

# 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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## Main Committee II

### Summary record of the second part\* of the 3rd meeting

Held at Headquarters, New York, on Wednesday, 10 August 2022, at 4.30 p.m.

*Chair:* Ms. Krois ..... (Poland)

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\* The summary record of the first part of the meeting, held on Tuesday, 9 August 2022, appears as document [NPT/CONF.2020/MC.II/SR.3](#).

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*The meeting was reconvened at 4.35 p.m.*

### **Focused exchange of views**

1. **The Chair** said that, for the following few meetings, Main Committee II would hold focused exchange of views on the thematic issues to be covered in the Committee's report. Delegations should use the opportunity to clarify their positions on the cluster of issues under discussion and provide specific proposals for the wording of the Committee's report that she would subsequently draft. She would include in the report only ideas and language proposals provided during the discussions.

2. The first subject to be discussed was non-proliferation, as covered in articles I and II of the Treaty on the Non-Proliferation of Nuclear Weapons. The Final Documents of the 2000 and 2010 Review Conference would be used as the basis for her report. Those documents had contained a list of various issues under the topic of non-proliferation, including its role in promoting international peace and security; universal adherence to the Treaty and its importance for non-proliferation; the relationship of non-proliferation and disarmament objectives of the Treaty; the full implementation of articles I and II; and non-compliance with non-proliferation obligations under articles I and II of the Treaty. Discussions on non-proliferation often dovetailed with those on safeguards, which was covered in article III of the Treaty. Since article III had been considered as a separate topic in previous Final Documents, she suggested that delegations focus on non-proliferation, rather than safeguards.

3. On the basis of the statements made during the general exchange of views, she had identified common ground on various issues for the non-proliferation cluster. The 2020 Review Conference could reconfirm the decisions and resolutions adopted at the 1995 Review and Extension Conference, the Final Document of the 2000 Review Conference and the conclusions and recommendations in the Final Document of the 2010 Review Conference. The Conference could also acknowledge that the implementation of the Treaty was crucial to international peace and security; reconfirm the status of the Treaty in respect of non-proliferation, disarmament and the peaceful uses of nuclear energy; and reaffirm that efforts would be made to prevent the proliferation of nuclear weapons and other nuclear explosive devices, without hindering the use of nuclear energy for peaceful uses.

4. The Review Conference could refer to the fact that the universality of the Treaty and full compliance with its provisions were the best ways to prevent the spread

of nuclear weapons and other nuclear explosive devices. The Conference could also call upon States parties to promote universal adherence to the Treaty and not to take actions that negatively affected prospects for its universality, including threats to use nuclear weapons against the non-nuclear-weapon States.

5. The Review Conference might also wish to reaffirm the obligations and the commitments of non-nuclear-weapon States and the nuclear-weapon States, as set out in the first and second preambular paragraphs of the Treaty. Non-nuclear-weapon States had entered into legally binding commitments not to receive, manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, whereas the nuclear-weapon States should adhere to their corresponding legally binding obligations under the Treaty.

6. Lastly, the Review Conference could reaffirm the outcomes of previous Review Conferences, emphasize the necessity for the full implementation of articles I and II of the Treaty, and acknowledge that the strict observance of all provisions of the Treaty was crucial to the achievement of States parties' shared objectives and to the total elimination of nuclear weapons. The Conference could also highlight the fact that concerns regarding compliance with obligations under the Treaty should be addressed through diplomatic means in line with the Treaty and the Charter of the United Nations. The Conference might also wish to recognize that breaches of obligations under the Treaty undermined its three pillars.

7. **Mr. Leopoldino** (Brazil) said that his country's views on naval nuclear propulsion were presented in document [NPT/CONF.2020/WP.71](#). Some delegations had alleged that naval nuclear propulsion was incompatible with the Non-Proliferation Treaty, but the Treaty contained no provisions precluding the development of such activities and all comprehensive safeguard agreements explicitly stated that such activities were not proscribed. Naval nuclear reactors were not weapons but were used in vessels to generate energy for propulsion and were thus no different from nuclear power plants built on land. They constituted a peaceful application of nuclear technology and had been used for military and civilian applications by both nuclear-weapon and non-nuclear-weapon States. Characterizing the use of naval nuclear propulsion as a violation of the Treaty was therefore factually incorrect and curtailed the inalienable rights of States to the use of nuclear technology for peaceful purposes.

8. Naval nuclear propulsion was currently among the top national strategic priorities of Brazil, and it had

developed its related programme transparently, with full accountability and in accordance with its international obligations. Brazil was committed to working with the International Atomic Energy Agency (IAEA) and the Brazilian-Argentine Agency for Accounting and Control of Nuclear Materials to develop special procedures for the verification of nuclear material to be used under the programme. Those procedures should enable both bodies to fulfil their respective safeguards mandates and to continue to verify that all nuclear materials in Brazil were used exclusively for peaceful purposes.

9. **Mr. Ding** Tongbing (China) said that his delegation had put forward its views on non-proliferation during the general debate of the plenary meetings, the general exchange of views of Main Committee II and its related subsidiary body, as well as in documents [NPT/CONF.2020/WP.29](#), [NPT/CONF.2020/WP.30](#) and [NPT/CONF.2020/WP.50](#). His delegation wished to make the following proposals for the final document.

10. The Review Conference should reaffirm that the proliferation of nuclear weapons could seriously increase the risk of nuclear war, provoke an arms race and adversely affect nuclear disarmament efforts, and that the Treaty played a vital role in preventing that from happening. The Conference should take note of the ongoing profound and complex changes in the current security environment and emphasize the importance of upholding the authority and effectiveness of the non-proliferation regime.

11. The Review Conference should emphasize that the Treaty was the cornerstone of the international non-proliferation regime and encourage the international community resolutely to oppose and prevent all forms of nuclear proliferation, address nuclear hotspots and enhance common and universal security. The Conference should call on States parties collectively to tackle emerging challenges in the field of nuclear non-proliferation, jointly oppose double standards in the implementation of obligations under the Treaty and reject attempts to put geopolitical interests above non-proliferation principles. The Conference should also underscore the importance of complying with non-proliferation obligations and addressing compliance matters in order to strengthen the integrity of the Treaty and the authority of the safeguards system.

12. IAEA should establish a special committee in which all IAEA States members could deliberate on the enhanced trilateral security partnership between Australia, the United Kingdom and the United States (AUKUS) and related safeguards issues. Until outstanding issues had been properly settled, the three countries should not proceed with cooperation on

nuclear-powered submarines and the Agency's secretariat should not engage with those countries regarding safeguards arrangements. The Review Conference should also decide to add the topic as a regular agenda item for the following review cycle in order to facilitate discussions after the current Conference.

13. The Review Conference should urge States parties to faithfully fulfil their obligations under the Treaty, abandoning nuclear sharing arrangements, withdrawing all nuclear weapons deployed in other countries and undertaking not to introduce nuclear sharing arrangements to other regions, including by replicating the nuclear sharing model in the Asia-Pacific region.

14. The Review Conference should encourage the nuclear-weapon States to respect the legal status of nuclear-weapon-free zones and urge them to ratify all protocols to the treaties on nuclear-weapon-free zones in the South Pacific, Africa and Central Asia and implement the security assurances stipulated therein. The nuclear-weapon States should also hold constructive consultations on outstanding issues preventing them from signing the Protocol to the Treaty on the Southeast Asia Nuclear Weapon-Free Zone and commit themselves to signing the Protocol early in order to preserve consensus.

15. The establishment of a nuclear-weapon-free zone in the Middle East would help to prevent the proliferation of nuclear weapons and ease tensions in that region. The Review Conference should call on States parties to observe the relevant General Assembly resolutions and decisions on that matter, including the resolution on the Middle East adopted at the 1995 Review and Extension Conference, and relevant provisions of the Final Documents of the 2000 and 2010 Review Conferences. Moreover, it should call on States parties to convene the Conference on the Establishment of a Middle East Zone Free of Nuclear Weapons and Other Weapons of Mass Destruction, as provided for in Assembly resolution 73/546, and encourage all countries of the region and relevant nuclear-weapon States to take part.

16. The Review Conference should stress its support for IAEA in fulfilling its safeguards mandate in a fair, objective and impartial manner, and in promoting the universality of comprehensive safeguards agreements and additional protocols. Efforts should also be made to enhance the efficiency of the Agency's safeguards system so that it played a bigger role in upholding the international nuclear non-proliferation regime.

17. Lastly, the Review Conference should reaffirm States parties' resolve to address regional

non-proliferation hotspots through political and diplomatic means and their readiness to engage with relevant parties. Deliberations during the Conference and the wording used in its final documents should be conducive to advancing the political and diplomatic process instead of escalating tensions.

18. **The Chair** said that China had covered all issues to be discussed in Main Committee II in its statement, but that delegates should currently focus only on those relevant to non-proliferation.

19. **Mr. Del Sar** (Argentina), expressing support for the statement by Brazil, said that naval nuclear propulsion was not proscribed under the Non-Proliferation Treaty, that States parties had an inalienable right to develop it for peaceful and legal applications and that his country's stance was reflected in the Quadripartite Safeguards Agreement between Argentina, Brazil, IAEA and the Brazilian-Argentine Agency for Accounting and Control of Nuclear Materials.

20. **Mr. Countryman** (United States of America) said that there was an important functional relationship between the non-proliferation pillar and the other two pillars. Whereas article IV of the Non-Proliferation Treaty concerned cooperation on the peaceful uses of nuclear energy, articles I, II and III of the Treaty instilled confidence that such cooperation would not lead to the proliferation of nuclear weapons. Similarly, disarmament was facilitated not only through article VI of the Treaty, but also through the confidence, security and stability provided for in articles I, II and III of the Treaty.

21. The Treaty was not, however, some bargain whereby non-nuclear-weapon States agreed not to acquire nuclear weapons and the nuclear-weapon States agreed to pursue disarmament. Non-nuclear-weapon States must also mutually undertake not to acquire such weapons. Since the Final Documents adopted at previous Review Conferences reflected the long-standing principles of States parties regarding articles I and II of the Treaty, the United States was prepared to draw on those texts in the final document.

22. Progress towards universalization remained a shared long-term goal of all States parties and brought additional security benefits, whereas any withdrawal from the Treaty detracted from those shared interests. The Review Conference should therefore recognize that efforts to promote universality and to discourage withdrawals were mutually reinforcing.

23. China had referred to naval nuclear propulsion even though that was not a non-proliferation issue and

was permitted under the Treaty. The IAEA Director General had said on the first day of the Review Conference that it was provided for in the existing legal framework. Unlike China, the United States had full confidence in the technical ability and authority of IAEA. Setting the highest possible non-proliferation standards was central to his country's approach. His delegation therefore rejected proposals for the establishment of additional committees or parallel processes that called into question the Agency's independence, authority and technical capabilities. The AUKUS partners, like any State pursuing nuclear programmes, would continue to consult with IAEA, as appropriate, in the context of safeguards, and the IAEA Director General would report to the Agency's Board of Governors on the topic in September 2022. The United States would reserve comments on AUKUS to such discussions and in the meantime wished to refer parties to its working paper on the topic ([NPT/CONF.2020/WP.66](#)).

24. At the current discussion, Brazil had discussed naval nuclear propulsion far more accurately than China. His delegation would not join consensus on any text containing false claims that extended nuclear deterrence or nuclear sharing among North Atlantic Treaty Organization (NATO) allies was inconsistent with the letter and spirit of the Non-Proliferation Treaty. When the Treaty had been negotiated, NATO already had nuclear sharing arrangements in place and articles I and II had been drafted specifically to be consistent with them. Such practices had been accepted without questioning for decades.

25. **Ms. van Heek ter Hoeve** (Netherlands) said that her delegation supported the Chair's summary of common ground, especially on the fundamental role of the Non-Proliferation Treaty to prevent the diversion of nuclear energy from peaceful uses, the interdependency of the three pillars and the importance of universalization. The Netherlands would not, however, accept the references to nuclear sharing arrangements proposed by the representative of China. Nuclear sharing arrangements predated the Treaty and had been fully taken into account at the time of its drafting.

26. **Ms. Jones** (United Kingdom) said that the full implementation of the Non-Proliferation Treaty was vital to international peace and security. She encouraged all States not currently party to it to join as non-nuclear-weapon States and current States parties to adhere to it, including through legally binding safeguards obligations not to receive or transfer nuclear weapons. Such obligations were critical to the success of the Treaty and to the provision by IAEA of reassurances of the peaceful use of nuclear material. Unfortunately, the

Democratic People's Republic of Korea continued to threaten international security through illegal nuclear programmes, Iran remained under investigation with IAEA for safeguards issues and Syria was the only country in formal non-compliance with its safeguards agreements.

27. With regard to AUKUS, her delegation fully associated itself with the United States and encouraged participants to consider the explanation of AUKUS contained in document [NPT/CONF.2020/WP.66](#). On NATO nuclear sharing arrangements, the United Kingdom associated itself fully with the comments made by the Netherlands and the United States that nuclear basing or nuclear planning was not prohibited under articles I and II of the Treaty.

28. **Ms. Thomas Ramírez** (Cuba) said that document [NPT/CONF.2020/WP.26](#) contained several useful recommendations. She drew attention in particular to recommendation 1 on the recognition of the Non-Proliferation Treaty as the key international instrument for nuclear disarmament; recommendation 2 on the non-discriminatory and balanced implementation of its three pillars; recommendation 3 on the fact that the total elimination of nuclear weapons was the only absolute guarantee against their use; and recommendation 6 on the need for the universality of the Treaty.

29. **Mr. Ozawa** (Japan), in reply to the proposals by the representative of China, said that he did not understand why the East Asia region should be mentioned in relation to nuclear sharing, as there were no substantial nuclear sharing movements in that region. With regard to special arrangements for naval nuclear propulsion, his delegation was confident that the IAEA Director General would make sure that the process was transparent. A report would soon be issued on the topic and there would probably be more specific discussions once AUKUS and programmes in other countries became clearer.

30. **Ms. Horoşanu** (Romania) said that nuclear sharing arrangements had been in place long before the Non-Proliferation Treaty came into force in 1970 and that such arrangements had continued to be consistent and compliant with the Treaty. NATO nuclear sharing arrangements had long been publicly accepted and understood by all States parties to the Treaty.

31. **Mr. Dandy** (Syrian Arab Republic) said that nuclear weapons and nuclear capacities must not fall into the hands of non-State parties or terrorist and criminal organizations. The representative of the United Kingdom had called on States to join the Non-Proliferation Treaty as non-nuclear-weapon States, but

as the only country in the Middle East yet to do so, pressure should be exerted on Israel to join the Treaty unconditionally and immediately and to submit all of its nuclear facilities to the IAEA comprehensive safeguards system. He also called on the nuclear-weapon States to abide by their commitments under article I of the Treaty not to transfer nuclear weapons, nuclear explosive devices or any remote or direct control over such weapons, and not to encourage or support the manufacture of nuclear weapons.

32. **Ms. Foistner** (Germany) said that her delegation agreed with the idea of taking wording from the Final Document of the 2010 Review Conference and supported the specific language outlined by the Chair, in particular on promoting the universality and full implementation of the Non-Proliferation Treaty. With regard to the AUKUS initiative, Germany welcomed the commitment by Australia, the United Kingdom and the United States to accept a high standard of safeguards, fully trusted the expertise and professionalism of the IAEA secretariat to address the matter in an independent and impartial manner, and did not support proposals to establish additional forums on AUKUS or raise questions about it in the context of non-proliferation. Similarly, it rejected the proposed wording on nuclear sharing, as NATO nuclear sharing arrangements remained fully consistent and compliant with the Treaty.

33. **Mr. Friele** (Canada) said that his delegation trusted that suitable safeguards arrangements for proposed naval nuclear propulsion initiatives could be agreed upon in accordance with participating States' legal obligations, including relevant safeguards agreements. Canada fully supported IAEA in its role of providing technical, impartial and evidence-based monitoring and verification in support of the safeguards system and the non-proliferation regime, and had full confidence in its ability to develop effective safeguards approaches for naval nuclear propulsion. As the Agency was the sole competent authority in that field, there was no need to establish a separate intergovernmental process.

34. **Mr. Elghitany** (Egypt) said that his delegation wished to see recommendations 1 to 8 of working paper [NPT/CONF.2020/WP.26](#) incorporated into the text of the final document. Specifically, Egypt would welcome references in the report to the mutually reinforcing relationship between nuclear disarmament and non-proliferation, and to the fact that progress in non-proliferation was unsustainable without parallel improvements in disarmament. It was regrettable that attempts to prevent horizontal proliferation were being undermined by States not party to the Non-Proliferation Treaty that had nuclear facilities and conducted



activities contrary to the letter and spirit of the Treaty. The Review Conference should reaffirm in the report the commitment of States parties to vigorously pursue the universality of the Treaty. His delegation was paying close attention to the discussion on naval nuclear propulsion, in particular its evolution in IAEA, and hoped that such activities would be subject to relevant safeguards and consistent with States parties' commitments under the Treaty.

35. **Mr. Robatjazi** (Islamic Republic of Iran) said that, so long as nuclear weapons existed, the risk of their vertical and horizontal proliferation would persist. The NATO nuclear sharing agreements were of concern as they violated articles I and II of the Non-Proliferation Treaty by allowing the transfer of hundreds of United States weapons to non-nuclear-weapon States in Europe. The United States unilaterally interpreted its nuclear-weapon sharing agreements to be in compliance with the Treaty, even though it was explicitly mentioned in article I of the Treaty that nuclear weapons and nuclear explosive devices should not be transferred from nuclear-weapon States to any recipient whatsoever. In the report, the Committee should call on States involved in nuclear-weapon sharing to terminate those unlawful arrangements so as to again meet their non-proliferation obligations.

36. The report should also include a reference to the proliferation risk from the transfer of weapons-grade highly enriched uranium and relevant technologies from the United States and the United Kingdom to Australia as part of the AUKUS partnership. The United States and the United Kingdom should respect their obligations under article I of the Treaty by refraining from helping Australia to acquire nuclear weapons. Similarly, the Review Conference should urge States parties to prohibit nuclear cooperation and the transfer of nuclear facilities to non-parties to the Treaty that had not accepted the full scope of IAEA safeguards or made clear non-proliferation commitments.

37. Emphasis should be placed in the report on ensuring that non-proliferation measures were consistent with the inalienable rights of States parties to peaceful uses of nuclear energy and on facilitating the fullest possible exchange of nuclear equipment and material for peaceful purposes. Similarly, the Review Conference should call for the elimination of unilateral coercive measures and arbitrary export controls that constrained the effective implementation of article IV of the Treaty, with most of the controls applied under the pretext of non-proliferation.

38. His delegation could not accept the proposed recognition of a link between efforts to promote

universality and efforts to discourage withdrawal from the Treaty, since not every withdrawal should be viewed as an attempt to acquire or develop nuclear weapons. The State might have other objectives in mind and had the right, under article X, to withdraw from the Treaty if its supreme national interests were jeopardized.

39. More generally, the application of double standards in non-proliferation must be abandoned. During discussions, for example, some delegations had contradicted themselves by, on the one hand, claiming that the transfer of weapons-grade highly enriched uranium to non-nuclear-weapon States was permitted under the Treaty while, on the other hand, expressing concern that other States parties exercised their rights to produce highly enriched uranium for peaceful or medical purposes.

40. **Mr. Baude** (France) said that his delegation acknowledged the role of the Non-Proliferation Treaty in combating the proliferation of nuclear weapons and supported efforts to promote nuclear cooperation and the universalization of the Treaty. It also approved of the summary of common ground provided by the Chair on the basis of previous Final Documents of the Review Conferences. His delegation fully trusted the expertise and professionalism of IAEA to apply the best verification standards to ensure the non-proliferation of naval nuclear propulsion.

41. **Mr. Roethlin** (Austria) said that the working paper of the Vienna Group of Ten ([NPT/CONF.2020/WP.3/Rev.1](#)) contained a number of valuable recommendations on so-called "Vienna issues". Many of those concerned the work of Main Committee II, in particular the recommendation to acknowledge the fundamentally important role played by IAEA in contributing to the implementation of the Non-Proliferation Treaty.

42. Austria had made remarks on naval nuclear propulsion during the general exchange of views. It welcomed the work of proponents of that technology and looked forward to seeing proposals on how to ensure the highest levels of safeguards and transparency. To date, there had been encouraging signs of transparency and it was imperative to ensure that subsequent arrangements did not have negative repercussions in the field of non-proliferation.

43. **Mr. Kawalowski** (Poland) said that there were major non-proliferation challenges for the Review Conference to address, especially in the context of Russian military aggression in Ukraine. The Conference should recognize the critical role played by IAEA in conducting verification activities, as were clearly necessary in Ukraine. The Conference should also aim

to strengthen the safeguards and verification regime so as to build trust and transparency, and send a clear message that the role of IAEA in securing non-proliferation obligations under article III should be enhanced. The Conference should also appeal to States parties to strive for universal adherence to comprehensive safeguards agreements and additional protocols, which were considered the current standard tools for verification. He drew attention to a working paper of the Non-Proliferation and Disarmament Initiative ([NPT/CONF.2020/WP.10](#)), which included ideas related to safeguards, nuclear safety and negative security assurances.

44. Poland fully trusted the ongoing efforts of the Agency in respect of AUKUS. It was confident that NATO nuclear sharing arrangements would continue to be fully consistent and compliant with the Non-Proliferation Treaty, including articles I and II thereof. NATO allies had always adhered to their obligations under the Non-Proliferation Treaty and would continue to do so.

45. **Mr. Vishnevetskii** (Russian Federation) said that whenever the topic of joint nuclear missions was discussed, delegations harked back to a time in the distant past before the Non-Proliferation Treaty had existed, when apparently some agreements were made establishing the right for such missions to exist. Those days were long gone, the political landscape had changed and NATO itself had changed, especially in size. It was now a completely different entity and had, in its official documents, declared itself to be a nuclear alliance. It was obviously in the interest of that bloc to state that joint nuclear missions were a legal form for joint planning, joint training exercises and joint missions on the deployment of nuclear weapons, but that was merely the opinion of NATO countries, not of all States parties to the Non-Proliferation Treaty. Joint nuclear missions were totally incompatible with the letter and spirit of the Treaty and there was no way that the placement of nuclear weapons in the territories of non-nuclear-weapon States of NATO could be considered lawful.

46. Some NATO countries had spoken about reducing nuclear risk, but placing tactical nuclear weapons in non-nuclear-weapon States, closer to the border of potential enemies, surely increased the risk to other countries. Those nuclear weapons posed a strategic threat and would be taken into account for the planning of retaliatory actions. The Russian Federation therefore did not agree that the issue was unrelated to the Treaty; it should be discussed, including at the Review Conference. If States parties cleaved to positions that were advantageous only to a limited group of countries,

progress in the achievement of objectives under the Treaty would be very slow.

47. **Mr. Ding Tongbing** (China) said that, while the United States and other delegations had claimed that AUKUS was compliant with the Non-Proliferation Treaty, many countries did not agree with that. Compliance with the Treaty should not be defined by individual countries and differing opinions should be discussed during the Conference Review process. His delegation considered that the AUKUS submarine cooperation violated the purposes and principles of articles I and II of the Treaty, since, for the first time in history, propulsion reactors and weapons-grade highly enriched uranium would be transferred from nuclear-weapon States to non-nuclear-weapon States. The United States and its allies seemed to think that there were loopholes in the Treaty that allowed such actions, but even if that were the case, responsible States should not exploit the loopholes.

48. The AUKUS programme exemplified the practice of double standards in non-proliferation that could in turn stoke further proliferation. The United States and its allies had expressed concern about the nuclear issues on the Korean Peninsula and about the Iranian nuclear programme, but they did not practise what they preached. Under the pretext of non-proliferation, they had prevented the Democratic People's Republic of Korea and the Islamic Republic of Iran from acquiring highly enriched uranium and had tried to prohibit, by way of the Joint Comprehensive Plan of Action, the enrichment of uranium over 3.67 per cent, and claimed that the timeline for nuclear breakout by Iran should be controlled to one year. At the same time, the United States had declined to export highly enriched uranium to non-nuclear-weapon States and had promoted the conversion of low enrichment reactors around the world. However, the United States and the United Kingdom had quickly abandoned those non-proliferation standards and were instead ready to export weapons-grade highly enriched uranium to Australia. The eight submarines to be transferred to Australia would require 1.6 to 2 tons of highly enriched uranium when a mere 25 kilograms was enough to produce a nuclear weapon. Such double standards ran counter to the rules-based international order, would exacerbate inequality among non-nuclear-weapon States and spur more countries to follow suit, thereby further undermining the effectiveness and authority of the international non-proliferation regime.

49. IAEA should hold discussions on AUKUS, as that programme contravened article II of the IAEA Statute and seriously undermined the safeguards agreement system. That article provided that IAEA assistance should not be used for military purposes, and assistance

in building a nuclear submarine was certainly such a purpose and any safeguards arrangement between AUKUS and IAEA would set a precedent. Although non-proscribed military activities were exempted in paragraph 14 of the IAEA template document INFCIRC/153 on which comprehensive safeguards agreements were based, the international community had not reached consensus on what constituted such activities. There was enormous contention over how to interpret and apply that paragraph and whether it applied to the transfer of nuclear submarine propulsion reactors and weapons-grade highly enriched uranium. The United States, the United Kingdom and Australia were therefore not in a position to claim that they could negotiate safeguards arrangements with IAEA that would meet the highest non-proliferation standards, and any such standards should be set by all IAEA member States, not just three of them.

50. In response to his delegation's proposal to establish a special committee under IAEA dedicated to the discussion of AUKUS and relevant safeguards agreement issues, some delegations had stated that such consultations would undermine the Agency's authority. In fact, the opposite was true and such a committee would strengthen that authority. The IAEA safeguards regime was constantly being improved, as had been demonstrated in the past by negotiations on additional protocols and the small quantities protocol and by the establishment in 2015, at the recommendation of the United States, of a committee to discuss the enhancement of safeguard measures. The claim that the establishment of a committee in which all member States could participate would undermine the authority of IAEA was therefore unfounded. Given that there was such contention around the issue, discussions among Governments should certainly be undertaken in the context of the Treaty review process, and the proposed committee should be established.

51. Turning to the issue of nuclear sharing, he said that the nuclear-weapon States had agreed, in accordance with articles I and II of the Treaty, not to transfer nuclear weapons or the control thereof to non-nuclear-weapon States. By deploying nuclear weapons in non-nuclear-weapon NATO countries and enabling fighter jets in those countries to use such weapons in specific situations, the United States was clearly engaging in behaviour equivalent to transferring the control of nuclear weapons from nuclear-weapon States to non-nuclear-weapon States and was violating the Treaty. The fact that nuclear sharing predated the Treaty made that behaviour no more valid or reasonable: at the time that they had signed and ratified the Treaty, most countries had been unaware of NATO nuclear sharing

practices. A product of major Power rivalry and the arms race during the cold war should not be allowed to continue to serve as a tool of bloc confrontation and deteriorate the international security environment. The fact that some non-nuclear-weapon States claimed to support nuclear sharing practices was a demonstration of their dependence on a national security doctrine rooted in nuclear weapons, which itself ran counter to the appeal to diminish the role of nuclear weapons in such doctrines.

52. The delegation of Japan had recently clarified that its Government would continue to abide by its three non-nuclear principles and did not seek nuclear sharing. If that commitment was sincere, Japan should not fear any reference in the final document to nuclear sharing in the Asia-Pacific region or argue in support of NATO nuclear sharing practices.

53. **The Chair** said that she would include in the report issues for which she saw there to be either consensus or an overwhelming majority. Delegations had indicated during discussions that they wanted to strengthen the wording in the report on universality and diplomatic means, and on the mutually enforcing character of the three pillars. Non-compliance was also a preoccupation of all States parties. No consensus had emerged on extended nuclear deterrence, but there was growing interest in safeguards applied to naval nuclear propulsion. Some delegations had also called for additional wording on respect for obligations under articles I and III of the Non-Proliferation Treaty and on risk reduction.

54. **Mr. Elghitany** (Egypt) said that risk reduction was being discussed by Main Committee I since it related to disarmament. It had nothing to do with the mandate of Main Committee II.

55. **The Chair** said that the inclusion of risk reduction should be confirmed with the delegation that had raised the issue. If the Committee did not agree by consensus to include risk reduction under the non-proliferation cluster, it would not be incorporated into the report.

56. **Mr. Robotjazi** (Islamic Republic of Iran) said that his delegation was concerned by the Chair's approach to drafting the report as it could be subject to prejudgment. She had stated, for example, that no consensus had been reached on extended nuclear deterrence even though a majority of countries had clearly expressed their concern about nuclear-weapon sharing in the working paper of the Group of Non-Aligned States Parties (NPT/CONF.2020/WP.26).



57. **The Chair** said that she had not found there to be consensus on the issue of nuclear deterrence. If that changed, it would be reflected in her report.

58. **Mr. Bandiya** (Nigeria) said that the Group of African States would not support references in the report to nuclear sharing arrangements or nuclear risk reduction.

*The meeting rose at 6.05 p.m.*