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The Nuclear Non-Proliferation Treaty

NPT PrepCom 2008

Preparatory Committee for the 2010 Review Conference of the Parties to the Treaty on the Non- Proliferation of Nuclear Weapons
Second Session

Geneva, 28 April-9 May 2008

FACTUAL SUMMARY¹

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1. States parties² reaffirmed that the Treaty on the Non-Proliferation of Nuclear Weapons was the cornerstone of the global non-proliferation regime and the essential foundation for the pursuit of nuclear disarmament. In the face of grave challenges to the non-proliferation regime, preserving and strengthening the Treaty was vital to international peace and security.

2. States parties noted the positive outcome of the First Session of the 2007 Preparatory Committee, and expressed the need to lay a solid basis for a successful Review Conference in 2010. States parties also noted that the 2008 session of the Preparatory Committee took place in the year of the 40th anniversary of the Treaty's opening for signature. Recent public and political momentum towards a world free of nuclear weapons was noted. The need for concrete and practical steps to achieve this goal was highlighted.

3. States parties reaffirmed that the Treaty rested on three pillars: nuclear disarmament, nuclear non-proliferation and peaceful uses of nuclear energy. The importance of balanced, full and non-selective application and implementation of the Treaty was stressed. Emphasis was placed on the mutually reinforcing nature of disarmament and non-proliferation and due respect for the right of States parties to the peaceful use of nuclear energy in conformity with the Treaty.

4. States parties continued to attach great importance to achieving compliance with the Treaty. The importance of compliance by all States parties with all the provisions of the NPT at all times was stressed. Non-compliance with the Treaty's provisions by States parties to the Treaty undermined non-proliferation, disarmament, universality and peaceful uses of nuclear energy.

5. States parties reiterated their commitment to the effective implementation of the objectives of the Treaty, the decisions and resolution on the Middle East of the 1995 Review and Extension Conference adopted without a vote, and the final document of the 2000 Review Conference, adopted by consensus.

6. States parties reaffirmed the importance of promoting the peaceful uses of nuclear energy and international nuclear cooperation for peaceful purposes in ways consistent with the non-proliferation goal of the Treaty. A number of proposals for establishing multilateral mechanisms that guarantee the provision of nuclear fuel under strict international control were presented.

7. States parties stressed that continued support to achieve universality of the Treaty remained essential. They expressed concern about the lack of progress in the achievement of universality, which seriously undermined the Treaty. State parties called upon India, Israel and Pakistan to accede to the Treaty as non-nuclear-weapon States, promptly and without conditions. Those States were also called upon to bring into force the required

comprehensive safeguards agreements, together with Additional Protocols, for ensuring nuclear non-proliferation, and to reverse clearly and urgently any policies to pursue any nuclear weapons development, testing or deployment, and to refrain from any action that could undermine regional and international peace and security and the international community's efforts to achieve nuclear disarmament and the prevention of nuclear weapons proliferation. States parties called upon India and Pakistan to maintain moratoria on nuclear testing, and called upon India, Israel and Pakistan to become party to the Comprehensive Nuclear-Test-Ban Treaty.

8. States parties expressed concern that non-State actors could gain access to weapons of mass destruction and their means of delivery. The gravity of the dangers of weapons of mass destruction being acquired by terrorists further reinforced the need to strengthen the Treaty and its implementation. In addition, States parties noted the need for adherence to existing legal instruments, especially the International Convention on the Suppression of Acts of Nuclear Terrorism, and for full compliance with Security Council resolution 1540 (2004).

9. States parties expressed the need for multilateralism and mutually agreed solutions, in accordance with the Charter of the United Nations, as the only sustainable method for dealing with the multiplicity of disarmament, non-proliferation and international security issues. Multilateralism based on the concept of shared commitments and obligations provided the best way to maintain international order.

10. States parties remained committed to implementing Article VI of the Treaty. The full implementation of the 13 practical steps including the unequivocal undertaking contained in the final document of the 2000 Review Conference was called for. Recent moves towards nuclear disarmament by some nuclear-weapon States were recognized. Concern continued to be expressed, however, over the slow pace of progress made in implementing the practical steps. A forward-looking review of the 13 steps and of progress towards their implementation was urged.

11. States parties stated that the total elimination of nuclear weapons was the only absolute guarantee against their proliferation or use or threat of use. Despite achievements in bilateral and unilateral reductions by some nuclear-weapon States, concern was expressed that the total number of nuclear weapons deployed and stockpiled still amounted to thousands. It was stressed that the indefinite extension of the NPT did not imply the indefinite possession of nuclear arsenals. There were calls for a time-bound framework for achieving the total elimination of nuclear weapons.

12. The advisory opinion of the International Court of Justice regarding the obligations of nuclear-weapon States (96/23 of 8 July 1996) was recalled and support was voiced for the development of a nuclear weapons convention. A subsidiary body dealing with nuclear disarmament at the 2010 Review Conference was sought.

13. Concerns were also voiced about the increased role of nuclear weapons in some strategic and military doctrines, and the apparent lowering of the threshold for the use of nuclear weapons. Calls were made for the re-evaluation of the strategic utility of nuclear weapons and their role in national security policies in the post Cold War context. In this regard, the view was expressed that the upcoming NATO Summit that will take place in 2009 could provide an appropriate opportunity for such a re-evaluation.

14. Concern and disappointment were voiced about plans of some nuclear weapon States to replace or modernize nuclear weapons and their means of delivery or platforms, and about the development of new types of nuclear weapons. In response to these concerns, France, the United Kingdom and the United States provided clarifications and explanations on their efforts to achieve nuclear disarmament. The need to foster an environment conducive to nuclear disarmament was underlined. Considerable concern was also expressed about nuclear cooperation of States parties with States not party to the NPT.

15. States parties also attached significance to reducing the deployed status of nuclear weapons through de-alerting and de-targeting, to reducing reliance on nuclear weapons and to securing greater information from nuclear-weapon States on the active and reserve

status of nuclear arsenals with a view to increasing confidence among all States parties. They welcomed the efforts of some nuclear-weapon States in this regard, noting such practical measures can raise the threshold for uses of nuclear weapons and help avoid the risk of accidents and miscalculation.

16. Nuclear-weapon States reiterated their commitment to nuclear disarmament under Article VI of the Treaty. The more forthcoming way in which some nuclear weapon States were treating their Article VI commitments was recognized. A number of nuclear-weapon States outlined their respective measures taken in accordance with Article VI, underscoring actual and projected reductions in nuclear weapons arsenals, an accelerated programme of dismantlement, reduced reliance on nuclear weapons, and reductions in their status of alert. France referred to its concrete plan of action on disarmament to which the nuclear weapon States should commit by 2010. In this respect, the importance of transparent verification for nuclear disarmament measures was stressed, and the United Kingdom's initiatives to explore the technical aspects of verifying nuclear disarmament through greater cooperation among nuclear-weapons States and with non-nuclear-weapon States were welcomed. It was noted that strategic conditions could have an impact on the pace of nuclear disarmament. Concerns were also voiced about apparent re-interpretations of nuclear disarmament obligations.

17. States parties underlined the special responsibility of the two States possessing the largest nuclear arsenals and acknowledged the progress made under the Treaty on Strategic Offensive Reductions (the Moscow Treaty). While noting those achievements, States parties called for further reductions beyond those required by the Moscow Treaty and stressed that reductions in deployments and in operational status could not be a substitute for irreversible cuts in, and the total elimination of, nuclear weapons. States parties noted that START I and the Moscow Treaty were due to expire in 2009 and 2012 respectively, and called for bilateral follow-up agreements. States parties welcomed the Russian Federation-United States declaration at Sochi regarding a legally binding post-START arrangement. It was stressed that the principles of irreversibility, verifiability and transparency should guide all nuclear disarmament measures.

18. States parties welcomed the more detailed information provided by most nuclear-weapons States on the number of weapons in their arsenals and progress in reducing those numbers. All States parties were called upon to increase transparency and accountability with regard to their nuclear weapons arsenals, implementation of disarmament measures and security doctrines. The establishment of mechanisms for standardized reporting and progressive recording of reductions in nuclear arsenals were urged.

19. Reporting by all States parties on the implementation of Article VI was urged. Reporting by non-nuclear-weapon States in regional alliances with nuclear-weapons States on their efforts to reduce the salience of nuclear weapons in collective security arrangements was encouraged. It was noted that routine reporting would promote increased confidence in the overall Treaty regime through increasing transparency, and at the same time would help address compliance concerns.

20. States parties welcomed the impetus that had developed in the Conference on Disarmament under the six Presidents for 2006 and 2007 and that had continued in 2008. The positive contribution of cooperation and coordination of the six-President mechanism was noted and calls were made for its continuation. With reference to the proposal CD/1840, it was widely emphasized that the Conference should commence substantive work as a matter of urgency.

21. Strong support was expressed for the Comprehensive Nuclear-Test-Ban Treaty (CTBT). The importance and urgency of its early entry into force was underscored. In this regard, the recent ratifications by Bahamas, Barbados, Colombia, Dominican Republic, Malaysia and Palau were welcomed. States that had not ratified the Treaty, especially the remaining nine States whose ratification was necessary for its entry into force, were urged to do so without delay. The Joint Declaration of the Article XIV Conference held in 2007 in Vienna was welcomed.

22. The testing of a nuclear weapon by the Democratic People's Republic of Korea (DPRK) had highlighted the need for an early entry into force of the CTBT. States parties

reaffirmed the importance of maintaining a moratorium on nuclear-weapon test explosions or any other nuclear explosions. States parties commended the progress made by the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization in establishing the international monitoring system. States parties were called upon to support the CTBTO Preparatory Commission by providing adequate resources and expertise.

23. The abrogation of the Anti-Ballistic Missile Treaty and the development of missile defence systems drew concern as adversely affecting strategic stability and having negative consequences on nuclear disarmament and non-proliferation. Concern was also expressed about the risk of a new arms race on earth and in outer space. In this latter regard, States parties noted the tabling in the Conference on Disarmament of a proposal for a Treaty on the Prevention of the Placement of Weapons in Outer Space (PPWT).

24. States parties highlighted the need to address non-strategic nuclear weapons, including their withdrawal to the possessor's territory. The Presidential Nuclear Initiatives of 1991 and 1992 by the United States and the Russian Federation were welcomed and calls were made for the formalization of those initiatives. The importance of further reductions in non-strategic nuclear weapons in a transparent, accountable, verifiable and irreversible manner was stressed. The proposal by the United States and Russian Federation to transform the Intermediate-Range Nuclear Forces Treaty into a multilateral instrument was noted, as was the importance of fulfilling existing commitments. The need to deny terrorists access to non-strategic nuclear weapons was also noted. Moreover, concerns were expressed about the ongoing proliferation of ballistic missiles. The reference to the elimination of the means of delivery in the Treaty was noted, and States parties were invited to adhere to the Hague Code of Conduct against Ballistic Missile Proliferation.

25. The importance of the immediate commencement of negotiations in the Conference on Disarmament on fissile material for nuclear weapons or other nuclear explosive devices was stressed. Calls were made to address the verifiability of such an instrument and the need for coverage of existing stocks. The urgent conclusion of such a Treaty would be beneficial to the global non-proliferation and disarmament regime. Several proposals for progress on this issue were put forward, including a phased approach perhaps beginning with a framework treaty that could be strengthened and elaborated in protocols, the establishment of a group of scientific experts within the Conference on Disarmament, joint declarations to stop production of such material, a Fissile Material Control Initiative, and the convening of a high level expert panel. States that had not yet done so were called upon to declare moratoria on the production of fissile material for nuclear weapons or other nuclear explosive devices.

26. Emphasis was placed on the importance of arrangements by all nuclear-weapon States to place, as soon as practicable, fissile material designated by each of them as no longer required for military purposes under the International Atomic Energy Agency (IAEA) or other relevant international verification, and on arrangements for the disposition of such material for peaceful purposes. Some nuclear-weapon States reported on the actions they had taken in that regard. In that context, the Trilateral Initiative was regarded as an important measure. The ongoing efforts of nuclear-weapon States to convert excess highly enriched uranium for civilian use was commended and encouraged.

27. States parties recognized the positive contribution of various initiatives towards cooperation in reducing threats from all weapons of mass destruction. These include the Global Initiative to Combat Nuclear Terrorism, the Global Partnership against the Spread of Weapons of Mass Destruction, the Global Threat Reduction Initiative, and the Proliferation Security Initiative.

28. States parties welcomed other new initiatives by governments and within civil society aiming at achieving the vision of a world free of nuclear weapons, including the five principles and ten recommendations developed at an international disarmament conference held in Oslo in February, 2008, the Weapons of Mass destruction Commission and the call from four American elder statesmen.

29. The importance of education on disarmament and non-proliferation to strengthen the disarmament and non-proliferation regime for future generations was stressed. In that

regard, States parties were encouraged to undertake concrete activities to implement the recommendations contained in the report of the Secretary-General on disarmament and non-proliferation education (A/57/124) and to share information thereon. Steps and means as well as new initiatives to implement the recommendations were reiterated at the meeting.

30. States parties noted that, pending the elimination of nuclear weapons, nuclear-weapon States should provide security assurances to non-nuclear-weapon States that they would not use or threaten to use nuclear weapons against them. Security assurances could serve as incentives to forgo the acquisition of weapons of mass destruction and to achieve universality of the Treaty. It was recalled that both the 1995 Review and Extension Conference and the 2000 Review Conference had underscored the importance of security assurances. It was further recalled that the final document of the 2000 Review Conference called upon the Preparatory Committee to make recommendations to the 2005 Review Conference on security assurances. It was emphasized that negative security assurances, an element that contributed to the 1995 extension decision, remained essential and should be reaffirmed and implemented. The view was expressed that it was a legitimate right of non-nuclear-weapon States party to the NPT to receive such assurances. Reaffirmations were expressed of commitments under Security Council resolution 984 (1995). Some States parties emphasized the importance of a no-first-use policy as maintained by China.

31. States parties stressed that efforts to conclude a universal, unconditional and legally binding instrument on negative security assurances to non-nuclear-weapon States should be pursued as a matter of priority, without prejudice to security assurances already given bilaterally or under nuclear-weapon-free zone Treaties. In that regard, references were made to pursuing a protocol to the NPT and to the prospect of substantive discussions envisaged by the current draft decision put forward by the six Presidents of the Conference on Disarmament. Pending the conclusion of any new instrument, nuclear-weapon States were called upon to honour their respective commitments under Security Council resolution 984 (1995), nuclear-weapon-free zone Treaties, and bilateral arrangements. The view was expressed that commitments under Security Council resolution 984 (1995) were not legally binding or unconditional, falling short of meeting non-nuclear-weapon states' security requirements. Concern was expressed that recent developments in respect of nuclear doctrines might, in any event, undermine the above commitments. An international conference under the auspices of the United Nations to discuss the issue of security assurances was proposed. There were calls for the establishment of a subsidiary body on security assurances at the 2010 Review Conference.

32. It was stressed that the non-proliferation of nuclear weapons was a fundamental goal of the Treaty. Concern was expressed that grave proliferation challenges strained the NPT regime, eroding confidence in the compliance of all States parties with their obligations under the Treaty. The need to effectively address proliferation issues within the NPT was stressed. States parties were called upon to exert maximum effort to bring about diplomatic solutions to compliance concerns and strengthen confidence among all States parties.

33. States parties reaffirmed that the IAEA was the sole competent authority responsible for verifying and assuring, in accordance with the Statute of the Agency and the IAEA safeguards system, compliance with its safeguards agreements with States parties undertaken in fulfilment of their obligations under Article III, paragraph 1 of the Treaty, with a view to preventing the diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices. States parties underlined the need for strengthening the role of the IAEA and reaffirmed that nothing should be done to undermine the authority of the IAEA in verifying non-diversion. States parties noted the need for effectively addressing violations of safeguards obligations in order to uphold the integrity of the Treaty.

34. States parties welcomed the efforts of the Agency in strengthening safeguards and its completion of the conceptual framework for integrated safeguards, as well as the steps taken towards their application. States parties stressed the importance of IAEA safeguards as a fundamental part of the nuclear non-proliferation regime and commended the important work of the IAEA in implementing safeguards to verify compliance with the non-proliferation obligations of the Treaty. The IAEA safeguards thereby promoted further confidence among States, helped to strengthen their collective security and played

a key role in preventing the proliferation of nuclear weapons and other nuclear explosive devices.

35. States parties expressed the need to strive towards the universalization and strengthening of the IAEA safeguards system. While welcoming the recent entry into force of comprehensive safeguards agreements and Additional Protocols with a number of States parties, concern was expressed that some 30 States parties had yet to bring into force safeguards agreements, as required by Article III, and that only 87 had Additional Protocols in force. States that had not yet concluded comprehensive safeguards agreements with the IAEA were called upon to do so without further delay.

36. The importance of the Additional Protocol as an essential and indispensable tool for effective functioning of the IAEA safeguards system was underlined. It was stressed that States parties must have both a comprehensive safeguards agreement and an Additional Protocol in place for the IAEA to be able to provide credible assurance of both the non-diversion of declared material and the absence of undeclared nuclear material or activities in the States concerned.

37. States parties reaffirmed the need for the Additional Protocol to be universalized, and noted that further efforts in promoting that goal were needed to increase confidence in the compliance by States parties with their non-proliferation obligations. States parties that had not yet concluded Additional Protocols were called upon to do so as soon as possible. It was also stated that efforts to achieve universal application of the Additional Protocol should not hamper efforts towards achieving universality of comprehensive safeguards agreements.

38. Views were expressed that the strengthened safeguards system - a comprehensive safeguards agreement coupled with the Additional Protocol - constituted the Non-Proliferation Treaty's verification standard, and that this standard should be used as a precondition for new supply arrangements. In that regard, views were also expressed that concluding an Additional Protocol should remain a voluntary confidence building measure. New arrangements on the Small Quantities Protocols agreed in 2005 at the IAEA were welcomed and considered an important step in the process of strengthening safeguards. All concerned States were called upon to adopt that new standard.

39. It was reiterated that export controls were a key element of the non-proliferation regime under the Treaty. In light of revelations regarding clandestine proliferation networks, States parties underlined that effective export controls, together with IAEA safeguards, are an integral part of the non-proliferation regime. Their legitimate role in ensuring compliance with Articles I, II, III, and facilitating peaceful nuclear cooperation was emphasized, as was the need for all States to exercise vigilance in the transfer of sensitive equipment and technology. The important role played by the international export control framework for nuclear-related materials and technologies, namely the Zangger Committee and the Nuclear Suppliers Group, was noted, in particular their utility in guiding States in setting up their national export control policies. States parties were urged, however, to implement export controls in a transparent, non-discriminatory and cooperative manner. It was further stressed that the inalienable rights under Article IV should not be undermined.

40. Support was expressed for internationally recognized nuclear-weapon-free zones established on the basis of arrangements freely arrived at among States in the regions concerned and on the basis of established United Nations guidelines. The contribution of such zones to enhancing global and regional peace and security, including the cause of global nuclear non-proliferation, was emphasized. It was noted that the number of States covered by the nuclear-weapon-free zones exceeded 105. The establishment of nuclear-weapon-free zones created by the treaties of Tlatelolco, Rarotonga, Bangkok, Pelindaba and Semipalatinsk was considered a positive step towards attaining the objective of global nuclear disarmament. The importance of the entry into force of all those nuclear-weapon-free zone treaties was stressed. In this regard, States parties welcomed the recent ratifications of the Pelindaba Treaty and the Plan of Action endorsed by the South East Asian Nuclear Weapon Free Zone Commission to strengthen the implementation of the Bangkok Treaty. Nuclear-weapon States' renewed efforts to resolve the pending issues on the protocol to the Bangkok Treaty were seen as encouraging. Nuclear-weapon States

were called upon to provide security assurances to members of nuclear-weapon-free zones by signing and ratifying protocols to those treaties.

41. Continuing and increased cooperation among the parties to the zones was encouraged, as was the development of a nuclear-weapon-free southern hemisphere. States parties welcomed the conclusion and the recent ratifications of the Central Asia Nuclear-Weapon-Free Zone treaty. The need for further consultations among concerned countries in accordance with the 1999 United Nations Disarmament Commission guidelines to resolve outstanding issues regarding the Central Asia Nuclear-Weapon-Free Zone was expressed. Support for nuclear-weapon-free status of Mongolia was reiterated. Efforts to institutionalize this status were noted. States parties underlined the importance of establishing new nuclear-weapon-free zones, especially in the Middle East and South Asia.

42. States parties reaffirmed the importance of the resolution on the Middle East adopted at the 1995 Review and Extension Conference, and emphasized that the resolution remained valid until its goals and objectives were achieved. The resolution was both an essential element of the outcome of the 1995 Conference and an essential part of the basis on which the Treaty on the Non-Proliferation of Nuclear Weapons had been indefinitely extended without a vote in 1995. States parties reiterated their support for the establishment of a Middle East zone free of nuclear weapons as well as other weapons of mass destruction and their delivery systems. Strong concern was voiced at the lack of measurable implementation of the resolution. Renewed, action-oriented determination to implement the resolution was strongly urged. States parties affirmed the importance of establishing practical mechanisms within the review process to promote the implementation of the 1995 resolution on the Middle East, particularly through reporting to the Secretary-General on the steps that they had taken to promote the achievement of a nuclear-weapon-free zone in the Middle East and the realization of the goals and objectives of the 1995 resolution on the Middle East. A subsidiary body within Main Committee II of the 2010 Review Conference was sought, together with a specific period of time during the preparatory committee and the establishment of a standing committee of the members of the bureau of that conference to follow up inter-sessionally the implementation of recommendations concerning the Middle East. The convening of an international conference on the establishment of a nuclear-weapon-free zone in the Middle East with the participation of nuclear weapon States and all States in the region was sought.

43. States parties noted that all States of the region of the Middle East, with the exception of Israel, were States parties to the Non-Proliferation Treaty. Great concern was expressed regarding the nuclear capability of Israel. States parties called upon Israel to accede to the Treaty as soon as possible as a non-nuclear-weapon State, conclude a comprehensive safeguards agreement and place its nuclear facilities under full scope IAEA safeguards. Concern was also expressed about nuclear cooperation with States outside the IAEA safeguards system, especially Israel. The need for monitoring compliance by States parties with Articles I, II and III, particularly obligations regarding transfer, was stressed.

44. The importance of the creation of an environment conducive for implementation of the Middle East resolution was emphasized. The presence of nuclear weapons in the region was seen as an impediment to aspirations for the Middle East to become a nuclear-weapon-free zone. States parties welcomed the voluntary decisions by the Libyan Arab Jamahiriya to abandon its programmes for developing weapons of mass destruction and their means of delivery, as well as its ratification of the Additional Protocol. All States in the region that had not yet done so were urged to accede to the NPT and conclude with the IAEA comprehensive safeguards agreements and Additional Protocols and become party to the Comprehensive Nuclear Test-Ban Treaty. More generally, States parties also expressed full support for achieving a comprehensive, just and lasting peace in the Middle East. The view was expressed that the lack of progress in the Middle East peace process should not inhibit implementation of the 1995 Resolution. It was also noted that the accession of all States in the region to the NPT would contribute to the objective of establishing a Middle East zone free of nuclear weapons as well as of other weapons of mass destruction.

45. States parties reaffirmed the importance of the implementation of Iran's (Islamic Republic of) NPT safeguards agreement and insisted that Iran comply fully and without

further delay with all the requirements in Security Council resolutions 1696 (2006), 1737 (2006), 1747 (2007) and 1803 (2008) as well as the relevant resolutions of the IAEA Board of Governors. States parties noted that the IAEA had reported that it continued to verify the non-diversion of declared nuclear material in Iran, and that it remained unable to verify the absence of undeclared nuclear material and activities in Iran; and that certain questions and verification matters were resolved while yet others including some of serious concern were not resolved. The completion of the work plan to resolve some outstanding issues between Iran and the IAEA was noted. States parties noted further that the IAEA will continue, in accordance with its procedures and practices, to seek corroboration of its findings and to verify, as part of its verification, the completeness of Iran's declaration. States parties believed that the issue should be resolved peacefully through diplomatic efforts and negotiations. Questioning the need for the involvement of the Security Council, Iran indicated its readiness to continue to resolve the outstanding issues within the framework of the IAEA. Iran underscored its intention to continue to cooperate with the IAEA in accordance with its legal obligations envisaged in the IAEA statute and NPT. Iran reiterated the peaceful nature of its nuclear programme and declared its resolve not to suspend enrichment and reprocessing activities.

46. States parties recognized that the DPRK's nuclear activities presented a great challenge to the NPT and noted the progress achieved under the 13 February 2007 initial actions and the shutdown of the Yongbyon nuclear facilities. They welcomed the monitoring and verification arrangements implemented by the IAEA with the agreement of the DPRK. They further welcomed the continuing verification by the IAEA of the shutdown status of the Yongbyon nuclear facilities. States parties noted that the disabling of some of the Yongbyon nuclear facilities by the DPRK is presently underway. States parties were concerned that the DPRK had not yet submitted a complete and correct declaration of all its nuclear programmes and activities and urged it to do so promptly. They urged the DPRK to comply with Security Council resolutions 1695 (2006) and 1718 (2006) and the joint statement of September 2005, to abandon all nuclear weapons and existing nuclear programmes as well as associated ballistic missile programmes in a complete, verifiable and irreversible manner, and to return promptly to compliance with the obligations under the NPT and the IAEA safeguards agreement. States parties stressed the importance of achieving the goal of the denuclearization of the Korean Peninsula. They underlined the need for a peaceful solution of this issue and welcomed the diplomatic efforts undertaken in the framework of the six-party talks.

47. There was concern about reports of alleged clandestine nuclear activities by the Syrian Arab Republic, and calls were made for prompt clarifications regarding those activities in cooperation with the IAEA. The unilateral actions taken in response to those alleged activities prompted some States parties to highlight the need to for early involvement of the IAEA in cases of suspected proliferation activities. Syria reiterated its commitment to compliance with the NPT and safeguards agreements with the IAEA, rejecting the validity of any information suggesting otherwise.

48. States parties reaffirmed their inalienable right under Article IV to develop research, production and use of nuclear energy for peaceful purposes, without discrimination and in conformity with Articles I, II and III of the Treaty. It was noted that, as part of the fundamental bargain, nothing in the NPT should be interpreted as affecting that right. It was stressed that participating in and facilitating the exchange of nuclear technology for peaceful uses must be consistent with the Treaty's non-proliferation obligations.

49. In view of climate change and the growing demand for nuclear energy and sustainable development, a call was also made to fully ensure the free, unimpeded and non-discriminatory transfer of nuclear technology for peaceful purposes. The proliferation risks associated with the growing global energy demand were noted. The importance of assisting States parties to develop safeguards, safety, and security was emphasized. The development of internationally agreed criteria for transfers of proliferation-sensitive nuclear equipment and technology was suggested. It was reiterated that additional restrictions should not be applied to the peaceful uses of nuclear energy, especially in developing countries or for political purposes.

50. In that context, States parties emphasized the value and importance of the IAEA Technical Cooperation Programme, underlining that technical cooperation played an important role in further developing the application of nuclear energy for peaceful

purposes. States parties acknowledged the wide application of nuclear technology for areas in health, industry, agriculture and environmental protection. Appreciation was expressed for the assistance rendered, particularly for developing countries through the programme. It was stressed that States parties should take measures to ensure that the programme was adequately and predictably financed. There was some concern that the programme could be used as a political tool.

51. Attention was drawn to the significance of developing proliferation-resistant nuclear technologies, including through the international project on Innovative Nuclear Reactors and Fuel Cycles (INPRO). References were made to the Global Nuclear Energy Partnership.

52. The importance of strengthening nuclear safety, radiation protection, the safety of radioactive-waste management and the safe transport of nuclear and radioactive-materials, including maritime transport, was highlighted. The need for maintaining the highest standards of safety at civilian nuclear installations through national measures and international cooperation was also emphasized. Concern was expressed about the environmental consequences of uranium mining, and assistance was sought with radiological assessment and remedial measures in the affected areas in accordance with the appeal made in the 1995 and 2000 Review Conference.

53. The role of the IAEA in the promotion of safety in all its aspects was underlined and it was noted that further efforts were needed in that regard. States parties that had not yet done so were called on to accede to all relevant conventions on nuclear safety, safe waste management and physical protection of nuclear material and the IAEA Code of Conduct on the Safety and Security of Radioactive Sources. States parties supported efforts to enhance the security of existing stockpiles of highly enriched uranium, while minimizing its use in the civilian nuclear sector. States parties called for the acceleration of efforts to develop and implement a fully effective global nuclear security framework. Support was expressed for the work undertaken by the International Experts Group on Liability (INLEX). The importance of maintaining dialogue on facilitating safe maritime transport of radioactive material was stressed.

54. States parties noted the importance of combating nuclear terrorism and strongly supported existing IAEA initiatives in that regard. The IAEA action plan on protection against nuclear terrorism was widely noted and supported. States parties called for full implementation of Security Council resolutions 1540 (2004), 1673 (2006) and 1810 (2008). Additionally, the entry into force of the International Convention for the Suppression of Acts of Nuclear Terrorism in July, 2007 was noted and States parties were called upon to accede thereto.

55. Other initiatives, including the Global Initiative to Combat Nuclear Terrorism were also noted. The IAEA's work in support of States' efforts to prevent the illicit trafficking of nuclear and other radioactive material was commended. In that context, States noted the new proliferation threat posed by clandestine activities and networks for the supply of nuclear goods and technologies. It was emphasized that only through proactive and full cooperation and assistance to the Agency could these proliferation threats be addressed. States parties were encouraged to enhance cooperation amongst themselves and with international organizations, particularly the IAEA, to prevent, detect, and respond to suspected proliferation activities and illicit trafficking of nuclear materials, equipment and technology. States parties stressed the importance of contributions to the Nuclear Security Fund of the IAEA. States expressed support for measures to prevent terrorists from acquiring weapons of mass destruction and related material and welcomed the principles of the Group of Eight in that regard.

56. States parties urged the strengthening of the physical protection of nuclear material and facilities as an element of the non-proliferation regime that should be emphasized, particularly in the light of the heightened risk of nuclear terrorism. They welcomed the amendment to the Convention on the Physical Protection of Nuclear Material and urged States that had not yet done so to accede to the amended convention. All States were urged to implement the IAEA Code of Conduct on the Safety and Security of Radioactive Sources.

57. States parties emphasized the need to increase international cooperation in respect of the promotion of multilateralism in the nuclear fuel cycle and the supply of nuclear fuel. The numerous existing proposals, ranging from the establishment of a fuel bank of low enriched uranium, multilateral enrichment centres and ongoing discussions in the IAEA on fuel supply assurance mechanisms were welcomed. States parties expressed their willingness to participate in and contribute to such discussions. It was stressed that such proposals should be addressed in a multilaterally negotiated, comprehensive, economically viable and non-discriminatory manner under the auspices of the IAEA, without restrictions on access to nuclear material, equipment and technology for peaceful purposes. It was noted that a balanced multilateral mechanism could significantly contribute to confidence-building in the field of non-proliferation and to peaceful uses of nuclear energy and to the overall strength of the non-proliferation regime. It was emphasized that the multilateralization of the fuel cycle should not deny States parties' choices regarding the development of national fuel cycles and be consistent with the Treaty.

58. States parties reaffirmed the sovereign right of each State party to withdraw from the NPT as provided for in Article X (1). It was noted that Article X envisaged that withdrawal would be exercised only in the face of extraordinary events. It was stated that the goal was not to deny the right to withdraw, but to make it more difficult for violators to use withdrawal to escape accountability for their violations. Importance was attached to the need for any withdrawal to be made in a manner consistent with the requirements, purposes and objectives of the Treaty. The view was expressed that because of its potential to undermine the Treaty, a withdrawal would warrant international scrutiny as envisaged in Article X. The elaboration of effective and prompt modalities under which States parties could collectively respond to notifications of withdrawal was urged.

59. Views were expressed that a State that withdrew from the NPT should not be able to benefit from nuclear materials, equipment and technology acquired while party to the Treaty. States parties urged supplier countries to make arrangements to retrieve from the withdrawing State any nuclear material, facilities and equipment transferred prior to withdrawal or ensure an end to their use. It was emphasized that, under international law, a withdrawing party was liable for breaches of the Treaty that occurred prior to withdrawal. It was also stressed that nuclear material, equipment and technology acquired by States parties for peaceful purposes prior to withdrawal must remain subject to peaceful uses under IAEA safeguards. Concerns were expressed that some proposals on Article X went beyond the provisions of the Treaty.

60. The need was noted for States parties to undertake consultations and conduct every diplomatic effort, including on a regional basis, to encourage a party to reconsider its sovereign position to withdraw. Given the particular circumstances envisaged in Article X for the exercise of the right to withdraw, the role of the Security Council as provided for in that article was also underlined.

61. The need to strengthen the Treaty and its review process was expressed. A range of views was expressed on the need for institutional improvements such as annual or extraordinary meetings of States parties, consideration of national reports, a small standing bureau or standing committee, streamlining of documentation, and an enhanced secretariat.

62. Views were expressed on rotation among regional groupings of the chairpersonship of the preparatory committees and the review conferences for future cycles. The issues of financial assessments and adequate financial support for the NPT review cycle were also raised.

63. Noting the contributions from civil society in promoting the vision of a world free of nuclear weapons and in developing proposals on practical measures to achieve this vision, States parties emphasized the value of the involvement and contribution of civil society in the process of reviewing the Treaty. Substantive proposals were made for the enhanced participation of non-governmental organizations.

Notes

1. Paragraph 7 of Improving the Effectiveness of the Strengthened Review Process for the Treaty in Part I of Volume I of the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.2000/28, parts I and II): "The consideration of the issues at each session of the Preparatory Committee should be factually summarized and its results transmitted in a report to the next session for further discussion."

2. Any reference to "States parties" in the present summary is not intended to imply unanimity among States parties.

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