards make a vital contribution to the environment for peaceful nuclear development and international cooperation in the peaceful uses of nuclear energy and are also a condition of supply of nuclear material and technology.

9. The Conference notes with satisfaction that, since the last Review Conference, with two regrettable exceptions caused by non-compliance with

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the Treaty by two States parties, IAEA has continued to provide States parties with assurance that nuclear material subject to its safeguards agreements had not been diverted to nuclear weapons or other nuclear explosive devices. The Conference commends the Agency on its efforts and notes that its activities had not hampered and should not hamper the use of nuclear energy for peaceful purposes in States parties.

10. [The Conference notes further that, in the case of Iraq, the Security Council took remedial action by resolutions 687 (1991) 707 (1991) and 715 (1991). The Conference commends IAEA for its efficient execution of the tasks requested by the Security Council, which has resulted in the identification, destruction, removal or rendering harmless of Iraq's past nuclear programme and the implementation of the ongoing monitoring and verification plan which has been operational since August 1994. The Conference stresses the need for Iraq to continue its cooperation fully with the Agency in achieving the complete and long-term implementation of the relevant Security Council resolutions.]

11. [The Conference notes the fact that the Democratic People's Republic of Korea has decided to remain in the Treaty and looks forward to that State's fulfilling its stated intention to come into full compliance with the IAEA-Democratic People's Republic of Korea Safeguards Agreement (INFCIRC/403) under the Treaty, which remains binding and in force. The Conference requests IAEA to take all steps it may deem necessary, following consultation between IAEA and the Democratic People's Republic of Korea with regard to verifying the correctness and completeness of the initial report of that State on all nuclear material in that country, to verify full compliance of the Democratic People's Republic of Korea with the IAEA-Democratic People's Republic of Korea Safeguards Agreement. The Conference requests that IAEA continue to report to the Security Council and to its Board of Governors on the implementation of INFCIRC/403 until the Democratic People's Republic of Korea has come into full compliance with that Agreement and that it also report on its activities related to monitoring that freeze of specified facilities in that country. The Conference notes that monitoring this freeze falls within the scope of the IAEA-Democratic People's Republic of Korea Safeguards Agreement.]

12. The Conference reiterates the call for universal adherence to the Treaty and the application of IAEA full-scope safeguards to all peaceful nuclear activities in all States parties in accordance with the provisions of the Treaty. The Conference notes with satisfaction that 18 States parties have concluded safeguards agreements in compliance with article III, paragraph 4, of the Treaty since 1990. It has expressed its concern that unsafeguarded ambiguous nuclear activities in some States not parties to the Treaty hold serious proliferation dangers and increase the threat perception of States parties to the Treaty. It also expresses concern, however, that 68 States parties to the Treaty have yet to conclude their agreements and urges that they do so and bring those agreements into force as soon as possible. It calls on those States parties that have not yet done so to complete the negotiation of subsidiary arrangements with IAEA. It also calls on all States not parties to the Treaty with

significant nuclear programmes to submit all their nuclear activities, both current and future, to the IAEA full-scope safeguards regime.

13. The Conference notes that, in the case of States without significant nuclear activities, conclusion of safeguards agreements involves simplified procedures. The Conference recommends that the Director General continue his efforts, as a matter of priority, to further facilitate and assist States parties in the conclusion and entry into force of such agreements. The Conference encourages bilateral assistance by States parties in particular regions to complement the ongoing efforts of IAEA.

14. The Conference commends IAEA on its implementation of safeguards pursuant to the Treaty, particularly in the light of the significant increases in the nuclear material, facilities and agreements involved. The Conference welcomes the continued efforts to improve safeguards effectiveness and efficiency. The Conference notes the new safeguard approaches being studied and implemented by IAEA and commends the Agency for its work in Programme 93+2, in particular its identification of a range of measures for strengthening the effectiveness and improving the efficiency of safeguards. In this regard the Conference encourages continued work by the Agency in further developing these approaches, and emphasizes that this process should be objective and non-discriminatory.

15. The Conference recognizes that a non-nuclear-weapon State party's obligation under article III, paragraph 1, of the Treaty to accept safeguards on all source or special fissionable material in all peaceful nuclear activities requires measures to ensure that safeguards are applied to all source or special fissionable material. This is reflected in paragraph 2 of document INFCIRC/153 on Treaty safeguards agreements, which provides for the right and obligation of IAEA to ensure that safeguards will be applied in accordance with the terms of the agreement on all source or special fissionable material in all peaceful nuclear activities. Accordingly, the Conference considers that the implementation of comprehensive safeguards agreements should be designed to provide for verification by the Agency of the correctness and completeness of a State's declaration, so that there is credible assurance of the non-diversion of nuclear material from declared activities and of the absence of undeclared nuclear activities in accordance with article III, paragraph 1, of the Treaty.

16. The Conference welcomes the outcome of the March 1995 meeting of the IAEA Board of Governors and endorses the general direction of Programme 93+2 for a strengthened and cost-effective safeguards system and, in that respect, calls on all States for their continued support. The Conference also endorses the intention of the Agency to consider to what extent measures proposed for strengthening comprehensive safeguards agreements may usefully be applied to item-specific safeguards agreements and to voluntary offer safeguards agreements with nuclear-weapon States. The Conference expresses the hope that the additional costs of measures to strengthen the Agency safeguards system can be offset by reductions in certain routine inspection activities that do not diminish their effectiveness.

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17. The Conference emphasizes that under comprehensive safeguards agreements States parties and IAEA have an obligation to cooperate fully at all times to facilitate the implementation of those agreements, so that safeguards can remain effective in all circumstances. The Conference emphasizes that further strengthening of the IAEA safeguards system is an essential element in enhancing verification under the Treaty. The Conference notes that a strengthened safeguards system will benefit from technological developments and calls for greater access for IAEA to relevant information and greater physical access to relevant sites under agreed arrangements.

18. The Conference urges IAEA to proceed expeditiously with consideration and decision on all aspects of Programme 93+2. The Conference invites all parties to the Treaty to implement measures approved or to be approved by the IAEA Board of Governors aimed at strengthening Agency safeguards and thereby improving the effectiveness and efficiency of those safeguards.

19. The Conference recommends that in the event of questions arising about the commitment to the non-proliferation objectives of the Treaty of any State party and to its legal obligations under Agency safeguards, and in particular about the safeguards coverage of its source or fissionable materials, appropriate steps be taken by IAEA and by that State party, in accordance with the Treaty and the safeguards agreement between them, to help restore confidence. The Conference reaffirms that IAEA should take full advantage of its rights, including the use of special inspections in conformity with paragraphs 73 and 77 of INFCIRC/153.

20. The Conference emphasizes that transparency with respect to national nuclear policies and programmes is an essential ingredient in the effectiveness of safeguards under the Treaty. The Conference requests that further effort be made by the Agency to improve the transparency of presentation of the results of its safeguards activities.

21. The Conference recognizes the role of IAEA as the sole body responsible for verifying, in accordance with the statute of IAEA and the Agency's 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 diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices. It is the conviction of the Conference that nothing should be done to undermine the authority of IAEA in this regard. States parties that have concerns regarding non-compliance with the safeguards agreements of the Treaty by the States parties should direct such concerns, together with supporting evidence and information, to IAEA so that it may consider, investigate, draw conclusions and decide on necessary actions in accordance with its mandate. [States parties conclusions and actions shall by no means affect or undermine the rights and obligations of the States parties as stipulated in the Treaty.]

22. The Conference reaffirms its conviction that all parties to the Treaty are entitled to participate in the fullest possible exchange of scientific information for, and to contribute alone or in cooperation with other

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States to, the further development of the application of atomic energy for peaceful purposes. In that regard, nothing in the Treaty, including in article III, shall be interpreted as affecting the inalienable right of all the parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II of the Treaty. Improvement of the effectiveness and efficiency of the safeguard system has not and should not, therefore, hamper the promotion of the peaceful uses of nuclear energy and should accord full respect of the legitimate rights and interests of States parties.

23. The Conference emphasizes the importance of maintaining IAEA staff of the highest professional standard, with due regard to the call for an increase in the number of safeguards inspectors from developing countries, in order to have the widest geographical distribution possible. It welcomes the improvement in this situation since the last Review Conference, and notes with satisfaction the Agency's efforts to overcome this problem.

24. The Conference calls for increased cooperation by all States concerned in removing remaining restrictions by responding more quickly to IAEA designation proposals for Agency inspectors, including, where possible, the implementation of procedures to improve the efficiency of safeguards inspections as outlined by the Agency, such as cooperating with the Agency on visa requirements, accepting IAEA staff members approved in the Board of Governors for inspection activities, and permitting inspectors to use independent means of communication during inspection activities for the purpose of facilitating the conduct of their inspection activities.

25. 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 IAEA resources. The Conference welcomes and supports the steps taken by nuclear-weapon States to ensure the transparency and irreversibility of nuclear arms reductions, including the recent unilateral offer to place excess fissile material under IAEA safeguards.

26. The Conference also calls for further progress towards the separation of the peaceful and military nuclear facilities in the nuclear-weapon States. It affirms the importance of ensuring that nuclear material supplies delivered to them for peaceful purposes will not be used for nuclear weapons or other nuclear explosive devices. The Conference believes that such nuclear material supplies for peaceful purposes should be subject to relevant safeguards agreements concluded between the nuclear-weapon States and IAEA. The Conference recognizes the value of the voluntary offer safeguards agreements of the five nuclear-weapon States in strengthening the non-proliferation regime.

27. The Conference notes the financial constraints under which the IAEA safeguards system has had to function and calls upon all parties to continue their political, technical and financial support of the IAEA

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safeguards system in order to ensure that IAEA is able to meet its international legal obligations pursuant to safeguards agreements under the Treaty, and its increasing safeguards responsibilities. The Conference requests IAEA to continue to identify the resources needed to meet effectively and efficiently all of its safeguards responsibilities. It strongly urges all States to ensure that the Agency's budget provides those resources through assured regular financing and calls on the members of IAEA to increase their efforts to find an equitable and lasting solution to the question of a safeguards financing formula.

28. The Conference encourages and welcomes significant contributions by States parties to the safeguards development programme by facilitating and assisting the application of safeguards and in supporting research and development to strengthen and advance the application of effective and efficient safeguards. The Conference strongly urges that such cooperation and support continue. The Conference calls upon additional States to extend their cooperation and support to IAEA.

29. The Conference recognizes the importance of State or regional systems of accounting and control, and of the cooperation between those systems and IAEA, to the efficient and effective application of IAEA safeguards. In this regard it welcomes the implementation of the New Partnership Approach developed by IAEA and the European Atomic Energy Community (Euratom), which enables both institutions to benefit to the fullest extent possible from their lengthy experience. The Conference also welcomes the quadripartite comprehensive safeguards agreement between IAEA, Brazil, Argentina and the Brazilian-Argentine Agency for Accounting for and Control of Nuclear Materials (ABACC) as a positive development and the creation of ABACC as an important addition to such systems.

30. The Conference recognizes the importance of such collaboration for the continuing work on developing new or modified safeguards approaches. The Conference notes that further efforts are being made to strengthen the cooperation and enhance the cost-effectiveness of the Agency's safeguards in the States of the European Union and elsewhere. It urges intensified and widened collaboration between States and IAEA and among States with regard to the establishment of new or improved State or regional systems and in training programmes.

31. The Conference calls upon all States, when planning their national programmes for the peaceful utilization of nuclear energy, to do so consistent with the main objectives of non-proliferation, in particular to take IAEA safeguards and physical protection requirements into account while planning, designing and constructing new nuclear facilities and while modifying existing ones. The Conference encourages the continuing cooperation of States parties to ensure that future safeguarding of additional and more complex facilities can be undertaken effectively and efficiently.

32. The Conference recognizes the particular requirement for safeguards of unirradiated direct-use nuclear material and notes IAEA projections that the use of separated plutonium for peaceful purposes is expected to

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increase over the next several years. The Conference welcomes the considerable work undertaken to ensure the continuing effectiveness of IAEA safeguards in relation to uranium enrichment, fuel reprocessing and handling and storage of separated plutonium. The Conference endorses continuing work of IAEA on further improving safeguards arrangements for large-scale commercial reprocessing facilities, for fuel handling and storage of separated plutonium and for uranium enrichment.

33. The Conference calls for greater transparency on matters relating to the management of plutonium and highly enriched uranium for civil purposes, including stock levels and their relations to national nuclear fuel cycles. The Conference notes the existence of substantial civil stocks of separated plutonium and recommends that all such stocks which are not already under international safeguards should be brought under such safeguards systems as soon as practicable. The Conference urges continued international examination of policy options concerning the management and use of stocks of plutonium and highly enriched uranium. This consideration could include, inter alia, arrangements for the deposit with IAEA, as envisaged in article XII.A of its statute, of plutonium and highly enriched uranium as an additional precaution against diversion of direct-use materials to nuclear weapons or other explosive devices as well as the possibility of regional fuel centres.

34. The Conference notes the paramount importance of effective physical protection of nuclear material, especially that usable for military purposes, and calls on States to maintain the highest standards of security and physical protection of nuclear materials. It expresses grave concern at instances of illicit trafficking of nuclear materials since the last Review Conference and notes the responsibility of all States to protect and ensure the security of such material. The Conference notes the need for strengthened international cooperation in physical protection and the prevention of illicit trafficking, and in this respect welcomes the work being conducted under the aegis of IAEA on this issue.

35. The Conference notes that the number of States that have acceded to the Convention on the Physical Protection of Nuclear Material has increased to 53. The Conference urges all States that have not done so to adhere to the Convention or other international instruments on physical protection of nuclear material at the earliest possible date. In the general context of physical protection, particular attention must be paid to unirradiated material of direct use.

36. The Conference recognizes the non-proliferation benefits of the conversion of civilian research reactors from high enriched uranium to low enriched uranium fuel and, when this is not feasible, of significant lowering of the level of enrichment, and welcomes the introduction of such conversions, where possible. It recommends further that international cooperation to facilitate such conversion be continued. The Conference recommends that States planning new civilian reactors avoid or minimize use of highly enriched uranium to the extent that this is feasible, taking into account technical, scientific and economic factors.

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B. Review of Article VII

37. The Conference recognizes the growing interest in utilizing the provisions of Article VII of the Treaty on the Non-Proliferation of Nuclear Weapons, which affirms the right of any group of States to conclude regional treaties in order to ensure the total absence of nuclear weapons in their respective territories.

38. The Conference reaffirms that the establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned, particularly in regions afflicted with conflicts, enhances regional and global peace and security and contributes to the ultimate objective of achieving a world entirely free of nuclear weapons. In the process of establishing such zones, the specific characteristics of each region should be taken into account. Such zones constitute an important disarmament measure which greatly strengthens the international non-proliferation regime in all its aspects. Nuclear-weapon-free zone treaties, especially those covering issues such as dumping of radioactive waste, contribute to the protection of the environment.

39. The Conference emphasizes the importance of concluding nuclear-weapon-free zone arrangements in accordance with the Charter of the United Nations and in conformity with international law and with internationally recognized principles, as stated in the Final Document of the first special session of the General Assembly devoted to disarmament.

40. The Conference recognizes that the cooperation of all the nuclear-weapon States is necessary for the creation and maximum effectiveness of treaty arrangements for establishing a nuclear-weapon-free-zone. The Conference calls on all nuclear-weapon States to respect the commitment which non-nuclear-weapon States parties to a treaty establishing a nuclear-weapon-free zone have made to keep their regions free of nuclear weapons. It further calls on them to support those regional treaties, to assist in the establishment of such zones and to give early consideration to signing of the relevant protocols once concluded, including undertakings to refrain from the use or threat of use of nuclear weapons against States parties to the treaty establishing the zone.

41. The Conference expresses its satisfaction at the adherence to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) by all the countries in the region, as well as to its Protocols I and II by all the countries concerned, which makes of Latin America and the Caribbean the first densely inhabited zone free of nuclear weapons.

42. The Conference notes with satisfaction the success of the South Pacific Nuclear Free Zone in reinforcing in the South Pacific region the global norm against nuclear weapons proliferation. It calls on those nuclear-weapon States that have not yet done so to give early consideration to signing the relevant protocols of the South Pacific Nuclear Free Zone Treaty.

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43. The Conference commends the progress being made towards the conclusion of the treaty on an African nuclear-weapon-free zone, and urges all States in the region to take necessary steps for the implementation of the treaty when concluded. It further urges the nuclear-weapon States to consider adhering to the relevant protocols when called upon to do so.

[44. The Conference, recalling the recommendations for the establishment of a nuclear-weapon-free zone in the Middle East, consistent with paragraphs 60 to 63, and in particular paragraph 63 (d), of the final document of the tenth special session of the General Assembly, as well as [all relevant General Assembly resolutions, the last of which is] resolution 49/71, which was adopted by consensus on 15 December 1994, [and paragraph 14 of Security Council resolution 687 (1991)] and aware of the recent [positive] developments in the Middle East, considers that current circumstances [[are/could be] conducive to the [early/progress toward] establishment of a nuclear-weapon-free zone in the region of the Middle East, [should Israel adhere to Treaty and place all its nuclear activities under IAEA safeguards] on the basis of arrangements freely arrived at among the States of the region [through direct negotiations among them] within [the] [an] appropriate forum, [including the arms control and regional security working group of the Middle East peace process] and urges all States parties to the Treaty on the Non-Proliferation of Nuclear Weapons, in particular nuclear-weapon States [to exert every effort to ensure/to lend their strong support to achieve the establishment of the nuclear-weapon-free zone in the Middle East] that all States of the Middle East adhere to the Treaty and that the zone is established as a matter of priority.]

45. [The Conference urges all States of the region to take the practical and urgent steps required for the establishment of such a zone, and calls upon all of those States among them that have not done so, pending the establishment of the zone, in particular Israel, [bearing in mind that Israel is the only State which the Security Council, in resolution 487 (1981) called upon to place all its nuclear facilities under IAEA safeguards] which has a significant nuclear programme, to declare solemnly that they will refrain from developing, producing, testing or otherwise acquiring nuclear weapons and from permitting the stationing on their territories or territories under their control of nuclear weapons or nuclear explosive devices, and to adhere promptly to the Treaty on the Non-Proliferation of Nuclear Weapons; and to place all their nuclear activities under full-scope IAEA safeguards.]

46. The Conference recalls the proposal by Egypt to establish a zone free from weapons of mass destruction in the Middle East, and recognizes that the establishment of such a zone would constitute an important contribution towards the removal of threats to regional and international peace and security as enunciated by the Security Council in its declaration of 31 January 1992.

47. The Conference acknowledges the efforts of the ASEAN States to establish a South-East Asia nuclear-weapon-free zone, which has been endorsed by ASEAN States and other South-East Asian countries, and that the

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ASEAN States emphasized, inter alia, their determination to intensify efforts for the early establishment of such a zone. The Conference endorses the view of the States of South-East Asia that progress towards the establishment of a nuclear-weapon-free zone, which conforms to generally recognized international principles of such a zone, will reinforce nuclear-weapon non-proliferation in the region in accordance with articles I, II and VII of the Treaty.

48. [The Conference welcomes the recent accession of a number of European States to the non-proliferation Treaty as non-nuclear-weapon States and takes note of the opinion expressed by Belarus that these developments might be conducive to creating a nuclear-weapon-free zone in Central Europe.]

49. The Conference takes note of the declaration of Mongolia of its territory as a nuclear-weapon-free zone.

50. The Conference takes note of the interest of Kyrgyzstan and Uzbekistan in creating a nuclear-weapon-free zone in central Asia and believes that it should contribute to peace, stability and security in the region. Kyrgyzstan and Uzbekistan will submit specific proposals in this regard and would welcome their consideration by other concerned States.

51. The Conference calls upon all States of the South-Asian region to cooperate on a priority basis in establishing a nuclear-weapon-free zone in the region, which would contribute significantly towards the enhancement of regional peace and security.

7. The two texts below are for possible consideration in the light of the Committee I discussions.

[The Conference also strongly supports negotiation of a fissile material cut-off convention.]

[The Conference notes that the conclusion of a cut-off convention, such as the Conference has called for, would result in the extension of safeguards to important facilities not currently safeguarded, both in nuclear-weapon States and States not parties to the Treaty.]

**1995 Review and Extension Conference
of the Parties to the Treaty on the
Non-Proliferation of Nuclear Weapons**

INFCIRC/474

NPT/CONF.1995/MC.III/1
5 May 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

REPORT OF MAIN COMMITTEE III

Establishment and terms of reference

1. Under rule 34 of its rules of procedure, as provisionally applied, the Conference established Main Committee III as one of its three Main Committees and decided to allocate to it the following items for its consideration (see NPT/CONF.1995/1):

Item 16. Review of the operation of the Treaty as provided for in its article VIII, paragraph 3:

- (d) 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:
 - (i) Articles 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;
 - (ii) Article V.

Item 17. 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 promoting wider acceptance of the Treaty.

Officers of the Committee

2. The Conference elected Mr. Jaap Ramaker (Netherlands) as the Chairman of the Committee; Mr. Yanko Yanev (Bulgaria) and Mr. Gustavo Alvarez Goyoaga (Uruguay) served as Vice-Chairmen.

Documents before the Committee

3. The Committee had before it the following documents:



(a) Background documents

- NPT/CONF.1995/8 Activities of IAEA relevant to article IV of the Treaty: background paper prepared by the secretariat of IAEA
- NPT/CONF.1995/9 Activities of IAEA relevant to article V of the Treaty: background paper prepared by the secretariat of IAEA
- NPT/CONF.1995/14 Letter dated 27 March 1995 from the Permanent Representative of Indonesia to the provisional Secretary-General of the Conference
- NPT/CONF.1995/17 Letter dated 10 April 1995 from the Deputy Director of the United States Arms Control and Disarmament Agency addressed to the provisional Secretary-General of the Conference
- NPT/CONF.1995/18 Letter dated 17 April 1995 from the Permanent Representative of China to the United Nations and deputy head of the Chinese delegation addressed to the Secretary-General of the Conference
- NPT/CONF.1995/19 Letter dated 17 April 1995 from the alternate head of the Indonesian delegation addressed to the Secretary-General of the Conference
- NPT/CONF.1995/24 Letter dated 21 April 1995 from the head of the delegation of the United Kingdom of Great Britain and Northern Ireland addressed to the Secretary-General of the Conference
- NPT/CONF.1995/25 Letter dated 24 April 1995 from the delegation of the Russian Federation addressed to the Secretary-General of the Conference

(b) Documents submitted to the Committee

- NPT/CONF.1995/MC.III/WP.1 Article IV and related issues: working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden
- NPT/CONF.1995/MC.III/WP.2 Working paper submitted by China

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- NPT/CONF.1995/MC.III/WP.3 Article IV and related issues: working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden
- NPT/CONF.1995/MC.III/WP.4 Article IV and related issues: working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden
- NPT/CONF.1995/MC.III/WP.5 Article IV and related issues: working paper submitted by Indonesia on behalf of the Group of Non-Aligned and Other States
- NPT/CONF.1995/MC.III/WP.6 and Add.1 Article V: working paper submitted by Algeria, Australia, Austria, Belarus, Bulgaria, Cambodia, Canada, Colombia, Croatia, the Czech Republic, Denmark, Finland, Hungary, Indonesia, Ireland, Japan, Kazakhstan, Kenya, Kyrgyzstan, Latvia, Lebanon, Malaysia, the Marshall Islands, the Netherlands, New Zealand, Norway, Palau, Papua New Guinea, the Philippines, Poland, the Republic of Korea, Romania, Slovakia, South Africa, Sri Lanka, Sweden, Switzerland, Tonga, Tuvalu, Ukraine and Uruguay
- NPT/CONF.1995/MC.III/CRP.1 Chairman's suggested indicative timetable of work
- NPT/CONF.1995/MC.III/CRP.2 Technology transfer activities of IAEA in respect of technical cooperation
- NPT/CONF.1995/MC.III/CRP.3 Chairman's proposal for a possible structure of discussion
- NPT/CONF.1995/MC.III/CRP.4/ Rev.1 Draft report of Main Committee III

Work of the Committee

4. The Committee held six meetings, from 20 April to 5 May 1995; an account of the discussion is contained in the relevant summary records (NPT/CONF.1995/MC.III/SR.1-6). At its first three meetings, it held a general exchange of views on all issues of concern to Main Committee III. After that, the Committee held nine open-ended drafting group meetings in which it considered in detail the proposals and documents submitted to it on formulations for the Final Declaration of the Conference. The fourth meeting was devoted to

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a review of the progress made, while the fifth and sixth meetings were devoted to the consideration and adoption of its report to the Conference.

5. The Chairman put forward draft language for the Final Declaration which was considered in the open-ended drafting group meetings and during a series of informal consultations. He was assisted by the Vice-Chairmen and various delegations in coordinating other informal consultations to examine specific proposals.

Conclusions and recommendations

6. At its final meeting, the Committee agreed to transmit to the Conference the following formulations for the Final Declaration of the Conference:

I. TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS AND THE PEACEFUL USES OF NUCLEAR ENERGY

1. The Conference affirms that the Treaty fosters the development of the peaceful uses of nuclear energy by providing a framework of confidence within which those uses can take place.

2. The Conference reaffirms that nothing in the Treaty shall be interpreted as affecting the inalienable right of all the parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II of the Treaty. The Conference recognizes that this right constitutes one of the fundamental objectives of the Treaty. In this connection, the Conference confirms that each country's choices and decisions in the field of peaceful uses of nuclear energy should be respected without jeopardizing its policies or international cooperation agreements and arrangements for peaceful uses of nuclear energy and its fuel-cycle policies.

3. The Conference also reaffirms the undertaking by all parties to the Treaty to facilitate, and have the right to participate in, the fullest possible exchange of equipment, material, services and scientific and technological information for the peaceful uses of nuclear energy. The Conference notes the contribution that such uses can make to progress in general and to the elimination of technological and economic gaps between the developed and the developing countries.

4. The Conference notes with regret that some countries not parties to the Treaty have been able to benefit from cooperation with parties to the Treaty in a way that may have contributed to non-peaceful nuclear programmes and welcomes subsequent steps taken to rectify this situation. The Conference notes with concern that some parties to the Treaty continue, in contravention of articles I, II and III of the Treaty, to cooperate and give assistance in the nuclear field to States not parties to the Treaty, which are known to have acquired the capacity to manufacture nuclear weapons.

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5. The Conference urges that in all activities designed to facilitate the peaceful uses of nuclear energy, especially in such areas as the transfer of key nuclear technology and the supply of fuel-cycle services, preferential treatment be given to the non-nuclear-weapon States parties to the Treaty that have concluded and implemented the required safeguards agreement with IAEA, taking into account in particular the needs of developing countries.

6. The Conference recognizes the importance of the concept of sustainable development as a guiding principle for the peaceful use of nuclear energy. The Conference endorses the role of IAEA in assisting Member States, upon request, in formulating projects that meet the objective of protecting the global environment by applying sustainable development approaches. The Conference recommends that IAEA continue taking this objective into account when planning its future activities. It further notes that IAEA regularly reports to the General Assembly on progress made in these fields.

7. The Conference welcomes the voluntary offer by a number of nuclear-weapon States to put their nuclear facilities under international verification, and requests that the costs due to additional safeguards activities in this area should not be at the expense of other major IAEA programmes, such as nuclear power, fuel-cycle and radioactive waste management; applications for peaceful uses of nuclear technology for health, agriculture and industry; and nuclear safety and radiation protection.

8. The Conference acknowledges the need for the parties to the Treaty to discuss regularly and follow up the implementation of article IV of the Treaty.

II. NUCLEAR SAFETY, TRANSPORT BY SEA, NUCLEAR WASTE AND LIABILITY

A. Nuclear safety

1. The Conference affirms that the Treaty can help to ensure that international cooperation in nuclear safety will take place in an appropriate non-proliferation framework. The Conference acknowledges the primary responsibility of individual States for maintaining the safety of nuclear installations within their territories or under their jurisdiction, and the crucial importance of an adequate national infrastructure in nuclear safety, radiation protection and waste management. It notes that States are aware that accidents at nuclear installations have the potential for transboundary impact.

2. The Conference continues to endorse the concept of the fundamental importance of ensuring a high level of safety in the peaceful uses of nuclear energy. It underlines the need for countries to achieve and maintain such a high level of nuclear safety through rigorous national measures, international instruments and international cooperation. The

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Conference further endorses the activities of IAEA directed towards the strengthening of nuclear safety in operating power and research reactors. Specific activities include such services as the Operational Safety Review Team (OSART), the International Peer Review Service (IPERS), the Assessment of Safety Significant Events Team (ASSET) and the Integrated Safety Assessment of Research Reactor (INSARR), the work of the International Nuclear Safety Advisory Group (INSAG) and the Nuclear Safety Standard Advisory Group (NUSSAG) in the preparation of internationally recognized guidelines, standard and codes, support to the regulatory bodies and other relevant areas of the infrastructure of IAEA member States, including through its technical assistance programmes, emergency response unit and work on transportation, as well as the work of the Standing Committee on Nuclear Liability.

3. The Conference welcomes the intensification of international cooperation in order to strengthen nuclear safety, radiation protection and waste management, including activities conducted in this area by IAEA.

4. The Conference welcomes the adoption of the Convention on Nuclear Safety, opened for signature in September 1994, and calls upon all States to adhere to it at the earliest opportunity. The Conference further appeals to signatory States that have not yet done so to complete their domestic legal procedures to permit the early entry into force of the Convention. It urges all States, even prior to the Convention's entry into force, to utilize the principles embodied in the Convention as an important basis for the safe management of their civil nuclear power programmes. The Conference commends IAEA and the signatory States for taking early steps to clarify implementation procedures for the Convention on Nuclear Safety and supports continued activity to define its peer review process. The Conference recommends all States to consider the possibility of a further convention or conventions that might strengthen safety measures for nuclear activities other than those in civil nuclear power plants.

5. The Conference recommends that States that have not yet done so establish or designate a regulatory body regarding nuclear safety. The effective separation between the functions of the regulatory body and those of any other body or organization concerned with the promotion or utilization of nuclear energy should be ensured, as stipulated in the Convention on Nuclear Safety.

6. The Conference welcomes the undertaking of parties to the Convention on Nuclear Safety to ensure that a review is conducted as soon as possible of the safety of those nuclear installations existing at the time the Convention enters into force for that contracting party which do not conform to the provisions of the Convention, and that appropriate remedial action is taken in respect of those installations.

7. The Conference urges all States that have not yet done so to become parties to the Convention on Early Notification of a Nuclear Accident, the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, and the Convention on Physical Protection of Nuclear Material.

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8. The Conference also considers that attacks or threats of attack on nuclear facilities devoted to peaceful purposes jeopardize nuclear safety and raise serious concerns regarding the application of international law on the use of force in such cases which could warrant appropriate action in accordance with the provisions of the Charter of the United Nations.

9. The Conference underlines the importance of openness, transparency and public information, which must ensure that an unbiased assessment of the safety performance of nuclear facilities can be developed. The Conference notes the efforts of IAEA to enhance public understanding on nuclear safety, radiation protection and waste management.

B. Safe transport by sea

10. The Conference takes note of the interest of all States in any transportation of irradiated nuclear fuel, plutonium and high-level nuclear waste being conducted in a safe and secure manner and in accordance with international law. The Conference also takes note of the concerns of small island developing States and other coastal States with regard to the transportation of such materials.

11. It welcomes the adoption in 1993 of the International Maritime Organization Code for the Safe Carriage of Irradiated Nuclear Fuel, Plutonium and High-Level Nuclear Radioactive Wastes in Flasks on Board Ships, and emphasizes that shipments must continue to meet these standards.

12. In this context, the Conference calls on States parties to continue working through the International Maritime Organization and IAEA in developing additional measures which would complement the Code, and to maintain cooperation and exchange of information among the States concerned.

13. The Conference endorses the ongoing IAEA review of safety standards for transport of nuclear material and urges States to ensure that these standards are maintained.

C. Nuclear waste

14. The Conference commends the efforts of IAEA in the field of waste management and calls upon it to strengthen those efforts in view of the increasing importance of all aspects of nuclear waste management. It endorses the preparation of a convention on the safety of radioactive waste management to be concluded as soon as possible. The Conference also endorses IAEA programmes to assist Member States in this area through Radioactive Waste Safety Standards (RADWASS) for the handling of radioactive waste, peer reviews and technical assistance activities. The Conference also invites all States to respect international norms of safety and radiation protection in the field of radioactive waste management.

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15. The Conference notes the particular importance of ensuring that possible effects on human health and the environment beyond national borders are taken into account in the management of all kinds of radioactive waste, civilian as well as military.

16. The Conference recognizes the need to prohibit dumping of radioactive waste. The Conference notes the amendment, adopted in 1993 and in effect since 1994, to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (London Convention, 1972) and the effective prohibition of sea dumping of all types of radioactive waste. It calls upon all States which have not yet acceded to the London Convention to do so. The Conference endorses the continued role of IAEA within the framework of the Convention. The Conference expresses the hope that the effective implementation of the IAEA Code of Practice on the International Transboundary Movement of Radioactive Waste will enhance the protection of all States from the dumping of radioactive waste pending the conclusion of the convention on the safety of radioactive waste management mentioned above.

D. Liability

17. The Conference takes note of the proposal to hold a diplomatic conference in the first quarter of 1996 to adopt conventions which will both revise the Vienna Convention on Civil Liability for Nuclear Damage and provide an effective supplementary funding regime. The Conference supports continued efforts in the IAEA Standing Committee on Nuclear Liability towards this end. The Conference also takes note of the effort of the Nuclear Energy Agency of the Organisation for Economic Cooperation and Development (OECD) in improving the international regime of liability in case of nuclear damage. The Conference notes that effective international liability mechanisms are essential to provide compensation for nuclear-related damage which may occur during transportation of irradiated nuclear fuel, plutonium and high-level nuclear waste.

III. TECHNICAL COOPERATION

1. The Conference reaffirms the undertaking of those parties to the Treaty in a position to do so to cooperate in contributing alone or together with other States or international organizations to the further development of the applications of nuclear energy for peaceful purposes, especially in the territories of non-nuclear-weapon States parties to the Treaty, with due consideration for the needs of the developing areas of the world.

2. The Conference acknowledges the importance of the work of IAEA as the principal agent for technology transfer among the international organizations referred to the article IV, paragraph 2, and welcomes the successful operation of the Agency's technical assistance and cooperation programmes. The Conference records with appreciation that projects supported from those programmes covered a wide spectrum of applications,

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related both to the power and non-power uses of nuclear energy, notably in agriculture and food preservation, medicine, industry, hydrology, the sciences and the environment. The Conference welcomes increased attention to radiation protection, nuclear safety and radioactive waste management. Furthermore, the Conference acknowledges with appreciation the successful scientific cooperation carried out either by IAEA itself or in collaboration with other agencies in the United Nations system.

3. The Conference notes that IAEA plays an important role in assisting developing States in the development of nuclear power. The Conference further notes the important role played by IAEA in assisting developing States in the use of non-power applications of nuclear technology. The Conference recognizes that IAEA programmes in these fields can make tangible contributions to the needs of developing countries.

4. The Conference recognizes that the resources provided to and received from States parties to the Treaty under the Agency's Technical Cooperation Fund represent an important contribution to the fulfilment of the undertakings in article IV. The Conference underlines the need to ensure that IAEA has the financial and human resources necessary in order to meet its responsibilities in the area of technical cooperation effectively. The Conference appeals to all parties to the Treaty that are members of IAEA to support this useful programme to the extent of their abilities to do so. In this context, the Conference expresses its concern about the decline in pledges and payments to the Technical Cooperation Fund. It also encourages IAEA to intensify its efforts aimed at finding ways and means for funding technical assistance through predictable and assured resources. The Conference notes the potential contribution extrabudgetary mechanisms may have in providing additional resources.

5. The Conference welcomes the continuing development and refinement of the technical assistance and cooperation programme of IAEA. In particular, it notes the recommendations of the Third IAEA Technical Cooperation Policy Review Seminar, held in September 1994. These provide policy guidance for the enhancement of nuclear cooperation through integration thereof, whenever possible, with medium-term country plans, emphasis on nuclear safety and radiation protection, and endorsement of the principle of socio-economic impact of projects.

6. The Conference commends IAEA for its efforts to enhance the effectiveness and efficiency of its technical cooperation programme and to ensure the continuing relevance of the programme to the changing circumstances and needs of recipient member States. The Conference notes with appreciation the decision to establish within IAEA a standing advisory group on technical assistance and cooperation to this end, and hopes that this group will start to operate soon and achieve tangible results. It further notes the development of the model project concept, the increased emphasis on end-user orientation and greater attention to regional cooperative approaches to address common needs. In this context, the Conference recommends that IAEA should further explore ways and means to strengthen its efforts by working out concrete programmes.

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7. The Conference notes that the special needs and priorities of the least developed countries parties to the Treaty should be taken into account in bilateral and multilateral nuclear technical assistance and cooperation programmes. It also notes that IAEA has been giving attention to means to strengthen its programmes in least developed countries, including ways in which it might extend technical assistance to non-members of IAEA. The Conference recommends that IAEA continue, through its technical cooperation programme, to give special attention to the needs and priorities of least developed countries. The Conference underlines the needs to enhance technical cooperation between developing countries, taking into account the needs of the least developed countries.

8. The Conference encourages IAEA to continue to include the result of the 1987 study on the promotion and financing of nuclear power programmes in developing countries in its programme of work. It also recommends that IAEA continue to provide, upon request, assistance in developing concepts for securing financial assistance from outside sources for nuclear power projects in developing countries.

9. The Conference welcomes greater support for regional cooperative arrangements, promoting regionally agreed projects and mobilizing inputs from countries in the region. The Conference recognizes that regional cooperative arrangements can be an effective means of providing assistance and facilitating technology transfer, complementing the technical cooperation activities of IAEA in individual countries. It notes the contributions of the African Regional Agreement (AFRA), the Regional Cooperation Agreement for Latin America (ARCAL) and the Regional Cooperation Agreement for Asia and the Pacific (RCA).

10. The Conference notes the significant level of bilateral cooperation between States parties in the worldwide peaceful uses of nuclear energy and welcomes the reports thereon. The Conference recognizes that it is the responsibility of States parties to create the conditions to enable this cooperation, in which commercial entities play an important role. The Conference urges States in a position to do so to continue and where possible increase their cooperation in this field, particularly to developing countries and parties to the Treaty with economies in transition.

11. [The Conference expresses its regret that there exist restrictions and constraints imposed on developing non-nuclear-weapon States regarding full access to nuclear technology for peaceful purposes. Unilaterally enforced restrictive measures, beyond safeguards required under the Treaty, must not be used to prevent peaceful development, especially in the nuclear area, and should be removed. It is also essential that free and unimpeded access to peaceful nuclear technology be guaranteed, without exception, for all States parties to the Treaty that have concluded relevant safeguards agreements with IAEA.]

12. The Conference calls upon all States parties in acting in pursuance of the objectives of the Treaty to observe the legitimate rights of all States parties, particularly developing States, to have full access

to nuclear technology for peaceful purposes. Transfers of nuclear technology and international cooperation in conformity with articles I, II and III of the Treaty are to be encouraged. They would be facilitated by eliminating undue constraints that might impede such cooperation.

IV. CONVERSION OF NUCLEAR MATERIALS TO PEACEFUL USES

1. The Conference welcomes steps taken by several States parties to dismantle and destroy thousands of nuclear weapons and to convert nuclear material formerly produced for military purposes to use in peaceful activities. This represents an important precedent for linking progress in nuclear disarmament with peaceful uses of nuclear energy. This disarmament process requires strict procedures for the safe handling, storage and disposal of sensitive nuclear materials, as well as looking toward the safe management of radioactive contaminants in strict compliance with high standards of environmental protection and nuclear safety.

2. The Conference welcomes the increased attention to problems of safety and contamination related to the discontinuation of nuclear operations formerly associated with nuclear-weapon programmes, including where appropriate safe resettlement of any displaced human populations and the restoration of economic productivity to affected areas. In this regard, the Conference acknowledges the existence of a special responsibility towards those people of former United Nations Trust Territories who have been adversely affected as a result of the nuclear weapons tests conducted during the period of the Trusteeship.

3. The Conference also notes that there have been exceptional instances in which serious environmental consequences have resulted from uranium mining and associated nuclear fuel-cycle activities in the production of nuclear weapons.

4. The Conference calls upon all Governments and international organizations that have expertise in the field of cleanup and disposal of radioactive contaminants to consider giving appropriate assistance as may be requested for remedial purposes in these affected areas, while noting the efforts that have been made to date in this regard.

V. REVIEW OF ARTICLE V

1. The Conference reaffirms that article V of the Treaty was designed for each State party to undertake appropriate measures to ensure that, in accordance with the Treaty, under appropriate international observation and through appropriate international procedures, potential benefits from any peaceful applications of nuclear explosions will be made available to non-nuclear-weapon States parties to the Treaty on a non-discriminatory basis and that the charge to such parties for the explosive devices used will be as low as possible and exclude any charge for research and development.

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2. The Conference records that the potential benefits of the peaceful applications of nuclear explosions envisaged in article V of the Treaty have not materialized. In this context, the Conference notes that the potential benefits of the peaceful applications of nuclear explosions have not been demonstrated and that serious concerns have been expressed as to the environmental consequences that could result from the release of radioactivity from such applications and on the risk of possible proliferation of nuclear weapons. Furthermore, no requests for services related to the peaceful applications of nuclear explosions have been received by IAEA since the Treaty entered into force. The Conference further notes that no State party has an active programme for the peaceful application of nuclear explosions.

3. The Conference therefore recommends that the Conference on Disarmament take this situation and future developments into account when negotiating a comprehensive nuclear test-ban treaty.

VI. REVIEW OF ARTICLE IX

1. On the occasion of the extension of the Treaty, the Conference affirms the long-held commitment of parties to the Treaty to universal membership and notes that this goal has been advanced by the rapid growth in membership since the 1990 Review Conference. The Conference also affirms the importance of the Treaty in establishing a norm of international behaviour in the nuclear field.

2. The Conference therefore calls on those remaining States not parties to the Treaty to accede to it, thereby accepting an international legally binding commitment not to acquire nuclear weapons or nuclear explosive devices and to accept IAEA safeguards on all their nuclear activities. These States are Angola, Brazil, Chile, the Comoros, Cuba, Djibouti, India, Israel, Oman, Pakistan, the United Arab Emirates and Vanuatu. In this context the Conference welcomes the recent announcements by Chile and Vanuatu of their intention to adhere to the Treaty in due course. It also welcomes Brazil's acceptance of comprehensive IAEA safeguards under the Treaty of Tlatelolco.

3. The Conference particularly urges those non-parties to the Treaty which operate unsafeguarded sensitive nuclear facilities - India, Israel and Pakistan - to take such action and affirms the important contribution this would make to regional and global security.

4. In this connection, the Conference underlines the necessity, in order to facilitate universal adherence to the Treaty, of strict compliance by all existing parties with their obligations under the Treaty.

5. The Conference requests the President of the Conference to convey formally the views of States parties on this issue to all non-parties and to report their responses to the parties. Such efforts should contribute to enhancing the universality of the Treaty and the adherence of non-parties to it.