

2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Subsidiary Body II

Report of the Chairman

Pursuant to the mandate recorded in NPT/CONF.2000/DEC.1, the Chair of the Subsidiary Body II submits the following report to the Chair of Main Committee II. Some elements of this report do not enjoy consensus. The Subsidiary Body nonetheless considers that the report provides a good basis for further consultations.

For purposes of these consultations, the attention of the Conference is drawn to the following documents:

NPT/CONF.2000/MC.II/SB.II/CRP.2	Proposed language submitted by the members of the Movement of Non-Aligned Countries Parties to the Treaty on the Non-Proliferation of Nuclear Weapons to Subsidiary Body II
NPT/CONF.2000/MC.II/SB.II/CRP.3	Conference room paper submitted to Subsidiary Body II by Egypt
NPT/CONF.2000/MC.II/SB.II/CRP.5	Conference room paper submitted to Subsidiary Body II by Tunisia on behalf of the Group of Arab States
NPT/CONF.2000/MC.II/SB.II/CRP.6	Conference room paper submitted to Subsidiary Body II by the Islamic Republic of Iran
NPT/CONF.2000/MC.II/SB.II/CRP.7	Conference room paper submitted to Subsidiary Body II by South Africa
NPT/CONF.2000/MC.II/SB.II/CRP.8	Conference room paper submitted to Subsidiary Body II by the United States of America

With respect to the Middle East and implementation of the 1995 resolution on the Middle East:

1. The Conference reaffirms the importance of the resolution on the Middle East adopted by the 1995 Review and Extension Conference and recognizes that the resolution remains valid until the goals and objectives are achieved. The resolution, which was co-sponsored by the depositary States (the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America), is an essential element of the basis on which the Treaty was indefinitely extended without a vote in 1995.
2. The Conference reaffirms its endorsement of 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.
3. The Conference reaffirms the importance of the early realization of universal adherence to the Treaty. In this regard, the Conference welcomes all new accessions since the 1995 Review and Extension Conference.
4. The Conference notes that, with these accessions, all States of the region of the Middle East, with the exception of Israel, are States parties to the Treaty on the Non-Proliferation of Nuclear Weapons. The Conference calls on Israel to accede to the Treaty and to place all its nuclear facilities under full-scope IAEA safeguards.
5. The Conference reaffirms the need for all States in the Middle East to accept forthwith the application of full-scope IAEA safeguards to all their nuclear activities, in accordance with article III of the Treaty, and as an important confidence-building measure among all States in the region and as an enhancement of peace and security in the context of the establishment of a nuclear-weapon-free zone. The Conference notes the concern raised in paragraph 56 of the report of Main Committee II, which indicates that, *inter alia*, nine States parties in the Middle East have yet to conclude comprehensive safeguards agreements with IAEA. The Conference urges those States to bring these agreements into force as soon as possible.
6. The Conference welcomes the additional protocol concluded by Jordan and urges its early entry into force. The Conference encourages all other States in the Middle East that have not yet done so to conclude and bring into force additional protocols as positive steps towards achieving universal application of the IAEA safeguards system. When fully in force, that system will constitute a major contribution towards the establishment of an effectively verifiable Middle East zone free of weapons of mass destruction.
7. The Conference reiterates the call on 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. In this regard, the Conference notes with satisfaction the adoption without a vote by the General Assembly, for the twentieth consecutive year, of a resolution proposing the establishment of a nuclear-weapon-free zone in the region of the Middle East.

8. The Conference encourages States in the Middle East to consider appropriate interim steps of a practical nature pending the full realization of the goals of the resolution on the Middle East. Such steps could begin with confidence-building measures with respect to fissile material production and accounting, nuclear safeguards and unilateral declarations.

9. To facilitate the early establishment of a Middle East zone free of weapons of mass destruction, the Conference encourages all States in the Middle East that have not yet done so to sign and ratify the Comprehensive Nuclear-Test-Ban Treaty.

10. The Conference notes the unanimous adoption by the United Nations Disarmament Commission, at its 1999 session, of guidelines on the establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned. The Conference notes that the Disarmament Commission's guidelines encouraged the establishment of a nuclear-weapon-free zone in the Middle East, as well as the development of zones free from all weapons of mass destruction.

11. The Conference reiterates the call on all States parties to the Treaty on the Non-Proliferation of Nuclear Weapons, 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. The Conference notes with satisfaction the statement by the five nuclear-weapon States reaffirming their commitment to the resolution on the Middle East adopted in 1995.

12. The Conference recognizes the need to monitor the implementation of the 1995 resolution on the Middle East on an ongoing basis. In this regard, the Conference agrees that specific time should be made available at Preparatory Committee meetings and Review Conferences for that purpose.

13. The Conference remains convinced that compliance by all parties with all the provisions of the Treaty is a prerequisite to preventing the spread of nuclear weapons and other nuclear explosive devices.

14. The Conference notes the statement of the representative of IAEA of 9 May 2000, provided during its deliberations, that the Agency is unable "to provide assurance that Iraq is in full compliance with its safeguards obligations, that is to say that there is no diversion of declared nuclear material and no presence of undeclared nuclear material". The Conference further notes that, in his letter of 10 April 2000 to the President of the Security Council (S/2000/300), the Director General of IAEA stated that the Agency is "unable to provide any measure of assurance with regard to Iraq's compliance with its obligations under the relevant Security Council resolutions". The Conference calls on Iraq to comply fully with its obligations under its IAEA safeguards agreement and its obligations under Security Council resolutions 687 (1991), 707 (1991), 715 (1991) and 1284 (1994).

With respect to South Asia and other regional issues:

15. The Conference emphasizes that nuclear disarmament and nuclear non-proliferation are mutually reinforcing.

16. The Conference notes that the nuclear explosions carried out by India and then by Pakistan in May 1998 were a cause of deep international concern and calls upon both countries to take all of the measures set out in Security Council resolution 1172

(1998). In accordance with the Treaty on the Non-Proliferation of Nuclear Weapons, notwithstanding their nuclear tests, India and Pakistan do not have the status of nuclear-weapon States.

17. The Conference calls on India and Pakistan to accede to the Non-Proliferation Treaty as non-nuclear-weapon States and urges both States to place all their nuclear facilities under comprehensive Agency safeguards. The Conference further calls on both States to strengthen their non-proliferation export control measures over technologies, material and equipment that can be used for the production of nuclear weapons and their delivery systems.

18. The Conference notes that India and Pakistan have declared moratoriums on further testing and their willingness to enter into legal commitments not to conduct any further nuclear testing by signing and ratifying the Comprehensive Nuclear-Test-Ban Treaty. The Conference calls on both States to sign the Treaty, in accordance with their pledges to do so.

19. The Conference expresses satisfaction at the willingness expressed by India and Pakistan to participate in the negotiations in the Conference on Disarmament of a treaty banning the production of fissile material for nuclear weapons and other nuclear explosive devices. Pending the conclusion of a legal instrument, the Conference calls on both countries to observe a moratorium on the production of such material. The Conference appeals to them to join other countries in actively seeking an early commencement of negotiations on this issue, in a positive spirit and on the basis of the agreed mandate, with a view to reaching early agreement.

20. The Conference notes with concern that, while the Democratic People's Republic of Korea remains a Party to the Non-Proliferation Treaty, IAEA continues to be unable to verify the correctness and completeness of the initial declaration of nuclear material made by the Democratic People's Republic of Korea and is therefore unable to conclude that there has been no diversion of nuclear material in the Democratic People's Republic of Korea. The Conference looks forward to the fulfilment by the Democratic People's Republic of Korea of its stated intention to come into full compliance with its safeguards agreement with IAEA, which remains binding and in force. The Conference emphasizes the importance of action by the Democratic People's Republic of Korea to preserve and make available to IAEA all information needed to verify its initial inventory.