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

19 May 2000

Original: English

New York, 24 April-19 May 2000

Report of Main Committee III

Establishment and terms of reference

1. Under rule 34 of its rules of procedure, the Conference established Main Committee III as one of its three Main Committees and decided to allocate to it the following items for its consideration (see NPT/CONF.2000/1):

Item 16. Review of the operation of the Treaty as provided for in its article VIII, paragraph 3, taking into account the decisions and the resolution adopted by the 1995 Review and Extension Conference to the Treaty on the Non-Proliferation of Nuclear Weapons:

(d) Implementation of the provisions of the Treaty relating to the inalienable right of all Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II:

(i) Articles III (3) and IV, preambular paragraphs 6 and 7, especially in their relationship to article III (1), (2) and (4) and preambular paragraphs 4 and 5;

(ii) Article V.

Item 17. Role of the Treaty in the promotion of non-proliferation of nuclear weapons and of nuclear disarmament in strengthening international peace and security and measures aimed at promoting wider acceptance of the Treaty.

Officers of the Committee

2. The Conference elected Mr. Markku Reimaa (Finland) as the Chairman of the Committee; Mr. Igor Dzundev (The former Yugoslav Republic of Macedonia) and Mr. Hamid Baedi Nejad (Islamic Republic of Iran) served as Vice-Chairmen.

Documents before the Committee

3. The Committee had before it the following documents:

(a) **Background and conference documents**

NPT/CONF.2000/9	Activities of the International Atomic Energy Agency (IAEA) relevant to article III of the Treaty on the Non-Proliferation of Nuclear Weapons: background paper prepared by the secretariat of IAEA
NPT/CONF.2000/10	Activities of IAEA relevant to article IV of the Treaty on the Non-Proliferation of Nuclear Weapons: background paper prepared by the secretariat of IAEA
NPT/CONF.2000/11	Activities of IAEA relevant to article V of the Treaty on the Non-Proliferation of Nuclear Weapons: background paper prepared by the secretariat of IAEA
NPT/CONF.2000/17	Working paper submitted by Argentina, Australia, Austria, Belgium, Bulgaria, Canada, China, the Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Luxembourg, Netherlands, Norway, Poland, Portugal, the Republic of Korea, Romania, the Russian Federation, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Turkey, Ukraine, the United Kingdom of Great Britain and Northern Ireland and the United States of America as members of the Zangger Committee
NPT/CONF.2000/18	Letter dated 20 April 2000 from the Permanent Representative of Indonesia addressed to the Provisional Secretary-General of the Review Conference
NPT/CONF.2000/19	Note verbale dated 25 April 2000 from the Permanent Mission of Portugal to the United Nations addressed to the secretariat of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.2000/21	Letter dated 1 May 2000 from the representatives of France, the People's Republic of China, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America addressed to the President of the

	2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.2000/WP.1	Working paper submitted by Japan and Australia
NPT/CONF.2000/WP.3	Letter dated 24 April 2000 from the Minister for Foreign Affairs of Mexico addressed to the Secretary-General of the Review Conference

(b) Documents submitted to the Committee

NPT/CONF.2000/MC.III/WP.1	Working paper submitted by Australia, Austria, Canada, Denmark, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden
NPT/CONF.2000/MC.III/WP.2	Working paper submitted by Australia, Austria, Canada, Denmark, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden
NPT/CONF.2000/MC.III/WP.3	Working paper submitted by China
NPT/CONF.2000/MC.III/WP.4	Working paper submitted by South Africa
NPT/CONF.2000/MC.III/WP.5	Working paper submitted by Egypt
NPT/CONF.2000/MC.III/WP.6	Working paper submitted by Mexico
NPT/CONF.2000/MC.III/WP.7	Working paper submitted by Australia, Austria, the Netherlands, Lithuania and Luxembourg
NPT/CONF.2000/MC.III/WP.8	Working paper submitted by Portugal on behalf of the European Union
NPT/CONF.2000/MC.III/WP.9	Working paper submitted by the Russian Federation
NPT/CONF.2000/MC.III/WP.10	Working paper submitted by the Islamic Republic of Iran
NPT/CONF.2000/MC.III/WP.11	Working paper submitted by Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan
NPT/CONF.2000/MC.III/WP.12	Working paper submitted by Egypt
NPT/CONF.2000/MC.III/CRP.1 and Rev.1	Chairman's suggested indicative timetable of work for Main Committee III
NPT/CONF.2000/MC.III/CRP.2	Chairman's proposal for a possible structure of discussion
NPT/CONF.2000/MC.III/CRP.3 and Add.1	The IAEA's technology transfer activities in respect of technical cooperation

NPT/CONF.2000/MC.III/CRP.4	Proposal by New Zealand, Fiji, Ireland, Turkey, Nauru, Solomon Islands and the Federated States of Micronesia
NPT/CONF.2000/MC.III/CRP.5	Proposal by Germany
NPT/CONF.2000/MC.III/CRP.6	Proposal by Germany
NPT/CONF.2000/MC.III/CRP.7	Proposal by China, Indonesia, the Islamic Republic of Iran, Malaysia, Myanmar, Peru, the Syrian Arab Republic and Thailand
NPT/CONF.2000/MC.III/CRP.8	Proposal by the members of the Movement of Non-Aligned Countries parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.2000/MC.III/CRP.9	Proposal by the States parties, members of the Caribbean Community: Antigua and Barbuda, the Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Haiti, Jamaica, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname and Trinidad and Tobago
NPT/CONF.2000/MC.III/CRP.10	Paper submitted by Australia: Australia's Commitment to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.2000/MC.III/CRP.11	Proposal by the Russian Federation
NPT/CONF.2000/MC.III/CRP.12	Proposal by Japan
NPT/CONF.2000/MC.III/CRP.13	Proposal by Japan
NPT/CONF.2000/MC.III/CRP.14	Proposal by Belarus, the Russian Federation and Ukraine
NPT/CONF.2000/MC.III/CRP.15,	Draft report of Main Committee III Rev.1 and Rev.2

Work of the Committee

4. The Committee held four plenary meetings, from 27 April to 11 May 2000. An account of the discussion is contained in the relevant summary records (NPT/CONF.2000/MC.III/SR.1-4). At its first three meetings, it held a general exchange of views on all issues of concern to Main Committee III. At its second meeting, a presentation was made by Paulo Barretto, Department of Technical Cooperation of IAEA, on IAEA technology transfer activities. Subsequently, the Committee held nine informal open-ended meetings for the presentation and detailed consideration of those proposals and documents submitted to it on formulations for the Final Declaration of the Conference. The Chairman put forward draft language for the Final Declaration, which was considered in the open-ended meetings. The fourth meeting was devoted to the consideration and adoption of its report to the Conference.

Conclusions and recommendations

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

I. Treaty on the Non-Proliferation of Nuclear Weapons and the Peaceful Uses of Nuclear Energy

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

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

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

4. The Conference urges that in all activities designed to promote the peaceful uses of nuclear energy, preferential treatment be given to the non-nuclear-weapon States parties to the Treaty, taking the needs of developing countries, in particular, into account.

5. Referring to paragraphs 14 to 20 of the decision on Principles and Objectives of 1995, the Conference reasserts the need to continue to enhance the peaceful uses of nuclear energy by all States parties and cooperation among them.

6. The Conference underlines the role of IAEA in assisting developing countries in the peaceful use of nuclear energy through the development of effective programmes aimed at improving their scientific, technological, and regulatory capabilities. In this context, the Conference takes note of the medium-term strategy of IAEA.

7. The Conference affirms that every effort should be made to ensure that IAEA has the financial and human resources necessary to

effectively meet its responsibilities as foreseen in article III.A of the statute of IAEA.

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

9. The Conference recognizes the importance of safety and non-proliferation features, as well as aspects related to radioactive waste management being addressed in nuclear power development as well as other nuclear activities related to the nuclear fuel cycle at the technological level. The Conference recalls the role of IAEA in the assessment of prospective nuclear power technologies in this respect.

10. The Conference commends IAEA for its efforts to enhance the effectiveness and efficiency of its technical cooperation programme and to ensure the continuing relevance of the programme to the changing circumstances and needs of recipient member States. In this context, the Conference welcomes the new strategy for technical cooperation, which seeks to promote socio-economic impact within its core competencies by integrating its assistance into the national development programme of each country with a view to ensure sustainability through expanding partnerships in development, model project standards and the use of country programme frameworks and thematic plans. The Conference recommends that IAEA continue taking this objective and the needs of developing countries, notably least developed countries, into account when planning its future activities.

11. The Conference acknowledges the need for the parties to the Treaty to discuss regularly and take specific steps towards the implementation of article IV of the Treaty.

II. Nuclear and radiation safety, safe transport of radioactive materials, radioactive waste and liability

A. Nuclear and radiation safety

1. The Conference affirms that the Treaty on the Non-Proliferation of Nuclear Weapons can help to ensure that international cooperation in nuclear and radiation safety will take place within an appropriate non-proliferation framework. The Conference acknowledges the primary responsibility of individual States for maintaining the safety of nuclear installations within their territories, or under their jurisdiction, and the crucial importance of an adequate

national technical, human and regulatory infrastructure in nuclear safety, radiological protection and radioactive waste management.

2. The Conference notes that a demonstrated global record of safety is a key element for the peaceful uses of nuclear energy and that continuous efforts are required to ensure that the technical and human requirements of safety are maintained at the optimal level. Although safety is a national responsibility, international cooperation on all safety-related matters is indispensable. The Conference encourages the efforts of IAEA in the promotion of safety in all its aspects, and encourages all States parties to take the appropriate national, regional and international steps to enhance and foster a safety culture. The Conference welcomes and underlines the intensification of national measures and international cooperation to strengthen nuclear safety, radiation protection, the safe transport of radioactive materials and radioactive waste management, including activities conducted in this area by IAEA. In this regard, the Conference recalls that special efforts should be made and sustained to increase the awareness in these fields, through appropriate training.

3. The Conference welcomes the activities of IAEA directed towards the strengthening of nuclear safety in operating power and research reactors. The Conference further endorses the work of IAEA in the organization of international peer review services, the support to the regulatory bodies and other relevant areas of the infrastructure of member States through the technical cooperation programme, the safety standards advisory commissions and committees in the preparation of internationally recognized safety standards, the emergency response unit and the continuing work on transport safety matters.

4. The Conference welcomes the entry into force of the Convention on Nuclear Safety, and encourages all States, in particular those operating, constructing or planning nuclear power reactors that have not yet taken the necessary steps to become party to the Convention, to do so. It would also welcome a voluntary application of the related provisions of the Convention to other relevant nuclear installations dedicated to the peaceful uses of nuclear energy. The Conference also expresses its satisfaction with the outcome of the first review meeting under the Convention on Nuclear Safety and looks forward to the report from the next review meeting, in particular with respect to those areas where the first review meeting found that there was room for safety improvements.

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

6. The Conference notes the bilateral and multilateral activities that have enhanced the capabilities of the international community to study, minimize and mitigate the consequences of the accident at the Chernobyl nuclear power plant in support of the actions taken by the Governments concerned.

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

8. The Conference notes the importance of openness, transparency and public information concerning the safety of nuclear facilities.

B. Safe transport of radioactive materials

9. The Conference endorses the IAEA regulations for the safe transport of radioactive materials and urges States to ensure that these standards are maintained. The Conference notes the decision in 1997 by the International Maritime Organization (IMO) to incorporate the Code for the Safe Carriage of Irradiated Nuclear Fuel, Plutonium and High-level Radioactive Wastes in Flasks on Board Ships (INF Code) into the International Convention for the Safety of Life at Sea.

10. The Conference underlines the importance of effective national and international regulations and standards for the protection of States concerned, from the risks of transportation of radioactive materials. The Conference affirms that it is in the interests of all States that any transportation of radioactive materials be conducted in compliance with the relevant international standards of nuclear safety and security and environmental protection, without prejudice to the freedoms, rights and obligations of navigation provided for in international law. The Conference takes note of the concerns of small island developing States and other coastal States with regard to the transportation of radioactive materials by sea.

11. Recalling resolution GC(43)/Res/11 of the General Conference of IAEA, adopted by consensus in 1999, the Conference invites States shipping radioactive materials to provide, as appropriate, assurances to concerned States, upon their request, that the national regulations of the shipping State take IAEA transport regulations into account and to provide them with relevant information relating to shipments of such materials. The information provided should in no case be contradictory to the measures of physical security and safety.

12. The Conference notes that States parties have been working bilaterally and through international organizations to improve cooperation and exchange of information among the States concerned. In this context, the Conference calls on States parties to continue working bilaterally and through the relevant international organizations to examine and further improve measures and international regulations relevant to international maritime transportation of radioactive material and spent fuel.

C. Spent fuel and radioactive waste

13. The Conference notes that a major issue in the debate over the use of nuclear technologies is the safety of the management of spent fuel and of radioactive waste. The Conference notes the conclusion of the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management and encourages States that have not yet taken the necessary steps to become party to the Convention, to do so. The Conference expresses the hope that this Convention will enter into force at the earliest date possible. The Conference underlines the importance of managing spent fuel and radioactive wastes that were excluded from this Convention because they are within military or defence programmes in accordance with the objectives stated in this Convention.

14. The Conference commends the efforts of IAEA in radioactive waste management, and calls upon the Agency, in view of the increasing importance of all aspects of radioactive waste management, to strengthen its efforts in this field as resources permit. The Conference recognizes the activities of IAEA in the search for new approaches on radioactive waste management solutions that are both safe and publicly acceptable. It endorses IAEA programmes to assist member States in spent fuel and radioactive waste management through, *inter alia*, safety standards, peer reviews and technical cooperation activities.

15. The Conference also notes that the contracting parties to the Convention on the Prevention of Maritime Pollution by Dumping of Wastes and Other Matter (London Convention) have urged all States that have not done so, to accept the 1993 amendment of annex I of the London Convention, which prohibits contracting parties from dumping radioactive wastes or other radioactive matter at sea.

D. Liability

16. The Conference notes the adoption of the 1997 Protocol to Amend the 1963 Vienna Convention on Civil Liability for Nuclear Damage and the Convention on Supplementary Compensation for Nuclear Damage. The Conference also notes the existence of various national and international liability mechanisms. Furthermore, the Conference stresses the importance of having effective liability mechanisms in place.

III. Technical cooperation

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

Treaty, with due consideration for the needs of the developing areas of the world.

2. The Conference recognizes the benefits of the peaceful applications of nuclear energy and nuclear techniques in the fields referred to in articles II and III of the Statute of IAEA and their contribution to achieving sustainable development in developing countries and for generally improving the well-being and the quality of life of the peoples of the world.

3. The Conference acknowledges the importance of the work of IAEA as the principal agent for technology transfer among the international organizations referred to in article IV, paragraph 2, of the Treaty, and affirms the importance of the technical cooperation activities of IAEA, as well as bilateral and other multilateral cooperation, in fulfilling the obligations set forth in Article IV of the Treaty.

4. The Conference recognizes that voluntary resources provided to and received from States parties to the Treaty under the IAEA Technical Cooperation Fund represent the most important contribution to the implementation of its technical cooperation programme, the major instrument for its cooperation with developing countries. The Conference expresses its appreciation to all IAEA member States party to the Treaty, which respect their commitments to the Technical Cooperation Fund by pledging and paying in full their contributions.

5. The Conference notes, however, that there has been a growing gap between the approved target figures for the Technical Cooperation Fund and the actual payments.

6. The Conference stresses that every effort should be made to ensure that IAEA's financial and human resources necessary for technical cooperation activities are assured, predictable and sufficient to meet the objectives mandated in article IV, paragraph 2, of the Treaty and article II of the IAEA statute. The Conference notes Resolutions GC(43)/RES/6 and GC(43)/RES/14 of the General Conference of IAEA and urges States members of IAEA to make every effort to pay in full and on time their voluntary contributions to the Technical Cooperation Fund and reminds them of their obligation to pay their assessed programme costs. It also encourages IAEA to continue to manage its technical cooperation activities in an effective and cost-efficient manner and in accordance with article III.C of the IAEA statute.

7. The Conference notes the consultation among States members of IAEA on the target for the Technical Cooperation Fund for the coming years and encourages member States to reach agreement on the indicative planning figures (IPFs).

8. The Conference notes that the special needs and priorities of the least developed countries parties to the Treaty should be taken into account in bilateral and multilateral nuclear technical assistance and cooperation programmes. The Conference recommends that IAEA continue, through its technical cooperation programme, to give special attention to the needs and priorities of least developed countries.

9. The Conference recognizes that regional cooperative arrangements for the promotion of the peaceful uses of nuclear energy can be an effective means of providing assistance and facilitating technology transfer, complementing the technical cooperation activities of IAEA in individual countries. It notes the contributions of the African Regional Cooperative Agreement for Research, Development and Training (AFRA), the Regional Cooperative Agreements for the Promotion of Nuclear Science and Technology in Latin America (ARCAL), the Regional Cooperative Agreement for Asia and the Pacific (RCA), as well as the regional technical cooperation programme in Central and Eastern Europe.

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

11. The Conference calls upon all States parties, in acting in pursuance of the objectives of the Treaty, to observe the legitimate right of all States parties, in particular developing States, to full access to nuclear material, equipment and technological information for peaceful purposes. Transfers of nuclear technology and international cooperation in conformity with articles I, II and III of the Treaty are to be encouraged. They would be facilitated by eliminating undue constraints that might impede such cooperation.

12. The Conference recommends that transparency in export controls should continue to be promoted within a framework of dialogue and cooperation among all interested States parties to the Treaty.

IV. Conversion of nuclear materials to peaceful uses

1. The Conference notes steps taken by nuclear-weapon States to reduce their nuclear weapons arsenals and underlines the importance of international verification, as soon as practicable, of nuclear weapons material designated by each nuclear-weapon State as no longer required for military programmes and that has been irreversibly transferred to peaceful purposes. This process requires strict procedures for the safe handling, storage and disposal of sensitive nuclear materials, as well as the safe management of radioactive contaminants in strict compliance with highest possible standards of environmental protection and nuclear and radiation safety.

2. The Conference takes note of the declaration of the Moscow Nuclear Safety and Security Summit of April 1996, including the measures in relation to the safe and effective management of weapons

fissile material designated as no longer required for defence purposes, and the initiatives stemming therefrom.

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

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

V. Review of article V

The Conference affirms that the provisions of article V of the Treaty as regards the peaceful applications of any nuclear explosions are to be interpreted in the light of the Comprehensive Nuclear-Test-Ban Treaty.

VI. Review of article IX

1. The Conference reaffirms the long-held commitment of parties to the Treaty to universal membership and notes that this goal has been advanced by the accession to the Treaty of several new States since the 1995 Review and Extension Conference, thereby bringing its membership to 187 States parties. The Conference reaffirms the importance of the Treaty in establishing a norm of international behaviour in the nuclear field.

2. The Conference therefore calls on those remaining States not parties to the Treaty to accede to it, thereby accepting an international legally binding commitment not to acquire nuclear weapons or nuclear explosive devices and to accept IAEA safeguards on all their nuclear activities. These States are Cuba, India, Israel and Pakistan. In this context, the Conference welcomes the signature by Cuba of the protocol additional to its safeguards agreements with IAEA.

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

4. The Conference also takes note that the widening of the entry into force of protocols additional to safeguards agreements with IAEA will strengthen the nuclear safeguards regime and facilitate the exchange of nuclear and nuclear-related material in peaceful nuclear cooperation.

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

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