



# 2010 REVIEW CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

Background

**3-28 May 2010**

The 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) will meet at the United Nations in New York from 3 to 28 May 2010. The President-elect of the Conference is Ambassador Libran Nuevas Cabactulan of the Philippines.

The Treaty, particularly article VIII, paragraph 3, envisages a review of the operation of the Treaty every five years, a provision which was reaffirmed by the States parties at the 1995 NPT Review and Extension Conference and the 2000 NPT Review Conference.

At the 2010 Review Conference, States parties will examine the implementation of the Treaty's provisions since 2005.

The NPT is a landmark international treaty whose objective is to prevent the spread of nuclear weapons and weapons technology, to promote co-operation in the peaceful uses of nuclear energy and to further the goal of achieving nuclear disarmament and general and complete disarmament. The NPT represents the only binding commitment in a multilateral treaty to the goal of disarmament by the nuclear-weapon States.

Opened for signature in 1968, the Treaty entered into force in 1970. Since its entry into force, the NPT has been the cornerstone of global nuclear non-proliferation regime. Adherence to the Treaty by 189 States, including the five nuclear-weapon States, renders the Treaty the most widely adhered to multilateral disarmament agreement.

Since the 2005 Review Conference, one state has through succession joined the Treaty: Montenegro (2006). India, Israel and Pakistan have not yet chosen to join the Treaty. The Democratic People's Republic of Korea, which announced its withdrawal from the Treaty in 2003, has not yet decided to re-join the Treaty.

## **History of the Treaty**

From the beginning of the nuclear age, and the use of nuclear weapons in Hiroshima and Nagasaki in 1945, it has been apparent that the development of nuclear capabilities by States could enable them to divert technology and materials for weapons purposes. Thus the problem of preventing such diversions became a central issue in discussions on peaceful uses of nuclear energy.

Initial efforts, which began in 1946, to create an international system enabling all States to have access to nuclear technology under appropriate safeguards, were terminated in 1949 without the achievement of this objective, due to serious political differences between the major Powers. By then, both the United States and the former Soviet Union had tested nuclear weapons, and were beginning to build their stockpiles.

In December 1953, US President Dwight D. Eisenhower in his "Atoms for Peace" proposal, presented to the eighth session of the United Nations General Assembly, urged that an international organization be established to disseminate peaceful nuclear technology, while guarding against development of weapons capabilities in additional countries. His proposal resulted in 1957 in the establishment of the International Atomic Energy Agency (IAEA), which was charged with the dual responsibility of promotion and control of nuclear technology.

IAEA technical assistance activities began in 1958. An interim safeguards system for small nuclear reactors, put in place in 1961, was replaced in 1964 by a system covering larger installations and, over the following years, was expanded to include additional nuclear facilities (INFCIRC/66 and revisions). Subsequently, efforts to strengthen the effectiveness and improve the efficiency of the

IAEA safeguards system culminated in the approval of the Model Additional Protocol (INFCIRC/540) by the IAEA Board of Governors in May 1997.

Within the framework of the United Nations, the principle of nuclear non-proliferation was addressed in negotiations as early as 1957 and gained significant momentum in the early 1960s. The structure of a treaty to uphold nuclear non-proliferation as a norm of international behaviour had become clear by the mid-1960s, and by 1968 final agreement had been reached on a Treaty that would prevent the proliferation of nuclear weapons, enable cooperation for the peaceful use of nuclear energy and further the goal of achieving nuclear disarmament. The Treaty provided, in article X, for a conference to be convened 25 years after its entry into force to decide whether the Treaty should continue in force indefinitely, or be extended for an additional fixed period or periods. Accordingly, at the NPT Review and Extension Conference in May 1995, States parties to the Treaty agreed—without a vote—on the Treaty's indefinite extension, and decided that review conferences should continue to be held every five years.

### **The NPT Review Process**

Conferences to review the operation of the Treaty have been held at five-year intervals since the Treaty went into effect in 1970. Each conference has sought to find agreement on a final declaration that would assess the implementation of the Treaty's provisions and make recommendations on measures to further strengthen it. Consensus on a Final Declaration was reached at the 1975, 1985 and 2000 Review Conferences, but could not be achieved in 1980, 1990, and 1995. Differences centred on the question of whether or not the nuclear-weapon States had sufficiently fulfilled the requirements of article VI (nuclear disarmament) as well as on issues such as nuclear testing, qualitative nuclear-weapon developments, security assurances to non-nuclear-weapon States by nuclear-weapon States, and on cooperation in the field of nuclear energy for peaceful purposes.

The 1995 NPT Review and Extension Conference had two objectives: to review the Treaty's operation and to decide on its extension. While not being able to agree on a consensus review of the Treaty's implementation, States parties adopted without a vote a package of decisions. These decisions consisted of (a) elements for a strengthened review process for the Treaty, (b) principles and objectives for nuclear non-proliferation and disarmament, and (c) the indefinite extension of the Treaty; as well as a resolution on the Middle East.

The 2000 Review Conference demonstrated the strength of the new review mechanism and the concept of accountability which had been agreed upon when States parties accepted the "permanence of the Treaty" and extended it indefinitely. For the first time in 15 years, States parties successfully concluded their deliberations with agreement on a Final Document that assessed the Treaty's past performance and on a number of key issues pertaining to nuclear non-proliferation and disarmament, nuclear safety and the peaceful uses of nuclear energy.

The Final Document reaffirmed the central role of the NPT in ongoing global efforts to strengthen nuclear non-proliferation and disarmament and reflected consensus language dealing with virtually all the major aspects of the Treaty. In addition, after noting that the Conference deplored the nuclear test explosions carried out by India and Pakistan in 1998, the Document reaffirmed that any new State party to the Treaty will be accepted only as a non-nuclear-weapon State, regardless of its nuclear capabilities.

The most critical and delicate achievement was the incorporation in the Document of a set of practical steps for the systematic and progressive efforts to implement article VI of the Treaty. These steps provide benchmarks by which future progress by the States parties can be measured. One of the most frequently quoted among them is the nuclear weapon States' agreement, for the first time, to undertake unequivocally to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament.

The 2005 Review Conference was unable to reach agreement on a substantive outcome, though States parties were able to engage in useful discussions on a range of issues. Some key disagreements that contributed to this outcome included whether disarmament or non-proliferation should

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be prioritized and the status of past decisions and agreements, including those reached by the 1995 and 2000 Conferences.

### **Towards the 2010 Review Conference**

The Preparatory Committee for the 2010 NPT Conference, established pursuant to General Assembly resolution 61/70 of 6 December 2006, held three sessions in the period April 2007 to May 2009. As in the previous review cycle, the Preparatory Commission devoted the majority of its meetings to substantive preparation for the Conference and considered principles, objectives and ways to promote the full implementation of the Treaty, as well as its universality. In this context, the Committee took into account the outcomes of previous Review Conferences, including the 2000 Conference, the decisions and the resolution on the Middle East adopted in 1995, as well as developments affecting the operation and purpose of the Treaty, and thereby considering approaches and measures to realize its purpose, reaffirming the need for full compliance with the Treaty.

The Committee agreed to nearly all of the organizational and procedural arrangements for the 2010 Conference, including its provisional agenda. The Committee also agreed to the draft rules of procedure, the elections of the President and other officers, the date and venue, financing, the nomination of a Secretary-General, background documentation, and the chairpersons of the three Main Committees to be established at the Conference. Accordingly, Main Committee I should be chaired by a representative of the Group of Non-Aligned and Other States, namely, the Chairman of the third session of the Preparatory Committee (Zimbabwe); Main Committee II should be chaired by a representative of the Group of Eastern European States, namely, the Chairman of the second session of the Preparatory Committee (Ukraine); and that Main Committee III should be chaired by a representative of the Western Group, namely, the Chairman of the first session of the Preparatory Committee (Japan). The Committee decided to defer consideration of the final document to the Review Conference.

According to the agreement reached in 2000, the Preparatory Committee was expected to make every effort to produce a consensus report containing recommendations to the Review Conference. Despite devoting several meetings toward this end, due to the persistence of divergent views, the Committee was unable to reach agreement on the substantive issues under consideration.

The Review Conference is expected to consider a number of issues, including those discussed at the 2005 Conference: universality of the Treaty; nuclear disarmament, including specific practical measures; nuclear non-proliferation, including the promoting and strengthening of safeguards; measures to advance the peaceful use of nuclear energy, safety and security; regional disarmament and non-proliferation; implementation of the 1995 resolution on the Middle East; measures to address withdrawal from the Treaty; measures to further strengthen the review process; and ways to promote engagement with civil society in strengthening NPT norms and in promoting disarmament education.