Review Conference of the Parties to the Treaty on the non-proliferation of nuclear weapons

FINAL DOCUMENT

Part II

Geneva, 1980
The Final Document of the second Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons consists of two parts:

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Adoption of the Committee's report
ABBREVIATIONS

ASEAN  Association of South-East Asian Nations
CEFA  Council for Mutual Economic Assistance
EURATOM  European Atomic Energy Committee
IAEA  International Atomic Energy Agency
NATO  North Atlantic Treaty Organization
NPT  Non-Proliferation Treaty
OAS  Organization of American States
OAU  Organization of African Unity
OPANAL  Agency for the Prohibition of Nuclear Weapons in Latin America
SAIIT  Strategic Arms Limitation Talks
UNDP  United Nations Development Programme
UNESCO  United Nations Educational, Scientific and Cultural Organization
SECOND REVIEW CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

SUMMARY RECORDS OF THE 1st TO 19th MEETINGS

held at the Palais des Nations, Geneva,
from 11 August to 7 September 1980

President: MR. KITTANI (Iraq)

Note: For the list of participants, see Part I of the Final Document (NPT/CONF.II/22/I).
SUMMARY RECORD OF THE 1st MEETING
Monday, 11 August 1980, at 3.35 p.m.

Acting President: Mr. MAINA (Kenya)
President: Mr. KITTANI (Iraq)

OPENING OF THE CONFERENCE BY THE CHAIRMAN OF THE THIRD SESSION OF THE PREPARATORY COMMITTEE (item 1 of the provisional agenda)

SUBMISSION OF THE FINAL REPORT OF THE PREPARATORY COMMITTEE (item 5 of the provisional agenda) (NPT/CONF.II/1)

1. The ACTING PRESIDENT declared open the second Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. He did so by virtue of a decision of the Preparatory Committee for the second Review Conference in his capacity as Chairman of the Committee's third and last session.

2. As stated in its preambular paragraph, the Treaty was one of the measures the Parties had taken in order to reduce the danger of nuclear war, an important first step towards the declared intention of cessation of the nuclear arms race and, ultimately, nuclear disarmament. It was self-evident, therefore, that however important the Treaty was in the field of disarmament, it could not be and had not been meant to be an end in itself. The Treaty was now more than 10 years old and a second review was being undertaken in order to ensure that the purposes of the preamble and the provisions of the Treaty were being implemented.

3. Introducing the final report of the Preparatory Committee (NPT/CONF.II/1), he emphasized that all decisions had been reached by consensus owing to the exemplary spirit of goodwill and co-operation that had marked the Preparatory Committee's deliberations. In that connection, he paid a tribute to the invaluable contribution made to the work of the Committee by Mr. Fernandez (Australia) and Mr. Herder (German Democratic Republic) as Chairman of the Committee at its first and second sessions, respectively.

4. He thanked the Secretary-General of the United Nations for his assistance to the Committee within the framework of General Assembly resolution 33/57. He also thanked the Director General of IAEA, Dr. Sigvard Eklund, for having generally placed the Agency's expertise at the Committee's disposal.

5. In response to the invitation of the Committee at its second session, the Secretary-General of the United Nations had nominated Mr. Alessandro Corradini, former Assistant-Secretary-General and Director of the United Nations Centre for Disarmament, to act on behalf of the Committee as Provisional Secretary-General of the Second Review Conference. Mr. Corradini had attended the Committee's third session in that capacity and had since performed his functions with great skill and devotion.

6. In addition to the final report of the Preparatory Committee, there were a number of other documents which constituted the pre-session documentation of the Conference. They included background papers relating to various provisions of the Treaty which had been prepared at the request of the Preparatory Committee by the
United Nations Secretariat, IAEA and the Agency for the Prohibition of Nuclear Weapons in Latin America. On behalf of the Conference, he thanked the executive heads of the three organizations and their secretariats for the valuable contribution they had made to the background documentation of the Conference.

ELECTION OF THE PRESIDENT (item 2 of the provisional agenda)

7. The ACTING PRESIDENT said that, after consultation among the different regional groups represented at the Conference, it had been agreed to nominate Mr. Kittani (Iraq) for the office of President of the Conference.

Mr. Kittani (Iraq) was elected President of the Conference by acclamation.

8. The PRESIDENT thanked all delegations for the honour they had done his country, his delegation and himself in electing him President of the Conference. The Conference was an extremely important one; the issues under consideration could be momentous for the future of world peace and international relations. He pledged himself to make every effort, with the help of the Bureau, to produce the best possible results, and expressed the fervent hope that the second Review Conference would, to the largest possible extent, avoid the dissension and bitterness which had unfortunately marked the conclusion of the first, and that, at the end of the Conference's deliberations, he would be in a position to make a much more substantial statement on the basis of unanimously agreed decisions.

MESSAGE FROM THE SECRETARY-GENERAL OF THE UNITED NATIONS

9. Mr. SYTENKO, Under-Secretary-General for Political and Security Council Affairs, delivered the following message to the Conference from the Secretary-General of the United Nations:

"I wish to extend my greetings to the participants in the second Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. This Conference is very timely in view of the apparently increasing danger of the spread of nuclear weapons in recent years. Consequently, there is now greater urgency than before to achieve universal acceptance of the Treaty. The task of the Conference is to examine how this objective can be attained.

The goal of non-proliferation, as the Final Document of the tenth special session of the General Assembly made clear, is twofold: to prevent the emergence of nuclear-weapon States in addition to the existing five and progressively to reduce nuclear weapons with a view to their eventual elimination. This involved obligations and responsibilities on the part of nuclear and non-nuclear-weapon States. Nuclear disarmament remains an overriding priority and it is evident that initiatives towards it have to come from States which possess the largest nuclear arsenals. A significant reduction of strategic arms is a matter of crucial importance in this regard as it would greatly help in building the atmosphere of international confidence essential for giving an impetus to the process of nuclear disarmament. Recent achievements in this end need to be consolidated and followed by negotiations for further meaningful limitations of strategic arms.

I also wish to stress once again the vital importance of the measures to halt and reverse the nuclear arms race, in particular of a general and complete ban on the testing of nuclear weapons which is an indispensable first step in this endeavour."
Another aspect of the balance of mutual responsibilities and obligations is the strengthening of the security of non-nuclear-weapon States. I note with satisfaction that in recent years there have been new initiatives in this area and that negotiations are under way in the framework of the Committee on Disarmament with a view to reaching agreement on effective international arrangements to assure non-nuclear-weapon States against the threat or use of nuclear weapons.

Finally, there is the question of minimizing the danger of the proliferation of nuclear weapons without jeopardizing the supply or the development of nuclear energy for peaceful purposes. The principle of sovereign equality connotes that all States should be able to access to and benefit from nuclear technology for peaceful purposes. At the same time, humanity's survival requires that this access or utilization must be subject to international safeguards so that it does not serve as an avenue for the proliferation of nuclear weapons. The International Atomic Energy Agency, under the distinguished leadership of Dr. Sigvard Eklund, has performed invaluable work in the development and implementation of such safeguards. The International Nuclear Fuel Cycle Evaluation, which was made this year with the participation of both developed and developing States, has provided a comprehensive technical analysis that will no doubt facilitate the search for widely acceptable solutions in the years ahead.

This Review Conference is faced with a range of difficult and delicate issues that have a direct bearing on such fundamental matters as international peace and security, assured energy supplies, scientific and technological self-reliance and economic development. Different States approach these issues from different perspectives. I am sure, however, that all delegations here have the common desire to ensure the widest possible acceptability of a treaty which remains the pillar of international efforts to prevent the spread of nuclear weapons. I am, therefore, confident that your deliberations will be animated by a spirit of mutual understanding and co-operation towards ensuring the full implementation of the Treaty in the near future.

I extend to you my best wishes for success in this most important endeavour.

STATEMENT BY THE DIRECTOR GENERAL OF THE INTERNATIONAL ATOMIC ENERGY AGENCY

10. Mr. EKLUND (Director General, International Atomic Energy Agency) said that a number of significant developments had occurred in the period since the first Review Conference held in 1975. Briefly, those developments could be summarized as follows:

(a) A number of additional States, including several with extensive nuclear facilities and programmes, had become parties to the Treaty.

(b) A considerable number of additional safeguards agreements had been concluded with non-nuclear-weapon States.

(c) Substantial progress had been made in the implementation of safeguards agreements, in particular the agreement with EURATOM non-nuclear-weapon States, and in organizing the first safeguards field offices.
(d) Significant improvements had taken place in safeguards techniques, implementation and instrumentation, and in safeguards procedures. The possibility of introducing a system of international plutonium storage to give practical effect to the safeguards measures foreseen in the Agency's Statute had also been under study since December 1976. Another study currently in progress was concerned with examining the potential for international management of spent fuel and problems created by growing accumulations of spent fuel.

(e) An international Convention on the Physical Protection of Nuclear Material had been successfully negotiated and had already been signed by 26 States.

(f) Considerable advances had been made towards the realization of the full potential of the Treaty for the Prohibition of Nuclear Weapons in Latin America, known as the Treaty of Tlatelolco. With the ratification of the additional Protocol II to that Treaty by the Soviet Union, all five nuclear-weapon States now adhered to that protocol.

(g) The International Nuclear Fuel Cycle Evaluation, a technical study completed in February 1980, had examined a range of options for making nuclear power widely available while minimizing the risk of nuclear weapons proliferation. By identifying some useful concepts for strengthening international co-operation, that study might lead to better mutual understanding among supplier and consumer countries of their respective concerns in regard both to proliferation and to assurance of supply.

11. It should not be forgotten that the Treaty not only prohibited the acquisition of nuclear weapons by non-nuclear-weapon Parties but also placed an obligation on Parties to facilitate and promote peaceful nuclear activities and to work towards reducing nuclear arsenals. All parties, both nuclear and non-nuclear-weapon States, were equally committed to that twofold objective. The fate of the Treaty, with all its consequential effects upon the fabric of international security and human survival, might ultimately depend upon the success or failure to achieve that goal.

12. The principal concern of IAEA in the operation of the Treaty was related to the implementation of articles III, IV and V. Reports on the Agency's activities under those articles were provided in the background documentation (documents NPT/CONF.II/6 and Add.1 and Add.2, NPT/CONF.II/7 and NPT/CONF.II/8).

13. The Agency's obligations were most clear-cut and specific under article III which, in effect, called upon it to apply safeguards to all non-nuclear-weapon States parties to the Treaty. Of the 110 non-nuclear-weapon States parties to the Treaty, 69 had concluded the required safeguards agreements with the Agency. He wished to take the opportunity of calling upon the Governments that had not yet concluded such agreements to do so without further delay.

14. Turning to the scope and dimensions of the safeguards operation itself, he said that the Agency's budget for safeguards had increased from approximately $1,000,000 in 1970 to approximately $5,000,000 by 1975 and to $22,000,000 in the present year. These costs, however, represented only a very insignificant fraction of the cost per nuclear kWh produced. A part of the growth in expenditure had reflected the impact of inflation and the declining value of the dollar; and there has also been a very substantial expansion in the safeguards programme. Thus, the professional staff of the Department of Safeguards had risen from about 50 in 1970 to 100 in 1975 and 200 in 1980, 140 of that number being full-time inspectors. The number of power reactors under safeguards had risen from 10 in 1970 to 117 at the beginning of 1980. The amount of plutonium had increased from 17 tons in 1975 to 68 tons at the beginning of 1980.
15. In fact, more than 95 per cent of the nuclear plants in all non-nuclear-weapon States, whether parties to the Treaty or not, were under IAEA safeguards. Less than a dozen significant facilities in all non-nuclear-weapon States were unsafeguarded; however, some of these unsafeguarded plants were very significant.

16. The Agency had also begun applying safeguards under the voluntary offer by the United Kingdom to place its civilian nuclear material under IAEA safeguards. The safeguards agreement under the United States offer had been approved by the Board of Governors of the Agency and recently also by the United States Senate. A similar agreement with France had been approved by the Board and signed, and was awaiting ratification by the French parliament.

17. In the past four years the Agency's secretariat had provided the Board with a detailed statistical analysis and evaluation of the effectiveness of the safeguards operation during the preceding year, the so-called SIR report. In no case had the Agency detected any discrepancy which would indicate the diversion of a significant amount of safeguarded nuclear material, and it had concluded that all such material remained in peaceful nuclear activities or was otherwise adequately accounted for.

18. The system had now evolved to the stage where safeguards could be or were being applied to every category of plant, from small research reactors to reprocessing plants and other highly sensitive facilities, including gas centrifuge enrichment facilities, with respect to nuclear material in the storage area of such facilities. Experience underlined the need for designing nuclear plants of all kinds in such a way as to permit the easy, effective and inexpensive application of safeguards. The safeguards procedures for enrichment plants still had to be fully developed. The same was true of large commercial reprocessing plants in which a thousand or more tons of spent fuel would be handled each year. There were two at present, and it was only in the 1980s that such plants were likely to come into operation in non-nuclear-weapon States. Meanwhile, the development of safeguards procedures for that type of plant was under way; that development would, of course, be facilitated if the plants were regionally or internationally managed.

19. To sum up, although there were a number of problem areas, the Agency had not encountered any insurmountable technical difficulties in the effective application of safeguards and did not foresee any such difficulties in the immediate future. On the contrary, it believed that it would be able to continue to increase the technical effectiveness of the safeguards system as it became a routine industrial operation. Cost effectiveness would be improved thereby, as well as by a proper selection of the objects to be safeguarded.

20. The application of safeguards was not, however, only a technical matter. The safeguards system was only as good as Member States wanted it to be; its efficacy depended on the willingness of Governments to cooperate with the Agency. On several occasions he had reported to the Board of Governors that serious difficulties were being encountered in the designation and acceptance of inspectors. It was, of course, the right of every State to reject the proposed designation of an individual who was personally unacceptable. However, the practice of rejecting whole categories of inspectors on political, linguistic or nationality grounds was unfortunately growing and inevitably led to retaliatory discrimination and distortion of the recruitment pattern and effective deployment of inspectors in the field. He appealed to all concerned to give consideration to the matter.
21. Turning to article IV of the Treaty, he said that when the first Conference had opened in 1975, the world's installed nuclear power capacity had stood at 20,000 MW and had been expected to reach 100,000 MW by 1980. In fact by the end of 1979, 122,000 MW of plant were in operation. By 1985, that figure was likely to reach between 290,000 and 350,000 MW, which would be more than a twofold increase. The annual amount of power produced from nuclear energy would then be the equivalent of what could be generated by using the complete oil production of Saudi Arabia in 1979, and would represent about 15 per cent of the world's electricity production.

22. In a world which was sliding into a deepening energy supply crisis, such a growth in nuclear power production was no more than what could have been expected. For the rest of the century at least, the only way that the world could hope to compensate for dwindling oil supplies would be by conservation and for greater use of nuclear energy and coal. Generally speaking, the energy course followed in the socialist countries and a number of Western industrial countries was forward-looking and pragmatic. In France, for example, nuclear energy would account for 50 per cent of electricity production in 1985. Perhaps, because of domestic reactions, a number of industrial countries seemed to be unable to cope effectively with the energy supply crisis. There was no starker illustration of that than the fact that, during 1979, the total amount of nuclear power plant on order throughout the world had decreased by 8,000 MW.

23. It was instructive but depressing to contrast the powerful affirmation of the need for nuclear energy which had been pronounced recently at the Venice Summit Meeting of the Heads of State or Government of the seven major industrialized countries with the bleak realities of domestic nuclear politics. The statement meeting at Venice had said: "We underline the vital contribution of nuclear power by a more secure energy supply. The role of nuclear energy has to be increased if world energy needs are to be met. We shall, therefore, have to expand our nuclear generating capacity."

24. Concerning the situation in the developing world, he said that in 1975 nuclear energy plants were being built or operated in eight developing countries of Asia, Africa and Latin America. With the discontinuance of the Iranian programme, that figure had dropped to seven. It would rise to nine when the Philippine and Cuban projects were completed, but at present there seemed to be no definite prospect of a significant further spread of nuclear power in developing countries during the present decade.

25. It was obvious that much still remained to be done in order to realize the potential of article IV of the Treaty, under which "All the Parties to the Treaty undertake to facilitate and have the right to participate in the fullest possible exchange of equipment, materials and scientific and technological information on peaceful uses of nuclear energy" and to co-operate in contributing to the "further development of the applications of nuclear energy for peaceful purposes with due consideration for the needs of the developing areas of the world".

26. Progress towards those objectives had certainly not been favoured by the wave of restrictions which had arisen in the late 1970s. Billion-dollar investments in nuclear power plants were hardly encouraged when contractual commitments for nuclear supplies might be called into question. Fortunately, the International Nuclear Fuel Cycle Evaluation, which had completed its work in February 1980, had provided a pause for reflection and for a return to the procedures of multilateral consultation. That had been followed up by the decision of the IAEA Board of Governors to establish a Committee open to all Member States to consider and advise the Agency's Board of Governors on ways and means by which the supplies of nuclear material, equipment and technology and fuel cycle services could be assured on a predictable and long-term basis in accordance with initially acceptable consideration of non-proliferation and the Agency's respective role and responsibilities.
27. With reference to article V of the Treaty, it would be generally agreed that it had been overtaken by events and that the peaceful use of nuclear explosives might entail greater risks than the benefits they would bring. There seemed to be a general understanding that the technology involved was not an ordinary technology. It might be wiser, therefore, to leave article V where it was, for the time being at least.

28. Despite the problems he had referred to, he thought that the Non-Proliferation Treaty itself had tended to demonstrate its viability. Since the First Review Conference, 28 non-nuclear-weapon States had become parties to the Treaty, bringing the total membership to 115, including Japan, which was now the world's second largest producer of nuclear electricity. Today, all but three countries in Europe, all of North America, most of the countries bordering the Western Pacific, most Latin-American countries and half the countries of Africa were parties to the Treaty.

29. However, there were at present 11 non-nuclear-weapon States which operated nuclear facilities and which still remained outside the Treaty. Among these, five were operating unsafeguarded nuclear facilities. There were disquieting reports that, besides those which were known already to have the capability of producing nuclear explosive material, one or more additional non-nuclear-weapon States might before long also acquire that capability.

30. Moreover, all the sensitive, unsafeguarded nuclear plants were situated in regions of acute political tension. It was impossible to ignore the risk that some localized and perilous nuclear arms race might break out in those volatile areas, but were also uncomfortably close to the world's main oil resources or to the routes by which that oil was carried. It seemed self-evident, therefore, that one of the highest priorities of international diplomacy should be to render inert the nuclear fuse which could add a new dimension to political tension in those regions.

31. Three of the States operating nuclear facilities which had not become parties to the Treaty were in Latin America and included two with major nuclear power programs. In those cases, however, all nuclear plants and material were at present under IAEA safeguards. Moreover, there had been encouraging progress in the ratification and full application of the Tlatelolco Treaty. Latin America was thus the only major region in the world which had forsaken the manufacture of nuclear weapons and in which all nuclear plants were under IAEA safeguards.

32. Concerning article VI, he said that the Agency was not directly involved in its implementation, except in the sense that the lack of progress in implementing it might in time detract from the viability of articles III and IV, which were of crucial importance, and from the credibility of the Treaty as a whole.

33. Five years ago, he had said that an effective treaty banning every kind of nuclear weapons test would be the most important single action that could be taken to strengthen and universalize the beneficial regime of non-proliferation of nuclear weapons. Events since 1975 had only served to strengthen that conviction. Nuclear weapons testing had continued at a steady rate. In 1979 alone, 53 nuclear tests had been performed, making a total of 420 performed by the five nuclear-weapon States during the last 10 years and one test by another State. In the long term, the non-proliferation regime could survive only on the threefold basis of the Non-Proliferation Treaty, effective international safeguards and a comprehensive nuclear test-ban treaty.
34. With regard to disarmament, he said that the nuclear arsenals in the world had continued to grow both in their numbers and destructive capacity. It was unfortunately true that in many cases technology dictated national policy and that new weapons systems often emerged not so much from national security requirements as from the sheer momentum of the technological process. That trend carried with it an intrinsic element of danger. It was therefore imperative that the world's political leaders should accept their responsibility and control these forces rather than be controlled by them.

35. The final document, adopted by consensus by the General Assembly at its tenth special session, its first session on disarmament, in 1978, stated categorically: "Enduring international peace and security cannot be built on the accumulation of weaponry by military alliances nor be sustained by a precarious balance of deterrence or doctrine of strategic superiority". The idea that permanent establishment of a world system of nuclear-weapon States and non-nuclear-weapon States could serve as a solution was no doubt fallacious and there were strong moral and political arguments against a continued reliance on such a situation.

36. Speaking personally, he said that in the continuing discussion about the Treaty's usefulness and importance, it must be kept in mind that so far only six countries had developed and tested nuclear explosives. That was a most remarkable proof of the wisdom of statesman, especially those of the non-nuclear-weapon States who had recognized that the world could not be a safe place if a larger number of countries possessed nuclear explosives and could use them for military purposes.

37. The Treaty had provided a framework within which it should be possible to develop, under mutual assistance, nuclear power for peaceful purposes, with the non-nuclear-weapon States parties to the Treaty voluntarily abstaining from production of nuclear explosives and with the IAEA safeguards régime applied to all their nuclear activities.

38. The main question to be raised at the present Conference was undoubtedly that of the stability of the system. Would the Treaty with its shortcomings, especially in connexion with articles IV and VI, survive another five, ten or fifteen years?

39. What was the alternative? He recalled that 35 years ago the world had witnessed the first use of the atomic bomb in Hiroshima and everybody had been painfully aware of its massive devastation at that time. By today's standards, however, the Hiroshima bomb would not have been ranked even as a minimum nuclear destructive capability. Today, there were probably some 50,000 nuclear weapons, the combined explosive power of which was believed to be equal to that of more than one million Hiroshima bombs, which amounted to not less than three tons of TNT for every individual in the world. In spite of that global overkill capacity, the nuclear-weapons Powers were continually increasing their nuclear arsenals and improving their deadliness and effectiveness. It was one of the most ominous paradoxes of history that, instead of a sense of universal revulsion arising from the tragedy of Hiroshima and Nagasaki, the world today should be witnessing an ever-increasing number and sophistication of the weapon that had demonstrated that horrendous capability for destruction and had become a constant menace to human society.

40. He expressed the wish that, in a way consistent with the limited test-ban Treaty, some nuclear-weapon Powers would arrange a demonstration explosion of a weapon, not necessarily the most sophisticated one, to give the news media the world over an idea of the destructive power of the new nuclear weapons. That would undoubtedly create a massive public reaction against nuclear weapons, both in the nuclear-weapon States and the non-nuclear-weapon States.
41. The Non-Proliferation Treaty was the result of substantive efforts to find common ground on which proliferation could be prevented. In his opinion, in order to maintain stability in the system, it was necessary to begin by eliminating some of the discriminatory features of the manner in which the Treaty was being implemented and, at the same time, to remove the obstacles which seemed to prevent about a dozen countries with nuclear-weapon potential from becoming Parties to the Treaty.

42. All serious studies of the energy situation in the world had come to the conclusion that nuclear energy was indispensable for maintaining the present standard of living in the industrialized countries and improving the situation in the developing countries. That implied that nuclear power technology should be still more widely spread; that was, in fact, the implicit assumption and very basis of the Treaty. As he had said before on many occasions, there was no direct link between nuclear power for peaceful purposes and nuclear weapons. The elimination of nuclear power for peaceful purposes would not lead to the elimination of nuclear weapons.

43. In conclusion, he expressed his personal wish that, first, there would be an effective and enduring ban on all nuclear tests within the shortest possible time; secondly, that the spirit of article IV of the Treaty would be fulfilled; and, thirdly, that those States which had hitherto preferred to remain outside the Treaty would decide to accede to it.

MESSAGE FROM MR. L.I. BREZHнев, CHAIRMAN OF THE PRESIDiUM OF THE SUPREME SOVIET OF THE USSR

44. Mr. Morozov (Union of Soviet Socialist Republics) read out the following message to the participants in the Conference from Mr. L.I. Brezhnev, Chairman of the Presidium of the Supreme Soviet of the USSR:

"I convey my greetings to the representatives of the States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons who have assembled for the Conference to review the operation of the Treaty.

Ten years have passed since the Treaty entered into force, and it may now be said with full justification that the conclusion of the Treaty was an important step towards halting the nuclear arms race in the interests of peace on earth.

The Treaty on the Non-Proliferation of Nuclear Weapons effectively serves the interests of countries, both large and small, nuclear and non-nuclear, industrially developed and developing. I am confident that the international authority and effectiveness of this important Treaty will continue to grow steadily and its sphere of application continue to widen.

The Treaty has also laid a solid foundation for the development of fruitful international co-operation in the peaceful application of atomic energy, and created favourable conditions for the wide use of such energy for constructive purposes.

The Soviet Union plays a very active part in the exchange of nuclear materials, equipment and scientific and technical information. We shall continue to develop our co-operation in this field on a bilateral and multilateral basis, inter alia, within the framework of IAEA. Our country is prepared to share its abundant experience and technical resources to help those using the atom in the interests of peace."
The Soviet Union considers it essential — particularly in the present circumstances — to implement the provisions of the Treaty concerning the adoption of effective measures relating to cessation of the nuclear arms race and to disarmament. Our proposals on the cessation of production of nuclear weapons as on the destruction of such weapons, on the complete prohibition of nuclear-weapons testing and on other issues are well known. We shall continue to strive with utmost determination for the speedy implementation of these proposals. As I attach great significance to the strengthening of security guarantees for non-nuclear States, I wish once again to emphasize that the Soviet Union will never use nuclear weapons against countries which have renounced the production and acquisition of such weapons and do not have them on their territory. We are prepared to conclude an agreement on this subject with any country, and also to work towards the conclusion of an international convention on security guarantees for non-nuclear States.

The Soviet people anticipates that the Conference will make a significant contribution to increasing the effectiveness of the Treaty on the Non-Proliferation of Nuclear Weapons, and will provide it with an additional source of strength.

I wish you success in your crucial task of ensuring that atomic energy serves only peaceful and constructive interests.

45. The PRESIDENT suggested that the message from the Chairman of the Presidium of Supreme Soviet of the USSR should be circulated as an official document at the Conference.

It was so decided. 1/

46. The PRESIDENT suggested that agenda items 4, 5, 6 and 7 should be postponed for later consideration.

It was so decided.

CONFIRMATION OF THE NOMINATION OF THE SECRETARY-GENERAL (item 8 of the provisional agenda)

47. The PRESIDENT pointed out that the Preparatory Committee, at its second session had decided to invite the Secretary-General of the United Nations to nominate an official to act on behalf of the Committee as provisional Secretary-General of the Review Conference. He suggested, therefore, that the Conference should accept the Secretary-General’s nominee, Mr. Alessandro Corredini.

It was so decided.

48. Mr. CORREDINI (Secretary-General) said that he would do his utmost to ensure the work of the Conference was carried out in the most effective way.

ADOPTION OF THE AGENDA (item 9 of the provisional agenda)

49. The PRESIDENT suggested that the provisional agenda in annex II to document NPT/CONF.II/1 should be adopted.

It was so decided.

The meeting rose at 4.50 p.m.

1/ Subsequently issued as document NPT/CONF.II/10.
SUMMARY RECORD OF THE 2nd MEETING
Tuesday, 12th August 1980, at 11.10 a.m.

President: Mr. KITAIM (Iraq)

1. The PRESIDENT informed the participants that great headway had been made with the consultations on items 4-7 of the agenda and said he hoped that agreement would soon be reached on the rules of procedure and the list of candidates for the posts of chairman and vice-chairman of the committees and the Drafting Committee. In the meantime, he suggested that, if there were no objections, the Conference should turn to agenda item 12 and open the general debate.

It was so decided.

GENERAL DEBATE (agenda item 12)

2. Mr. FARIE (United States of America) read out a message to the Conference from the President of the United States of America and requested that it be published as an official Conference document.

3. There were at present 115 parties to the Non-Proliferation Treaty, the highest figure ever recorded for an arms control treaty. These parties included all the States members of NATO and of the European Communities except France, all the States members of the Warsaw Treaty and of OCEA, 55 African States, 20 Latin American States and 23 States in Asia and the Middle East. Bearing in mind that France had stated that it would act as if it were a party to the Treaty, the régime set up under the Treaty represented a total population of more than two billion and a total gross national product of 87.7 billion, almost the entire nuclear power installed or under construction, all exporters of enriched uranium and nuclear materials and equipment throughout the world, 94 per cent of all foreign aid donations and 87 per cent of the funds of international financial institutions. Those figures bore eloquent witness to the importance of the participants in the system and showed that States which were not parties to the Treaty could develop a nuclear programme only in cooperation with States parties. From that standpoint, it could be said that the Treaty's first objective, which was to prevent international security and nuclear arms control from being threatened by an increase in the number of nuclear-weapon States, had been achieved.

4. There was, however, no hiding the fact that developments in a very small number of countries not parties to the Treaty, which had therefore not subscribed to the obligations set out in articles II and III of the Treaty, many of which had built or were building unsafeguarded plants capable of producing substances that could be used for making nuclear weapons, were a matter of serious concern to which the Conference should give urgent attention.

5. Since those States were not subject to the IAEA system of safeguards with respect to their peaceful nuclear activities, they were able to secure co-operation in the nuclear field and keep their unsafeguarded installations. The first Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons had already drawn attention to that problem and urged in its final declaration that "in all achievable ways, common export requirements relating to safeguards be strengthened, in particular by extending the application of safeguards to all peaceful nuclear activities in importing States not party to the Treaty". Since 1975, several
States had made progress towards that objective, but it could be achieved only through genuinely concerted action. His country therefore strongly recommended that the present Conference should endeavour to promote the objective of full IAEA safeguards and called upon the States parties to the non-proliferation régime to enter into new nuclear supply contracts only with those States which undertook to accept the IAEA safeguards for all their peaceful nuclear activities. The United States delegation would also like the Conference to carry out an in-depth review of the progress made in implementing the recommendations of the first Conference concerning safeguards and the physical protection of nuclear materials, and to make recommendations with respect to the further improvement of safeguards implementation. In that respect, the United States Senate had recently approved an agreement whereby his country authorized IAEA to apply its safeguards to United States civilian installations. In addition, his Government had, on 5 March 1980, signed the Convention on the Physical Protection of Nuclear Material.

6. In so far as the other main objective of the Treaty, which was to halt the nuclear arms race, was concerned, the United States was acutely aware of its obligations under article VI of the Treaty and in that respect attached special importance to SALT II which it had signed with the Soviet Union in 1979. Although it had not yet been possible to complete ratification of that agreement, his country was determined to do so, to refrain from any action inconsistent with that objective and to secure greater reductions and further qualitative limitations in the future. Major advances had also been made since 1975 towards the preparation of a comprehensive nuclear test-ban treaty. Many of the difficulties that had originally hampered the negotiations had been overcome and his country would pursue its efforts to reach an agreement as quickly as possible. Also since 1975, further important steps had been taken with regard to the Treaty for the Prohibition of Nuclear Weapon in Latin America (Tlatelolco Treaty). The United States had already ratified Protocol II to that Treaty, under which it undertook to respect the Latin American nuclear-free zone and, in 1977, President Carter had signed additional Protocol I to that Treaty, under which the United States territories situated in that zone would become subject to the Treaty's régime.

7. Moreover, in response to the appeal made at the 1977 Conference by several States parties to the Non-Proliferation Treaty for negative security assurances, the United States delegation had announced the following declaration by the President of the United States to the General Assembly of the United Nations in 1978 at its tenth special session, which had been devoted to disarmament:

"The United States will not use nuclear weapons against any non-nuclear-weapon State party to the Non-Proliferation Treaty or any comparable internationally binding commitment not to acquire nuclear explosive devices, except in the case of an attack on the United States, its territories or armed forces, or its allies, by such a State allied to a nuclear-weapon State or associated with a nuclear-weapon State in carrying out or sustaining the attack."

8. His country had also sought to obtain mutual balanced force reductions in Europe and had offered to co-operate in negotiating mutual limitations on long-range tactical nuclear-weapon systems in the region.

9. All those arms control achievements should be welcomed as major advances in arduous and lengthy undertaking, since the process of limiting and reducing weapons could not really be dissociated from political and strategic realities, which required a carefully weighed balance of military capability and the introduction...
verification measures likely to bring about a climate of confidence. The process was fraught at every step with technical problems and political sensitivities of an unprecedented nature. The United States would not allow itself to be discouraged by these difficulties, however, and would continue to work for world peace and security, not only because of its commitments under article VI of the Treaty but also because balanced and verifiable arms control could make a major contribution to the security of the United States and the entire world. Moreover, it was the only rational solution because, as President Carter had stated at Vienna on 18 June 1979 at the signing of SALT II, if the world could not control the power to destroy, it could neither guide its destiny nor preserve its future.

10. With regard to co-operation relating to the peaceful uses of nuclear energy, as envisaged in article IV of the Treaty, he said that since the beginning of 1975 the United States had exported nuclear reactors representing a total capacity of roughly 11,000 MW and more than 9 million kg of enriched uranium to States parties to the Treaty. To help finance these exports, it had provided financial assistance amounting to over $3.5 billion through the Export-Import Bank and had expressed its willingness to grant financial aid for certain nuclear projects in countries which undertook to comply with non-proliferation requirements, preference being given to parties to the Treaty.

11. So far as nuclear research and technological exchanges were concerned, more than 4,000 persons from 51 countries parties to the Treaty had, since early 1975, taken part in the peaceful nuclear research programmes of the United States Energy Department or its subcontractors. The United States also provided the greatest amount of information on the peaceful uses of nuclear energy and had published the results of specific research it had carried out on reactor improvement and better fuel utilization as part of the International Nuclear Fuel Cycle Evaluation.

12. His country had also considerably increased the aid it provided to developing countries through IAEA. Since the beginning of 1975, its voluntary contributions to the Agency's technical assistance programmes had amounted to almost $11 million. Moreover, in accordance with the recommendations of the first Conference, it had made donations in kind worth more than $2 million and gifts of special nuclear materials worth $300,000 to countries parties to the Non-Proliferation Treaty. In accordance with the undertaking it had given in 1978 at the special session of the General Assembly devoted to disarmament, the United States would in 1980 increase by 14 per cent the technical assistance it provided through the Agency, in particular to 19 countries parties to the Treaty, in connection with nuclear power plant safety, the medical and agricultural application of nuclear science and uranium exploration. It had also offered to supply low-enriched uranium free of charge to seven countries parties to the Treaty with a view to co-operation in research on replacement fuels for certain experimental reactors.

13. The importance which the United States attached to adherence to the Non-Proliferation Treaty was reflected in the preferential treatment it accorded aid for nuclear co-operation, and he cited various laws and provisions for facilitating exchanges with the countries parties to the Treaty, with regard both to materials and equipment and to technology and training. The United States was still firmly committed to co-operation in the civilian nuclear field, particularly with the States parties to the NPT.
14. It was natural that the more than 100 nations that were parties to the Treaty did not all have the same ideas as to how the objectives of the Treaty should be achieved, yet they had all recognized that the Treaty met their overriding national security interests and their civilian nuclear energy objectives and that their national interests could be seriously jeopardized if other States acquired nuclear explosives. Consequently, all States had a vital interest in maintaining and strengthening the Non-Proliferation Treaty regime and should spare no effort to adopt a common approach at the present Conference, paving the way for effective recommendations. It could already be said that the recommendations made at the first Review Conference five years previously had been taken seriously and that major progress had been made, largely because the programme of action established by that Conference had been realistic and based on a consensus. The United States hoped that all the participants would demonstrate a constructive spirit and that the second Conference would produce the results everyone sought so that the Treaty would continue to enjoy the support of all the States parties, encourage the accession of further countries and become in future the pivot of the efforts being made throughout the world to avert the terrible threat of nuclear war.

15. The PRESIDENT, referring to the request made by the United States representative, suggested that the message from the President of the United States of America should be distributed as an official Conference document.

   It was so decided. 1/

16. Mr. VALDIVIESO (Peru) said that in 1968, during discussion of the Non-Proliferation Treaty, the representative of Peru had stated that the provisions of the Treaty provided legal support for the de facto inequality that already existed between non-nuclear-weapon countries and the nuclear Powers and that as a result it was important to require those Powers to be aware of the serious responsibilities incumbent upon them and their obligation under article VI of the Treaty to pursue negotiations in good faith with a view to cessation of the arms race and nuclear disarmament. He had expressed the hope that the nuclear Powers would co-ordinate their policies in order to obtain cessation of the production of nuclear weapons, the liquidation of all existing stockpiles of such weapons and the elimination of nuclear weapons and their delivery vehicles from national arsenals, which were the objectives of a treaty on general and complete disarmament under strict and effective international control.

17. Since then, it was evident that the countries which had given up nuclear weapons had been increasingly subjected to the directives, and even the whims, of the nuclear Powers, and that they were being refused access to large areas of nuclear science and technology, whereas the nuclear Powers were concerning themselves only with their own disputes. That was why it was not possible to reach an effective international agreement which could provide the non-nuclear-weapon States with safeguards against the use or threat of use of those weapons. In the proposals they had presented to the Committee on Disarmament, the Superpowers stated categorically that they would use nuclear weapons only against another nuclear-weapon Power, but that simply meant that they wished to protect each other, as well as their allies, without providing

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1/ Subsequently issued as document NPT/CONF.II/11.
any safeguards for non-nuclear-weapon States. It was an illusion to say that they
would not use nuclear weapons if they were attacked by non-nuclear-weapon countries,
since they acknowledged the possibility of using such weapons against a country
allied to a nuclear-weapon State, even if no nuclear attack was involved.

18. It was not enough to speak of so-called "negative" safeguards, which in any
case were not legally binding; non-nuclear-weapon States would have to have
"positive" safeguards.

19. The problem went even further, since other weapons, including radiological and
neutron weapons, could have a destructive force equal to that of nuclear weapons.
As was clear from paragraph 19 of the report of the Ad Hoc Working Group of the
Committee on Disarmament established with a view to reaching agreement on a convention
prohibiting the development, production, stockpiling and use of radiological
weapons (CD/135), the provisions of the Treaty did not prevent the use of radioactive
weapons and, as a result, countries possessing weapons or devices of that kind were
free to develop them with all the consequences which that implied.

20. In its Final Declaration, the first Review Conference had expressed its serious
concern with the fact that the arms race, and in particular the nuclear arms race,
had accelerated and that had urged all parties to the Treaty, particularly the
nuclear-weapon States, to make constant and determined efforts to achieve rapid and
effective implementation of article VI of the Treaty.

21. All States recognised that the conclusion of a treaty on general and complete
disarmament must be preceded by a cessation of nuclear tests and that that required
prevention of the development, and subsequently the production, of new nuclear weapons
and the reduction of their number until they were totally eliminated. On the eve of
the present Conference, three of the major nuclear Powers had set a series of
objectives leading to the conclusion of such a treaty. The publicity that had
accompanied that agreement, however, was aimed only at deceiving public opinion and
preventing the Conference from seriously dealing with the obstacles in the way of
full implementation of the Treaty. Those good intentions were contradicted by the
annex to document NPT/CONF.II/2 prepared by the United Nations Secretariat at the
request of the Preparatory Committee for the second Review Conference, from which it
could be seen that, between the signature of the Treaty and 22 May 1960, the
United States of America, the Soviet Union and the United Kingdom had carried out
488 nuclear explosions — an average of 40 explosions per year or more than three per
month. Under those circumstances, he wondered what would happen if those Powers,
for whom nuclear technology held no more secrets, one day decided, under a different
regime, no longer to respect the present rules and to attack non-nuclear-weapon
countries which were bound by the Treaty but had no safeguards against attack by a
nuclear Power. The developing countries demanded in early and to that situation.
The resources spent on nuclear weapons could improve the fate of all mankind and in
particular that of the developing countries, whose inhabitants were often
undernourished and lived in inhuman conditions.

22. In 1968, the delegation of Peru had stated in the First Committee of the
General Assembly that Peru's adherence to the Non-Proliferation Treaty did not involve
unconditional acceptance. It would only consider itself obliged to observe the Treaty
if the nuclear powers respected the commitments they had made, in other words, if they
entered into negotiations in good faith for the purpose of reaching general and
complete disarmament and promoting the application of nuclear tests to peaceful ends.
23. In view of the poor results obtained in the Committee on Disarmament and the virtual absence of progress in 12 years of dealings with the nuclear Powers, Peru gave its unqualified support to the Statement of the Group of 21, submitted to the Committee on Disarmament (CD/154), in which that Group deplored the fact that, though the Committee on Disarmament was the only multilateral organization for disarmament negotiations it had not been allowed during its 1980 session to fulfil the mandate to which the General Assembly had decided to give absolute priority - the cessation of the nuclear arms race and nuclear disarmament, including the prohibition of tests in that field.

24. If the present Conference did not give satisfaction to all the countries which had acceded to and ratified the Non-Proliferation Treaty, and in particular to the developing countries, those countries could seriously consider the possibility of denouncing it.

25. Mr. MOROZOV (Union of Soviet Socialist Republics) said that the Conference was an important international event, as was borne out by the presence of representatives from over 70 States for which the creation of a solid rampart against the proliferation of nuclear weapons was a basic priority. As Mr. Brozhnov had stressed in his message to the Conference, the Treaty on the Non-Proliferation of Nuclear Weapons effectively served the interests of all countries, large and small, nuclear and non-nuclear, industrially developed and developing, and its authority and effectiveness at the international level would continue to grow steadily.

26. The task of the Conference was to proceed to a general review of the operation of that important international agreement, so as to ensure that its objectives and provisions were respected, to strengthen further the efforts undertaken to that end, and to encourage countries which had not yet acceded to the Treaty to do so.

27. The improvement in the international climate during the 1970s resulting from détente and peaceful co-existence among States with different social systems had given way to a number of difficulties, but the USSR was convinced that détente remained the dominant trend and that the Conference could and should make a substantial contribution to the strengthening of world peace and security, the improvement of the international situation and measures to put an end to the arms race.

28. A review of the operation of the Treaty since its entry into force 10 years previously showed indisputably that it had played a key role in preventing the proliferation of nuclear weapons. The fact that 112 States were now parties to the Treaty and five others had signed it proved that it had achieved broad international recognition. Those 10 years had also proved the validity and viability of the principles on which the Treaty was based, since the commitment not to encourage the proliferation of nuclear weapons was now a recognized rule of contemporary international law.

29. Certain States, however, including some which had the scientific, technical and industrial capability needed to manufacture nuclear weapons, had not yet acceded to the Treaty. The risks of nuclear conflict would be far greater if more States, like South Africa and Israel, which did not seek to disguise their nuclear ambitions, began building up a nuclear arsenal to carry out their aggressive designs. No effort must therefore be spared to increase the number of accessions to the Treaty as soon as possible.

30. Referring to the basic provisions of articles I and II of the Treaty, he noted with satisfaction that the parties had respected their undertakings not to transfer nuclear weapons directly or indirectly and not to assist other States to manufacture...
them and, as far as non-nuclear-weapon States were concerned, not to manufacture or acquire such weapons. It could be stated that the Treaty had thus contributed to the strengthening of international security. Another of its important provisions stipulated that the parties undertook to pursue negotiations in good faith on measures relating to cessation of the nuclear arms race and to nuclear disarmament and on a treaty on general and complete disarmament. Some progress had in fact been made towards limiting the arms race and it had been possible to conclude several international agreements. A Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques, concluded on the initiative of the USSR, had entered into force in 1979. Following the Soviet proposal in 1975 for the conclusion of a treaty on the complete and general prohibition of nuclear-weapon tests, negotiations were now under way between the United States, the United Kingdom and the Soviet Union, and the tripartite report on negotiations submitted to the Committee on Disarmament and the present Conference (HPT/CNRF.II/13) stated that considerable progress had been made in the drafting of the treaty and that the States concerned were determined to make every effort to bring their work to an early and successful conclusion. Such a treaty would be an important step towards cessation of the nuclear arms race, particularly with regard to improvements in the quality of such weapons, and would strengthen the non-proliferation régime. During the negotiations, the USSR had proposed several constructive measures and had always endeavoured to facilitate the drafting of such a treaty. The year 1974 had seen the signature of the Treaty on the Limitation of Underground Nuclear Weapon Tests between the United States of America and the USSR, although the legal procedures for the entry into force of that Treaty had not yet been completed. In 1976, the USSR had, however, reported that, in view of the importance of that Treaty as a specific step towards the complete cessation of nuclear-weapon tests, it would not take any step that might be incompatible with the provisions of the Treaty, provided that the United States did the same. In accordance with that agreement, the two countries had in 1976 signed the Treaty on Underground Nuclear Explosions for Peaceful Purposes which, together with the previous treaties, established an important link between the various measures for the total cessation of nuclear-weapon tests.

31. In 1979, the signature of SALT II had made a very substantial contribution to achievement of the objectives of article VI of the Non-Proliferation Treaty, and the USSR, which advocated a limitation of strategic offensive weapons, favoured the entry into force of SALT II and the initiation of SALT III negotiations as soon as possible.

32. Furthermore, the Soviet Union had concluded several agreements with France and the United Kingdom to prevent the risk of a nuclear conflict. Within the framework of the Conference on Security and Co-operation in Europe (CSCE), an extensive "package" of measures aimed at restoring confidence in Europe was currently being generally applied. The forthcoming meeting in Madrid should constitute an important phase in the implementation of the Final Act of the Conference (CSCE-Helsinki). A decision should be taken at that meeting to convene a conference on military détente and disarmament in Europe.

33. A programme of action for peace, détente and disarmament had been submitted by the socialist countries during the meeting of the Political Consultative Committee of the States Parties to the Warsaw Treaty in May 1980. The Soviet initiative proposed during the recent talks in Moscow between Mr. Brezhnev and Chancellor Schmidt of the Federal Republic of Germany was an extension of that programme. It provided for the simultaneous consideration of problems concerning medium-range nuclear missiles and of the question of the United States advanced nuclear systems. In that context, it was felt that an agreement could not in fact be reached until SALT II entered into force.
34. The Soviet Union had also submitted to States a proposal on the occasion of
the production of all types of nuclear weapons and the gradual reduction of nuclear
weapon stockpiles until they were completely eliminated. The problem of consolidating
the non-proliferation regime was directly linked to the major Soviet initiatives for
the conclusion of a convention on the strengthening of security guarantees for non-
nuclear-weapon States and an agreement prohibiting the deployment of nuclear weapons
on the territories of States in which there were no such weapons at present.

35. Although the enhanced security of all States, but particularly that of the non-
nuclear-weapon States, was the focal point of the Non-Proliferation Treaty, provision
was also made for it in Security Council resolution 255 (1968), which the
Soviet Union had undertaken to respect fully. As Mr. Brezhnev's message to the
Conference emphasized, the Soviet Union undertook never to use nuclear weapons against
States which had renounced the production and acquisition of such weapons and did not
have them on their territory. The conclusion of an international convention which
would oblige nuclear-weapon States not to use nuclear weapons against States which
had renounced the acquisition of such weapons and did not currently have them would,
in the view of the USSR, be the most effective means of strengthening security
 guarantees for such States, together with the establishment of non-nuclear zones in
various regions of the world. To that end, the Soviet Union had ratified
Additional Protocol II to the Treaty for the Prohibition of Nuclear Weapons in
Latin America in 1978 (Tlatelolco Treaty).

36. The implementation of the Non-Proliferation Treaty had also encouraged the
development of fruitful international co-operation in the peaceful uses of atomic
energy, and the Soviet Union recognized the need to promote such co-operation within
the framework of a constant strengthening of the non-proliferation regime. Important
progress had been made in that field during recent years with the commissioning of
the first prototypes of nuclear fast breeder power plants and the further success
achieved with regard to controlled thermonuclear fusion. Emphasis should be placed
on the important role played by IAEA which, under article IV of the Treaty, gave
priority to assistance to the developing countries through its Technical Assistance
Fund, its scientific and technological programmes, its scientific and technical
information network and the organization of joint research activities on contemporary
problems concerning nuclear science. The co-operation provided for in article IV
should be strengthened, particularly in the field of security of nuclear fuel supply
and of the provision of equipment, techniques and services, in accordance with
equitable and mutually acceptable conditions. The problem was one of vital import-
for the countries which had begun to acquire a nuclear potential, as was evident from
the final documents of the International Nuclear Fuel Cycle Evaluation, completed in
1980 with the participation of 60 countries and several international organizations.
The Evaluation had shown that the creation of international or regional centres
would be the best way to meet the needs of the countries which had undertaken small
or medium-sized nuclear energy development programmes, since such centres would
ensure the security of long-term supplies of nuclear fuel for participating
countries and would solve their storage and treatment problems. The Soviet Union
had repeatedly advocated the establishment of such centres under IAEA control, as
well as the adoption of other measures for internationalization of the treatment and
storage of nuclear substances, particularly plutonium, and it was prepared to provide
assistance to that end. The Committee of the Whole established by the Board of
Governors of IAEA should make an important contribution to the solution of such
problems and the Soviet Union was ready to participate actively in its work. The
Conference could assist the Committee in selecting the best way to approach such
complex problems. The USSR had already encouraged international co-operation in
the peaceful uses of nuclear energy, particularly within IAEA, by increasing the
amount of its voluntary contributions to the Technical Assistance Fund each year.
The emphasis which the Agency placed on large-scale long-term projects had made it possible to use these funds more efficiently. The Agency had used Soviet installations to complete the training of specialists from the developing countries. Thus, since the First Review Conference, specialists from many States parties to the Treaty had been trained in the Soviet Union as a result of its special contribution to IAEA. In addition, the Soviet Union had organized or participated in 11 training programmes and study trips on nuclear science and technology and was prepared to increase such cooperation further.

37. The Soviet Union had also initiated an extensive bilateral and multilateral cooperation programme which it was prepared to continue. It had concluded bilateral scientific and technical cooperation agreements for the utilization of atomic energy for peaceful purposes with 23 countries in Europe, Asia, Africa and Latin America; they concerned the supply of scientific and technical information, the establishment of joint research and development programmes, and assistance in the construction of nuclear power plants and the creation of scientific research stations and installations. The Soviet Union continued to help other countries to develop their nuclear power production and, for countries which had built nuclear power plants with Soviet assistance, guaranteed nuclear fuel supplies for the life of the power plant and storage on its territory of irradiated fuel, thus making it possible to solve the most serious problems of the nuclear fuel cycle faced by such countries.

38. The USSR had always honoured and continued to honour all contracts for supplies of nuclear materials and equipment concluded with States parties to the Treaty. In its view, both supplier and recipient countries could use the conventional co-operation procedures or establish new ones which were more acceptable to them, provided that they were always based on strict compliance with contractual or treaty provisions and on the principle of the non-proliferation of nuclear weapons.

39. Contrary to the theory often advanced by some countries, measures to strengthen non-proliferation did not run the risk, either intentionally or unintentionally, of undermining international co-operation in the utilization of atomic energy for peaceful purposes. On the contrary, such international co-operation would effectively serve the interests of all developed and developing countries, provided that there were guarantees that exports of nuclear materials, equipment and technology were not a means of encouraging proliferation of nuclear weapons. However, since the risks of misuse of fissionable materials were growing with the increase in nuclear installations and the accumulation of plutonium, efforts must be made to find solutions which enabled all States to use atomic energy for peaceful purposes and, at the same time, prevented the proliferation of nuclear weapons. The Soviet Union was ready to co-operate in that endeavour. The application of the IAEA safeguards referred to in article III of the Treaty had proved safe and effective and constituted a major element in that regard. The verification carried out by IAEA respected the sovereign rights of States and did not interfere with the economic, scientific or technical development of the States concerned or with co-operation between States in the peaceful uses of nuclear energy.

40. The Soviet Union considered that the strengthening and expansion of IAEA control activities were the safest method available to the international community for preventing fissionable materials from being diverted and used for the manufacture of nuclear weapons or other nuclear explosive devices. The Soviet Union attached great importance to improvement of the IAEA safeguards system and participated actively in scientific research on the subject. Its main institutes were carrying out research on the procedures and methods for safeguarding vital installations and fast breeder reactors, as well as on techniques for plutonium measurement by gamma spectroscopy.
41. A special training programme for IAEA inspectors had been organized in the USSR, in particular at the Novo-Voronezh nuclear power plant, with demonstration inspections of pressurized water reactors, and measurement of fresh or irradiated fuel by IAEA measuring instruments and prototypes developed by the scientific research institutes of the Soviet Union. The Soviet Union would continue to support IAEA technical activities in the field of safeguards without reservation. It should be noted, in that context, that for the period 1980-1982, it had allocated 1 million rubles to a programme, currently under discussion with IAEA, of technical support for IAEA safeguards, to be carried out in the USSR.

42. The USSR was pleased to note that the final text of the Convention on the Physical Protection of Nuclear Material had been completed in October 1979 at Vienna. The Soviet Union had been among the first to sign the Convention and appealed to other countries to do likewise. The early entry into force of the Convention would be an additional means of strengthening non-proliferation.

43. The aims of the Treaty reflected the political realities of the modern world. The USSR shared the widely-held view that the Treaty was a satisfactory, well-balanced instrument of international co-operation designed to prevent the proliferation of nuclear weapons and ensure the utilization of atomic energy for creative purposes. As Mr. Brezhnev had stressed in his message to the Conference, the Soviet people anticipated that the Conference would increase the effectiveness of the Treaty and provide it with an additional source of strength. For its part, the Soviet Union would continue to work unceasingly to strengthen the non-proliferation of nuclear weapons and ensure strict respect for that principle by all States. His delegation would act in that spirit and expected the other participants at the Conference to adopt a similarly constructive approach.

44. **Mr. ZAMBERLITTI** (Italy) said that the Conference was opening at a time when conflicts and serious political, economic and social tensions throughout the world, among a great many other factors, militated in favour of a particularly thorough and objective analysis of the application of the Treaty on the Non-Proliferation of Nuclear Weapons. As had been pointed out by the Italian Government when it had deposited its instrument of ratification, the Treaty constituted a stage on the road towards détente, disarmament, economic and social development and peace, and could accordingly make an essential contribution to the establishment of a new international economic order based on security and progress for all mankind. It was for that reason that the Treaty must attract universal acceptance, which was both a crucial objective of non-proliferation and a means of ensuring its effectiveness.

45. In the perspective of disarmament, the Treaty imposed in the same manner upon all the States parties the duty to continue, in good faith, the negotiations for general and complete disarmament under strict and effective international control. However, the specific obligation imposed only on countries using nuclear energy for non-military purposes not to generate horizontal nuclear proliferation by acquiring nuclear weapons had its exact counterpart in the obligation imposed upon the five countries using nuclear energy for military purposes to fulfill their obligations by ending vertical proliferation, both quantitative and qualitative, and bringing about genuine nuclear disarmament. The Italian Government had therefore welcomed with great satisfaction, and followed with the greatest attention, the Strategic Arms Limitation Talks (SALT) between the two great nuclear Powers, the USSR and the United States of America, conducted in the spirit and letter of the Non-Proliferation Treaty; it greatly hoped that there would be an early resumption of the procedure for ratification by the United States Congress of SALT II in an improved international climate. In the same context, the Italian Government welcomed the
encouraging signs pointing to the initiation of bilateral negotiations between
the United States and the USSR, in the framework of the SALT process, on the
limitation of nuclear field forces.

46. Measures to limit nuclear weapons should be followed by appropriate measures
of genuine disarmament intended to reduce the threat which nuclear arsenals
represented for mankind. That subject was a delicate one, which involved primarily
the responsibility of the great Powers but did not rule out that of all the other
countries possessing nuclear weapons, whether or not they were parties to the Treaty.
In that connection, it was essential to take into account the existing security
balances, the de facto situations arising from the existence of military alliances
and the precise security safeguards which those alliances involved for the countries
belonging to them. Thus for Italy, which was a party to the Treaty, any lessening
of the security safeguards provided to it in Europe through its membership of the
Atlantic Alliance would represent an extremely grave risk capable of jeopardizing
its vital interests. Possibly, those same security requirements on the part of
contracting parties, which it was the aim of the Treaty to satisfy, might render
other States hesitant to renounce the option of possessing nuclear weapons in the
hope that that choice, which was very often theoretical and hardly credible, would
strengthen their security with regard to the other States internationally or, more
often, at the regional level. It was necessary to demonstrate to those States that
the Treaty was in itself an instrument of security in so far as it limited the
dangers inherent in nuclear proliferation. That could of course result from specific
initiatives capable of giving non-nuclear-weapon States parties to the Treaty an
assurance that nuclear power would be used in the service of international peace
and security and not of national interests, political or other. In seeking to attain
that goal, however, it was necessary to rule out such unacceptable solutions as
upsetting other balances or jeopardizing existing levels of security. Thus, for
example, Italy, a country to which the so-called "flexible response" defensive
strategy of the Atlantic Alliance applied, would not like to find itself unable to
defend its national security and territorial integrity against a possible aggressor
by availing itself, if need be, of the Atlantic Alliance's machinery for nuclear
dissuasion. That being so, it was desirable, and even necessary, to find an urgent
solution - one that was both specific and fully satisfactory - to the problem of the
security safeguards which the nuclear-weapon countries were called upon to extend to
non-nuclear-weapon States. It was precisely in that perspective that the Italian
Government had supported the establishment, within the framework of the Disarmament
Committee, of a special ad hoc working group to study the possibility and the specific
means of strengthening politically and legally the various "negative" security
assurances so far provided to non-nuclear-weapon States by the nuclear-weapon powers
through unilateral declarations of intent. Similarly, his Government was following
closely, and was concerned at the slow progress made so far at, the tripartite
negotiations between the United States, the USSR and the United Kingdom for the
conclusion of an international agreement prohibiting all tests of the use of nuclear
energy for non-peaceful ends. Nevertheless, the report recently submitted by the
three Powers concerned offered grounds for moderate optimism.

47. With regard to the more strictly regional aspects of nuclear security, the
Italian Government was convinced that progress could be made in that field by
establishing nuclear-free zones subject to the strict observance of certain basic
principles relating, in particular, to the voluntary and freely determined nature
of participation by all the countries concerned in the zone, the maintenance of
existing security balances, the participation of States exercising the greatest military
influence in the region and, lastly, respect for the international legal principles
governing the freedom of the seas.
48. In the view of the Italian Government, the obligations laid down with respect to general and complete disarmament applied to both nuclear and conventional weapons, particularly since it was the latter which had been used in recent years in the numerous conflicts which had afflicted the world.

49. Italy had taken many initiatives in the various sectors of disarmament: in particular, it had worked on the preparation of an over-all disarmament programme which, on the basis of the priorities indicated in the Final Document approved in 1978 by the special session of the United Nations General Assembly devoted to disarmament, its tenth special session, took sufficient account of disarmament aims with regard to conventional weapons. Italy had submitted to the Committee on Disarmament at its session held in spring 1986, a working paper entitled "Control and limitation of international arms transfers" (CD/56), a draft providing for the establishment, in the framework of the United Nations, of structures and machinery capable of leading, in the various regions of the world concerned, to a progressive reduction in the volume of international transfers of conventional weapons, designed so as not to endanger in any way the existing balances and security levels in those regions; lastly, with regard to chemical weapons, it had endeavoured in recent years to promote the drafting of an international convention prohibiting the production, stockpiling and use of all chemical weapons - which had been entrusted to an ad hoc working group and which should, in particular, include the indispensable "control system" without which the future legal instrument would be ineffective - and had urged the two Superpowers to bring their bilateral negotiations in the matter to a speedy conclusion with a view to multilateral negotiations.

50. One of the pillars of the Non-Proliferation Treaty was the maintenance of a balance of technological conditions and possibilities among all the States parties to the Treaty, the specific aim of which was to promote throughout the world, through the development of peaceful applications of nuclear energy, the reduction and progressive elimination of the many existing economic and social imbalances. It was more necessary than ever to demonstrate to the countries which still hesitated to accede to the Treaty, for fear of discrimination with regard to the peaceful uses of nuclear energy, that there was a political will to abide by the commitments arising in that respect from the provisions of articles IV and V of the Treaty. The strict observance of article IV, paragraph 2, of the Treaty constituted the most effective means of encouraging States to accede to the Treaty and thereby satisfy the legitimate claims of those States which were already parties to the Treaty and were dissatisfied at the limited extent to which that article had been applied. When the Conference came to consider whether those provisions of the Treaty had been applied, and if so, by what means, it should therefore base itself on the principles stated in the preamble of the Treaty, which stated that "the benefits of peaceful applications of nuclear technology [...] should be available for peaceful purposes to all Parties to the Treaty", which were entitled "to participate in the further development of the applications of atomic energy for peaceful purposes [...] alone or in co-operation with other States". In general, the Conference should therefore strengthen the undertaking to ensure the free access of the States parties, and in particular the non-nuclear-weapon States to nuclear materials, scientific information and nuclear technologies. It was a fact that the specific obligations incumbent in all those fields upon the nuclear-weapon States, and more particularly upon the great nuclear Powers, were fully justified, especially since those States had been able to benefit and continued to benefit, from the advantages they derived, in the economic field among others, from their military programmes.
51. In that connection, the Italian Government believed that the sectors in which it was important to reaffirm freedom of access, as well as certain preferences or priorities for the benefit for the non-nuclear-weapon States parties to the Treaty, concerned mainly the extraction of nuclear raw materials and the access to those materials as well as to all technology for the production of fuel, in accordance with the actual requirements of the consumer countries.

52. The conclusion and the entry into force of various safeguard agreements between the IAEA and non-nuclear weapon States parties to the Treaty had created a whole network of commitments which constituted sufficient protection for the contracting States against the dangers of diversion of nuclear materials to the manufacture of nuclear weapons or other nuclear explosive devices.

53. It was true that in the verification sector, the imbalance between the commitments entered into by the non-nuclear-weapon States and the total absence of any similar obligations on the part of the nuclear-weapon States remained substantial, despite the decision taken by the United States and the United Kingdom to accept voluntarily the application of the IAEA system of safeguards to some of their installations. The Italian Government, while expressing the hope that it would be possible for negotiations of at least a similar character to be initiated between IAEA and the USSR, also welcomed the initiative already taken in the matter by France, a nuclear-weapon country which was not a party to the Treaty; that initiative should be seen in the welcome context of a progressive expansion of the IAEA machinery, even beyond the limits of the Treaty.

54. Also in connection with the question of safeguards, he referred to the conclusions of the International Nuclear Fuel Cycle Evaluation, which were before the Conference. For all those countries which, like Italy, had only limited energy resources and had to take due account of the need to formulate a nuclear energy strategy with the aim of reducing their dependence on petroleum, that study had had the merit of dispelling certain unfortunate misunderstandings, since it had demonstrated that there were no realistic prospects of developing "new cycles" of nuclear fuel capable of eliminating any risk of diversion of nuclear energy to non-peaceful applications. The study had confirmed the irreplaceable role of plutonium in fast breeder reactors, as well as its importance in thermal reactors, when dealing in the future with the growing energy needs arising from economic development. It could therefore be said that the solution to the problem raised by the risks of nuclear proliferation was essentially a matter of the political choice to be made by individual States, beginning with accession to the Treaty and the automatic acceptance of the IAEA system of safeguards laid down in the Treaty. That system tended to encourage rather than penalize the economic development of those countries which, by acceding to the Treaty, had joined the struggle against nuclear proliferation. In that connection, the Italian Government welcomed the fact that the Evaluation had shown the need for joint action by the industrialized countries and the developing countries in the search for the solutions required to satisfy the demands and the expectations of developing countries with respect to the development of peaceful applications of nuclear energy.

55. It was particularly desirable that guarantees should be provided for the supply of fuel and the provision of nuclear technologies capable of ensuring adequate development of the peaceful applications of nuclear energy in the importing countries. In that context, the Italian Government was convinced that the activities of the body which would soon be studying those questions in IAEA would have positive
results, since those activities supplemented the work on international storage of plutonium and on the management of spent fuel. He stressed in that connection the importance of the Convention on the Physical Protection of Nuclear Material which had been drafted in IAEA and had recently been opened for signature.

56. The Italian Government believed that an agreement in principle on the problems revealed by an objective examination of the state of application of the Treaty ten years after its entry into force would represent not only a success for the Conference but, above all, a decisive contribution to the cause of non-proliferation of nuclear weapons and of world progress. In order to arrive at that result, it was necessary for all participants in the Conference to ensure that it not only functions as a forum of discussion but also marked the beginning of fruitful and closer international co-operation among the States parties to the Treaty. The date of the next Review Conference could then be fixed in the certainty that, given the political will of all the parties concerned, the new period of application of the Treaty would constitute an essential stage in the work which had been undertaken to banish the spectre of nuclear warfare and to harness the boundless and indispensable resources of nuclear energy exclusively for the economic and social progress of all mankind.

The meeting rose at 1.25 p.m.
GENERAL DEBATE (agenda item 12) (continued)

1. Mr. HURD (United Kingdom) said that the thirty-fifth anniversary of the first use of nuclear weapons had served as a reminder of the shock with which the world had come to realize the enormity of that event.

2. Attempts to found a harmonious post-war order based on the United Nations had soon run into difficulties resulting from the traditional jealousies of nation States reinforced by the clash of ideologies. The existence of weapons which made it possible for a nation State to shatter the cities of other nations and to blot out the lives of millions of human beings was however a new factor. World opinion had accordingly begun to strengthen behind two propositions, namely: that the States which already possessed nuclear weapons should actively seek agreement on measures of arms control and disarmament and, that those States which had not developed nuclear weapons should refrain from doing so, on the understanding that they would not thereby be debarred from or handicapped in the use of nuclear power for peaceful purposes. Out of those two basic propositions had come the Treaty on the Non-Proliferation of Nuclear Weapons which was the only world-wide instrument available for those purposes and which was therefore one of the most important agreements of the twentieth century. The purpose of the second Review Conference was to consider how the Treaty had fulfilled the hopes of mankind for a more secure world and to map the way ahead.

3. His Government believed that there was no reason to belittle the achievements of the past ten years. The non-nuclear-weapon States parties to the Treaty had undertaken not to acquire nuclear explosive devices. The nuclear-weapon States parties to the Treaty had undertaken to pursue negotiations in good faith on effective measures relating to nuclear disarmament. All parties had undertaken to facilitate the exploitation of nuclear energy for peaceful purposes. Those positive aspects of the Treaty were fundamental, had proved their value and explained why the Treaty had the full support of his Government. They also explained why the Treaty continued to attract new adherents; twenty-one States had become parties to the Treaty since the first Review Conference in 1975. The Treaty was the most widely supported instrument for multilateral arms control. There had also however been severe disappointments, in particular regarding the lack of progress towards controlling and reversing the nuclear arms race and the best way to foster the peaceful uses of nuclear energy.

4. The first 10 years of the Treaty's life had seen many developments in the peaceful uses of nuclear energy. The rise in oil prices had made nuclear power programmes more attractive and more economical. At the same time, however, people in many industrialized countries had argued against nuclear power and had expressed concern about the use of sensitive materials, equipment and technology.

5. The nature and purpose of the guidelines of the Nuclear Suppliers' Group had given rise to misunderstandings. Those guidelines represented the common policy on nuclear exports adopted and published by 15 leading supplier nations since the first
Review Conference. Their main purpose had been to introduce predictability and to reduce competition between suppliers on safeguard requirements, a form of competition which was liable to damage the non-proliferation regime and the interests of Parties to the Treaty. The guidelines did not inhibit normal competition relating to the commercial conditions for the supply of nuclear materials, equipment and technology. They were neither monopolistic in spirit nor discriminatory and applied to transactions between members of the Nuclear Suppliers' Group as well as to transactions with other recipients. The continued abstention of some States from the Treaty and the fact that one of them had exploded a nuclear device had given rise to widespread public anxiety, which had led to a serious breakdown of international confidence on nuclear matters by the late 1970s. An important task of the second Review Conference must therefore be to help rebuild that confidence by establishing a wide international consensus on nuclear trade which could subsume more limited understandings. An important preliminary step in that process was the International Nuclear Fuel Cycle Evaluation which was a comprehensive study of the whole nuclear fuel cycle completed in February 1980 by experts from many countries; the Evaluation had achieved a remarkably wide measure of agreement on the complex technical problems which underlay some of the political problems to be considered by the conference. Apart from its achievement in terms of agreed document, it had fostered a spirit of co-operation in the nuclear world which it was important to preserve.

6. The next step had been taken by the Board of Governors of IAEA which, in June 1980, had decided to set up a Committee open to all member States to consider and advise the Board on the linked issues of assurance of supply and mutually acceptable non-proliferation conditions. In the view of his Government, the work of the Committee must proceed from a recognition of the very close relationship between acceptance of IAEA safeguards and the availability of nuclear material, equipment and technology; IAEA was well qualified by experience to tackle that nexus of problems. His Government warmly welcomed the decision to create the Committee and hoped that the Conference would encourage all Parties to the Treaty to affirm their strong support for IAEA's safeguard activities. Full-scope safeguards respected the sovereign rights of States, did not hamper their economic or technological development and contributed significantly to the maintenance of mutual confidence. His Government hoped that the Conference would be able to state those facts clearly and to stress the desirability of full-scope safeguards being applied in all non-nuclear-weapon States, as their universal application would greatly facilitate the use of nuclear energy for peaceful purposes.

7. The United Kingdom had brought all civil nuclear activities under IAEA safeguards. That decision had perhaps made the Treaty more widely acceptable by minimizing the differences between the safeguard obligations of nuclear-weapon States and non-nuclear-weapon States and might help IAEA to gain valuable practical experience in the application of safeguards to some particularly advanced types of facility. In order to help IAEA to improve the technical efficiency of its safeguards procedures, his Government was setting aside £500,000 for each of the three years 1980 to 1982.

8. The United Kingdom also fully supported IAEA's promotional activities for nuclear energy, particularly in developing countries, and had joined the consensus reached by the Board of Governors in June 1980 that the target for IAEA's General Fund for Technical Assistance should be raised to 17 million in 1981 con
with $6 million in 1977. At the Board's meeting in September 1980 the United Kingdom Governor would be authorized to join a consensus on indicative planning figures of $16 million for 1982 and $19 million for 1983.

9. In line with the recommendations of the first Review Conference, his Government had for some years past contributed additional funds for the provision of IAEA fellowships specifically for the benefit of nationals of Parties to the Treaty. The United Kingdom would also provide $1 million over the next four years through IAEA for technical assistance to parties to the Treaty for the specific purpose of supporting projects that could not otherwise be funded; experts and equipment would thus be provided for a wide range of projects concerning the application of nuclear technology to medicine and agriculture, nuclear safety and the development of facilities for the study of nuclear sciences in Treaty countries.

10. He hoped that such constructive action by his Government would encourage the Conference to adopt a forward-looking attitude to the peaceful uses of nuclear energy and to the creation of a new consensus between supplier and recipient countries. An increasing number of countries naturally wished to develop nuclear power for peaceful purposes, but, if that process was to be stable and predictable, it should be linked to the maintenance, extension and improvement of IAEA's safeguards system.

11. The search for enhanced security through arms control and disarmament represented the most pressing of all problems. The Treaty on the Non-Proliferation of Nuclear Weapons had recognized the importance of that objective by relating the containment of nuclear proliferation to three closely related goals, namely: an end to the nuclear arms race; nuclear disarmament; and general and complete disarmament under strict and effective international control. Progress towards those goals had been extremely difficult because tensions between the nuclear Powers had existed since the Second World War. His Government was accordingly convinced that the security of the United Kingdom and its allies continued to depend very significantly upon the deterrent effect of nuclear weapons inasmuch as they were an established part of the military balance which had preserved the peace in Europe despite the differences between East and West. The United Kingdom and its allies had worked vigorously to ameliorate those circumstances and remained committed both to seeking a genuine relaxation of tensions and to parallel progress on arms control in accordance with article VI of the Treaty, which had already played an important role in promoting progress on arms control. The process of negotiating restraints on the nuclear arms race had begun in earnest immediately after the signature of the Treaty with the first Strategic Arms Limitation Talks (SALT), which had quickly produced the Anti-Ballistic Missile Treaty and the Interim Agreement on certain measures with respect to the limitation of strategic offensive arms. The negotiation of SALT II had been more protracted, but the relevant treaty had been signed and was far more ambitious than the Interim Agreement had been. His Government had supported SALT II and believed that it should be ratified as soon as possible. It also supported the arms control offer made by the United States, with the support of NATO, in connection with the limitation of theatre nuclear forces and welcomed the fact that, as a result of that offer, steps were being taken to initiate talks on that important subject. He urged the Conference to give its full support to those efforts to place effective limitations on existing nuclear arsenals.
12. On the question of nuclear tests, separate negotiations had been in progress between the three depositary Powers for a comprehensive test ban and represented a determined effort to reach agreement on a long-standing arms control objective which had been strongly endorsed by the first Review Conference. The progress achieved and the difficulties remaining were well reflected in the Tripartite Report to the Committee on Disarmament (NPT/CONF.II/13). His Government was convinced that the successful resolution of outstanding problems could only be achieved through a continuation of the efforts of the three depositary Powers, whose commitment to the Treaty would provide its most solid foundation. The efforts of the three depositary Powers had already produced a broader measure of agreement than had wider discussions in the past. It was to be hoped that the Conference would give its full support to such talks.

13. There had been significant progress on security assurances to non-nuclear-weapon States. All the depositary Powers had given a positive security assurance to non-nuclear-weapon States parties at the time of the Treaty's signature. Later, during the tenth special session of the United Nations General Assembly, its special session on disarmament, in 1978, all nuclear-weapon States had given assurances to non-nuclear-weapon States about their security from nuclear attack. The United Kingdom's assurance had been deliberately phrased to support the Treaty on the Non-Proliferation of Nuclear Weapons and was in force for all non-nuclear-weapon States parties to it. The Conference should recognize the value of those assurances.

14. The ultimate guarantee that nuclear weapons would not be used against any State lay in the eventual elimination of such weapons. Efforts to control the nuclear arms race must therefore be intensified. The achievements of the previous ten years should not, however, be neglected as they constituted the only foundation on which to build mutual limitations of a more far-reaching kind. The parallel need to control other types of weapons, including biological, chemical, radiological and conventional weapons, must not be forgotten. In all those areas balanced and verifiable agreements were needed. The Committee on Disarmament, the relevant United Nations bodies and individual negotiations between selected States all had a part to play in that process.

15. The Treaty offered the best framework for harnessing nuclear power to the tremendous task of meeting the world's energy needs. It required the encouragement and promotion of nuclear energy for peaceful purposes and involved the acceptance of IAEA safeguards, without which such aims could not be realized. Without the Treaty there would be disastrous implications for the exploitation of nuclear energy for peaceful purposes. Chief among the Treaty's benefits was the contribution it had made to the security of all States. The non-nuclear-weapon States parties had renounced the acquisition of nuclear weapons. Each of those States benefited from the renunciation made by all the other States as well as from the fact that the Treaty had created an international climate hostile to proliferation; that climate had favourably influenced the attitudes and actions even of non-parties. Finally, each Treaty party benefited from the commitment of the Treaty's three nuclear-weapon States parties to work towards their own nuclear disarmament. That goal was proving difficult to achieve but would become harder still if more States acquired nuclear weapons. Without the Treaty, the imperfect and fragile world order would be that much nearer disintegration. The results of the Treaty had in some respect been disappointing, but the Conference should try to remedy the defects in a Final Declaration agreed by consensus. The Conference should be wary of putting at risk something which was good because it was not perfect. His delegation would do its utmost to ensure that the Treaty continued to have the importance and relevance which it so rightly deserved.
16. Mr. HOLST (Norway) said that the Conference was of primary importance to the effort to enhance peace and security in international society. The number of nuclear-weapon States had not increased during the twelve years since the initial signature of the Treaty on the Non-Proliferation of Nuclear Weapons, which had been an expression of fundamental interest and preference rather than a set of reluctant concessions. The Treaty had reflected recognition of the fact that widespread observance of its commitments was necessary if the future pattern of international society was to conform to that interest and preference. The proposition that nuclear proliferation was not an inevitable outcome must be made credible.

17. The motives and predicaments which determined the calculus of nations with respect to the nuclear weapons option were specific in character and related principally to the conditions obtaining in the regions involved. It was a source of concern that several threshold States from regions of tension had not acceded to the Treaty and therefore constituted a danger to international order in the nuclear age. The Treaty rightly acknowledged that, while particular concerns regarding national security derived from regional configurations of conflict, the general pattern of security arrangements determined the perspectives on international security. The nuclear-weapon States must therefore take into account that the direction and emphasis of their policies and confrontations would have an impact upon the perceptions and choices of non-nuclear-weapon States with respect to nuclear weapons. The nuclear-weapon States carried the responsibility and obligation to reduce the role of nuclear weapons in their strategy and arsenals. His Government therefore urged rapid ratification of SALT II and initiation of the third phase of the Strategic Arms Limitation Talks as a matter of the highest political priority. SALT III should reflect the concept of substantial reductions. The upward spiral must be broken and confidence re-established in the will and ability of mankind to break the nuclear bondage. His Government attached particular importance to the immediate initiation of preliminary talks and subsequent negotiations with the aim of averting a new race on the continent of Europe with competitive deployments of theatre nuclear forces. Increased emphasis on nuclear weapons in the management of security in Europe was incompatible with the consolidation of a non-proliferation régime in the global context.

18. A comprehensive test ban agreement would constitute a non-discriminatory instrument of essential relevance to the promotion of the objectives of non-proliferation. By concluding such an agreement, nuclear-weapon States would take a significant step towards meeting their obligations under article VI of the Treaty and would thereby enhance the credibility of the Treaty as a whole. His delegation welcomed the Tripartite Report submitted on 30 July 1980 to the Committee on Disarmament by the participants in the trilateral negotiations. The technical issues were complex but the benefits of an agreement and the risks involved in its violation should outweigh the technical obstacles to an agreement which would also embody the principle of verification.

19. During the tenth special session of the United Nations General Assembly, its special session on disarmament, and subsequently, Norway had offered the expertise represented by the Norwegian Seismic Array in the event of agreement on international co-operation in verification measures.

20. The non-proliferation régime which had evolved since the signature of the Treaty was an invaluable contribution to the prevention of the further spread of nuclear weapons but was nevertheless both fragile and susceptible of erosion. The
cardinal task before the Conference was therefore to consolidate and strengthen support for the Treaty and to improve its effectiveness as a non-proliferation instrument. Consensus must therefore be sought on a final declaration based on a clear reaffirmation of the basic purposes and principles of the Treaty. Efforts should also be made to attain a balanced review of the Treaty's operation and implementation and recommendations should be drawn up for solidifying the system of non-proliferation. The three principal objectives were: to prevent the further spread of nuclear weapons; to end the nuclear arms race and implement effective measures for nuclear disarmament; and, to promote co-operation on the peaceful uses of nuclear energy under adequate safeguards.

21. The most encouraging development with regard to the non-proliferation régime was the widespread support for the Treaty on the Non-Proliferation of Nuclear Weapons and the control measures of IAEA. The Treaty had been signed by 115 States, including three nuclear-weapon States. It had been criticized by non-member States as being unbalanced and discriminatory. A treaty which attempted to cut off a process of proliferation of a given capability was inherently discriminatory, but such discrimination was preferable to a régime based on its widespread proliferation. The Treaty provided the only possible framework for international co-operation to avert the common danger of a world with widespread proliferation of nuclear weapons.

22. The injection of new decision centres with the capacity to initiate nuclear warfare would inevitably raise the perception of danger because more of the world's conflicts could then develop into nuclear confrontations. The spread of nuclear weapons would also stimulate the perception that nuclear war was inevitable and such perceptions carried the dangerous seeds of self-fulfilment.

23. The exercise of the nuclear option would furthermore represent a gross misallocation of resources at a time when the focus of international attention was increasingly directed towards the promotion of greater equity and more just distribution within the international economic order.

24. Experience had suggested that the convertibility of nuclear-weapon power into politically useful currency was very limited indeed and that any advantage which might be attained in the nuclear-weapons competition was at best of incremental utility and always short-lived. It was incumbent upon the nuclear-weapon States to arrive at agreements and arrangements between themselves which would dampen the incentives and propensities to strive for unilateral advantage.

25. His Government supported the idea of a moratorium, guaranteed by treaty with regard to the production of fissionable materials for weapons purposes. Such a ban would place nuclear-weapon States on a more equal basis with non-nuclear-weapon States than had hitherto been the case. The nuclear-weapon States would then have to accept such the same IAEA safeguards as were required of non-nuclear-weapon States, thereby eliminating one important element of discrimination between the two categories of States.

26. The question of ensuring the security of the non-nuclear-weapon States had so far not received a satisfactory solution. His Government accepted the arguments of those States which believed that Security Council resolution 255 (1960) did not provide sufficient guarantees for the non-aligned States. Those States which were
not parties to alliance security systems involving nuclear security guarantees and which had been asked to renounce their option to acquire nuclear weapons had a legitimate claim to guarantees against being attacked or threatened by attack with nuclear weapons. The nuclear-weapon States, therefore, had a special responsibility for finding a solution to that problem, which was indeed of crucial significance for the entire non-proliferation régime.

27. His Government believed that some significant progress had been made with regard to negative security assurances. Each of the nuclear-weapon States had made declarations to the General Assembly at its tenth special session, its special session on disarmament held in 1978; some issues still remained ambiguous, but a general framework had been suggested for expanding assurances in a manner which would curtail the political use of nuclear weapons in international relations. In his opinion, it was necessary to remain flexible with respect to the modalities for negative security assurances. In that connection, his delegation supported the establishment of regional nuclear-weapon-free zones as an important component in a non-proliferation régime, provided that such associations were based on voluntary agreements by the States concerned and reflected the special circumstances prevailing in the region in question. It therefore welcomed the fact that all five nuclear-weapon States had now ratified Protocol II to the Treaty of Tlatelolco.

28. His Government was concerned lest the problem of petroleum supplies should lead to autarkic national fuel cycle programmes. Increased emphasis on independent solutions could also be stimulated by restrictive and discriminatory supply practices. The only discrimination which should apply was one in support of non-proliferation. Some useful concepts for strengthening assurance of supply had been identified in the International Nuclear Fuel Cycle Evaluation. In his opinion, that evaluation should be followed up by joint consumer/supplier talks in order to reach an over-all agreement which could protect the interests of suppliers and consumers alike. His Government strongly supported the establishment of complete safeguards as a condition of future supply commitments to any non-nuclear-weapon State.

29. It had been argued that commercial interests had hampered the implementation of export policies that would be consistent with the letter and spirit of the Treaty. In that connection, his Government had lent its support to the Finnish proposal that States should adopt a common position of importing nuclear material, equipment and technology only from States parties to the Treaty. His Government still adhered strictly to the principle that sensitive nuclear materials and technology should not be transferred or exported unless all nuclear activities in the recipient non-nuclear-weapon States were under IAEA safeguards. As a matter of principle, it would in future restrict its nuclear exports to countries that were parties to the Treaty.

30. The over-all non-proliferation régime would be strengthened if it proved possible to multilateralize or internationalize the administration of plutonium spent-fuel and certain sensitive supplies in the fuel cycle. The work of the International Fuel Cycle Evaluation had been valuable in that respect, but should be followed up by the adoption of concrete measures, preferably through IAEA, such as the establishment of the international fuel bank and an international régime for the storage of plutonium and spent-fuel management.
31. Concerning the results of the work of the Preparatory Committee, his delegation felt that consideration of the final document should have been undertaken somewhat earlier than the present Conference. It would have been especially useful to have reached some conclusions about the outline of the final declaration. With that in mind, his delegation had presented a working paper (NPT/CONF.II/1, annex V) during the third Preparatory Committee session containing ideas about the structure of such a declaration, which might well follow the general outline of the 1975 document. He hoped that the approach outlined in his delegation’s working paper would provide a useful basis for progress towards a consensus declaration which would strengthen the commitment to a viable non-proliferation regime in the decades ahead.

32. Mr. ONKELINX (Belgium) said that the international community had to contend with outbreaks of tension, difficulties of development and growth, and the threat of crises. The prevailing anxiety over the future called for intensive efforts to develop international co-operation and to consolidate results already achieved in that sphere. The Non-Proliferation Treaty represented an essential first step towards nuclear disarmament and was thus an international instrument of the very first importance. Belgium had signed the Treaty in August 1968 because it recognized the possibilities of development which it offered and was convinced that the obligations it imposed were compatible with the Treaty establishing the European Atomic Energy Community (EURATOM) and with the objective of European unification.

33. The first Review Conference of 1975 had been overshadowed by grave doubts as to the efficacy of the Treaty; shortly before it, a major State which was not a party to the Treaty had deliberately carried out a test of a nuclear explosive device in defiance of the non-proliferation policy laid down in the Treaty. Although, fortunately, no similar event had taken place in the intervening period, doubts as to the Treaty’s goals and the efficacy of its implementation persisted. Indeed, fresh doubts had arisen in connection with the interpretation and application of article IV of the Treaty. An inevitable disparity of obligations between nuclear-weapon and non-nuclear-weapon States was, of course, a built-in feature of the Treaty; but article IV was designed to preclude discrimination at least so far as the peaceful uses of atomic energy were concerned. The safeguard procedures provided in article III represented the most elaborate system ever established in armaments control treaty. In his opinion, it would be a dangerous error to attempt to improve upon that system by imposing further restrictions, whether as a result of agreements or of unilateral decisions. The effect of such attempts over the past five years had, in some cases, been directly favourable to non-nuclear States which had chosen to remain outside the Treaty. Yet it was precisely to those States that efforts to strengthen non-proliferation safeguards should primarily be addressed; supplier countries should insist that non-party States must accept the IAEA safeguards system with regard to the whole of their nuclear fuel cycle.

34. The results of the International Nuclear Fuel Cycle Evaluation suggested that, independently from technical safeguards, there were additional political solutions which could be adopted with regard to sensitive stages of the fuel cycle. Belgium was not opposed to such solutions as the multinationalization of enrichment and reprocessing plants or international storage of plutonium. But the search for such solutions had to be subject to certain conditions: in particular, the Statute Members of the European Communities could only accept co-operation arrangements which did not infringe upon the provisions and mechanisms of the EURATOM Treaty.
35. International plutonium storage should be applicable to both nuclear-weapon and non-nuclear-weapon States, since otherwise a fresh element of discrimination and imbalance would be introduced. National authorities attached great importance to the stability of supply of fissionable material for peaceful purposes. Any unilateral action or threat of interruption of supply would force States to diversify their supply sources to the greatest possible extent, thus making non-proliferation safeguards more difficult to apply.

36. Belgium, like many other parties to the NPT, could testify to the strictness and efficacy of control over its nuclear installations. Suppliers of raw materials should bear that point in mind when negotiating delivery contracts, especially of fissionable material.

37. If the Treaty's discriminatory aspect was to be reduced, all nuclear-weapon States should submit their civil installations to the same control regulations as non-nuclear-weapon States. Such acts of voluntary submission had exemplary value and tended to reassure the international community as to the intentions of nuclear States. The decisions recently taken in that connection by the United Kingdom and the United States were most welcome. On the other hand, he could not disguise a certain disappointment at the fact that the third Depositary of the Treaty still refrained from such voluntary co-operation.

38. Although physical protection of fissionable material was not specifically mentioned in the Treaty, it represented a necessary complement to safeguards measures at national level. The role of IAEA in that field should continue to consist in making recommendations, defining internationally accepted protection standards and drafting international conventions. There could be no question of extending the Agency's safeguards system to the physical protection sphere. Besides constituting an interference in the domestic affairs of States, such an extension would introduce a new element of discrimination between States, since it was highly unlikely that all the Depositary Governments would accept such control in their own territories.

39. Similarly, as provided in article V, potential benefits from any peaceful applications of nuclear explosions should be made available without discrimination to all States parties to the Treaty. The 1975 Review Conference had actually expressed itself in favour of extending those benefits to non-nuclear States outside the Treaty provided the appropriate international rules were observed. In fact, peaceful nuclear explosions would probably be banned under any comprehensive test ban treaty; his Government noted with appreciation the intention of the States participating in the trilateral negotiations on the comprehensive test ban treaty to accompany the future treaty by a protocol to that effect. The point he wished to make, however, was that situations of a discriminatory nature should be avoided.

40. The fact that 113 States had become parties to the NPT proved beyond doubt that the principle of non-proliferation linked with the free development of peaceful uses of the atom was more and more widely recognized within the international community. However, the Treaty did not yet enjoy unanimous support. The States parties, and in particular the initiators of the Treaty, should therefore be particularly attentive to the doubts entertained by those still hesitant to join. The Treaty should not be regarded as a fixed standard in international life but only as a point of departure. It would certainly lose credibility unless followed up by concrete nuclear disarmament measures. Although, under the terms of article VI,
each of the parties to the Treaty undertook to pursue negotiations towards that end, the main responsibility undoubtedly rested upon the nuclear States. Whereas, in 1975, the outlook in that respect had appeared favourable, the regrettable deterioration of the international climate which had occurred in 1980 had brought about a certain stagnation, if not of efforts, at least of results. Only an improvement in international relations could ensure the success of efforts towards nuclear disarmament, and all States should work energetically towards eliminating the causes of existing tensions.

41. The ratification of SALT II would then be greatly facilitated and the opening of new SALT III might become possible. In that connection, this country noted with satisfaction the recent reactions of the Soviet Union to Western offers of negotiations concerning the limitation of long-range theatre nuclear weapons in Europe, while noting that the Soviet Union was maintaining and accelerating its programme of deployment of SS 20 missiles. The conclusion of a complete nuclear test ban treaty would also be greatly facilitated; he referred to the Tripartite Report submitted to the Committee on Disarmament a few days earlier by the three nuclear States participating in the negotiations on that subject, and expressed the view that the three Depositary Governments should not await the accession of all nuclear-weapon States before they themselves accepted a multilateral nuclear test ban treaty.

42. Turning to the question of security guarantees to non-nuclear States parties to the NPT, he remarked that, although no specific obligation to that effect was laid down in the operative part of the Treaty, the preamble referred to the obligation upon States under the Charter of the United Nations to refrain from the threat or use of force. The 1975 Review Conference had highlighted the importance maintaining and strengthening the security of non-nuclear-weapon States. Although matter lay outside the framework of article VI of the Treaty, it was essential that the international community should pursue its efforts in that direction, especially within the Committee on Disarmament.

43. In conclusion, he said that States parties to the NPT should pursue a twofold objective: encouraging further accessions, especially by nuclear and threshold States and, at the same time, ensuring that the framework of the Treaty remained sufficiently attractive, so that States which were not already parties would not be tempted to withdraw. Belgium was resolved to contribute to that collective effort and remained firmly attached to the objective of non-proliferation as a means of achieving nuclear disarmament.

44. Mr. KULAGA (Poland) said that the developments of the past decade demonstrated the importance of the NPT as a point of departure in the international community's efforts to halt the nuclear arms race and pre-empt the threat of nuclear annihilation. The Treaty had been instrumental in preventing the horizontal, geographical spread of nuclear weapons, a development with major implications not only for the world at large but also for its various regions, especially Europe. Over the years, the Treaty had played an important stabilizing role in international relations and had created favourable external conditions conducive to the search for broad agreement on further disarmament measures and to constructive negotiations in that regard.

45. Poland recognized and appreciated the progress made so far in the implementation of commitments under article VI of the Treaty, especially the efforts by the Soviet Union and the United States of America to bring about the reduction of the
strategic nuclear forces. It was greatly to be hoped, in that connection, that
SALT II would be ratified and would enter into force at an early date. Other
important negotiations were being pursued within the Committee on Disarmament,
especially in connection with the prohibition of chemical and radiological weapons
and with a treaty on the cessation of nuclear weapon tests.

46. His delegation was fully aware of the multiplicity of problems still to be
resolved, as well as of the growing political and technical complexities which
increasingly came into play in the negotiating process affecting modern weapons.
The NATO decision of December 1979, which threatened a dangerous escalation of
the technological nuclear arms race, was among the untoward developments which
detracted from the chances of success of the negotiating process. All States,
irrespective of their size or geographical location, were responsible for
promoting conditions which would facilitate disarmament endeavours and for
making their own creative contribution to such endeavours, while, at the same time,
refraining from actions which might undermine current or future disarmament
negotiations.

47. The Treaty on the Non-Proliferation of Nuclear Weapons provided favourable
conditions for the pursuit and promotion of the use of nuclear energy for peaceful
purposes, as well as an effective framework for the development of international
co-operation, both bilateral and multilateral, in that area. Like other arms
limitation agreements seeking to limit the application of modern science and
technology for military purposes, the Treaty added to the momentum of the
utilization of science and technology for peaceful ends in the interests of mankind
as a whole. While welcoming such peaceful developments, the international
community should, however, be fully aware of the inherent hazards and should
realize that the process would be frequently unbalanced. It was particularly
important that all the States should enjoy equitable and just access to the
achievements of nuclear science and technology, an access compatible with and
corresponding to the interests of their development.

48. At the present stage in history, when numerous destabilizing factors tended
to weaken international security, the Treaty's role in limiting the territorial
scope of the nuclear arms race was of particular importance. Viewed from that
angle, the preservation and strengthening of the non-proliferation régime was
one of the basic premises of world security in the years ahead. The dangers
which arose from the aspiration of certain States to attain nuclear status,
especially in areas of open conflict or tension, made the need to strengthen
that régime all the more urgent. The military consequences of such dangers could
not be isolated from the political dangers, since the spread of the nuclear arms
race to new areas would multiply the risks of escalation of local conflicts and
create new divisions and confrontation.

49. Another danger was inherent in technological development. The past decade
had seen a marked increase in the number of technologically developed States
with an important nuclear capacity. For those States, the military nuclear
option was a question of political will rather than of technology.

50. The priority task of the Conference was therefore to take measures towards
eliminating the dangers to which the non-proliferation régime was exposed at
the present time and to promote its efficacy in the future. Meaningful progress
within the framework of global and regional disarmament was a pre-condition for such measures. In accordance with the recommendations of the tenth special session of the General Assembly, its special session devoted to disarmament, Poland, together with other socialist States, urged early consultations and subsequent negotiations on ending the production of all types of nuclear weapons and gradually reducing stockpiles until they were completely destroyed.

51. As a European State, Poland was keenly interested in initiating talks on medium-range nuclear missile systems as soon as possible. It likewise strongly supported the continuation of Soviet-American negotiations on the limitation of nuclear armaments, hoping for results which would enhance the security of States everywhere.

52. His Government considered the early conclusion of the comprehensive nuclear-weapon test ban treaty as an urgent task whose implementation would have a significant impact upon the consolidation of the non-proliferation régime in particular. In that connection, it welcomed the progress which had recently been reported to the Committee on Disarmament in a Tripartite Report on the status of negotiations between the USSR, the United Kingdom and the United States of America.

53. The Committee on Disarmament was actively considering the problem of effective international arrangements to safeguard non-nuclear-weapon States against the use, or threat, of nuclear weapons. Some progress seemed to have been made in that regard and his Government felt that efforts in that area should continue, with a view to elaborating at an early date effective formulas for such safeguards which would be acceptable to all parties concerned.

54. It was of paramount importance that States should pledge that, both at the global and regional levels, they would not be the first to use nuclear and conventional weapons against other States. Any other legal or political measures to ensure observance of the principle of not using, or threatening to use, force in international relations would also be most desirable. All such measures would help to strengthen mutual confidence and give States an enhanced sense of security.

55. Equally important in that context would be specific measures to expand co-operation between States in the peaceful application of nuclear energy and to grant non-nuclear States fuller access to scientific and technological achievements, as well as to nuclear materials and facilities. His delegation wished to emphasize the link between the question of the peaceful uses of nuclear energy and the strict observance of the obligations assumed by States with regard to the non-transfer and non-acquisition of nuclear weapons or nuclear materials and installations which could be used to develop their own weapons.

56. He stressed the important role played by IAEA in organizing co-operation between States for the peaceful application of nuclear energy. His delegation believed that the Agency's role should gain in importance, particularly through increasing the use of nuclear energy under appropriate safeguards, for the benefit of mankind.

57. The time was now ripe to consider the basic principles of co-operation in that field which the United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy, scheduled for 1983, should adopt.
Those principles ought to take due account of different interests and requirements of States in that respect, as well as of the progress made in the peaceful use of nuclear energy. In that process, however, care must be taken to ensure the lasting effectiveness of the NPT, as well as to provide guarantees that increased scientific and technological possibilities would not be abused for military purposes.

58. Another relevant problem concerned ways of strengthening the effectiveness of the NPT. The Treaty had already played, and was continuing to play, a major role in shaping and promoting favourable tendencies in international relations. Therefore, the effectiveness of the Treaty should continue to grow and adequately reflect the requirements of the changing international situation.

59. For that purpose, it would appear necessary, first, to ensure the universal application of the Treaty and to bring about the accession of States which already possessed scientific and technological potential in the nuclear field. Secondly, the IAEA safeguards system should be developed and appropriately adapted to cope with advancing technology and the agreements concluded by States in specific fields. It also appeared necessary to undertake action with a view to eliminating the disproportions between the number of States parties to the NPT and the number of those States which had signed safeguards agreements with IAEA. Thirdly, steps should be taken to ensure that all States parties to the NPT, in their co-operation with non-party States, whether nuclear or non-nuclear, would be guided by the letter and spirit of the Treaty. It was important to prevent narrow commercial interests from gaining the upper hand and outweighing the overriding interests of the national security of States. Consequently, any form of co-operation incompatible with the principle of the non-proliferation of nuclear weapons should be stopped. In particular, that concerning the transfer of nuclear technology, facilities and materials to non-participating States where no appropriate international safeguards were available to ensure that such technology and materials would be used exclusively for peaceful purposes.Fourthly, steps should be taken to ensure that any breach of the NPT would be met with a proper response on the part of the international community, in accordance with the provisions of the Charter of the United Nations.

60. His Government's position with respect to the question of the non-proliferation of nuclear weapons derived from its general policy guidelines. Those guidelines had been reflected in a number of practical measures, including, in particular, its proposal in 1957 to create an atom-free zone in central Europe. Today, more than ever, his Government was of the opinion that effective measures should be taken to halt the nuclear arms race in all its manifestations and that it was imperative to proceed to the reduction and elimination of nuclear arsenals.

61. Against that background, it was understandable that his country, mindful of its historical experience and geographic location and concerned about the current circumstances in Europe, was particularly interested in halting the nuclear arms race on that continent. It therefore favoured the Soviet proposals concerning negotiations on medium-range nuclear missile weapons and supported the idea that States should refrain from deploying nuclear weapons in areas where there were none at present.

62. His Government's position on disarmament matters, like those of other socialist States, was reflected in the Declaration of the Consultative Political Committee of States Parties to the Warsaw Treaty, adopted in May 1980 and circulated in official documents of the United Nations and the Committee on Disarmament. It supported all regional moves aimed at increasing the effectiveness of the NPT, primarily through the creation of denuclearized zones in various parts of the world.

The meeting rose at 5.20 p.m.
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SUMMARY RECORD OF THE 4th MEETING
Wednesday, 13 August 1980, at 10.45 a.m.

President: Mr. KITANI (Iraq)

GENERAL DEBATE (agenda item 12) (continued)

1. Mr. VEJVODA (Czechoslovakia) remarked that the Treaty on the Non-Proliferation of Nuclear Weapons - the result of the efforts of a large number of States, including the socialist States - had, up till then, been the most significant multilateral instrument in the field of nuclear armament limitation and that it had, at the same time, been a stabilizing instrument for world policy and the development of international relations. The Review Conference, held under increasingly complex international conditions which made the problem of the limitation of nuclear armament more urgent than ever, should, through detailed consideration of the implementation of its articles over the past five years, try to strengthen the Treaty and increase its effectiveness.

2. As the General Assembly had recommended on many occasions and as the first Review Conference of the Parties had also urged, the Treaty needed to obtain the acceptance of all countries in the world, because where its coverage stopped the danger of the proliferation of nuclear weapons began and tension increased. His delegation noted with satisfaction that the number of States parties to the Treaty had increased substantially over the last five years. Nevertheless, some States which were not parties to the Treaty - including Israel and South Africa - represented a real danger that the number of possessors of nuclear weapons might grow and become a serious threat to the peace of the world. His delegation therefore wished to stress that it fully supported all the steps taken by the Arab and African States to avert that danger.

3. It was reassuring to find that all the States parties to the Treaty were strictly observing the commitments into which they had entered. That was specially important in the case of the key provisions of the Treaty contained in articles I and II.

4. The system of safeguards based on article III and applied by IAEA had improved and was such as to make effective control possible, while respecting the sovereign rights of States, as was proved by the doubling of the number of safeguards agreements concluded since 1975. It was, however, important to apply safeguards to nuclear activities as a whole in order to ensure, by means of reliable accounting and control, that nuclear materials were not being used to manufacture nuclear weapons. His country was ready to share the experience which it had acquired with its own system of accounting and control.

5. His country noted with satisfaction the drawing up of the Convention on the Physical Protection of Nuclear Material, which eliminated the very dangerous threat of the misuse of nuclear materials by terrorists or for sabotage. It was relevant to note the intensive development of the peaceful uses of nuclear energy in recent years. 235 nuclear power stations were in service in over 20 countries and about as many were under construction. Nuclear energy was undoubtedly the energy source which was most likely to meet world energy needs in the near future.

6. His country was in favour of the mutually beneficial development of international co-operation in the field of peaceful uses of nuclear energy, in conformity with the provisions of the Treaty, article IV. It was of the opinion that the application of those provisions by States parties, besides providing economic advantages,
represented an important element in the policy of non-proliferation. With that in mind, it was intensifying its collaboration with the Soviet Union and with other member countries of IAEA, in particular for the production of nuclear reactor components and the construction of nuclear power plants; it was participating in international co-operation at bilateral and multilateral levels under the auspices of IAEA. It supported the IAEA technical assistance programmes for the developing countries in particular. During the past five years, the amount of technical assistance provided by IAEA had more than doubled, to about $35 million. It was, however, necessary to apply more strictly the rules under which technical assistance should preferably be given to States parties to the Treaty. His country attached great importance to its participation in the International Nuclear Information System set up by IAEA, which, as it covered nearly 50 per cent of world scientific and technical information in the sphere of the peaceful uses of nuclear energy, contributed significantly to the fulfilment of article IV of the Treaty.

7. Undoubted progress had been achieved since 1975 in the application of the provisions of article V, relating to nuclear explosions for peaceful purposes. The Treaty on Underground Nuclear Explosions for Peaceful Purposes concluded between the Soviet Union and the United States of America in 1976 had been a significant step and should facilitate progress in the tripartite negotiations on the subject between the USSR, the United States of America and the United Kingdom in the Committee on Disarmament. Moreover, the report of the IAEA Ad Hoc Advisory Group on Nuclear Explosions for Peaceful Purposes (IPT/CONF./II/8) gave an eloquent description of the state of the question and the Conference should endorse the activities of the Agency in that sphere.

8. Article VI of the Treaty deserves special mention: it confirmed the commitment entered into by each of the parties to the Treaty to continue in good faith negotiations on effective measures for an early cessation of the nuclear arms race and nuclear disarmament, as well as on the treaty on general and complete disarmament under strict and effective international control. Disarmament was an urgent problem, and the most complicated one in present-day international policy. It was therefore not easy to assess the progress made since 1975 in the application of the provisions of that article. The campaign by all peace-loving countries to eliminate the danger of war and achieve real progress in disarmament continued undiminished.

Disarmament was at the heart of the foreign policy of the socialist countries, as was proved by the comprehensive disarmament proposals in the Moscow Declaration (1975) of the Political Consultative Committee of the member States of the Warsaw Treaty, and by the joint peace and disarmament programme in the Declaration adopted at Warsaw in May 1980 on the occasion of the twenty-fifth anniversary of the foundation of the defensive alliance. Thanks to the peace policy which the Soviet Union, the other socialist countries and the developing countries were consistently pursuing, outstanding results had been obtained in the field of disarmament limitation, for example, the convening of the tenth special session of the General Assembly in 1973, the session devoted to disarmament, the signature of CALT II by the Soviet Union and the United States of America in 1979 and the conclusion of the Convention on the Prohibition of Military and Any Other Hostile Use of Environmental Modification Techniques. That was why his country unreservedly supported the new significant proposals of the Soviet Union in July 1980 for the solution of the question of the siting in Europe of medium-range missiles in connection with that of outposted nuclear devices of the United States, and it had welcomed Mr. Breshnev's message to the Conference. His country was taking an active part in the deliberations of the Committee on Disarmament; its composition had been extended, its working methods improved, and all the States possessing nuclear weapons participated in it. Those were all prerequisites for the Committee's successful continuation of its work and for progress in the negotiations.

9. His country was convinced that a special session was needed.

10. He again raised the question of the disarmament conference. It was clear that disarmament had a special role to play in the efforts to prevent nuclear proliferation.

11. Under any of the States parties to the Treaty, he would strengthen the non-proliferation safeguards and special a special session to that end of the Warsaw Conference would be called for.

12. In the context of the disarmament conference, he would stress the main conclusion of the session which had been reached at the non-proliferation zones, as it would remain an important and force of constraints on the strength of theVan

13. His country was to the various parts of the world, and the non-proliferation zones, the general the right of the non-proliferation agreements.
9. His country wished to contribute to the preparations for and success of the special session which the General Assembly would devote to disarmament in 1982. It was convinced that the next stage should be the convening of a world disarmament conference.

10. He reminded the meeting that at the thirty-fourth session of the General Assembly, his country had been one of the initiators of the Declaration on International Co-operation for Disarmament, which had aimed at uniting the constructive efforts of all States to make real progress towards disarmament. He hoped that the Conference would approach disarmament problems in that spirit.

11. Under article VII of the Treaty, the Conference was required to consider the question of the security of non-nuclear States which were parties to the Treaty. His country had, on many occasions, expressed its support for measures intended to strengthen the security of States, supplementing material measures in the field of disarmament. Resolution 255 (1963) of the Security Council on additional security safeguards was still very important and those safeguards had proved to be reliable. The statements made in 1978 by States possessing nuclear weapons at the tenth special session of the General Assembly, the session on disarmament, and especially that of the Soviet Union, on the clear and precise safeguards given to non-nuclear States, had been a further step in that direction. The existing situation, however, called for the strengthening of world security and stability. The Conference should therefore, call upon all participating States also to give thought to measures as important and fundamental as the drawing up of a universal treaty on the non-use of force in international relations and the conclusion of an international convention on the strengthening of safeguards for the security of non-nuclear States.

12. In the opinion of his delegation, the régime of non-proliferation of nuclear weapons would be generally strengthened by the adoption of the Soviet proposals on the conclusion of agreements on the non-use of nuclear weapons against non-nuclear States which had no nuclear weapons on their territory and on the non-deployment of nuclear weapons on the territory of States where they did not at present exist. Such measures would, moreover, give more force to the Treaty and would strengthen peace and security in the world.

13. His delegation still supported the creation of nuclear-weapon-free zones in various parts of the world, because that was an important means of strengthening the non-proliferation régime. It also attached great importance to the status of such zones, as there must be a reliable guarantee that the zones agreed upon were and would remain entirely free from nuclear weapons.

14. In the 10 years since its entry into force, the Treaty had proved itself: the number of States possessing nuclear weapons, within the meaning of the Treaty, had not increased; that had greatly facilitated detente internationally during the 1970s. His delegation expected the final document adopted by the Conference above all to take account of the need for preserving that state of affairs in the coming 10 years, and would work constructively to that end.

15. Mr. von DOMHAIN (Federal Republic of Germany) said that a basic objective of his country's foreign policy was active arms control, the essential condition for the establishment of lasting peace, and support for the efforts to ensure the non-proliferation of nuclear weapons. His country was a party to all world-wide agreements designed to prevent the proliferation of nuclear weapons but acknowledged the right of unhindered access to the peaceful use of nuclear energy.

16. The decision his Government had taken to recommend the Bundestag to ratify the Non-Proliferation Treaty at the beginning of the 1970s seemed, in retrospect, to have
been justified. The more States parties the Treaty had, the greater would be its weight. His delegation, like the delegation of Czechoslovakia, noted with satisfaction the further increase in the number of contracting parties since 1970, the date of the first Review Conference. It would pursue and intensify its efforts to persuade all States to accede to the Treaty, for the proliferation of nuclear weapons in the world would be fraught with danger.

17. Under article VIII, paragraph 5, of the Treaty, the Conference was to review the operation of the Treaty with a view to ascertaining that the purposes of the preamble and the provisions of the Treaty were being realized. The best way for the Conference to fulfill its mandate was for it to endorse and reaffirm the provisions and validity of the Treaty on the basis of the balance of rights and obligations which it embodied. The review would confirm that all parties to the Treaty had fully met the obligations assumed under articles I and II, in that no nuclear weapons or other nuclear explosive devices had been transferred to other countries or been acquired or manufactured by the non-nuclear-weapon States which were parties to the Treaty. His Government was thereby confirmed in its belief that to be effective, the policy of non-proliferation of nuclear weapons must be based on a common responsibility, and it appealed to all countries to shoulder that responsibility and join together to halt the proliferation of nuclear weapons.

18. The essential elements of the Treaty were the right to unhindered access to the peaceful use of nuclear energy and the obligation to contribute to nuclear weapons control and nuclear disarmament in accordance with the provisions of articles I and II. The peaceful use of nuclear energy and, at the same time, the prevention of the proliferation of nuclear weapons, had acquired a new dimension in certain international discussions. The energy supply situation, which faced all countries with problems, had of course been the origin of those discussions. The peaceful use of nuclear energy had for many countries become an important means of ensuring their economic and social progress. Nuclear energy involved risks, however, and could be abused. His Government, for that reason, considered that national nuclear energy programmes should be strictly incorporated in an effective non-proliferation policy, and be consonant with such a policy: in its view, that was the meaning and purpose of the Non-Proliferation Treaty.

19. In a world of increasing economic integration, international co-operation in the peaceful use of nuclear energy was of special importance. His country co-operates with the countries of the third world in that field and believed that was the only way to ensure a credible and effective non-proliferation policy. Such co-operation also involved the problem of security of supply of nuclear fuel. Nuclear energy could help to meet the world's energy needs only if it was based on a reliable supply policy which implied that there must be mutual confidence on the part of supplier and recipient countries and respect for each other's interests. The long-term success of the non-proliferation policy must depend on the elimination of any discrimination against non-nuclear-weapon States. The question of the implementation of the Treaty's article IV could not be examined, however, without taking into account the findings from the International Nuclear Fuel Cycle Evaluation. That evaluation had provided the basic technical data needed to ensure balanced implementation of article IV; his Government considered that it could be a useful basis for the reopening, in IAEA, of the discussions on international co-operation in the peaceful use of nuclear energy and non-proliferation.

20. As a member of EURATOM, his country fully complied with the safeguards envisaged in article III and welcomed the fact that the United States of America and two member countries of EURATOM, the United Kingdom and France, had agreed that the facilities they used for peaceful purposes should comply with IAEA safeguards. It hoped that other nuclear-weapon States would enter into similar commitments.
21. The provisions of article VI of the Treaty were of crucial importance for its effectiveness and universal application. His country had undertaken not to manufacture nuclear weapons. As a matter of principle and to strengthen the non-proliferation regime, it supported all measures which might lead to nuclear disarmament, the aim being to achieve a balance of forces at the lowest possible level.

22. The Treaty placed upon the nuclear-weapon States the obligation to "pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament". His country had always regarded that commitment by nuclear-weapon States to support nuclear disarmament as an important element of the Treaty, and for that reason welcomed the signing of SALT II and strongly recommended the continuance of the SALT negotiations, including negotiations on medium-range missiles, in the interest of greater stability of security as between East and West.

23. His country's delegation had noted with interest the Tripartite Report submitted by the three negotiating Powers, the United States of America, the USSR and the United Kingdom, on the elements of a comprehensive test ban treaty. Such a treaty, which had long been advocated by the international community, would be an important contribution to the efforts to limit nuclear armaments and to support non-proliferation policy. The same applied to the establishment of nuclear-weapon-free zones on the basis of agreement freely negotiated between the countries concerned. His country had acceded in 1979 to the Antarctic Treaty and welcomed the measures which had recently been taken to implement and complete the Treaty of Tlatelolco and the efforts to establish other nuclear-weapon-free zones in suitable regions in accordance with the spirit of the Treaty's article VII.

24. The non-nuclear-weapon States which had acceded to the Non-Proliferation Treaty legitimately desired to be protected against the use or threat of use of nuclear weapons. Strengthening of the so-called negative security guarantees might well be conducive to the universality of the non-proliferation regime. It was essential, however, to see that such guarantees were consistent with obligations under the Treaty, so as not to diminish its appeal.

25. At the Conference his Government would continue to work for the general endorsement and reaffirmation of the importance of the Treaty as the instrument of an effective policy of non-proliferation which fully acknowledged the right to the use of nuclear energy for peaceful purposes.

26. Mr. DOLGU (Romania) said that his country attached considerable importance to the second Review Conference, which ought to contribute to establishing a healthier international political climate and to building up confidence between States, however slight might be its concrete results for progress in disarmament and in promoting international co-operation in the peaceful use of nuclear science and technology.

27. As Mr. Ceausescu, his country's President, had emphasized, the gigantic growth of military expenditure imposed a continually increasing burden upon the peoples of the world and resulted in a frenzied wastage of material and human resources which could have been used to improve the lot of hundreds of millions of human beings and to promote economic and social development and progress in science and culture. The importance of the second Review Conference was all the greater in that it took place in a situation where the recrudescence of the arms race was heightening international tension and creating new dangers of conflict.

28. Reviewing the operation of the Non-Proliferation Treaty since the 1975 Conference had adopted its conclusions and recommendations, he pointed out that the increase in
the number of States parties to the Treaty and the application by the non-nuclear-weapon States parties of the provisions of the Treaty's articles II and III were undeniably positive achievements. On the other hand, the results achieved with regard to the fundamental objectives of the Treaty - averting the danger of nuclear war, maintaining peace and international security and developing international co-operation in the use of nuclear energy for peaceful purposes - were rather disappointing. Since 1975, the danger of a nuclear war had increased and the existing imbalance in the Treaty between the respective obligations of the nuclear-weapon and non-nuclear-weapon States had accentuated. Meanwhile, the continual piling up of nuclear armaments and the alarming increase in their capacity for destruction were in his Government's opinion a serious subject for concern, since they menaced the stability and security of all nations.

29. It had to be admitted that, at least in the case of article VI concerning negotiations on effective measures relating to the cessation of the nuclear arms race and nuclear disarmament, the Treaty's provisions had not been implemented, despite the hopes raised by the tenth special session of the General Assembly, in 1978, its session on disarmament.

30. The work of the Committee on Disarmament on the cessation of the manufacture of nuclear weapons and the gradual reduction of existing nuclear weapons had likewise remained at a standstill.

31. A special problem arose in Europe, where the most potent means of destruction were concentrated. For that reason his country declared itself resolutely in favour of the forthcoming Conference on Security and Co-operation in Europe, at Madrid, deciding to convene a conference on disarmament in Europe which could adopt concrete measures with a view to ending the arms race in that region. He drew attention in particular to the medium-range missiles which were a threat to the very existence of every country in the region, and insisted on the need to begin negotiations towards a decision to abandon the installation of new missiles in Europe.

32. One of the problems which should also receive the Review Conference's attention was the vertical proliferation of nuclear weapons, which was no less dangerous than horizontal proliferation and should be the subject of political decisions which would provide for the reopening of negotiations on nuclear disarmament. The nuclear-weapon States had a special responsibility, and the Conference should appeal to them urgently to participate in such negotiations with a view to reaching effective agreement on nuclear disarmament. His delegation considered that the entry into force of SALT II would facilitate the adoption of new effective measures for stopping the arms race, which was the only way of averting the nuclear danger.

33. On the question of security guarantees for non-nuclear-weapon States, his country had submitted to the 1975 Conference a draft additional protocol under which the nuclear-weapon States would give negative security assurances to non-nuclear-weapon States. His country still believed that an undertaking by the nuclear-weapon countries never in any circumstances to use or threaten to use nuclear weapons against non-nuclear-weapon States would fill one of the major deficiencies in the Treaty and effectively help to prevent the spread of nuclear weapons. His delegation therefore urged that the Conference should request the General Assembly to intensify negotiations with the view to the adoption of an international legal instrument which would include the obligation for nuclear-weapon States to guarantee the security of States without such weapons.

34. On international co-operation in the use of nuclear energy for peaceful purposes, as provided for in article II of the Treaty, he stressed the considerable importance of those provisions for development aid and the establishment of a new international economic order. He regretted that the reinforcement of measures to control the peaceful applications of nuclear energy had resulted in restricting access to the benefit of certain countries. Furthermore, the intention to conclude an international convention to prevent the spread of nuclear weapons was to be welcomed. For its part, his country would be ready to participate in the drafting of such a convention in the near future.
access to advanced technology, to high-performance equipment and to nuclear fuels for the countries which most needed them, thus widening the technological gap between the developed and the developing countries; transfers of technology for the benefit of the least-advanced countries should be facilitated, and science and technology should be used to ensure the economic and social progress of all countries. Furthermore, he could see no relation between access to nuclear technologies intended for peaceful purposes and the dissemination of nuclear weapons. The decision to produce or acquire nuclear weapons was a matter of the political intentions of States, and non-nuclear-weapon States parties to the Non-Proliferation Treaty had already made their decision in accordance to the Treaty.

35. In the light of these considerations, his delegation hoped that the Conference would adopt concrete and immediately-applicable measures of a nature to facilitate the transfer of nuclear materials, equipment and technology to non-nuclear developing countries, to support those countries' national programmes for the use of nuclear energy for peaceful purposes and the training of specialist personnel, and to strengthen the role of the IAEA in the development of international co-operation for the peaceful applications of nuclear energy.

36. Lastly, he said that his country had in the past scrupulously fulfilled the obligations imposed on it by the Non-Proliferation Treaty and would continue to do so in the future; it would spare no effort in helping to ensure that the Conference achieved positive results which would open up better prospects for disarmament, peace and security throughout the world.

37. Mr. van der KLAAUW (Hetherlands) said that his country had supported the cause of non-proliferation ever since the 1950s, when there had begun to be some awareness of the disastrous consequences which a further proliferation of nuclear weapons might have for mankind. That danger remained just as acute: if the possession of nuclear weapons by only a few States already posed a potential risk for the future, the existence of a large number of nuclear-weapon States would multiply that risk and create the danger of uncontrollable local conflicts which could become world-wide.

38. Reviewing the record of the ten years of operation of the Non-Proliferation Treaty, he was gratified to note that well over two thirds of the countries of the world adhered to the Treaty, and that eighteen nations had adhered to it since the previous Review Conference. It was to be hoped that the trend would continue, as only universal adherence to the Treaty could provide the necessary confidence that no further proliferation of nuclear weapons would take place. That, then, should be the first objective of the efforts of the second Review Conference. To that end, it was necessary to review the results achieved since the first Conference and examine future measures to persuade States which were not parties to join in the efforts deployed to prevent the proliferation of nuclear explosives. One encouraging element was the fact that public opinion in many countries was more aware of the problem than five years previously, and had a better understanding of the dangers of the proliferation of nuclear arms.

39. With regard to the respective obligations of nuclear-weapon States and non-nuclear-weapon States under the Non-Proliferation Treaty, he stressed that the Netherlands did not subscribe to the thesis that the Treaty was discriminatory. While it was true that the Treaty distinguished between the respective responsibilities of those two groups of States, that was merely a temporary measure prior to reaching the final goal, nuclear disarmament; it could not be claimed that the Treaty gave one group of States the right to possess or even to use nuclear weapons while refusing that right to another group of countries. It must not be forgotten that the provisions of the tenth preambular paragraph and of article VI of the Treaty established a close link between that instrument and other arms control and disarmament efforts deployed outside the framework of the Treaty.
40. In passing judgement on the implementation of the articles of the Treaty concerning the peaceful application of nuclear energy and co-operation in that field, and on the safeguards provided for in article III, full account must be taken of the important developments which had occurred during the last five years in the framework of the IAEA and in the bilateral relations between parties, as well as the results of the International Nuclear Fuel Cycle Evaluation.

41. It had been the steadfast policy of the successive Governments of the Netherlands to reduce the country's dependence on nuclear weapons; both public opinion and parliament were acutely aware of the dangers of nuclear proliferation and the nuclear arms race. It was in that spirit that the Netherlands had postponed until the end of 1981 its decision on the deployment of the modern weapons systems envisaged by the IAEA member countries to counter the new threat posed to Western Europe by modern intermediate range ballistic missiles, and had advocated the immediate start of substantive negotiations in that field.

42. Whatever the progress achieved in some spheres in the implementation of the Treaty, some points of concern remained. As far back as 1974, India had exploded a nuclear device, and it was to be feared that in some countries events had occurred that seemed to threaten the cause of non-proliferation, even if those countries were not parties to the Treaty, as the scope of the Non-Proliferation Treaty should not be confined to States parties alone. His delegation was concerned to see that the number of countries acquiring the knowledge necessary for manufacturing nuclear explosive devices was steadily growing, especially as some of them were not parties to the Treaty and were not even prepared to accept the full scope safeguards, thus leaving doubts as to their intentions. Furthermore, some States were taking an ambiguous position with regard to so-called peace nuclear explosives. Such developments posed serious risks for non-proliferation. No one questioned a country's right to use nuclear energy for peaceful purposes, but obviously a certain prudence was justified. The existence and operation on a strictly national basis of sensitive nuclear installations in countries lacking a significant nuclear energy programme left room for speculation, which alone could exert a destabilizing influence in the region involved. Obviously, universal application and strengthening of IAEA safeguards, international co-operation with regard to the sensitive parts of the fuel cycle, universal adherence to the Non-Proliferation Treaty and the creation of nuclear-weapon-free zones would allay many fears.

43. With regard to international co-operation in the field of nuclear energy for peaceful purposes, he stressed that the inalienable right of every State to develop and use nuclear energy for peaceful purposes should remain one of the fundamental principles of the Non-Proliferation Treaty, and that a sound balance must be maintained between the large-scale use of nuclear energy and the indispensable measures to avoid the spread of nuclear weapons.

44. Discussing developments since the negotiation of the Treaty, he observed that at that time there had been virtually no connection between the existing commercial nuclear installations and the nuclear material liable to be used directly for the production of explosive devices, and the IAEA safeguards had been quite sufficient to control that relationship. Since the mid-1970s, with the growth in the number of sensitive installations and the potential large-scale use of plutonium in the fuel cycle, a number of States which supplied nuclear material had decided to co-ordinate their export policies and distinguish between sensitive and non-sensitive parts of the fuel cycle, in some cases taking unilateral measures to influence the cycle to be chosen by the purchaser countries. Such measures were persistently criticized, in particular by countries which saw in nuclear power a solution to their energy problems, and which considered those unilateral measures as an infringement of their right to use nuclear energy for peaceful purposes. It must be recognized, however, that those measures had originated in real concern about the dangers of proliferation.

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45. To work out a new international consensus on the peaceful uses of nuclear energy, combined with suitable non-proliferation measures, would be difficult but not impossible. A first step in that direction had already been made with the International Nuclear Fuel Cycle Evaluation, which had shown that many countries really needed nuclear energy and had made it possible to lay the technical and institutional foundations for a safer fuel-cycle structure. The Evaluation had also stressed technical improvements which could be made in bulk handling facilities and had emphasized the desirability of adopting a number of institutional measures, and particularly the urgent need to establish an international plutonium storage regime as provided for in the Statute of IAEA, which had entrusted the corresponding study to an Expert Group. Such arrangements would strengthen the present IAEA system of safeguards, and make it possible to relax some unilateral export-control measures, thereby contributing to the development of acceptable rules for nuclear trade. The IAEA Board of Governors had also set up a Committee on Assurances of Supply which should make it possible to work out common approaches to nuclear trade. All those measures bore witness to the key role played by IAEA in the search for a new consensus with the participation of countries which had not adhered to the Treaty. His delegation called on all IAEA member countries to work together towards a new consensus, and endorsed the appeal launched by the Director-General for the acceptance of full-scope safeguards in non-nuclear-weapon States. It would certainly be desirable for all nuclear-weapon States to accept the safeguards in conformity with the consensus declaration adopted at the first Conference, in which States parties had been requested to conclude safeguards agreements with IAEA. The agreements concluded with the United Kingdom, the United States of America and France, and the recent ratification of the agreement concluded with the United States, were most welcome.

46. The co-operation between the Netherlands, the Federal Republic of Germany and the United Kingdom in the field of uranium enrichment could also serve as a model for other countries interested in that activity.

47. In any event, his delegation was convinced that further States could not be prevented from acquiring nuclear weapons unless it was possible to halt the arms race among the existing nuclear powers and provide as rapidly as possible a credible perspective in nuclear disarmament. A comprehensive test ban, while important, would not suffice to solve the problem if the nuclear-weapon States did not furnish tangible evidence that they were working towards a nuclear-weapon-free world. The control of nuclear weapons and disarmament were difficult objectives to attain, but they were the only means of avoiding nuclear disaster in the long run. In the short term, however, the ratification of SALT II remained essential. A comprehensive multilateral, long-term test ban, a strengthening of negative security guarantees for the non-aligned non-nuclear-weapon States, the start of meaningful negotiations on new nuclear weapons in Europe, and, in the years to come, substantial reductions in nuclear arsenals in the framework of SALT III, must all be achieved. It was also necessary to continue negotiations on anti-satellite warfare and to prepare an international agreement to cut off the production of fissionable materials for military purposes, which could basically be verified by universal application of IAEA safeguards.

48. Since the first Review Conference, the progress made in implementing the objectives of non-proliferation, both horizontal and vertical, had been insufficient, but in many countries there was greater awareness of the need to avoid a further spread of nuclear weapons. Working together towards a new consensus on the peaceful use of nuclear energy and nuclear disarmament was the only way out.

49. Mr. GOLOB (Yugoslavia), observing that the Conference was taking place in difficult political and economic international conditions characterized by a serious
crisis in détente, said that the only lasting solutions to the current problems in international relations were those that implied acceptance of the principle of non-intervention and a respect for independence and the right of peoples to decide freely on their own destiny.

50. It was essential that the Conference should examine to what extent the implementation of the Treaty had encouraged disarmament, strengthened mutual confidence and equitable co-operation, and contributed to the development of developing countries and to the establishment of the new international economic order. The Treaty was considered a very important agreement in the area of disarmament, but it had been criticized for having established an unsatisfactory balance of rights, responsibilities and obligations of the parties, to the detriment of non-nuclear-weapon States. Many countries had still not acceded to the Treaty, and only the elimination of those discriminatory aspects could lead to universal acceptance, which would have a positive influence on the international situation.

51. The main objectives of the Treaty were: to prevent the emergence of new nuclear-weapon States; to ensure an early end to vertical proliferation of those weapons, cessation of the nuclear arms race and effective measures for nuclear disarmament; to strengthen international security, and to promote international co-operation in the area of peaceful uses of nuclear energy, with special consideration for the needs of the developing countries. However, the Treaty had been only selectively and partially applied, and in some aspects it had not been fulfilled at all; that also held true for the Final Declaration of the first Review Conference.

52. The risks of nuclear war had been increased by the accumulation and diversification of nuclear weapons, both in terms of quality and quantity, and no tangible progress had been made towards the cessation of nuclear-weapons tests. Nuclear-weapon States and suppliers of nuclear materials continued, through unilaterally imposed limitations, to hinder exchange of information and the transfer of nuclear materials and technology.

53. The priorities and programme of action in the field of nuclear disarmament had been clearly defined during the tenth special session of the General Assembly, its first session on disarmament but, two years later, no progress had been achieved in the implementation of the programme of action adopted at that session. The Political Declaration of the Sixth Conference of Heads of State or Government of Non-Aligned Countries, held in 1979, had emphasized that nuclear disarmament and prohibition of the use of nuclear weapons were precisely the most effective safeguard against the use of those weapons. Nuclear arsenals were constantly being strengthened, whereas negotiations on the limitation of nuclear weapons were at a stalemate. That represented a direct threat to the independence and security of all nations.

54. As the late President Tito had stated in his message to the participants of the tenth special session of the General Assembly, its first special session on disarmament, the initiation of the disarmament process would not only reduce the danger of a nuclear catastrophe, but would also release vast resources for the most beneficial uses. It would also relax international tensions and foster active and peaceful coexistence among all countries.

55. Limited results achieved so far were agreements on arms regulation and nuclear balance which did not put an end to the nuclear arms race. Though it had welcomed the signing of SALT II, the Government of Yugoslavia felt that that agreement would only be effective if it were rapidly followed by the next stage of negotiations leading to real disarmament measures and agreement on a genuine reduction of nuclear arsenals.

56. Though a comprehensive test ban test was undertaken, the nuclear-nuclear weapon States from necessary to non-nuclear provided the so.

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56. Though the United States, the USSR and the United Kingdom had been negotiating a comprehensive test ban treaty for many years, those countries continued to carry out tests and to improve their nuclear-weapon systems. It was high time to undertake multilateral negotiations for a treaty that could be universally accepted. The nuclear-weapon States should begin by refraining from further deployment of nuclear weapons on the territories of non-nuclear-weapon States, and then remove such weapons from the territories of non-nuclear-weapon States, thus creating the necessary conditions for the establishment of nuclear-weapon-free zones. The Treaty of Tlatelolco had proved that it was possible to establish nuclear-weapon-free zones provided that all parties concerned were determined and had the political will to do so.

57. The question of the security of the non-nuclear weapon States was also complicated by a selective approach to the horizontal non-proliferation of nuclear weapons, which could lead to indirect nuclearization of the armed forces of certain non-nuclear parties to the Treaty that were members of military alliances. The only means of guaranteeing the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons were prohibition of the use of nuclear weapons and nuclear disarmament. Pending that, the nuclear-weapon States should undertake not to use or threaten to use nuclear weapons against non-nuclear weapon States. The reports that Israel and South Africa were acquiring and developing nuclear-weapon capability were of a matter of particular concern, since those States were following a policy of aggression and non-compliance with United Nations resolutions which was endangering peace in the world.

58. As for the peaceful use of nuclear energy, an area in which the nuclear-weapon States parties to the Treaty had made special commitments, Yugoslavia felt that the sovereign right of any State to acquire nuclear technology and use it for peaceful purposes would not be limited under any pretext whatsoever, as that would be a denial of the right of all States to unhampered social and economic development. In the last five years, international co-operation in that area had been greatly disturbed by restrictive measures unilaterally imposed by some nuclear powers, in stark contradiction with the letter and spirit of the Treaty. Those measures limited the right of parties to the Treaty to produce and use nuclear energy for peaceful ends. New obligations attaching to bilateral arrangements were directly affecting the sovereignty and technological development of States parties to the Treaty. Many developing countries affected by the energy crisis saw nuclear energy as a possible means of overcoming their present difficulties, and any impediment to the peaceful use of that source of energy could have far-reaching economic consequences for them. That question could only be resolved by political means and, more precisely, by a new consensus between the exporters and the importers of nuclear technology and materials. In that context, the Government of Yugoslavia placed its hopes in the United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy, to be held by 1983. The present Conference should express support for an agenda that would enable an international conference to discuss political and economic aspects of the world-wide development of nuclear energy. Yugoslavia fully supported the efforts being made in IAEA to establish a regime for ensuring the reliable supply of nuclear materials.

59. The Yugoslav delegation hoped that the Conference would adopt concrete conclusions with clearly-defined goals and a time-table for their implementation.
Provided it was fully implemented, the Treaty could still render a substantial contribution to peace, disarmament, the peaceful use of nuclear energy and the promotion and development of equitable international relations.

ADOPTION OF THE RULES OF PROCEDURE (agenda item 4)

60. The PRESIDENT said that, if there were no objections, he would consider that the draft rules of procedure for the Review Conference (NPT/CONF.II/1, annex III) were adopted.

It was so decided.

The meeting rose at 12.45 p.m.
SUMMARY RECORD OF THE 5TH MEETING
Wednesday, 13 August 1980 at 3.25 p.m.

President: Mr. KITTANI (Iraq)

GENERAL DEBATE (agenda item 12) (continued)

1. Mr. STEPHANOU (Greece) said that the vertiginous increase in military expenditures from year to year, as well as the proliferation of nuclear weapons, were diminishing the feeling of security. Security was closely linked to disarmament, but it was certain that no country would decide to disarm unless it first had a feeling of its own security and some effective means of safeguarding it.

2. If the disarmament problem was to be solved, it would first be necessary to create some much more advanced type of organization for the international community which would make it possible to eliminate the fear, mistrust and prejudice which constituted the main obstacles to general disarmament. For that purpose it would be necessary to guarantee, as essential conditions, first, respect for, and the effective application of, all the principles of the Charter and the resolutions of the United Nations; and, secondly, the capacity of the Organization to enforce those resolutions by means of sanctions.

3. Consequently, any serious attempt to consolidate the feeling of security, to promote disarmament and to safeguard peace would only be possible within the framework of an international society which was genuinely inspired by the principles of the Charter and which would apply them. His Government, firmly attached to the principles and ideals of the Charter, which constituted the basis of its foreign policy, was also convinced of the need to strengthen the international mechanisms for the peaceful settlement of disputes, not only with regard to disarmament but also with regard to the maintenance of international peace and security.

4. Before beginning a serious debate on disarmament, it was absolutely essential to create confidence among the peoples of the world in a system of collective defense. That called for a political will which would make it possible to direct international relations along the path of international legality. Today more than ever that political will was indispensable in order to put an end to nuclear proliferation and to accelerate efforts at disarmament, both by a gradual, balanced and properly verifiable reduction of nuclear weapons and by suitable measures to ensure that those States which did not possess nuclear weapons could not acquire them. For that purpose the accession of all States to the Treaty on the Non-Proliferation of Nuclear Weapons still constituted one of the fundamental conditions for reducing armaments, if the irreparable catastrophe of a nuclear holocaust was to be prevented.

5. All were well aware that more than 50 countries would be able to become nuclear States within the next 10 years. According to the Stockholm International Peace Research Institute, the total amount of plutonium in approximately 40,000 atomic bombs stored in the arsenals of both the Eastern and Western Powers was about 160 tons. Up to now, civilian reactors had not produced that much. However, by the end of the 1980s, the total amount of civilian plutonium would exceed 500 tons, while towards the end of the century there would be nearly 2,000 tons on the planet, or 12 times more than was now contained in all existing weapon stocks. The question which now arose concerning the countries which were acquiring nuclear technology was whether it was necessary to deprive them of it under the pretext that they would be able, sooner or later, to construct a bomb.
6. Experience had shown that it was difficult to prevent a country which possessed the political will to do so from converting from a civilian nuclear programme to a military nuclear programme. That problem existed, in fact, for all the countries which "were receiving" nuclear technology and all the countries which "were giving it". In those conditions, then, how was it possible to prevent proliferation? In spite of efforts made by countries exporting nuclear techniques, especially within the framework of the IAEA, no effective remedy had yet been found to block this way to the military atom.

7. Non-proliferation was, after all, a political problem and it was consequently necessary to solve it by political means. His Government was convinced that the Non-Proliferation Treaty had been and still was the necessary first step towards nuclear disarmament and that it also represented an effective measure in the field of multilateral arms control. Whatever imperfections that Treaty might contain, and one of the main purposes of the Conference was to correct them, that Treaty constituted the only international instrument aimed at non-proliferation.

8. Greece, which had been one of the first countries to accede to the NPT, was in favour of its ratification by all countries, since it represented an essential condition for the general reduction of armaments and at the same time was serving the cause of disarmament, international stability and the security interests of the countries parties to that Treaty.

9. His delegation took the opportunity to congratulate Turkey on having recently ratified the Treaty and hoped that its example would be followed by all the other countries which had not yet done so. It also welcomed the agreement on the principles of the Draft Treaty on the complete and general prohibition of nuclear weapon tests between the countries which were preparing that draft and hoped that the treaty would soon become a reality.

10. His delegation was of the opinion that the NPT should not be revised in such a way that, instead of facilitating access to all countries to that Treaty, it would further complicate such access. It was indispensable to re-examine certain points, for example, that of adequate security guarantees to be given by the nuclear Powers to the non-nuclear countries, as well as guarantees that the latter could obtain the necessary technology for using atomic energy solely for peaceful purposes. His Government hoped that all countries would actively cooperate so that the development of nuclear energy for peaceful purposes could take place under a system of effective and verifiable safeguards.

11. Mr. IRAN (Turkey) said that his Government favoured general and complete disarmament under strict and effective international control which would not jeopardize the security of any nation. By its recent accession to the Treaty, his Government had underlined its conviction that the NPT had been one of the most outstanding steps in the establishment of international security and mutual trust. Its participation in the Treaty, however, should not in any way diminish its own security, especially at a time when deplorable international developments were taking place.

12. There had been a marked change in the world situation since 1970, when the Treaty had taken effect, and even since 1975, when the first Review Conference had taken place. While fully aware of the contribution of the NPT to the control and non-proliferation of nuclear weapons, he noted that many important nations in the nuclear field were still not parties to the Treaty. Yet universal adherence to the Treaty was
of the utmost importance for the security of the NPT parties. The allocation of economic and technological means to the manufacture of nuclear weapons by certain States in such a critical area as the Middle East would not only dangerously change the existing balance of power in that area but would also affect the national interests of parties to the NPT. Assistance to those States by countries possessing nuclear technologies could result in increasing discrimination against the non-nuclear-weapon States parties to the NPT. The continued provision of nuclear assistance to States which did not possess nuclear technology would not only constitute a breach of the Treaty's provisions but would also decrease its credibility and its claim to universality.

15. His delegation hoped that the tripartite negotiations on the comprehensive test ban would conclude with positive and concrete results, since it was of crucial importance to create a propitious international, political and military atmosphere in which SALT II could be ratified and negotiations on SALT III could begin. He hoped that the deliberations of the Review Conference would not only produce a Final Act by consensus, substantiating the viability of the Treaty, but would also reach agreement on effective measures to reinforce its effectiveness and credibility.

14. All would surely agree with him that relations between nations concerning the peaceful application of nuclear energy were conducted in the dark. The mass media and official sources published information about certain policies of some exporters of nuclear materials and technology, but exceptional decisions or reversals of decisions at the national level, with international repercussions, often came as a surprise. A country engaged in nuclear research and the development of nuclear power production, regardless of its NPT status, could find itself in an ambiguous or insecure position for initiating or implementing part or the whole of its programmes. It could be argued, therefore, that the developing countries with peaceful nuclear programmes were left to the mercy of those States which already possessed nuclear technology. A concerted effort must be made by all countries - nuclear-weapon States, non-nuclear-weapon States, parties and non-parties to the NPT - to establish a stable, consistent nuclear energy environment in which Governments could take decisions confidently.

15. While aware of the difficulties of producing nuclear rules and regulations which would be acceptable to all, he was convinced that such rules and regulations were of crucial importance if peaceful nuclear activities were to take place within a fully safeguarded structure. Realistic, non-monopolistic and non-discriminatory approaches would help to evolve such a system. The experience of the past decade had demonstrated that the continued uncertainties in the nuclear field had not helped either to produce nuclear energy for peaceful purposes or to prevent the further proliferation of nuclear explosive devices, which were the two main objectives of the Treaty. His delegation was convinced that States which were not parties to the Treaty should be discouraged from developing a nuclear explosion capability, not through measures or decisions of certain groupings of nations, but through agreement on arrangements acceptable to all States that were active in the nuclear system. In that connection, he commended the International Nuclear Fuel Cycle Evaluation, which had recognized that a decision by a Government to construct nuclear weapons was essentially a political decision motivated by political and national security considerations, among which was the relationship between vertical proliferation and horizontal proliferation and the existing and undiminished arms race.

16. All nuclear activities in Turkey had always been conducted in a non-nuclear Treaty environment. His Government had also begun the establishment of the State System of Accounting and Control of Nuclear Material. In addition, his Government expected to accede to the Convention on the Physical Protection of Nuclear Material.
17. In conclusion, he urged all States to combine their efforts to establish an international nuclear system which would function in conformity with rules and regulations acceptable to all. He believed that some of the ideas put forward in the Final Report of the International Nuclear Fuel Cycle Evaluation, such as the establishment of an international fuel bank, an emergency safety network and an international technology centre, might prove useful in the creation of an international nuclear system which could function successfully on a non-discriminatory basis. His delegation further believed that the control of nuclear activities should remain within the exclusive sphere of competence of IAEA and that additional guarantee requirements by individual States could only lead to tension and undermine the work of the Agency.

18. Mr. FACKIS (Holy See) said that representatives of countries which had only recently acceded to the Treaty might find the presence of the Holy See at the Conference somewhat surprising. Indeed, the Holy See was not a "Power" in the ordinary sense of the word, and the only reason for its participation was its devotion to the cause of peace and, consequently, of disarmament.

19. Ten years after the Treaty's entry into force and nine years after its own accession, the Holy See reaffirmed the hope that the Treaty would be further consolidated so as to serve the cause of disarmament with greater efficacy. The danger of nuclear war continued to threaten mankind; as Pope John Paul II had recently said in his speech addressed to UNESCO, the present state of balance was fragile and world peace was at the mercy of errors of judgement, information or interpretation. The world situation called for an ethical approach, and, in particular, for the implementation of Article VI of the Treaty, whereby each of the parties undertook to pursue negotiations on measures relating to cessation of the nuclear arms race and nuclear disarmament and on a treaty on general and complete disarmament under strict and effective international control. The first step towards that end should be a firm and irreversible undertaking by all those in possession of nuclear weapons to put an end to their vertical proliferation, followed by effective measures designed to control horizontal proliferation; such measures, however, should not stand in the way of the peaceful use of nuclear energy by all the peoples of the world. In that field, IAEA played an essential role, and its initiatives deserved encouragement and support. The Treaty's provisions on the subject of the need to share the benefits from peaceful uses of nuclear energy with all the nations of the world were very useful and should be upheld.

20. The Holy See remained convinced that the Treaty could serve to promote international détente. It noted with satisfaction that the number of States parties had risen to 115 and hoped that other States, particularly all the nuclear Powers or those having the capacity to become nuclear Powers, would soon follow suit. In conclusion, he reiterated the hope that tangible progress would be achieved in the application of the Treaty so that, as stated in the Final Declaration of the First Review Conference of 1975, an acceptable balance might be found between mutual responsibilities and obligations.

21. Mr. SIAzon (Philippines) said that circumstances currently were much more complex and difficult than in 1975. The explosive situation in the Middle East, the continued occupation by foreign troops of a country in southern Asia, the armed intervention in Kampuchea, the prevailing racism and increasing violence in South Africa, coupled with the growing nuclear weapon capability of that country, and the escalating arms race between the Superpowers would have been sufficient by themselves to create conditions adverse to the acceptance of a policy of disarmament. The problem was, however, further confounded as those developments were to a large extent due directly or indirectly to actions and policies of the nuclear-weapon States parties to the Treaty, with the result that countries in the troubled regions were becoming convinced that guarantees for their national security could best be provided by themselves.

22. Development of technological reaction to changed the agreements of non-nuclear weapons, the Treaty and the end of the Cold War, an undertook an expansive arms countries, nuclear com search for new treaties.

23. An intregregation of nuclear-weapons towards to date and towards nuclear-weapons under stress, since 1975, Soviet Union, Undersecretary-General Peaceful Power had been no destruction been subset, negotiation disputes a.

24. The States would maintain a nuclear weapon mechanism nuclear weapon.

25. The of general nuclear Power should implement measures to deter stabilization: now, on a complex early establishment and arms control, general.

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22. Developments during the past five years had been no more encouraging in the field of technology transfer and access to nuclear materials, supplies and equipment. As a reaction to an event in 1974, certain major nuclear supplier countries had unilaterally changed their conditions for international nuclear commerce. Existing valid supply agreements had been set aside and requests for renegotiation made under the threat of non-delivery of the contracted goods. The Treaty on the Non-Proliferation of Nuclear Weapons rested on the basic bargain that non-nuclear-weapon States parties to the Treaty would be guaranteed free access to equipment, materials, and scientific and technological information for the peaceful uses of nuclear energy, in exchange for an undertaking not to manufacture, acquire or develop a nuclear weapon or nuclear explosive device. That basic bargain had been unilaterally altered by the supplier countries. The Treaty had thus become an insufficient framework for international nuclear commerce and co-operation. His delegation was prepared to co-operate in the search for new measures and mechanisms that would ensure more satisfactory operation of the Treaty, but felt that the common endeavour would be greatly facilitated by reviewing past experience and learning from previous mistakes.

23. An integral part of the basic bargain in the Treaty had been the undertaking by nuclear-weapon States parties to the Treaty to pursue negotiations in good faith towards effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control. Progress achieved in that regard since 1976 had been minimal. While three agreements had been signed between the Soviet Union and the United States, namely: the Treaty on the Limitation of Underground Nuclear Weapon Tests, the Treaty on Underground Nuclear Explosions for Peaceful Purposes, and SALT II, none had been ratified and the limitations established had been much higher than the yields of the atomic bombs which had caused so much destruction and suffering 25 years earlier. Moreover, the importance of SALT II had been substantially diminished by the inability of the two Superpowers to continue negotiations in good faith and by the increasing use of armed force for settling disputes among States.

24. The relationship between security and disarmament must be clearly understood. States would not feel able to disarm until experience had convinced them that the maintenance of international peace and security could be effectively and reliably carried out by an international and collective mechanism. Such an international mechanism could not, however, be established without the active involvement of the nuclear-weapon States.

25. The primary responsibility of the nuclear-weapon States for the attainment of general and complete disarmament had been clearly confirmed by the International Nuclear Fuel Cycle Evaluation. Those States and, in particular, the Superpowers, should immediately stop all activities which directly or indirectly contributed to the destabilization of the security of any country; they should limit their conventional arms and the scale of such arms; they should conclude at an early date an agreement on a comprehensive test ban treaty; they should contribute effectively towards the early establishment of a comprehensive system for the maintenance of international peace and security or peaceful settlement of disputes; they should initiate nuclear arms cut-backs; and, finally, they should initiate the conclusion of a treaty on general and complete disarmament under strict and effective international control.

26. In contrast to the very modest progress achieved with respect to article VI, developments relating to the implementation of article IV of the Treaty had undoubtedly been regressive. Article IV had assured the non-nuclear-weapon States parties to the Treaty of "the inalienable right [...] to develop research, production and use of
nuclear energy for peaceful purposes" and "the right to participate in the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy." Those rights had been reaffirmed by the first Review Conference in 1975. Nevertheless, as early as December 1974, one major supplier of natural uranium and reactors and announced its decision to strengthen the controls in its agreements through renegotiation, obliging its customers to accept new and more stringent safeguards or face an interruption of supplies, thus introducing for the first time the concept of non-fulfilment of existing supply commitments as a negotiating tool. The threat to cut off supplies if renegotiation was not successfully concluded was implemented through the imposition of embargoes which affected even existing contracts on natural uranium shipments to two important clients parties to the Treaty. In May 1977, another major exporter of natural uranium had announced its intention to apply a new set of export criteria which went beyond the requirements of the Treaty. At the beginning of 1978, the group of 15 supplier nations comprising the London Club had informed IAEA that its members had agreed on a new set of export conditions which, for the first time, introduced the concept of restraining the transfer of technology relating to certain parts of the fuel cycle and of introducing safeguards on the transfer and use of certain information. Those new guidelines marked a clear departure from the London Club guidelines of 22 August 1974, contained in IAEA document INFO.CIRC/209, because of the introduction of the distinction between technologically advanced and technologically developing non-nuclear-weapon States parties to the Treaty. Finally, again in 1978, the major supplier of enriched uranium and nuclear power reactors had given legislative endorsement to the recent practice of applying new conditions retroactively to existing and valid agreements.

27. Those new conditions for nuclear supply and co-operation clearly violated the basic *pacta sunt servanda* principle of treaty law, namely, that treaty obligations must be performed by the parties in good faith. Moreover, the new conditions restraining the transfer of technology relating to certain parts of the fuel cycle were contrary to the basic principles of article IV of the Treaty on the Non-Proliferation of Nuclear Weapons.

28. The developing countries had been those most seriously affected by the new guidelines because of their weaker infrastructures and narrower financial bases. Several developing countries parties to the Treaty, including Mexico, Yugoslavia and the Philippines, had suffered long delays in their nuclear power programmes as a consequence of those new conditions. It was ironic that the developing countries, whose needs had been guaranteed special consideration under article IV.2 of the Treaty, had been hurt the most from the over-zealous efforts of some supplier countries to strengthen the non-proliferation regime. Moreover, to the extent that the establishment of controls tended to drive recipient countries to develop their own nuclear capacities, the control would not contribute to the broader objective of limiting the number of countries acquiring nuclear explosive capabilities. The first Review Conference in 1975 had recognized the growing needs of developing countries for the peaceful uses of nuclear energy and had recommended increased assistance to them in addition to other measures such as concessional financing, and full financing of sound technical assistance requests addressed to IAEA. Progress in implementing those recommendations had been very limited. The target for IAEA's technical assistance programme for 1981 was only $15 million, which was to be distributed among more than 70 developing countries members of the Agency. Expressed in terms of armament costs, the target for technical assistance in 1981 would not even suffice to buy one modern fighter plane. There was clearly an urgent need to increase the level of assistance to developing countries in the peaceful use of nuclear energy.

29. There were 90 States in the Treaty. Out of 90 States in facilities under safeguards was clearly reflected in the record of the first Review Conference on the non-stabilization of the Treaty. With a re-establishment of services for countries submitted in June 1978 only the initial stability could be establised.

30. If re-established, the Treaty gradually: The logical proliferation to ensure safeguards be prepare to States should also be establish free zones.
29. There were, nevertheless, good reasons for optimism regarding the future of the Treaty. Currently 113 States were parties to the Treaty compared to less than 90 States in 1975. IAEA had reported that no nuclear material, equipment or facilities under IAEA safeguards had been diverted or misused for the manufacture or production of nuclear weapons or explosive devices. The non-proliferation régime was clearly finding wider acceptance and support. Moreover, such evidence testified to the serious intent of the non-nuclear-weapon States parties to the Treaty to comply with their commitments under article III.

30. With a view to rebuilding confidence, proposals should be formulated to re-establish the reliability of supply of technology, equipment, materials and services for peaceful uses of nuclear energy. Such proposals could later be submitted for consideration by the Committee on the Assurance of Supply established in June 1980 by the Board of Governors of IAEA. Reliability of supply involved not only the fulfilment of existing commitments, but the expansion of capacity as needed, stability of conditions of supply without unilateral change and fairness in pricing.

31. If reliability of supply could be re-established, other countries not parties to the Treaty and, in particular, those with large nuclear power programmes, would gradually find it in their interest to accept a non-proliferation régime. The Tlatelolco Treaty would undoubtedly facilitate adherence to a policy of non-proliferation by other Latin American countries not parties to the Treaty. In order to encourage such developments and in view of the comprehensive nature of the safeguards required under article 13 of the Tlatelolco Treaty, the Conference should be prepared to grant to States parties to that Treaty benefits similar to those given to States parties to the Treaty on the Non-Proliferation of Nuclear Weapons. It should also be possible for other geographic regions to negotiate agreements establishing their respective regions as internationally recognized nuclear-weapon-free zones.

The meeting rose at 4.35 p.m.
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3. His cot to the Treat arms race at strict and conformity / circumstance the threat / appreciable article, the Conferer at encourag dur during that special ses being to st: Constructive disarmament importance: of future n for the tot (see NPT/CO on Disarmament that the th and the Sov their negot could not f
1. Mr. YOTOV (Bulgaria) pointed out that the Non-Proliferation Treaty had come into being because the majority of the States in the world had been deeply aware of the need to limit the spread of nuclear weapons and to reduce to a minimum the risk of nuclear war. The Treaty served the interests of all States by its substantial contribution to the strengthening of international peace and security, and the present number of States parties to the Treaty - 113 - showed that it was widely supported by the world community.

2. In weighing up the results achieved during the past five years, the Conference could, on reading document NPT/CONF.II/3, note with satisfaction that all the States parties had scrupulously discharged the cardinal obligations resulting from articles I and II of the Treaty, and that 34 additional States had acceded to the Treaty since 1975; that was a positive factor which augured well for the future strengthening of the regime of non-proliferation of nuclear weapons. The ultimate objective, however, was not reached as long as one State which possessed or might possess nuclear weapons did not agree to join the non-proliferation regime, and it was disturbing to see that some States which had everything necessary for the manufacture of nuclear weapons remained outside the non-proliferation measures. That was notably the case of South Africa and Israel, whose policies on nuclear matters created a grave danger to peace. Therefore, inducing still more States to accede to the Treaty must be one of the primary aims of the Conference.

3. His country attached special importance to article VI, under which States parties to the Treaty undertook to pursue negotiations with a view to cessation of the nuclear arms race and to conclusion of a treaty on general and complete disarmament under strict and effective international control. Bulgaria was following a policy in conformity with the provisions of that article, because it believed that, in present circumstances, the most urgent task was the maintenance of peace, the elimination of the threat of war and disarmament. He was glad to note that there had been appreciable progress during the past five years in the implementation of that article. The beginning of that period had been marked by an historic event, namely, the Conference on Security and Co-operation in Europe, the Final Act of which aimed at encouraging détente as a major contribution to world development. It was also during that period that the tenth special session of the General Assembly, the special session on disarmament, had taken place, the purpose of its recommendations being to strengthen measures for limiting the arms race and for disarmament. Constructive results had also been obtained in a number of negotiations relating to disarmament, in particular the signing of SALT II which was of fundamental importance for strengthening international peace and security and for the outcome of future negotiations. The substantial progress made in negotiations for a treaty for the total prohibition of nuclear tests, as shown by the Tripartite Report (see NPT/CONF.II/13) on the status of those negotiations submitted to the Committee on Disarmament, was also a reason for satisfaction, and his country welcomed the fact that the three negotiating States - the United States of America, the United Kingdom and the Soviet Union - had declared their determination to spare no effort to bring their negotiations to a successful conclusion. The drawing up of such a treaty could not fail to have a favourable influence on the non-proliferation régime.
4. Another area of negotiation of great importance for the Non-Proliferation Treaty was that of guarantees for the non-nuclear States. It was necessary to conclude as soon as possible a convention under which the nuclear Powers would undertake neither to use nor threaten to use nuclear weapons against States which had agreed not to acquire such weapons and which did not have any on their territory. Such a convention would place an additional barrier in the way of the spread of nuclear weapons. The creation of demilitarized zones in various regions of the world was also an effective means of limiting horizontal proliferation of nuclear weapons and, in that connexion, he considered the substantial progress recently made in the implementation of the Treaty of Tlatelolco a positive factor. With regard to vertical proliferation, a proposal had been submitted to the Committee on Disarmament by the USSR and the socialist countries for the immediate start of negotiations or at least preparatory consultations on the prohibition of the production of nuclear weapons and the gradual reduction of stockpiles culminating in their complete elimination (CD/98).

5. In considering the 10 years which had elapsed since the entry into force of the Treaty, one would find that progress had also been made on the non-nuclear aspects of disarmament; for example, radiological, bacteriological and chemical weapons and the use of the environment for military purposes had been the subject of extensive negotiations.

6. In spite of such appreciable progress, recent developments in the international situation had created new difficulties, which all States should set about overcoming by demonstrating goodwill and a constructive attitude. His country was deeply conscious of the obligation of all peoples to work for détente and the maintenance of peace; it was, in his view, the only possible course, given the enormity of the means of destruction existing in the world today. That conviction, shared by the socialist countries, had found expression at the May 1960 meeting of the Political Consultative Committee of the States Members of the Warsaw Treaty, in the drawing up of a programme of measures aimed at continuing the process of political détente started in Europe and the world. It was in the same constructive spirit that the Soviet Union had submitted proposals for solving the problem of medium-range nuclear missiles in Europe simultaneously and in organic connection with the question of United States forward-based nuclear arms and that the socialist countries had proposed at Vienna reducing armed forces and armaments in central Europe.

7. He thought that the forthcoming Conference on Security and Co-operation in Europe to be held at Madrid would constitute a decisive stage towards the convening of a conference on military détente and disarmament in Europe. All those efforts fully reflected the desires of peoples who wanted peace and security.

8. Turning then to the peaceful uses of nuclear energy, which would become an important source of energy, he stressed the importance of the Treaty provisions for the development of international co-operation in the nuclear field, while establishing credible safeguards for the non-proliferation of nuclear weapons. He recalled that his country had been one of the first States parties to the Treaty to have submitted its activities in the nuclear field to control by IAEA, which had in no way prevented the implementation of its national nuclear programme; 18 per cent of its total electric power needs were covered by the output of nuclear power plants. That result was due to the support given by the Soviet Union in the form of technology, equipment and fuel and of specialist personnel.

9. The growing share of nuclear energy in the world's energy resources confronted the international community with important problems which had been the subject of thorough research in the framework of the International Nuclear Fuel Cycle Evaluation. One of the principal questions concerned means for ensuring supplies of nuclear fuel under conditions of equality and reciprocity. Bulgaria believed that the establishment in that regard of safeguards would be necessary.
establishment of regional and international centres could play a very important role in that regard. Positive action in that sphere, as in that of the supply of technology and services, would be greatly rewarding to many countries which had started on national programmes for the peaceful use of nuclear energy. The Convention on the Physical Protection of Nuclear Material, which strengthened the IAEA system of safeguards, was likely to encourage co-operation in that field.

10. As a non-nuclear State determined to take advantage of the immense potential offered by the peaceful uses of nuclear energy, Bulgaria attached great importance to the international co-operation provided for in article IV of the Non-Proliferation Treaty and, especially, to the recommendation contained in the Final Declaration of the first Review Conference in 1975 that non-nuclear States parties to the Treaty should enjoy preferential status in regard to the technical assistance provided within a bilateral framework or through the intermediary of IAEA.

11. In conclusion, he expressed the conviction that the present Conference would mark an important date in international life by contributing to the strengthening of the Treaty on the Non-Proliferation of Nuclear Weapons, and hence of the peace desired by all the peoples of the world. His delegation would spare no effort to help the Conference achieve those aims.

12. Mr. SULTAN (Bangladesh) said that as a State which had recently acceded to the Non-Proliferation Treaty in the interest of universal peace and of the general well-being of nations, his country had an abiding interest in all nuclear activities and had a concern for the proper implementation of the letter and spirit of the Treaty. It was convinced that only general disarmament could ensure peace and that the limitation of nuclear weapons and other weapons of mass destruction would create an atmosphere of trust favourable to world peace and security.

13. Unfortunately, the existing international climate did not appear to be very encouraging for non-proliferation. The nuclear arms race was accelerating, the Strategic Arms Limitation Talks were in danger because of the reactions of the two Superpowers, while the conventional arms race was also continuing. The shortages and high price of fuel and hydro-carbon resources had deteriorated economic difficulties, creating national and international tensions. His country remained, however, convinced of the utmost necessity for restraining the proliferation of nuclear weapons. Yet, some countries were still reluctant to accede to the Treaty, and the continuing qualitative and quantitative increases in their nuclear arsenals indicated that they believed that nuclear weapons had military and political value. It was, then, not surprising that other countries should also believe that and thus nuclear proliferation become more likely. On the other hand, the Superpowers had failed to implement their solemn obligation under article VI of the Treaty to end the nuclear arms race and to conclude a treaty for general and complete disarmament. Those failures underscored the discrimination that the Treaty imposed on non-nuclear-weapon States. The Treaty only stopped the spread of nuclear weapons to non-nuclear-weapon States without imposing any restraints on the continued manufacture and sophistication of nuclear weapons by the existing nuclear-weapon States. It therefore legitimized the present state of affairs and legalized, if not encouraged, vertical proliferation by the nuclear-weapon States. Furthermore, the Treaty did not provide for a balance of obligations and responsibilities between the nuclear-weapon States and the non-nuclear-weapon States, which did not enjoy the benefits of peaceful nuclear explosions. The Treaty was discriminatory with regard to safeguards and controls, which were all imposed on the non-nuclear States.

14. His country nevertheless believed that the Treaty was the best political insurance against nuclear proliferation and, while sharing the disappointment of the third-world States parties to the Treaty at not having received the technical assistance in nuclear technology that had been promised, thought that effective
implementation of the Treaty could still assist those countries and other non-nuclear States in the vast field of peaceful applications of nuclear technology. Under proper safeguards, nuclear technology could be a boon to humanity. The provision of abundant supplies of cheap energy was the only way in which modern technology could effectively assist third-world development and economic progress.

15. The Conference should endeavour to find ways and means of overcoming existing differences so that all countries could eventually accede to the Treaty. For that, the nuclear-weapon Powers should clearly commit themselves to reversing the nuclear arms race and to halting all nuclear weapon tests. Accession to the Treaty should also be made more attractive by the provision of internationally agreed, legally binding security assurances to the non-nuclear-weapon parties. Nuclear materials and equipment should be denied to States which were not parties to the Treaty and outright defiance of the Treaty should be met with more stringent measures. Greater efforts should be made to implement the transfer of technology to non-nuclear States parties in the field of the peaceful uses of nuclear technology. Safeguard procedures and the authority of IAEA should be strengthened to permit rapid detection by the Agency of any diversion of fissionable material for weapon purposes and IAEA safeguards should also apply to all exports of nuclear materials and equipment to nuclear powers, since that would help to equalize obligations under the Treaty. Operation of the sensitive parts of the nuclear fuel cycle should be placed under the authority of an international agency with full responsibility for the security of the plants and their sites.

16. **Mr. OKAWA** (Japan) recalled that his country had taken part in the first Review Conference as a signatory State not yet a party and had deposited its instruments of ratification a year later, in June 1976. Japan was therefore participating in a Review Conference for the first time as a party and his delegation wished to take the opportunity to express its general views on the Treaty as well as its thinking on the ways and means of strengthening it in the light of the arguments heard in Japan at the time it was considering accession.

17. The NPT was a basic international instrument which had as its aim to prevent the proliferation of nuclear weapons and to promote the peaceful uses of nuclear energy. When the negotiations on the Treaty were just beginning, energy crises such as those already twice experienced might not have been foreseeable, but under current conditions the steep rises in oil prices made the peaceful use of nuclear energy of vital importance. At the same time, however, the obligation to prevent the proliferation of nuclear weapons must not be neglected. Ten years after the conclusion of the Treaty, the relations between the United States of America and the Soviet Union were being affected by changes in the international situation while regional tensions persisted. Such a situation increased the danger of nuclear proliferation, one of the gravest problems the international community was faced with.

18. With reference to verification procedures, his delegation wished to stress the role of the IAEA safeguards system. The question of adequate verification procedures had been the greatest stumbling-block to progress in many arms-control and disarmament negotiations. The international community had on many occasions settled the question of verification by means of national technical means, as for instance in the SALT agreements. The safeguards system provided for in the Non-Proliferation Treaty was one of the few examples of an internationalized system of verification, although it had often been criticized for its inequality. It offered an example of the verification procedures which it would be desirable to incorporate in any future treaties in that field. At the same time, he also wished to stress - although there as no longer any need to dwell on the matter - the peculiar character of a treaty which permitted discrimination between nuclear-weapon States and other States parties.

19. His delegation followed in non-proliferators' prevention of use of nuclear the object of non-nuclear-war treaty would

20. The most nuclear weapon States parties to the SALT his delegation of nuclear weapons decisions for

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25. His country Group on Safeguard important role also, since: United States technology of Nuclear Fuel in minimizing
19. His delegation's view was that from the foregoing basic assessment of the Treaty it followed that the Conference should examine ways and means of strengthening the non-proliferation regime in the 1980s. The Treaty's three main objectives—prevention of proliferation of nuclear weapons, nuclear disarmament and peaceful uses of nuclear energy—should be promoted in a balanced manner, since they were the object of specific undertakings on the part of the nuclear-weapon States and the non-nuclear-weapon States parties to the Treaty. Otherwise, the credibility of the Treaty would be impaired and efforts to make it a universal treaty would be futile.

20. The most fundamental undertaking, the obligation to prevent any proliferation of nuclear weapons, had been faithfully observed by the States parties to the Treaty and his delegation hoped it would continue to be so observed in the future. It was vital, however, to go further and seek universal accession to the Treaty. There was always the possibility that non-nuclear-weapon States which were not parties to the Treaty would develop nuclear weapons and cause a chain reaction leading to further proliferation. His delegation therefore appealed to the leaders of all States not parties to the Treaty to take serious cognizance of the grave impact of proliferation of nuclear weapons on world peace and security and to take the necessary political decisions for accession to the Treaty.

21. His delegation noted with satisfaction that IAEA safeguards had been playing an important part in ensuring observance of obligations undertaken under the Treaty, and that improvement of the safeguards system had enhanced its credibility. In that context, he stressed the importance of article III of the Treaty, not only because under it non-nuclear-weapon States parties agreed to allow verification of the fulfillment of their undertakings under article II but also because it guaranteed to such States the right to develop the peaceful use of nuclear energy, which was further confirmed in article IV. His Government, recognizing the importance of IAEA safeguards, had in December 1977 brought into force its Safeguards Agreement with IAEA in implementation of that article and had a year later completed the necessary Subsidiary Arrangements for all the nuclear facilities in his country.

22. According to the IAEA annual report for 1975, however, of the 109 non-nuclear-weapon States which were parties to the Treaty at the end of 1970, only 57 had concluded and brought into force the agreements required under article III; the non-proliferation regime might well be weakened by prolonged failure to discharge such obligations under the Treaty. He urged the States concerned and IAEA to make greater efforts for the early conclusion of the relevant safeguards agreements.

23. His delegation was also concerned over reports that some non-nuclear-weapon States that were not parties to the Treaty were operating unsafeguarded facilities and that some of those facilities were capable of producing weapon-grade material.

24. His country was pleased to note the conclusion of several agreements under which nuclear-weapon States parties to the Treaty had voluntarily accepted IAEA safeguards for their peaceful nuclear activities, instances of which were the agreements concluded with IAEA by the United Kingdom and the United States of America, and also by France, although it was not a party to the Treaty. His Government strongly urged the Soviet Union to conclude such an agreement as soon as possible and so rectify the inequality inherent in the Treaty and restore its credibility.

25. His country had taken the initiative in creating in IAEA the Standing Advisory Group on Safeguards Implementation. That Group was expected to play an increasingly important role as an advisory organ to the Director-General of IAEA. His country had also, since 1976, participated, in co-operation with IAEA, France and the United States, in a research and development project for improving safeguards technology for reprocessing plants. It had become clear through the International Nuclear Fuel Cycle Evaluation that international safeguards played a central role in minimizing the risk of nuclear-weapon proliferation, confirming that Japan had
been pursuing the right policy in that field. It had to be recognized that when IAEA was established in 1957, it was difficult to foresee the future importance of IAEA safeguards. Progress towards the general acceptance of the Treaty had contributed to the present situation but there were still unresolved problems and much room for improvement. In that context, he pointed out that, at the first meeting of the joint committee established under the Safeguards Agreement between Japan and IAEA, it had been decided that IAEA would inspect the pilot plant for uranium enrichment by the centrifugal method which had begun operating in Japan the previous year. The first inspection had been carried out in mid-July 1980.

26. Still on the subject of international safeguards, his country attached great importance to the Convention on the Physical Protection of Nuclear Material adopted in 1979 pursuant to the Final Declaration of the first Review Conference. His Government was currently engaged in preparatory work with a view to the signing of that Convention.

27. Lastly, on the subject of preventing proliferation, he urged all States to refrain from any action contrary to the provisions and spirit of the Charter of the United Nations and thereby contribute to the fostering of trust among nations and help to prevent the proliferation of nuclear weapons.

28. Nuclear disarmament, the aim of which was to reduce the danger of nuclear war, had been recognized as the most important and the most urgent question in the field of disarmament. Many non-nuclear-weapon States, including Japan, regarded the Non-Proliferation Treaty as a realistic step in that direction and so had taken the momentous decision to renounce their so-called nuclear option. Some progress had been made, though not enough, towards that objective since the first Review Conference; the tenth special session of the General Assembly, its first devoted to disarmament, had been convened in 1970; the Committee on Disarmament had been reorganized and its membership broadened to include the five nuclear-weapon States; the Treaty on Underground Nuclear Explosions for Peaceful Purposes and SALT II which it was to be hoped would soon be ratified and followed by SALT III negotiations, had been concluded between the United States of America and the Soviet Union; and, lastly, there were the tripartite negotiations of the Soviet Union, the United Kingdom and the United States of America on a comprehensive test ban treaty. His delegation hoped that the outcome of those negotiations would be communicated as soon as possible to the Committee on Disarmament and that all nuclear-weapon States would voluntarily suspend all kinds of nuclear explosions pending a comprehensive test ban treaty; it also appealed to all States not parties to the Treaty to refrain from any action that might be connected with, or lead to, nuclear explosion tests.

29. The above-mentioned agreements should be followed by a cut-off in the production of fissile material for weapons purposes, and all nuclear-weapon States should, in that spirit, submit their facilities to the safeguards system. His delegation appealed to such States to initiate preliminary consultations to that end and hoped the matter would be considered by the Committee on Disarmament, in conformity with the views expressed by the United Nations General Assembly at its thirty-fourth session. It should then be possible to envisage the progressive destruction of stocks of fissile materials for weapon production and their conversion to peaceful use.

30. Another question of importance in the perspective of nuclear disarmament was how the security of non-nuclear-weapon States could be assured. Japan had appreciated the declarations made on the subject by the Soviet Union, the United Kingdom and the United States of America on the occasion of the adoption of the Non-Proliferation Treaty, and of Security Council resolution No. 255 (1968) welcoming those declarations. Active discussions were taking place in international forums on ways of providing "negative security assurances" to the non-nuclear-weapon States in addition to positive security assurances. His delegation maintained that it would be unrealistic to attempt to make the non-use of nuclear weapons, mutual nuclear assistance or the Security Council binding on the non-nuclear-weapon States.

31. Concerning peaceful uses of nuclear material, he wished to express the desire of the Government of Japan to see the matter included in the list of international scientific and technical cooperation set up in the field of space, medicine, health, public life and environment.

32. As to the disarmament negotiations, he urged the early conclusion of the Treaty.

33. In connexion with the regime envisaged in the treaty, he hoped that the objectives set would be consistent with the objectives of the United Nations resolution on disarmament and that the substance of the agreement would guarantee non-proliferation, with the United Nations taking the lead in the matter of international cooperation, stockpiling and inspection.

34. Mr. NED, referring to the draft implementing agreement for a test ban treaty, declared that the latter was intended to serve a very useful purpose. In dealing with disarmament, it would be wise to aim at a truly non-proliferation regime, especially as the number of States possessing nuclear weapons was likely to increase in the future.

35. The pre-conference conference to be held in late 1980 should be a major undertaking. In order to achieve the objectives of the conference, the resumption of all disarmament negotiations was necessary.

36. Although important initiatives were expected, he was also made aware of the need for several important trends to be considered, particularly the need for further arms limitation agreements, with a view to limiting the growth of existing arms and the reduction of the number of arms.
to attempt to conclude for that purpose a single convention on the non-use of nuclear weapons, because it might affect existing regional security arrangements based on mutual nuclear deterrence. It felt that it would be better for the General Assembly or the Security Council solemnly to endorse, by resolution, the declarations on non-use of nuclear weapons made by the nuclear-weapon States.

31. Concerning the third principal objective of the Treaty, the promotion of the peaceful use of nuclear energy, subject to due regard being paid to the aim of non-proliferation of nuclear weapons, his Government considered that the International Nuclear Fuel Cycle Evaluation, the studies pursued by IAEA Expert Groups on International Plutonium Storage and on International Spent Fuel Management and the establishment by the IAEA Board of Governors of a Committee on Assurances of Supply were measures to be welcomed. The development of nuclear energy for peaceful purposes called for the widest international co-operation, in accordance with article IV of the Treaty, which his Government was implementing fully. In particular, it had acceded to the Regional Co-operative Agreement for Research, Development and Training Related to Nuclear Science and Technology, and was providing assistance in three fields: food irradiation, industrial applications, and the medical application of radio-isotopes and radiation, thereby responding to the most pressing needs of the developing countries of Asia and the Pacific. Activities under the Agreement were to be intensified and diversified according to need and the participants were therefore contemplating the establishment of an Asian Centre for Research and Training. It would be helpful if similar co-operation schemes could be set up in other regions of the world, for they would be of benefit to the economic and social development of the developing countries.

32. As to co-operation in the use of nuclear energy as a power source, his Government urged the expansion of technical assistance under IAEA to States parties to the Treaty in fields free of the risk of nuclear proliferation.

33. In conclusion, he emphasized that the strengthening of the non-proliferation regime set up by the Treaty, which was a matter of very serious concern to the international community, was after all only one of the means of realizing the objective of nuclear disarmament. His country was firmly convinced that the final objective was and should be the complete elimination of nuclear weapons.

34. Mr. NEUGEBAUER (German Democratic Republic) said that his delegation firmly intended to do its best to ensure that the Conference brought about the strengthening and the universal acceptance of the Treaty on the Non-Proliferation of Nuclear Weapons. The Conference would thereby serve the cause of international détente and the strengthening of international security, for which the decisive steps were arms limitation and disarmament and above all the cessation of the arms race.

35. The provisions of articles I and II were the core of the Treaty and the Conference should call upon the parties to the Treaty and all other States to ensure that they were not circumvented.

36. Although the Treaty was not yet an agreement on disarmament, it was an extremely important instrument in the struggle against the nuclear arms race. Article VI called for negotiations on disarmament and in fact negotiations were going on and several arms limitation agreements had been concluded. Yet, results fell considerably short of what was needed. In that connection, he reminded members of his country's initiative, reflected in General Assembly resolution 34/85 C, of 11 December 1979. The Conference should emphasize the demand in that resolution for the resumption and intensification of disarmament negotiations and should include a reference to it in its final document. There had certainly been no lack of proposals: the Warsaw Treaty States in their declaration of 15 May 1980 had submitted a programme for global and regional measures of arms limitation and
disarmament. At the regional level, the latest proposal of the USSR to negotiate on medium-range nuclear missiles in an organic connection with forward-based United States nuclear weapons was highly important. As to the global level, he mentioned the proposal to cease the production of nuclear weapons completely and gradually reduce existing stockpiles until they had been completely destroyed - in keeping with the spirit and letter of the eleventh preambular paragraph of the NPT.

37. The conclusion of an agreement on the cessation of all nuclear weapon tests must be accelerated, with the constructive co-operation of all nuclear-weapon States.

38. His country followed with attention and sympathy the endeavours of numerous countries to prevent the emergence of new nuclear-weapon States by the establishment of nuclear-weapon-free zones wherever feasible. It supported all relevant proposals on the understanding that the areas concerned would be really denuclearized. That aim could be achieved more rapidly if all countries concerned participated in the Treaty.

39. To reduce the danger of nuclear war it would also be necessary to agree on the non-stationing of nuclear weapons in States where such weapons did not exist at present. Such agreement would strengthen the system of measures for the non-proliferation of nuclear weapons.

40. Accession of non-nuclear-weapon States to the Treaty would be in their own best security interests. Those States justly insisted on additional guarantees against the use or threat of use of nuclear weapons. For that reason, his country supported the conclusion of an international convention on the strengthening of guarantees for the security of non-nuclear-weapon States. It also appealed for a general prohibition of the use of such weapons in the framework of a world agreement on the non-use of force.

41. The peoples placed great hope in SALT II and the negotiations to follow, which were of far-reaching importance for their destiny. In the view of his delegation, the Conference should demand in strong terms the immediate coming into force of SALT II.

42. With regard to the peaceful applications of nuclear energy, which were going to be greatly extended in the future, he considered that international co-operation in that field would in all probability develop rapidly and in many ways in the coming years. The German Democratic Republic recognized the right of any country to use nuclear energy for peaceful purposes; it extended its support to developing countries in that field to the best of its abilities, both bilaterally and in the framework of the IAEA, and had doubled its contribution to the IAEA Technical Assistance Programme since 1975.

43. Thought would have to be given in particular to the problem of an assured supply of nuclear material and equipment, and for that purpose a committee had been established by the IAEA Board of Governors. The United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy, to be convened, would provide an opportunity for comprehensive discussion of those questions. The international community must be warned, however, against attempts to use up-to-date scientific knowledge not for the benefit of the peoples but to increase the danger of a nuclear catastrophe. That was what Israel and the racist régime of South Africa were doing and his country accordingly denounced from the Conference that nuclear co-operation with South Africa be stopped immediately, in accordance with the decisions of the Security Council and the General Assembly.

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44. Faithful to its commitments under the Treaty, his country had placed its nuclear activities under IAEA safeguards: he knew of no cases where other countries had had reason for complaint. Experience showed that it was possible to combine the expansion of peaceful uses of nuclear energy with the requirements of stringent safeguards to guarantee the non-proliferation of nuclear weapons, such as the international controls by the IAEA which helped to promote international confidence. That was why it was so important for all non-nuclear-weapon States to accept IAEA safeguards for all their nuclear activities. However, in view of the rapid development of nuclear energy, the safeguards should be made still more effective and his country would support all proposals to that end.

45. In conclusion, he summarized, in five points, what his country expected of the Treaty served to emphasize the increasing significance that the international community attached to its objectives. At the time of the Treaty's entry into force, countries had all expected that its deliberately balanced provisions would go far to eliminate the danger of nuclear war, while facilitating access to nuclear technology for peaceful purposes. Now, 10 years later, it could only be noted with concern that while there had been significant progress in the implementation of article III, the other articles had not been implemented with any seriousness. An increasing number of signatory States had tended to concentrate on the objective of non-proliferation of nuclear weapons, forgetting their other obligations under the Treaty in respect of developing countries. At least one country had gone to the extent of enacting laws to control nuclear exports, contrary to the spirit of article IV.2, which provided for the fullest possible exchange of equipment, materials and scientific and technical information for the peaceful uses of nuclear energy. In his opinion, that policy was unjustified, particularly as the restrictive measures in question applied to all importing States including those which had no intention of contributing to the proliferation of nuclear weapons. They also caused confusion in the minds of the public between the proliferation of nuclear weapons and civil nuclear installations. Plutonium for civil purposes was regarded as the main cause of proliferation of nuclear weapons, which was not the case. The IAEA report on its activities under article III of the Treaty indicated that the non-nuclear-weapon States had honoured their commitments and that the Agency had not detected any anomaly which would indicate the diversion of a significant amount of safeguarded nuclear material for the manufacture of any nuclear weapon or other nuclear explosive device or to further any other military purpose. The problem of proliferation was not technical but political, and the solution was contingent on the underlying political situation which would eliminate the threat to peace and security.

46. Mr. KAHIL (Malaysia) said that the increasing number of signatory States to the Treaty served to emphasize the increasing significance that the international community attached to its objectives. At the time of the Treaty's entry into force, countries had all expected that its deliberately balanced provisions would go far to eliminate the danger of nuclear war, while facilitating access to nuclear technology for peaceful purposes. Now, 10 years later, it could only be noted with concern that while there had been significant progress in the implementation of article III, the other articles had not been implemented with any seriousness. An increasing number of signatory States had tended to concentrate on the objective of non-proliferation of nuclear weapons, forgetting their other obligations under the Treaty in respect of developing countries. At least one country had gone to the extent of enacting laws to control nuclear exports, contrary to the spirit of article IV.2, which provided for the fullest possible exchange of equipment, materials and scientific and technical information for the peaceful uses of nuclear energy. In his opinion, that policy was unjustified, particularly as the restrictive measures in question applied to all importing States including those which had no intention of contributing to the proliferation of nuclear weapons. They also caused confusion in the minds of the public between the proliferation of nuclear weapons and civil nuclear installations. Plutonium for civil purposes was regarded as the main cause of proliferation of nuclear weapons, which was not the case. The IAEA report on its activities under article III of the Treaty indicated that the non-nuclear-weapon States had honoured their commitments and that the Agency had not detected any anomaly which would indicate the diversion of a significant amount of safeguarded nuclear material for the manufacture of any nuclear weapon or other nuclear explosive device or to further any other military purpose. The problem of proliferation was not technical but political, and the solution was contingent on the underlying political situation which would eliminate the threat to peace and security.

47. While, under the Treaty, the non-nuclear-weapon States were assured access to nuclear technology in exchange for their no-weapon pledge and the acceptance of IAEA safeguards, the nuclear Powers on their side were committed to the implementation of all the articles of the Treaty with equal emphasis, including article VI, which provided that negotiations should be pursued on cessation of the nuclear arms race and on general and complete disarmament under strict and effective international control. With those measures alone, the threat to mankind's survival from fissile material used for military purposes and nuclear arsenals held by certain
countries could be eliminated. That was the object on which the nuclear Powers should concentrate their efforts, instead of using arguments against horizontal proliferation as a pretext for imposing restrictions on the transfer of nuclear materials to the developing countries.

49. It should not be forgotten that the Second Review Conference was part of the efforts of the international community to create the mutual trust and confidence which would ensure respect for the national sovereignty and territorial integrity of all States. That was the prerequisite for minimizing confrontation between States and eliminating the tendency to acquire or develop nuclear weapons. The first step was the ending of all nuclear weapon tests and the speedy conclusion of a comprehensive test ban treaty.

49. Action was particularly important at the present time, since in the existing political situation there was still the risk of confrontation which, even in the case of small States, could lead to the involvement of the big Powers. That applied, for example, to South-East Asia, and his country and the other members of ASIAIN had therefore initiated the establishment of a zone of peace, freedom and neutrality in South-East Asia. He welcomed the support for that initiative extended by the member States of the Commonwealth, the Non-Aligned Countries and the members of the European Economic Community and hoped that the initiative would eventually be recognized by all countries. In the view of his delegation, regional groupings were in the best position to give new impetus to progress in the disarmament negotiations and make a significant contribution to world peace and harmony.

50. The CHAIRMAN asked the chairmen of the different groups to intensify their consultations so that agenda items 5, 6 and 7 could be taken up at the next plenary meeting.

The meeting rose at 12.30 p.m.
SUMMARY RECORD OF THE 7th MEETING
Thursday, 14 August 1980, at 3.35 p.m.

President Mr. KITTANI (Iraq)

GENERAL DEBATE (agenda item 12) (continued)

1. Mr. GARCIA ROBLES (Mexico) reiterated the point he had made at the beginning of the First Review Conference, namely, that, besides determining whether the provisions of the Treaty were being respected, the Conference was also called upon to adopt decisions so as to fill in gaps and remedy any inadequacies that might emerge from the review. The objective of strengthening the Treaty and promoting universal adherence to it could only be achieved through the scrupulous observance of the principle, set forth in General Assembly resolution 2028 (XX), of 19 November 1965, of an acceptable balance of mutual responsibilities and obligations of the nuclear and non-nuclear Powers.

2. The first Review Conference in its Final Declaration had concluded that the obligations undertaken under articles I and II of the Treaty had been faithfully observed by all parties. Similarly, the background paper relating to those articles now submitted to the second Review Conference (IPT/CONF.II/5) noted that there had been no complaints or suggestions that the nuclear-weapon States or the non-nuclear-weapon States parties to the Treaty had failed to carry out the respective obligations assumed by them under articles I and II of the Treaty. The situation was, unfortunately, very different with regard to articles IV and VI. So far as the former of those articles was concerned, it had to be frankly admitted that the Treaty, instead of opening up broader opportunities for non-nuclear States parties to develop research, production and use of nuclear energy for peaceful purposes, actually placed such countries in a situation of obvious disadvantage. Paradoxical and inexplicable as it might be, the fact was that non-nuclear States which were not parties to the Treaty were receiving more favourable treatment than countries such as Mexico, which had renounced military uses of nuclear energy, not only at the international level, through the NPT, but also at the regional level under the Treaty of Tlatelolco and at the national level by incorporating an appropriate provision in its Constitution. The imposition of increasingly stringent restrictions upon the developing countries' access to nuclear technology was at variance, not only with the Treaty itself, but also with the principles which had governed the international community's approach to development over the past 20 years. The IAEA, in particular, should spearhead the development process rather than put insuperable obstacles in its path.

3. While the situation with regard to the implementation of article IV of the Treaty was discouraging, the failure of the nuclear-weapon States to comply with the provisions of article VI, designed to curb the vertical proliferation of nuclear weapons, could be described as alarming. The Final Document of the tenth special session of the General Assembly, its session on disarmament, had stated the case for nuclear disarmament in eloquent terms. The world's annual military expenditure, which in 1970 had amounted to $360 billion, was at present estimated at $500 billion, an increase of almost 200 per cent; the total number of United States nuclear warheads had risen from 4,000 in 1970 to approximately 10,000 in 1980, the corresponding figures for the Soviet Union being 1,800 and 3,700, or by 150 per cent and 200 per cent, respectively. In the light of such facts, the undertaking set forth in article VI appeared ironical, to say the least.
The same was true of the statement in the penultimate preambular paragraph of General Assembly resolution 2373 (XXII), of 12 June 1968, that an agreement to prevent the further proliferation of nuclear weapons must be followed as soon as possible by effective measures on the cessation of the nuclear arms race and on nuclear disarmament and that the Non-Proliferation Treaty would contribute to that end.

4. The introductory note to additional Protocol II to the NPT which Mexico, together with 17 other States, had submitted to the first Review Conference (HFT/CONF.10 and Add.1-3), had stated that the only results under article VI achieved at that time were "the meagre ones obtained in the bilateral negotiations on the limitation of strategic nuclear-weapon systems (SALT) which had been going on for some years". True, SALT II had been signed in the meantime, but its ratification by the United States Senate was still held up and hopes for negotiations on a SALT III treaty, expressed, in particular, in General Assembly resolution 34/27 F of 11 December 1979, had so far been disappointed.

5. The subject of a nuclear test ban had been before the General Assembly for a quarter of a century; the documents of the Eighteen-Nation Committee on Disarmament, the Conference of the Committee on Disarmament and the Committee on Disarmament on that topic could be counted in thousands if not in tens of thousands of pages. More than 40 resolutions on the subject had been adopted by the General Assembly over the years. In 1972, the Secretary-General, in a statement to the Conference of the Committee on Disarmament, had said that all the technical and scientific aspects of the problem had been so fully explored that only a political decision was necessary in order to achieve agreement. The report on a comprehensive nuclear test ban (CD/85) prepared in the Secretariat with the assistance of four consultant experts in March 1980 concluded that verification of compliance no longer seemed to be an obstacle to reaching agreement.

6. Against such a background, the Tripartite Report to the Committee on Disarmament (HFT/CONF.11/3), appropriate as it would have been in the first few years of disarmament negotiations, appeared entirely anachronistic after more than two decades of such negotiations. It was difficult to see why verification should still be regarded as a laborious process requiring considerable and painstaking work. The slowness of negotiations to date suggested that agreement might not, in fact, be reached before the end of the century.

7. If the second Review Conference was to be more than a mere academic exercise and was to lead to the adoption of effective measures towards the achievement of the Treaty's objectives, it should approve a number of concrete decisions which would go a long way towards making such negotiations possible. His delegation intended to submit detailed proposals to that end in both Committee 1 and Committee 2; at the present stage, he would confine himself to a brief outline of the measures it intended to propose in Committee 1, which, although modest, were designed to revive faith in the Non-Proliferation Treaty among the world's nations.

8. Mexico proposed that the final document of the Conference should include a solemn joint declaration by the Governments of the United States of America and the Soviet Union undertaking (a) to abide by the provisions of SALT II pending its ratification as though those provisions were already in force; (b) to initiate forthwith negotiations on a SALT III treaty concerning significant reductions of and qualitative limitations on strategic arms; and (c) to support the establishment of an ad hoc working group on disarmament at the 1981 session of the Committee on Disarmament with a view to reaching agreement on the best way of putting into practice the provisions of paragraphs 47 to 50 of the Final Document of the tenth special session of the General Assembly, the special session devoted to disarmament.

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9. Secondly, the three Depositary Governments should (a) proclaim the immediate cessation of all their nuclear weapon tests, either through simultaneous unilateral moratoria or through a trilateral moratorium; and (b) approve, in February 1980, the establishment of an ad hoc working group of the Committee on Disarmament which, parallel with the trilateral negotiations, would conduct the multilateral negotiations essential for the drafting of a comprehensive nuclear test ban agreement.

10. In conclusion, he emphasized that the operation of the Treaty, especially with regard to nuclear disarmament, depended in the first instance upon the political will of the nuclear-weapon States and, more particularly, of the two Superpowers. That was particularly true at the present moment, when rumours were heard of new strategies involving possible nuclear conflagrations which, in a manner difficult to understand, were to be both limited and prolonged.

11. Mr. BOEL (Denmark) said that the Non-Proliferation Treaty, which his Government had supported from the outset, remained the most effective instrument available against the danger of the proliferation of nuclear weapons. He noted with satisfaction that the number of nuclear-weapon States had not increased since the first Review Conference and that there had been an increase in the number of countries that had acceded to the Treaty.

12. The further spread of nuclear weapons would have far-reaching consequences for international security and stability. It would irrevocably change the whole international environment and increase the risk of nuclear confrontation. His Government’s position on this matter was reflected in the memorandum which had been transmitted to the Secretary-General of the United Nations on 1 November 1979 by the five Nordic countries (A/C.1/34/4). The main points emphasized in that memorandum were the need for continuous efforts by all States towards ending and reversing the arms race, the right of any State to develop its programmes for peaceful uses of nuclear energy subject to effective restraints, and the common conviction of the Nordic countries that the development of a nuclear explosive capability by any additional State or States would pose a grave threat to the international community as a whole.

13. It had been hoped that by the time the present Conference was held, SALT II would have entered into force and that negotiations on a comprehensive test ban treaty would have been brought to a successful conclusion. It was regrettable that the present international climate had so far weakened the possibility of progress in international disarmament negotiations. A successful outcome of the present Conference, therefore, would have a stimulating effect on arms control.

14. Turning to issues connected with specific articles of the NPT, he emphasized that full and simultaneous implementation of articles III and IV was crucial for the achievement of the objectives of the NPT as outlined in its preamble. That belief was based on an interpretation of the experience of the past 10 years, as well as on an evaluation of the challenges which could be expected through the coming decade.

15. In order to make it possible to benefit on a broader scale from nuclear energy, there must be greater confidence that nuclear energy would be used for peaceful purposes only. Such confidence could be increased if in the future the application of safeguards was extended to all peaceful nuclear activities in importing States not parties to the Treaty. Such safeguards were also important as a means of avoiding those bilateral arrangements which were regretted by importers and, in the long run, perhaps also by exporters. He also stressed the desirability of taking NPT membership into account when decisions were made regarding technical co-operation or assistance in the nuclear field.
16. Concerning the non-proliferation regime in general, his Government considered the step-by-step approach leading to internationally agreed rules or schemes as the way of enhancing international confidence and trust. The International Convention on Physical Protection of Nuclear Materials concluded in 1978, and the International Nuclear Fuel Cycle Evaluation, completed in 1980, were important steps in this direction. Because of the legitimate interest of consumer countries in the predictability of supplies, he welcomed the decision of IAEA to set up a Committee on Assurances of Supplies and also hoped that the studies prepared by the Expert on International Plutonium Storage and International Spent Fuel Management would result in recommendations for agreed action. Provided that due account was taken of the work in IAEA, his delegation was prepared to support other suggestions, including the multilateralization of sensitive steps in the fuel cycle which would encourage international co-operation while at the same time serving non-proliferation purposes.

17. Under article VI of the Treaty, the nuclear-weapon States parties had committed themselves to exert their best efforts to reduce the role of nuclear weapons in the world. The political will on the part of those States to stop the nuclear arms race would in the long run be crucial for prospects of preserving and strengthening the existing international non-proliferation regime. That was one of the reasons why his Government strongly supported the early ratification of SALT II and subsequent negotiations aimed at reducing nuclear arsenals under SALT III.

18. His Government also attached decisive importance to the early conclusion of a treaty banning all nuclear weapon tests. The conclusion of such a treaty would create barriers to both vertical and horizontal proliferation and would apply to nuclear and non-nuclear-weapon States alike.

19. He welcomed the joint progress reports submitted by the participants in the tripartite negotiations, from which it appeared that considerable progress had been made in the field of verification in particular. In that connection, he recalled that at the tenth special session of the General Assembly, its special session on disarmament, the Danish Prime Minister had referred to the possibility of the use of Danish experts and installations in Greenland in the event of agreement on a comprehensive test ban and international co-operation on verification.

20. Another central issue was the question of assurances against attack or threats of attack with nuclear weapons. While that issue did not concern his own country, which belonged to a defensive alliance which provided a nuclear security guarantee, he agreed that States which were not parties to such an alliance and which had renounced the nuclear option by adhering to the NPT had the same claim to such assurances.

21. Lastly, his delegation understood the deep disappointment expressed by many delegations at the lack of progress in international negotiations on arms control and disarmament. Nevertheless, criticism of certain features and the implementation of the NPT should not be allowed to detract from the overriding importance of the parties' common responsibility for containing the spread of nuclear weapons. A consensus document issued by the Conference and reaffirming its common commitment to contain the spread of nuclear weapons in the decades ahead would in itself represent a contribution to that supreme objective.

22. Mr. HOESS (Austria) said that his Government had already supported from the beginning the idea of a multilateral treaty to prevent the proliferation of nuclear weapons. When the General Assembly had finally adopted a draft of the NPT in 1968, his country had voted in favour of it and had been among the first States to sign and ratify it.
23. Austria had also taken an active part in the work of the IAEA Safeguards Committee in 1973 to formulate a modal text as a basis for the safeguards agreements between IAEA and non-nuclear-weapon States parties to the Treaty. He was pleased to report that IAEA, in carrying out its responsibilities in the field of safeguards, was now able to use the Safeguards Analytical Laboratory on the premises of the Austrian Nuclear Research Centre.

24. As his delegation had already stated at the first Review Conference in 1975, Austria had been guided in all its initiatives concerning the NPT by the expectation that the Treaty would contribute to detente and international co-operation by means of effective nuclear disarmament. On the other hand, it had expected and continued to expect effective safeguards and, at the same time, assured access to fuels and services for the peaceful uses of atomic energy.

25. Today, it had to admit that its expectations had been only partially fulfilled. Although there were now 115 States parties to the Treaty, a number of important States still remained outside the non-proliferation régime. It was, therefore, necessary to increase participation in the Treaty and, in particular, to reach an agreement on criteria for the preferential treatment of non-nuclear-weapon States parties which had already accepted full-scope safeguards.

26. The improvement of the effectiveness of the safeguards régime was certainly one of the main tasks of IAEA, but it was equally important to expand the safeguards system to those countries which had not yet accepted de jure full-scope safeguards. It was the responsibility of the parties to the Treaty to strengthen the safeguards régime, particularly by stressing the importance of article III, paragraph 2, concerning exports to non-parties. His Government welcomed all activities which improved the non-proliferation situation through the implementation of article III, paragraph 2. Non-parties should not enjoy a preferential position as compared to parties; that meant that exports to those States should also require full-scope safeguards. On the other hand, the nuclear-weapon States had a special obligation to support the non-nuclear-weapon States in their endeavour to develop the peaceful uses of atomic energy.

27. At the present time, there was rarely an international conference where the North-South issue was not raised; it was his impression that that issue was also being introduced into the field of the peaceful uses of nuclear energy. However, that issue should be treated on its own merits and great caution was needed if it was raised in connection with the problems dealt with at the present Conference. It was not so much the problem of industrialized countries versus developing countries which was at issue in the field of the peaceful uses of atomic energy or non-proliferation. It was much more a question of assuring the smooth development of nuclear programmes for all States, particularly through guaranteed access to fuel and fuel cycle services.

28. He welcomed the activities carried out during the past two years within the framework of the International Nuclear Fuel Cycle Evaluation (INFECE), the results of which had contributed to a clearer picture of the international nuclear fuel cycle situation. They had also drawn attention to the non-proliferation problem and the importance of supply assurances and guaranteed access to fuel cycle services on equitable terms.

29. The Evaluation would, however, remain incomplete if IAEA and its members did not take the necessary technical and political steps to follow it up in concrete terms. His Government, therefore, welcomed the efforts to initiate further action and the decision taken at the last meeting of the IAEA Board of
Governors to establish a Committee on Assurances of Supply. It was convinced that assured access to the necessary resources for the peaceful use of nuclear energy required a broad consensus and only on that basis would countries be prepared to accept an approved non-proliferation régime.

30. In the field of nuclear disarmament, his delegation welcomed the signing of SALT II. It was convinced that despite the existing tensions in the world it was more necessary than ever that the basis for talks between the big Powers in the nuclear field should be preserved. It was, therefore, pleased to note that both parties had recently expressed their interest in carrying on with the SALT process.

31. His delegation also welcomed, with cautious optimism, the news about progress in the negotiations for a comprehensive test ban treaty and hoped that further steps would make it possible to conclude it in the foreseeable future. It likewise had a special interest in the discussions on negative security guarantees and had noted the pertinent unilateral declarations by the nuclear-weapon States.

32. Lastly, he said that significant progress towards a more secure world could only be achieved if and when the big Powers were prepared to work towards real détente and when such efforts would lead to concrete achievements within the meaning of article VI. After the so-called balance of deterrence, that should lead to a reduction and final elimination of the nuclear arsenals for the benefit of the world and result in increased security for those States which had renounced nuclear weapons by acceding to the Treaty.

33. Mr. FERNANDEZ (Australia) said that his Government acknowledged the contribution to international security and co-operation in the peaceful uses of nuclear energy which had been made by the NPT during the 10 years of its existence and continued to place reliance upon it. It hoped, therefore, that the Conference would engage in a critical and constructive process of review which would take full account of the present and future context in which the Treaty should operate.

34. The economic imperatives confronting both industrialized and developing countries meant that the world's nuclear industry must grow. His delegation believed that an effective NPT régime was essential in order to ensure that the growth of nuclear energy was not adversely affected by a loss of confidence because of concern about proliferation risks.

35. The NPT was first and foremost a security Treaty. It was the linchpin of the international non-proliferation régime and a benchmark of responsible international behaviour. Australia believed, therefore, that it was most important for the present parties to the NPT to show unity of purpose. It further believed that the Conference should confirm the Treaty and work in a spirit of understanding so that its practical development, while possibly slow, would be sure.

36. A climate of confidence was essential for the development of co-operation in the peaceful uses of nuclear energy. The régime established by the NPT, including in particular, full-scope safeguards administered by IAEA, provided an assurance of the peaceful intent of nuclear activities and was therefore essential for that climate of confidence. For that reason, his delegation was concerned by indications that some States outside the NPT might have covert programmes, including the construction of unsafeguarded facilities for the development of a nuclear explosive capability. There was no doubt that the detonation of a nuclear explosive device by one of those States would jeopardize regional and international security, as well as undermine the prospects for co-operation in the peaceful uses of nuclear energy.
37. The recent energy crisis and the resulting desire of many countries to achieve independence with regard to energy had led them to attach greater importance to the use of nuclear energy for peaceful purposes. At the same time, the demonstrated spread of nuclear explosive capabilities had focused attention on the proliferation risks of some fuel cycle activities.

38. It had, therefore, become more urgent to reconcile the interests of international security and cooperation in the peaceful uses of nuclear energy. That situation had, unfortunately, been exacerbated by the slow progress made by the nuclear-weapon States in reaching agreement about nuclear disarmament. It was a matter of concern to his Government that the three Depositary Powers had failed, since the first Review Conference, to put into effect new measures of nuclear arms control. The signing of SALT II had been a significant achievement, but it had not yet been ratified and a start had not yet been made towards the negotiation of further substantive measures.

39. Negotiations among the three Depositary Powers for a comprehensive nuclear test ban treaty had begun in 1971. His delegation had hoped that that treaty would have been in force by the time the present Conference was convened. It welcomed a statement which the Depositary Powers had made to the Committee on Disarmament on 31 July 1980 concerning the progress of their negotiations. It was disappointing, however, that it was still uncertain when a comprehensive test ban (CTB) treaty was likely to be concluded.

40. A CTB treaty would have a special meaning for the non-proliferation régime, as was acknowledged in the preamble to the NPT. The conclusion of such a treaty would be regarded as a major demonstration by the nuclear-weapon States of their intention to work for the measures of nuclear disarmament which were foreshadowed in article VI of the NPT. A CTB treaty would also bring pressure to bear on other nuclear-weapon States to cease nuclear testing and would serve as an additional and important support for the international non-proliferation régime. The accession to a CTB treaty by States not parties to the NPT could also provide a measure of assurance against the proliferation of a nuclear explosive capability.

41. Progress in nuclear arms control and disarmament was essential for the success of the NPT as an effective instrument of nuclear non-proliferation. It was his hope that the Conference would forcefully underline the central importance of the implementation by nuclear-weapon States of their obligations under article VI of the Treaty.

42. The consideration of matters arising under article IV of the NPT seemed likely to raise many important issues. Australia considered that article as one of the cardinal elements of the NPT régime. In its view, the provisions of that article offered an incentive for non-nuclear-weapon States to accede to the NPT and formed an essential part of the balance of rights and obligations which parties assumed when acceding to the Treaty.

43. His Government considered that article IV should be interpreted as the acceptance by the parties of an obligation to give other States parties a preferred position in dealings in the nuclear sphere. It was regrettable that some nuclear exporters had not paid more regard to that undertaking. The obligation to give parties a preferred position in nuclear exports was complemented by the requirement implicit in article III that nuclear suppliers should require non-nuclear-weapon States outside the Treaty to accept at least the same safeguards as non-nuclear-weapon States which were parties to the Treaty.
44. Article III required non-nuclear-weapon States parties to accept full-scope IAEA safeguards. It was unfortunate that suppliers who were parties to the Treaty continued to engage in nuclear trade and co-operate with non-parties with safeguard provisions which were less stringent than those required under the NPT. In such transactions it could be argued that preference in nuclear trade was being given to non-parties.

45. His country had very large reserves of natural uranium and was on the point of entering the international uranium market as a major supplier. In deciding policies to govern the export of uranium, his Government paid close attention to its obligations under articles III and IV of the NPT.

46. Accordingly, his Government had decided in 1977 that it would export uranium to non-nuclear-weapon States only if they were parties to the NPT. It had also decided that exports of uranium for peaceful purposes to nuclear-weapon States would be subject to undertakings that the uranium would not be diverted for military or explosive purposes and would be covered by IAEA safeguards.

47. Australia's policy concerning the export of uranium thus offered a tangible advantage - namely eligibility for access to Australian uranium - to non-nuclear-weapon States which were parties to the Treaty. That policy also offered an incentive to non-parties to accede to the Treaty. He believed that if the practices of all nuclear suppliers were similarly tailored to respect fully the provisions of the NPT, the NPT régime could be significantly enhanced. Australia also gave preference to NPT parties in the provision of nuclear technical assistance outside IAEA. Australia also supported the provision of technical assistance by IAEA and expected consensus on planning for increases in IAEA funds shortly.

48. Australia was concerned about the differences which had emerged over non-proliferation and co-operation in the peaceful use of nuclear energy. It understood concern by consumers for predictability in the application of non-proliferation conditions and was taking that into account in the negotiation and implementation of bilateral safeguards agreements. In the deliberations of INFCOC Working Group 3 on long-term nuclear supply assurances, Australia had canvassed the concept that common approaches initially expressed through the practices of States and bilateral agreements might eventually take the form of joint declarations, codes of conduct or multilaterally or internationally agreed instruments.

49. His delegation considered IAEA's decision to establish a Committee on Assurances of Supply as a positive development which would ensure the continuing international examination of supply assurance issues. Other important concepts and proposals were also under consideration; his Government in particular supported proposals being examined under IAEA auspices for international régimes for plutonium storage and spent fuel management. It also supported the general principle of international or multinational régimes for sensitive facilities.

50. His Government had supported measures which would have the effect of narrowing the distinctions and discrimination between two classes of States - nuclear-weapon and non-nuclear-weapon States. It welcomed the steps which the United Kingdom, the United States and France had taken to accept IAEA safeguards in their civil nuclear programmes and hoped that other nuclear-weapon States would follow suit. Australia considered that the important long-term goal of cessation of the production of fissile material for nuclear weapon purposes would, at an appropriate stage, have the effect of extending IAEA safeguards in nuclear-weapon States.
51. Lastly, he expressed the hope that the Conference would record frankly the difficulties it had encountered with the Treaty and agree on recommendations which would improve its effectiveness. All recognized that the spread of nuclear weapons would be contrary to the interests of the international community as a whole and those of its individual members. He said the outcome of the Conference should reflect a consensus which registered the fundamental importance of the Treaty.

52. Mr. LHO (Republic of Korea) said that the considerable increase in the number of States which had become party to the Treaty since the first Review Conference in 1975 gave cause for satisfaction. It was to be regretted, however, that certain States had failed to join the system for non-proliferation of nuclear weapons and peaceful uses of nuclear energy. He urged such States to accede to the Treaty at the earliest possible opportunity.

53. His Government had strictly observed the principles and purposes of the Treaty since its accession in 1975 and would continue to support the Treaty.

54. The issue of nuclear energy was not an option but an imperative for the Republic of Korea in attaining energy self-sufficiency. The soaring cost of oil and the uncertain supply position had forced his country to seek a substitute for oil to meet its energy requirements.

55. His delegation welcomed the effectiveness of current safeguard measures under the IAEA system. As the technology of safeguard measures advanced, the effectiveness of the system would improve until it gradually attained the necessary sophistication to ensure effective control of nuclear proliferation.

56. Notwithstanding the progress which had been made in the field of peaceful nuclear co-operation between developed and developing States parties to the Treaty since the first Review Conference, his delegation considered that greater emphasis should be laid on the promotion of civil nuclear co-operation and on the enhancement of mutual understanding and trust among States parties to the Treaty. The price of the nuclear weapon monopoly should be a more generous sharing of peaceful nuclear technology with non-nuclear-weapon States.

57. The Treaty system had to a large extent been successful in restraining the horizontal proliferation of nuclear arms. The slow pace of nuclear arms control and disarmament since 1975 was nevertheless disappointing. His delegation urged the parties most directly involved to accelerate their efforts to ensure vertical non-proliferation of nuclear weapons and, to that end, to endeavour to create an atmosphere conducive to peace and security throughout the world. The issue of nuclear non-proliferation must be considered in conjunction with the issue of security. So long as there was no world-wide security system, it would be simplistic to approach the question of security assurances in a manner which did not fully reflect the different situations of each country. Each country had its own unique security requirements and, depending upon the actual situation ruling in a particular region and area, arbitrary and indiscriminate imposition of so-called negative security assurances could turn into a negation of assurance.

58. It must not be forgotten that the final objective of the Treaty was the achievement of peace through nuclear arms control and disarmament. The non-proliferation of nuclear weapons was one essential means to that end. In order to achieve non-proliferation of nuclear weapons, an international environment must be created in which the security of all States was assured.
59. Mr. EILISCHDR (Switzerland) said that his Government had ratified the
Treaty notwithstanding objections raised during a difficult parliamentary debate.
Exception had been taken to the fact that, contrary to the principle of the
sovereign equality of States, the Treaty had created partners with unequal rights.
The fear had also been expressed that accession to the Treaty might place limits
on the peaceful uses of atomic energy. His Government had succeeded in
demonstrating that the non-proliferation of nuclear weapons was a matter of such
importance to the international community that those regrettable conditions must
be accepted. Moreover, certain Treaty provisions would lead to a more equitable
sharing of the rights and duties of all contracting parties. In particular, the
purpose of the Treaty was not to limit or hinder the peaceful uses of atomic
energy but, on the contrary, to encourage them.

60. His Government would continue to support any reasonable and appropriate
non-proliferation measures and to comply strictly with its obligations under the
Treaty.

61. The Treaty contained certain provisions intended to offset the element of
discrimination which it contained. In point of fact, it was not the rules which
were discriminatory but the manner in which they were implemented. In that
connection, developments in the areas of security and military policy, in the
peaceful uses of nuclear energy and in connection with the obligation relating
to international co-operation, had not matched the hopes of his Government. In
his delegation's view, the objectives set in those areas represented a fundamental
condition of the Treaty.

62. In the fields of security and military policy, it had to be recognized that
the guarantees contained in Security Council resolution 255 (1968) provided no
additional security in so far as the nuclear Powers had assumed no obligations
beyond those already contained in the Charter of the United Nations. On the
other hand, the nuclear Powers had made unilateral declarations in which they had
renounced the use or threat of use of nuclear arms against States which did not
possess such weapons. In the view of his Government, such declarations were
legally binding on those who made them. Unilateral commitment was well recognized
in international law and had been confirmed by the International Court of Justice
in the Nuclear Tests cases. It was nevertheless to be hoped that such commitments
would be strengthened and certain points in their text clarified. In that
connection, his Government welcomed the creation of an ad hoc working group on
security assurances by the Committee on Disarmament.

63. Since 1975 there had been no substantial results on the issue of ending the
nuclear arms race and on nuclear disarmament. In a strictly legal sense, it
might be said that the obligations contained in article VI of the Treaty had been
 complied with, in so far as negotiations on arms limitation and disarmament
 had taken place. At the political level, however, things were different in so far
 as success or failure in that area would have a decisive effect on the fate of the
 international non-proliferation system. There was no doubt that the existence
 of nuclear Powers and vertical proliferation by those Powers represented the best
 argument for a State that had decided to acquire nuclear weapons. Switzerland
 was fully aware of the complexity of the problems involved in limiting nuclear
 weapons and in nuclear disarmament, but nevertheless regretted the paucity of
 results achieved during the previous five years. His delegation found it
 particularly hard to understand why the comprehensive nuclear test ban treaty
 had not been concluded. It seemed, however, that a solution to the problem of
 verification might be found and his delegation hoped that negotiations on the
 matter would be completed in the near future.

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64. His Government was equally concerned by developments since the first Review Conference in the field of the peaceful uses of nuclear energy and international co-operation. A basic condition of Switzerland’s accession had been that, as a matter of right, it would continue research and production activities and explore the peaceful uses of atomic energy provided that such activities were monitored by IAEA. Switzerland had also assumed that the international co-operation which was essential to such activities would be facilitated and even broadened. Unfortunately, developments during recent years had been in the opposite direction. Efforts had been made to redefine the concept of proliferation in such a way that proliferation could be construed to have taken place as soon as a non-nuclear State had materials which could be used for the production of weapons, including highly enriched uranium or plutonium, even if it used them for research purposes or for the production of energy, both of which activities were authorized by the Treaty subject to monitoring by IAEA. Such a definition would inevitably entail an obligation to prevent a non-nuclear State from obtaining such materials either by withholding them or, in the case of suppliers of natural uranium, by imposing conditions which would make enrichment and the recovery of plutonium impossible. As a consequence, non-nuclear States had been deprived of so-called sensitive technologies and installations for enrichment and reprocessing. If that new interpretation of the concept of proliferation were to prevail, it would result in an entirely new treaty which a number of States party to the current Treaty could not sign.

65. Obstacles to international nuclear co-operation even between States party to the Treaty were increasing in number. States which had ratified the Treaty, including Switzerland, had been subjected to an embargo on nuclear exports from another State party although there had been no violation of obligations towards the exporting State. Moreover, certain States party to the Treaty had been delaying the issue of export authority for as long as two years in contrast to the situation during the first half of the 1970s when the delay had never exceeded a few weeks.

66. Certain questions of principle therefore arose. The International Nuclear Fuel Cycle Evaluation had confirmed that nuclear energy should make an essential contribution to solving the world’s energy problems. It was, therefore, quite unrealistic to suggest that the problem of proliferation could be controlled by placing restrictions on the peaceful uses of nuclear energy. It was possible that technological progress and the geographical spread of nuclear energy for peaceful purposes would increase the danger of nuclear weapon proliferation. The consequence could be that new technical and institutional measures for non-proliferation would be required. In seeking such new measures, however, it must be remembered that the sovereignty and equality of States applied in the field of nuclear energy and non-proliferation just as much as in other areas. Non-proliferation was primarily a political and not a technical problem. A non-proliferation system could be effective and durable only if it was based on the conviction of States that their interests were better safeguarded within the system than outside it. Such a goal could only be achieved by positive measures, in particular by improved international co-operation. A policy of coping with proliferation by pressure and restrictions would finally produce the opposite result. The will of States to participate in such a system would be undermined; nuclear independence would be encouraged and valuable non-proliferation instruments such as the Treaty and IAEA controls would be weakened. Non-proliferation must be made attractive to non-nuclear-weapon States and the nuclear-weapon States must therefore be prepared to pay the price by providing services to States which had renounced nuclear weapons.
67. Non-proliferation inevitably involved discrimination in military matters but not in the peaceful uses of nuclear energy. A non-proliferation policy which reserved certain technologies, essential to peaceful uses, for a small group of States or those equipped with nuclear weapons, was unacceptable. Moreover, it had to be recognized that a State which had decided to obtain nuclear weapons notwithstanding any non-proliferation system could achieve its objective from its own resources by paying a high price and in a longer period of time. Non-proliferation measures had the best chance of being respected in the long term if all interested States participated in their elaboration from the outset. Measures which were imposed unilaterally and which went beyond the level reached on a multilateral basis would lead to legal uncertainty which would ultimately be harmful to non-proliferation.

68. His Government continued to believe that the attainment of the goals of the treaty depended on the manner in which the provisions of articles IV and VI were applied. It reserved the right to submit proposals for the better implementation of article IV.

9. His delegation welcomed the adoption of the International Nuclear Fuel Cycle valuation consensus report. The Evaluation furnished Governments with a solid basis on which to evaluate and adjust their nuclear policies. The exercise had opened an international dialogue on the various non-political aspects of nuclear energy in a climate of mutual understanding. The next step was to establish a system of mutual trust at the political level by constructively seeking a common approach to non-proliferation guarantees and assurance of supply. The Evaluation had made it clear that no combination of measures designed to prevent buses was an adequate substitute for political action which would eliminate any raison for the construction of nuclear weapons.

3. States intending to develop nuclear energy had a substantial interest in ensuring continuity of supply of materials, services, equipment and technology through international undertakings and not compromising that interest by developing a nuclear explosive capability. The goals of nuclear energy development and the non-proliferation of nuclear weapons were not contradictory, provided that proliferation was eliminated from the area of the peaceful uses of nuclear energy, a better balance was struck between non-proliferation guarantees and supply guarantees on the basis of a general consensus and that the causes of tension between States and groups of States were eliminated, so that not only nuclear but conventional weapons became superfluous.

Notwithstanding its shortcomings, the Treaty remained the basis of international efforts to counter the proliferation of nuclear weapons. His Government welcomed an increase in the number of States parties since the first Review Conference and pleased to States, which had not yet done so, to accede to the Treaty. In order to attract more adherents, the Treaty must be made more attractive. Such action would improve the atmosphere of future discussions both inside and outside the Treaty on the basis of the final International Nuclear Fuel Cycle Evaluation ports.

The meeting rose at 5.55 p.m.
GENERAL DEBATE (agenda item 12) (continued)

1. Mr. SANI (Indonesia) said that the fact that over two-thirds of the States in the world had acceded to the Treaty on the Non-Proliferation of Nuclear Weapons proved the importance which the international community attached to it for strengthening international peace and security and promoting the peaceful uses of nuclear energy. Indonesia, which had signed the Treaty as early as 1970, had not ratified it until 1979 owing to the fact that an important part of Indonesian public opinion had considered that it discriminated against the non-nuclear-weapon States.

2. Reviewing the implementation of each of the articles of the Treaty, he expressed his satisfaction at the results obtained with regard to articles I and II, the purpose of which was to prevent horizontal proliferation of nuclear weapons. It was fair to say that the obligations laid down in those articles had been faithfully observed by all the States parties to the Treaty. It should, however, be remembered that, in the Final Document adopted by the General Assembly at its tenth special session, the special session devoted to disarmament, the need was stressed for: "effective measures [...] at the national level and through international agreements to minimize the danger of the proliferation of nuclear weapons without jeopardizing energy supplies or the development of nuclear energy for peaceful purposes. Therefore, the nuclear-weapon States and the non-nuclear-weapon States should jointly take further steps to develop an international consensus of ways and means, on a universal and non-discriminatory basis, to prevent the proliferation of nuclear weapons."

In that spirit, the Indonesian delegation fully supported all measures conducive to balanced obligations as between non-nuclear-weapon States and nuclear-weapon States.

3. With regard to article III of the Treaty, whereby non-nuclear-weapon States undertook to conclude safeguard agreements with IAEA, the Indonesian delegation recognized the importance of the function thus conferred upon the Agency, but it wished to stress another important function of the Agency: that of promoting technical assistance to non-nuclear-weapon States in the application of nuclear energy for peaceful purposes. Indonesia had already benefited from the activities of the Agency in that field, in particular in the form of training courses, fellowships, and so forth. His delegation also welcomed the technical and financial assistance which the Agency and a number of donor countries were extending to research projects launched in Asia and the Pacific under Regional Co-operative Agreements and adjusted to suit the development programmes of the participating countries. His delegation fully supported the idea of establishing other such regional centres. At the same time, it deplored the insufficiency of funds available to the Agency to help meet the needs of the developing countries in their endeavour to promote the use of nuclear energy for peaceful purposes and it called upon all States parties to the Treaty in a position to do so to contribute more generously to the Agency.

The Agency was also making a considerable contribution to the implementation of the objectives of article IV of the Treaty but the same was not true of the nuclear-weapon States parties to the Treaty, which had not adequately fulfilled their obligation to contribute to the further development of the applications of nuclear energy for peaceful purposes in the developing non-nuclear-weapon States. The Indonesian delegation appealed to the nuclear-weapon States to implement faithfully the provisions of that article.
5. As to article VI, the Indonesian delegation noted with regret that the nuclear weapon States parties to the Treaty continued to produce ever more sophisticated weapons systems with increasing destructive capability. In his statement at the opening meeting of the Conference, the Director-General of IAEA had referred to the possible existence at present of some 50,000 nuclear weapons, the combined explosive power of which was believed to be equal to that of more than one million bombs of the type dropped on Hiroshima, representing not less than three tons of TNT for every inhabitant of the globe.

6. It was regrettable that the current tripartite negotiations, to which the General Assembly had attached the highest priority, had so far failed to yield tangible results, although, according to the report on the status of those negotiations, agreement in principle had been reached in some areas. The Indonesian delegation would like the negotiating parties to agree to involve in their negotiations the Committee on Disarmament, which was the single multilateral negotiating body on the question of disarmament. Although the conclusion of a comprehensive test ban treaty would not constitute an arms reduction measure, it would symbolize the sincere desire of all nuclear-weapon States to seek effective control of nuclear weapons and would create an atmosphere conducive to concrete disarmament measures. Indonesia, like the other non-aligned countries interested in nuclear energy as a source of development and economic and social well-being, was vitally interested in nuclear disarmament, as well as in general and complete disarmament, which would make it possible to release substantial funds for use in meeting the needs of the developing countries.

7. Another matter of concern to the non-nuclear-weapon States parties to the Treaty was that, in renouncing the acquisition of nuclear weapons, their national interests and security should not be jeopardized. It was true that each of the nuclear-weapon States had made a unilateral declaration undertaking not to use nuclear weapons against any non-nuclear-weapon State party to the Treaty, but different conditions had been attached to the observance of each declaration. The Indonesian delegation felt that, for such a declaration to have binding force, it would have to be in the form of an international legal instrument. It should be one of the tasks of the Conference to seek a multilaterally agreed formula for such an instrument.

8. Turning to article VII of the Treaty, he said that Indonesia fully supported the right of any group of States to conclude regional treaties in order to assure the total absence of nuclear weapons in their respective territories. Initiatives of that kind could help to lessen regional tensions and avoid dangerous arms races among the States of the region. It was in that spirit that Indonesia had supported the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco), which was already in force for 22 countries of Latin America, and the creation of a Zone of Peace, Freedom and Neutrality envisaged by the ASEAN.

9. Although he recognized the importance of the objective of universal accession to the Treaty, he wished to point out that it was a hope that was more likely to materialize if the existing imbalances between the respective obligations of nuclear- and non-nuclear-weapon States parties to the Treaty could be remedied and if accession to the Treaty offered non-nuclear-weapon States definite benefits in the matter of access to nuclear technology for peaceful purposes.

10. He pointed out that many parts of the world were at present marked by grave tensions and armed conflicts, in which nuclear powers were directly or indirectly involved, and it would not be realistic to expect any effective progress towards disarmament so long as those conflicts had not been solved and an atmosphere of goodwill and mutual trust created. For that, all States must base their conduct on the principles of the Charter of the United Nations, namely respect for the territorial integrity of, to the three, and because: the Treaty on the to co-operate armed conflict, he pointed out that many parts of the world were at present marked by grave tensions and armed conflicts, in which nuclear powers were directly or indirectly involved, and it would not be realistic to expect any effective progress towards disarmament so long as those conflicts had not been solved and an atmosphere of goodwill and mutual trust created. For that, all States must base their conduct on the principles of the Charter of the United Nations, namely respect for the territorial integrity of, to the three, and because: the Treaty on the to co-operate armed conflicts...
integrity of other States, non-interference in their internal affairs, and non-recourse to the threat or use of force in international relations. It was in that spirit, and because it was convinced that such conduct would serve the objectives of the Treaty on the Non-Proliferation of Nuclear Weapons, that Indonesia would do its utmost to co-operate with other countries in the search for peaceful solutions of regional armed conflicts, especially in South-East Asia.

11. Mr. KORHONEN (Finland) said that his Government had consistently held the view that the Treaty on the Non-Proliferation of Nuclear Weapons was the single most important disarmament and international arms limitation measure achieved so far; the framework of political co-operation set up by the Treaty was a permanent feature of international relations and served the basic security interests of every country. The present Review Conference could greatly help to strengthen the Treaty by demonstrating the viability of the non-proliferation regime and encouraging a still wider adherence to it. The argument that non-nuclear-weapon States had failed to receive due compensation for renouncing the nuclear-weapon option through accession to the Treaty was not valid in view of the fact that those States, feeling their basic security interests threatened by any emergence of additional nuclear Powers, had been the first to call for a treaty. It must not be forgotten that while the Treaty had been carefully constructed to balance the rights and obligations of the parties, its one principal function was to prevent the spread of nuclear weapons.

12. With regard to the individual articles of the Treaty, members of the Conference could be as satisfied with the results obtained from articles I and II, which embodied the non-proliferation commitments, as they had been at the first Review Conference five years earlier. No transfer of nuclear weapons, direct or indirect, involving a party, had taken place. The reason for disappointment at recent developments indicating the spread of nuclear weapons did not lie in a failure to comply with those articles, but in the fact that the objective of universal accession to the Treaty had not been achieved. Although the number of States parties to the Treaty was increasing and no transfer of nuclear weapons had taken place, the mere notion that certain States had the capability of producing nuclear explosives coupled with the lack of binding assurances would be enough to destabilize the situation and endanger international peace and security. Such fears had moved the Nordic countries to submit to the General Assembly at its thirty-fourth session a memorandum (A/C.1/34/4) concerning possible proliferation of nuclear weapons in which they had pointed out the grave threat to the international community and the detrimental effects on efforts to promote the peaceful uses of nuclear energy.

13. With regard to article VI, he regretted the lack of progress in the area of nuclear disarmament. The nuclear arms race was continuing both qualitatively and quantitatively and nuclear weapon stockpiles were definitely larger than five years earlier. It could be argued that they might have been even larger without the SALT II negotiations, but the force of that argument was limited, and his Government considered that both parties should observe the provisions of SALT II pending its entry into force and should continue their efforts to achieve quantitative and qualitative limitations of nuclear weapons.

14. His Government could not but express its disappointment, too, at the results of other priority items of disarmament negotiation. It was a matter of serious concern that the negotiations on a comprehensive nuclear test ban had not produced agreement and that the nuclear-weapon States were continuing their test explosions, although the report to the Committee on Disarmament on the status of the tripartite negotiations was somewhat encouraging.
15. His Government considered that as far as nuclear weapons were concerned, the most urgent measures were the ratification of SALT II, the opening of negotiations on subsequent qualitative and quantitative limitations of strategic nuclear weapons, the conclusion of a comprehensive test ban treaty, and the start of negotiations on effective limitation and reduction of all kinds of nuclear weapons including those deployed in, or aimed at, Europe.

16. The regional approach was an essential ingredient of the non-proliferation strategy, opening up a promising prospect for the promotion of arms-control objectives. The Treaty of Tlatelolco provided testimony in that respect.

17. Although the security assurances provided for in Security Council resolution 255 (1968) remained in effect, it was a fact that the vast majority of non-nuclear-weapon States considered that those assurances should be supplemented and strengthened, particularly for nuclear-weapon-free zones. The Committee on Disarmament was currently engaged in an effort to translate into effective security assurances the unilateral commitments of the nuclear-weapon States not to use nuclear weapons against non-nuclear-weapon States, and the Conference could and should make a useful contribution to that process.

18. Noting that the share of nuclear power in meeting world energy needs was growing, he stressed the need for effective international measures for implementing more fully the provisions of article IV, paragraph 2, particularly with respect to the developing countries, which badly needed technology, equipment and nuclear material. More resources and funds had to be made available to States which were about to embark on nuclear energy programmes or which needed services for other nuclear technologies. He commended IAEA for its valuable technical assistance in that field and hoped that it could be even more generous in the future.

19. However, the question of peaceful uses of nuclear energy and that of potential proliferation of nuclear weapons should be viewed and discussed as closely interrelated issues since, in the absence of effective restraints, the acquisition of peaceful nuclear capacity might lead to the manufacture of nuclear explosives; the spread of certain technologies relating to particularly sensitive parts of the nuclear fuel cycle, in particular enrichment and reprocessing, added a qualitatively new dimension to that risk. The International Nuclear Fuel Cycle Evaluation, in which his country had taken an active part, had played a useful role in providing an insight into the problems of the promotion of international co-operation in the field of nuclear energy consistent with the objectives of non-proliferation. Much remained to be done, however, and efforts must be pursued with the active participation of IAEA, in particular as concerned international plutonium storage, international fuel management and arrangements for appropriate fuel supply assurances.

20. Viewing non-proliferation and the wider use of nuclear energy as complementary rather than contradictory aims, his country had submitted to the Board of Governors of IAEA in 1976 a scheme for strengthening the Agency's safeguards which had been embodied in General Assembly resolution 31/189 D, of 21 December 1976. In 1977, Finland had initiated General Assembly resolution 32/87 F, of 12 December 1977, which provided for a number of measures for developing co-operation in nuclear technology without prejudice to the non-proliferation régime.

21. The safeguards system provided for by article III of the Non-Proliferation Treaty had the exclusive purpose of verifying fulfillment of the obligations assumed under the Treaty and in no way hampered the peaceful uses of nuclear energy nor international co-operation in that field. The fact that nuclear equipment and material continued to be available without safeguards to States not parties to the Treaty could be a legitimate concern of States parties other than that of recommending that supply States observe the régime and equipment acceptance and co-operation eliminated. Acceptance of application of safeguards was satisfactory and unhindered by any circumstances.

22. Mr. KOCZI highlighted the importance of international forces to play an active role in disarmament. At the request of the Hungarian P. V. Treaty, and the Union of Soviet Socialist Republics, the latter would have been a more forceful way to press for non-proliferation.

23. It was important to note that Hungary had not yet signed the relevant treaty on nuclear weapons, and that the chances of success of the new nuclear weapon-free zones should be assessed carefully.

24. On the other hand, Mr. FRIEDMAN of the Middle East of nuclear weapons should be carefully considered, with the aim of ensuring that chances of proliferation were not increased.

25. With articles in the agreement nuclear weapons could be deployed in, or aimed at, Europe.
the U.S. arms sales on those
objectives,
ity of mentioned on security se nuclear would make a
was growing more fully developing; More embark technologies hoped that
potential interrelated peaceful spread nuclear fuel new dimension its country t into the nuclear energy done however, particular as gement and
reliance Tribunal had been in 1977, which technology
eration Treaty used under international continued could be a

legitimate cause for concern. It was regrettable that, as concerned nuclear supply, States parties to the Treaty were in actual fact in a position less advantageous than that of non-parties. However, some progress had been made in implementing the recommendation in the Final Declaration of the first Review Conference that common export requirements relating to safeguards should be strengthened. The main nuclear supply States had agreed on common export policies which his Government supported. But the régime would remain incomplete as long as all supplies of nuclear material and equipment to non-nuclear-weapon States were not made conditional on the acceptance of full-scope safeguards. As things stood, the fear that nuclear co-operation would indirectly encourage the spread of nuclear weapons could not be eliminated. Only accession of all States to the Treaty, or, at the very least, acceptance by all States not parties to the Treaty of other arrangements involving the application of safeguards to all their peaceful nuclear activities would provide satisfactory assurances against the dangers of proliferation and guarantee all States unhindered and non-discriminatory access to the peaceful benefits of nuclear energy.

22. Mr. HOLLAI (Hungary) said that the second Review Conference was of particular significance in the context of the current situation, which was marked by an increase in international tensions and which called for a determined effort by all peace-loving forces to reverse dangerous trends. The Conference could and should play an important role in drawing up the balance sheet of the Treaty's results over the preceding five years. At the first Review Conference, his delegation had emphasized that the Hungarian People's Republic attached special importance to the Non-Proliferation Treaty, and it continued to consider the Treaty one of the most important international documents contributing to peace and security. The Treaty facilitated the attainment of one of the most pressing tasks of the time, that of preventing the spread of nuclear weapons, reducing the danger of nuclear war and strengthening the security of all peoples and all States.

23. It could in general be said that during the first decade of its operation, the Treaty had proved to be a useful instrument of arms control and international law, and that it had had a beneficial effect on international relations. The increasing number of countries acceding to the Treaty showed that it was widely accepted by the international community. Nevertheless, it was regrettable that almost one third of the States Members of the United Nations, among them two nuclear-weapon States, had not yet acceded. The unilateral commitment undertaken by France, to abide by the provisions of the Non-Proliferation Treaty, which was confirmed in the joint Soviet-French declaration on nuclear non-proliferation, was to be welcomed, but it would have an even greater beneficial effect on arms control if it took the form of a more formal commitment and if other States followed such an example.

24. On the other hand, the attempts by China to undermine the non-proliferation régime could only be deplored, and it was disquieting that some so-called "near nuclear" countries were situated in neuralgic regions of the world such as the Middle East and southern Africa, where tensions and conflicts posed a constant threat of nuclear catastrophe. His delegation therefore considered that the first objective should be universal accession to the Treaty, which would constitute real insurance against the proliferation of nuclear weapons and would considerably increase the chances of unhindered co-operation in the peaceful uses of nuclear energy.

25. With regard to the Treaty's operation, he noted, first, that the provisions of articles I and II had been properly implemented and that no complaints or formal accusations of violation had been made. However, the ever-growing arsenal of nuclear weapons deployed on the territory of certain NATO States in close proximity to Hungary was very disturbing.
26. The peaceful uses of nuclear energy inevitably entailed a risk of certain elements being diverted for military purposes. For that reason his Government attached very great importance to the safeguards system operated by IAEA, and it had been one of the first to conclude the required agreement with the Agency. The Agency's reports provided reasonable assurance that there had been no diversion of nuclear material to military or unknown uses in installations subject to the safeguards régime. The Agency should be congratulated on the meticulous and dedicated manner in which it had done its work in that field.

27. In connection with article III, the conclusion of the Convention on the Physical Protection of Nuclear Materials, which his country had signed in June 1980, was to be welcomed and its implementation would undoubtedly strengthen the non-proliferation régime.

28. His delegation was convinced that the implementation of Agency safeguards by no means hindered but rather facilitated the use of nuclear energy for peaceful purposes inter alia by standardizing the conditions of international transfers of nuclear material. Mankind was already in the nuclear age, with some 200 nuclear power stations already in operation and many more to be commissioned in the coming years, and in Hungary, where its first nuclear power station was still under construction, the application of radioactivity and isotopes for medical purposes had been in use for over 25 years. His country had long shared its knowledge and experience in the nuclear field with other countries.

29. Hungary's National Assembly had recently adopted an Act on Nuclear Energy, which in every way conformed to the commitments entered into under the Non-Proliferation Treaty and other international agreements. The Act declared that nuclear energy was to be used exclusively for peaceful purposes; it forbade its use for the manufacture of weapons or other means of mass destruction; and it confirmed his country's commitment to all efforts aimed at promoting the earliest possible cessation of the nuclear arms race and nuclear disarmament. The Act's provisions were sufficiently flexible to facilitate nuclear development but were very strict on the subject of safety regulations, health care and the protection of the environment.

30. While there could be some measure of satisfaction that during the first decade of the Treaty's operation there had been no need to apply the security guarantees given by the depositary Governments and confirmed in Security Council resolution 255 (1965), Hungary fully supported the aspirations of peoples and their Governments for greater security. For that reason, it welcomed in particular the initiative taken by the Soviet Union at the tenth special session of the General Assembly, its special session on disarmament, and the draft convention submitted to the General Assembly at its thirty-third session. The draft convention (A/33/241, Annex) was a well-balanced text, under which nuclear-weapon States parties to it would undertake not to use or threaten to use nuclear weapons against non-nuclear States, while the non-nuclear States would undertake to maintain and preserve their non-nuclear status. In the belief that the adoption of that draft convention could only strengthen the non-proliferation régime, his delegation strongly urged all participants in the Conference to support it; it considered, furthermore, that the Final Document of the Conference should properly reflect the fact that the Soviet Union had declared its readiness to conclude agreements to that effect, as Mr. Brezhnev had reaffirmed in his message to the Conference (see NPT/CONF.II/10).

31. With regard to the implementation of article VI, his delegation believed that the only way to stop nuclear proliferation was prohibition of the manufacture of nuclear weapons, a total and general ban on tests of such weapons, and the reduction and ultimately destruction of all nuclear-weapon stockpiles. An interesting proposal in that dire Committee on negotiations be no half- effective if

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33. Mr. AT the Treaty observed the acquire nu been then, States Memb had acceded 1975 was a delegation of the three access to t acts of com particularl the capability. Moreover, it had become part development had in a progress development.

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in that direction had been submitted by the socialist countries' delegations to the Committee on Disarmament (CD/4), which might serve as a proper forum for such negotiations. In that context, his delegation wished to emphasize that there could be no half-measures in nuclear disarmament, and the measures adopted could only be effective if all the nuclear-weapon Powers became parties to them.

32. On the subject of a possible comprehensive nuclear test ban treaty, his delegation welcomed the Tripartite Report (NPT/CONF.II/13) submitted to the Committee on Disarmament, and in particular the determination expressed by the parties to bring their negotiations to a successful conclusion. His and other peace-loving countries had taken many initiatives and made great efforts towards those objectives, as was evidenced by the declaration recently issued by the Political Consultative Committee of the States parties to the Warsaw Treaty. The task of the Conference was to give its full support to the Treaty, to do its utmost to see that the Treaty was universally recognized, and by every possible means to make the non-proliferation régime more effective and more reliable, so as to avert the danger of nuclear war, preserve the peace and strengthen international security.

33. Mr. ADENIJI (Nigeria), after noting that there were now 113 States parties to the Treaty on the Non-Proliferation of Nuclear Weapons, as against some 80 in 1975, observed that if the potential of each non-nuclear-weapon State party in 1975 to acquire nuclear-weapon capability were roughly the same at the present time as it had been then, one could take comfort in the fact that in five years about half the States Members of the United Nations which had not been parties to the Treaty in 1975 had acceded. Nevertheless, the pace at which countries had joined the Treaty since 1975 was almost in inverse proportion to their proliferation potential. The Nigerian delegation noted with concern that the motivation for self-preservation in the face of the threat of annihilation by nuclear weapons, which had inspired countries to accede to the Treaty, was now more dubious than in 1975. That was due in part to acts of commission and omission by nuclear-weapon States parties to the Treaty and particularly to the fact that a growing number of States not parties to the Treaty had the capability to manufacture nuclear weapons or were on the threshold of acquiring it. Moreover, as IAEA had pointed out, although 25 non-nuclear-weapon States had become parties to the Treaty since the 1975 Review Conference, the most significant development was that 10 non-nuclear-weapon States which had not acceded to the Treaty operated significant nuclear facilities and in three of them unsafeguarded plants were in a position to produce weapons-grade materials. One of the latter, South Africa, had in addition twice manifested the intention to utilize those materials for weapons development.

34. It seemed most probable to the Nigerian delegation that the majority of the threshold States not parties to the Treaty had no intention of acceding to it. That was the most serious gap in implementation of the Treaty, and it seemed likely to become even wider during the 1980s. For, in addition to the countries which, like South Africa, consciously chose to develop nuclear weapons, there were others which might be forced to react in defence of their sovereignty or to maintain a regional balance. India and Pakistan were a case in point. Even more worrying were the possible reactions in countries of the Middle East to Israel's continuing programme or of African States to the continued build-up of South Africa's nuclear capability.

35. The Conference must, then, take forward-looking decisions to meet the challenges of the 1980s in the non-proliferation field, but it would be unrealistic to hope that the threshold countries would be persuaded to become parties to the Treaty. In that connection, it was a revealing fact that the Final Document of the tenth special session of the General Assembly, its special session on disarmament, mentioned the Treaty only once, in what was a rather critical manner. While it was to be hoped that further countries would accede to the Treaty, the gap created by the position of Principle taken against the Treaty by some non-nuclear-weapon States with significant
nuclear programmes should be filled by the urgent conclusion of a complementary international instrument which would be more egalitarian than the Non-Proliferation Treaty and not open to the same criticisms. He had in mind a comprehensive nuclear test ban treaty, confirming an obligation of perpetual duration to be assumed, first, by all nuclear-weapon States in fulfilment of their undertakings under article VI of the Non-Proliferation Treaty, thereafter by the non-nuclear-weapon States, and especially the threshold States, not parties to that Treaty, and, finally, as a further evidence of their good faith and commitment to non-proliferation, by the non-nuclear-weapon States parties to the Non-Proliferation Treaty.

36. The fact that the trilateral negotiations of the Treaty's Depositary States had not yet been concluded should not serve as an excuse for delaying the opening of multilateral negotiations on a comprehensive test ban treaty such as would permit its participation of the two other nuclear Powers and the threshold States, whose adherence would be vital to the treaty's effectiveness. The Depositary States should be urged to recognize the Committee on Disarmament as the single multilateral forum in a position to negotiate the new treaty - a task it could undertake at the beginning of its 1981 session. In addition, the Depositary States should be directed to conclude their trilateral negotiations and make the results available to the Committee on Disarmament before the end of that session, and they should be urged to ensure that a new treaty was concluded before the General Assembly held another special session on disarmament as provided for in the Programme of Action for the Second Disarmament Decade.

37. It was disappointing to find that, since the first Review Conference, all the elements of article VI of the Non-Proliferation Treaty had remained unfulfilled and that, far from ceasing, the nuclear-arms race had speeded up, making the danger of a nuclear war even more real. SALT II offered a glimmer of hope, but it had not yet entered into force. Therefore, the second Review Conference should appeal to the parties concerned to ratify those agreements urgently and to commence negotiations leading to a real and significant reduction of strategic nuclear weapons.

38. The Conference should also refer to the passages of the Programme of Action adopted at the tenth special session of the General Assembly, its special session on disarmament, and should urge the nuclear-weapon States to start negotiations as soon as possible in the Committee on Disarmament. The final declaration should also refer to the comprehensive disarmament programme currently being drawn up by that Committee for adoption by the General Assembly at its next special session on disarmament. The Conference should call on all States parties to the Treaty, particularly the nuclear-weapon States, to ensure that that programme served as an appropriate framework for negotiations leading at an early date to general and complete disarmament under effective international control.

39. The security assurances offered by the Non-Proliferation Treaty to States parties were in general linked in their minds to the situation in their regions. However, although article VII of the Treaty, the Final Declaration of the first Review Conference and the Final Document of the tenth special session of the General Assembly, its special session on disarmament, all recognized the importance of nuclear-weapon-free zones and encouraged their establishment, it had not been possible to establish such a zone in Africa in spite of the desire of the States members of OAU to demilitarize the whole of the continent. The main obstacle had been the race to nuclear-weapon capability engaged in by the apartheid régime of South Africa, which had decided to threaten opponents of its criminal policies with nuclear blackmail. He noted with consternation that some States parties to the Treaty, both nuclear-weapon and non-nuclear-weapon States, were continuing to export nuclear equipment and technology to South Africa. At the World Conference for Action against Apartheid held at Lagos in 1977 and at the United Nations Seminar on Nuclear Collaboration with South Africa held in London in 1979, overwhelming evidence was adduced that the South African régime was diverting help supposedly for a civilian programme to military purposes.

40. Effective weapons would have, unfortunately, to make much parties to the Treaty entitled to possess them. In a connection, it is a political spirit of the United Nations that all parties to the Treaty must make efforts to reduce the danger of nuclear war.

41. The purposes we facilitate had mainly of nuclear-Suppliers' programmes not one of developing lack of assistance. It would be designed to develop a political acceptance to conclude the United Nations actions against nuclear proliferation.
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programme to military purposes, but the calls to put an end to all collaboration Hith
South Africa had been largely ignored, for econcmic or political reasons. In 1977,
the Pretoria regillle had installed equiplllent in the Kalehari desert for conducting
a nuclear-Heapon test. A T]nited States satellite had picked up an explosion in 1979
and the subsequent doul,ts being expressed about it 'fere probably due to the _slllall
size of the explosion - less than four kilotons. There 'tIas? hOVl6ver, no reason to
doubt the Hill or capacity of South Africa to conduct such a test. Nohrithstanding
the statelllent of the French Premier to the contrary, the plutoniUlll produced by the
Koeberg reactors sold by France to South Africa, together Hith the lllaterial produced
by the plant at Valindaba, ,rould provide South Africa >lith abundant >leapon-grade
material. The role played by certain non-nuclear-;Jeapon States parties to the Treaty
called into question their observance of article I of the Treaty; for, through the
activities of commercial companies and under the cover of co-operation in research,
those countries had made possible South Africa's nuclear breakthrough. The present
Conference should, then, clarify the obligations of non-nuolear-weapon States parties
to the Treaty \.,rhich exported nuclear materia.ls 9 equipment and technology. In any
case, under article III of the Treaty, it should call upon all States, '-Ihether
possessing nuclear ,reapons or not, to cut off contracts \-lith South Africa in the
nuclear field until that country's programme had been subjected to full-scope safeguards
vIi th the consequent assurance of non-diversion for \'Ieapons purposes. In that
connection, it should not be forgotten that the Security Council had imposed an embargo
on arms deliveries to South Africa.
40. Effective sequrity assurances against the use or threat of use of nuclear
i.,reapons vTOuld encourage more African States to become parties to the Treaty. It
had, unfortunately, been impossible for the Ad Hoc Vlorking Group on Security Assurances
to make muoh progress in its viOrk on the nature and scope of such assurances? but the
parties to the Treaty that had renounced the acquisition of nuclear i>leapons Vlere
enti tIed to receive credible and binding assurances from the nucleal:-\.,reapon States
parties. Inasmuch as the unilateral declarations they had made at the tenth special
session of the General Assembly \-rere inadequate in that respect? it \-ras essential to
conclude the addi tional protocol proposed at the first Revie\.,r Conference 9 vThich
required only the political "ill of the nuclear-"eapon States parties to the Treaty
a political '"ill "hich they could not continue to 1<i thhold ,Ii thout contravening the
spirit of the Treaty.
41. The provisions of artiole IV affirming the inalienable right of all the parties
to the Treaty to develop research, production and \lse of nuclear energy for peaceful
purposes >lere still as little respected in practice as in 1975. Rather than
facilitating access to nuclear equipment, material and technology~ the Treaty terms
had mainly been used to penalize certain States parties. The national legislation
of nuclear-weapon Sta.tes parties and the requirements laid dO"ltffi by the London
Suppliers' Club had had the effect of placing additional restrictions on the
programmes of developing countries parties to the Treaty. It vIaS significant that
not one of the 235 nuclear pOHer plants in operation tJo-roughout the Horld ,ras in a
developing country party to the Treaty - mainly because of the initial cost and the
lack of assurance of long-terlll supply of materials and equipment. Only a fe"
developing countries parties to the rrrea ty had been able to embark on programmes
designed to satisfy some of their energy requirements through nuclear pm-ler
Acceptance of IAEA safeguards I-,as not the problem, since the parties had undertaken
to conclude full-scope safeguards agreelllents "ith the Agency under article III; ,·rhat
1-laS at issue \-laS accessibility to nucleaI' equipment, material and technology and the
concrete application of the decision of the first Reyie", Conference to increase
assistance in the field of peaceful uses of nuclear energ,f to the developing countries
parties to the Treaty through bilateral and multilateral channels.
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42. In conclusion, he emphasized that the Conference should not only seek to strengthen the Non-Proliferation Treaty but should also take the necessary steps to strengthen the regime of non-proliferation without jeopardizing the development of nuclear energy for peaceful purposes; in doing so it should avoid recriminations but should not hesitate to take bold decisions.

43. Mr. McPhail (Canada) welcomed the fact that the Non-Proliferation Treaty had so far served the cause of international peace and security and had helped to further co-operation in the peaceful uses of nuclear energy. With its associated system of safeguards, the Treaty was a basic instrument against the proliferation, both vertical and horizontal, of nuclear weapons. There were nevertheless some important States which had still not acceded to it, and the dangers and risks of nuclear proliferation were greater than ever before. Admittedly, the Treaty had not helped to encourage nuclear-weapon States to limit or reduce their nuclear forces and halt nuclear-weapon testing, and had not discouraged States non-parties from developing nuclear explosive devices.

44. Some progress had nevertheless been made since the 1975 Review Conference: negotiations on the formulation of a nuclear test ban treaty were well advanced, and the USSR and the United States had signed SALT II. That, however, was not enough, since steps towards actual nuclear disarmament were imperative. He reminded the Conference of the measures proposed for that purpose by the Prime Minister of Canada at the tenth special session of the General Assembly, its special session on disarmament held in 1978: a comprehensive nuclear test ban to impede the further development of nuclear explosive devices; an agreement to stop the flight testing of all new strategic delivery vehicles; an agreement to prohibit all production of fissionable material for weapon purposes; and an agreement to limit and progressively reduce spending on new strategic nuclear-weapon systems.

45. The Treaty contained provisions to further the peaceful uses of nuclear energy; that energy had, in fact, been used to an increasing extent in recent years for the production of electricity. International co-operation in that field had expanded, with due consideration for the needs of the developing areas of the world. Supplier countries must satisfy themselves, however, that their nuclear exports would not in any way contribute to the proliferation of nuclear weapons. As a major exporter of nuclear material and technology, Canada co-operated with both developed and developing countries. It required its non-nuclear weapon partners to make a binding commitment to non-proliferation and to accept international safeguards on all of their nuclear activities, current or future, indigenous or imported. In other words, those partners must either become parties to the Treaty or must conclude a safeguards agreement such as the one between Colombia and IAEA pursuant to the Treaty of Tlatelolco. In view of the complexity of nuclear programmes and the widening use of more advanced technologies, only that requirement could provide the necessary assurance against the covert diversion of nuclear activities from peaceful to military purposes. With reference to the conditions imposed by supplier countries of nuclear material and technology on their Treaty partners, he said he was convinced that such conditions were justified, since any party could withdraw from the Treaty on three months' notice and it was essential to exercise some control over re-transfer of nuclear material from a State party to a State non-party, and to minimize the risks of proliferation inherent in enrichment and reprocessing technologies.

46. His delegation hoped that, in its final document, the Conference would reaffirm the commitment of nuclear-weapon States parties to the Treaty to nuclear disarmament, and would urge those States to continue to explore the possibility of providing more effective security assurances to non-nuclear-weapon States while giving due recognition to the unilateral negative security assurances given by each of the nuclear-weapon States.
47. Mrs. THORSSON (Sweden) observed that the second Review Conference was of particular importance, taking place as it was in a climate of international tension which had caused a setback to détente, while disarmament efforts were marking time. The Soviet Union had begun to deploy new medium-range nuclear missiles targeted on Western Europe; NATO had recently decided to follow suit and install new missiles in Western Europe capable of reaching the Soviet Union; the United States of America had postponed ratification of SALT II; China had tested a new long-range nuclear missile; France was contemplating the introduction of the neutron bomb; and the United Kingdom had decided to boost its nuclear defence. Furthermore, despite the economic recession military budgets were on the increase; the great Powers had done nothing to strengthen the non-proliferation régime; a number of States appeared to be on the verge of acquiring nuclear weapons, and some were suspected of having them already. Pessimism was the fashion, but the Conference must not be discouraged; it must strengthen the Treaty and take the first steps towards genuine nuclear disarmament.

48. Her delegation welcomed the new accessions to the Treaty since the first Conference in 1975. It was essential, however, to make the Treaty fully universal. To attain that objective, assurances by the nuclear-weapon States against nuclear attack or threat were vital. Her Government welcomed the unilateral assurances given by the five nuclear-weapon States, although, unfortunately, they showed important disparities.

49. The implementation of the Treaty left much to be desired, particularly as concerned the provisions of article VI. It was absolutely essential for the Conference to call unequivocally on the nuclear-weapon States, particularly the two Superpowers, both of which were Depositary States, to respect it fully.

50. Furthermore, a comprehensive ban on all nuclear test explosions would contribute not only to nuclear arms limitation, but also to nuclear non-proliferation. The time had come to make successful efforts in that field and dispel disappointment and bitterness.

51. Another important theme of the Conference was international co-operation in the peaceful use of nuclear energy, particularly as concerned assurances of nuclear fuel supply consistent with the principle of non-proliferation. Such co-operation might be based on the results of the International Nuclear Fuel Cycle Evaluation, which had highlighted the economic and non-proliferation advantages of internationalizing certain new nuclear fuel cycle facilities – advantages to which the Swedish delegation had drawn attention in the Conference of the Committee on Disarmament in 1974 and at the 1975 Review Conference. It should also be based on national and international efforts to prevent the use of nuclear energy for military purposes and, in that context, should take into account political and institutional measures designed to ensure that programmes for research, development and use of nuclear energy were not used for making nuclear explosives. In that connection, her delegation welcomed the establishment by the IAEA Board of Governors of the Committee on Assurances of Supply, and the work carried out in the IAEA on international storage of plutonium, which would help to promote non-proliferation, security of supply and internationalization of certain new fuel cycle facilities. Sweden's nuclear energy programme greatly depended on the supply of fuel and services from other countries, since, for technical, economic and political reasons, Sweden had chosen not to develop all parts of the nuclear fuel cycle.
52. The Treaty assigned a prominent role to IAEA safeguards, which should be kept under constant review, and also addressed the question of safeguards in connection with nuclear exports. Her delegation sincerely shared the hope of other delegations that the Conference would agree that full-scope safeguards should be required for exports to States non-parties to the Treaty. That would help eliminate unnecessarily discriminatory measures against States parties and provide a stronger and more logical interpretation of article III, paragraph 2 of the Treaty.

53. Technical developments in nuclear energy and in safeguard techniques must be taken fully into account. Priority must be given to safeguarding nuclear fuel cycle facilities which were susceptible to nuclear materials diversion. Her delegation therefore welcomed the fact that the United Kingdom and the United States of America had agreed that their non-military facilities would be subject to IAEA safeguards, and hoped that all nuclear-weapon States would shortly follow that example.

54. In her delegation's view, the Conference should promote a new start in efforts for nuclear non-proliferation and nuclear disarmament.

The meeting rose at 1:15 p.m.
GENERAL DEBATE (agenda item 12) (continued)

1. Mr. ROBERTS (New Zealand) said that the Treaty on the Non-Proliferation of Nuclear Weapons had created specific obligations for particular groups of States.
In return for the surrender by the non-nuclear-weapon States of the nuclear-weapon option, real and demanding obligations had been imposed on the nuclear-weapon States and on the nuclear-supplier States.

2. Article VI obliged all parties to pursue negotiations in good faith on effective measures relating to the early cessation of the nuclear arms race and to nuclear disarmament. That responsibility lay directly with the nuclear-weapon States, which had shown undue tardiness in taking effective action to limit their nuclear arsenals and to ban nuclear testing in all environments. SALT II remained unratified; a comprehensive test ban treaty had not yet been concluded; and the proposal calling for the cessation of production of fissionable materials for nuclear weapons had advanced no further than the discussion stage. The most valid tests of progress regarding the fulfilment of those obligations were: whether there were fewer nuclear weapons in existence than there had been in 1970; whether there had been any halt in the refinement and sophistication of nuclear weapons; and whether there had been any significant abatement in nuclear-weapon testing since the Treaty had entered into force. The answer on all three points was in the negative. In 1979 there had been 53 nuclear explosions by nuclear-weapon States against 34 in 1975, due mainly to the nuclear activities of one of the Depositary States. If greater progress towards actual nuclear disarmament was not achieved soon, the very future of the Treaty would be at risk.

3. His delegation had consistently urged that the conclusion of a comprehensive test ban treaty was a vital first step in reversing the uncontrolled development and proliferation of nuclear weapons. It had welcomed the strong political commitment to completing a comprehensive test ban which had been expressed by the three Depositary States in the latest Tripartite Report to the Committee on Disarmament (NPT/CONF.II/13) but was disturbed to learn that, even at the current late stage, there were important areas where important work was still to be done. His delegation believed that the Review Conference must request a commitment from the nuclear-weapon States party to the Treaty that they would seek to conclude a comprehensive test ban treaty urgently and that they would enhance the effectiveness of their joint negotiations by specifying a target date to which they would endeavour to work. He agreed with the Director General of IAEA that, in the long run, the non-proliferation régime could only survive on the tripod of the Treaty, effective international safeguards and a comprehensive nuclear test ban treaty; the vital third leg was still missing as it had been five years earlier.

4. His delegation believed that the Conference should support the establishment of an open-ended working group, under the auspices of the Committee on Disarmament, to address the institutional and administrative steps necessary for establishing and operating an international seismic monitoring network and an effective verification system. Work in that crucial area of verification should not be delayed until after a comprehensive test ban treaty had come into force.
Mr. ROBERTS (New Zealand) said that the Treaty on the Non-Proliferation of Nuclear Weapons had created specific obligations for particular groups of States. In return for the surrender by the non-nuclear-weapon States of the nuclear-weapon option, real and demanding obligations had been imposed on the nuclear-weapon States and on the nuclear-supplier States.

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5. He supported those delegations which had advocated that the Conference should urge the United States of America and the Soviet Union, in the strongest possible terms, to ratify SALT II and to commence prompt negotiations for SALT III. Unless the nuclear-weapon Powers gave guarantees that they were prepared to fulfil their part of the article VI bargain, the pervasive suspicion which had already led some nations to increase their armaments would gain ascendancy and would inevitably result in increased tension and conflict.

6. The commitments under article IV assumed by both nuclear-weapon States and other suppliers of nuclear fuel, equipment and technology, to promote co-operation in the peaceful uses of nuclear energy, were also very important. Many States, in particular the developing countries, felt strongly that the supplier countries were operating as a cartel to impose untenable restrictions on the export of nuclear commodities and that those restrictions had been designed more to protect the commercial interests of those States than to promote non-proliferation objectives. Many developing countries consequently felt, not only that their sovereignty was affected, but that the development of their peaceful nuclear energy programmes was being unreasonably hampered by the policy of the supplier States. Differences between the opposing points of view on that matter could not be papered over and mutually acceptable solutions must be found. The answer might be found in the internationalization of the sensitive parts of the nuclear fuel cycle and in the nuclear-supplier States giving markedly preferential treatment to non-nuclear-weapon States party to the Treaty or to those non-parties that had concluded safeguard arrangements on all their nuclear activities with IAEA. His delegation would not however wish to see the Treaty rewritten to become a charter for the promotion of the peaceful uses of nuclear energy. The primary objective must remain that of averting proliferation of nuclear weapons.

7. The nod of the question of security assurances had been the reluctance of the nuclear-weapon States to enhance the status of the unilateral policy statements regarding the non-use of nuclear weapons made at the United Nations special session on disarmament. The Conference would have to consider two aspects of negative security guarantees: the conditions for providing such assurances and the form in which they would be given. As regards the conditions for such assurances, his Government considered that, as a minimum, the beneficiaries should be parties to the Treaty or to an equivalent treaty, such as the Treaty of Tlatelolco, and should have negotiated a safeguard agreement with IAEA. The problem of the form in which the assurances should be given was more complicated. The status of the assurances given to date should be enhanced and a binding formulation agreed upon. New Zealand was not in principle opposed either to an international instrument or to a Security Council resolution if in fact some kind of common formula could be found. He was confident that the Review Conference could play a useful role in finding a common denominator.

8. While progress on some aspects of the Treaty had been disappointingly slow, advances had been made, notably in the adherence to the Treaty of 27 additional States since 1975. The presence among those additional States of several countries with extensive nuclear facilities and programmes was especially welcome. It was to be hoped that other countries with similar facilities would be encouraged to join the Treaty. It should be the purpose of the Conference to ensure that the Treaty emerged with the non-proliferation regime strengthened in such a way that it would provide incentives to those which were parties to stay bound by it and, to those which were not yet parties to adhere to it. Such a result could be achieved only through a final declaration arrived at by consensus and representing the highest collective will of all representatives at the Conference.
9. Mr. el KITAL (Iraq) said that the Review Conference must face the important issues which had arisen since the Treaty's entry into force and avoid ending up in the same situation as the first Review Conference in 1975, when the major points of controversy had been papered over in the final declaration, leading to widespread disappointment. Participants had a solemn obligation to strive for the achievement of positive results which would strengthen the Treaty and make a concrete contribution to the fulfilment of the obligations of all parties.

10. His delegation considered that the Treaty, despite its basic imbalances and discrimination, could, if fully and faithfully implemented, make a major contribution to its twin purposes, horizontal and vertical non-proliferation and the promotion of nuclear energy for peaceful purposes. The delicate balance which was the foundation of the Treaty must be recognized, namely, the reciprocity of non-proliferation and supply obligations. Any unilateral or one-sided abrogation of supply obligations would be likely to lead to similar action or reaction in the area of non-proliferation and might deal a serious blow to the entire structure established under the Treaty.

11. The clear obligations regarding assistance and technological promotion undertaken in articles IV and V of the Treaty had not been carried out and the Treaty accordingly had not had the meaningful or positive impact on the development of nuclear energy for peaceful purposes that many of the States party to it, particularly the developing countries, had originally hoped for. The Non-aligned Countries' Co-ordinator Group on the Peaceful Uses of Nuclear Energy had concluded that the Treaty was being used as an instrument to hinder the transfer of nuclear material, equipment and technology and not for the promotion of the use of nuclear energy. His delegation supported the widely-held position of the non-aligned and other developing countries in opposing tendencies to use arguments against horizontal proliferation as an excuse for imposing additional conditions and restrictions on the transfer of nuclear material, equipment and technology for peaceful purposes, in particular to developing countries.

12. The Treaty had had no real impact on vertical nuclear weapons proliferation. Indeed, following the sharp deterioration in international relations and détente, there had been growing evidence in recent months of a dangerous escalation and of a new round in the nuclear arms race in direct violation of the obligations of the nuclear States under article VI of the Treaty. The Conference must tackle that eminent threat to the Treaty if progress was to be made towards removing its one-sided and discriminatory implementation. The nuclear arms race must be arrested and real progress begun towards the goal of complete nuclear disarmament.

13. His delegation supported the view that one of the best ways of strengthening the Treaty system would be for the nuclear States to enter into definite commitments providing security guarantees to the non-nuclear States party to the Treaty. It reiterated its support for nuclear-weapon-free zones and specifically for the United Nations resolutions regarding such a zone in the Middle East. The international community should be rightly alarmed by the growing evidence that the two racist régimes in South Africa and occupied Palestine, both of which had refused to sign the Treaty, had acquired nuclear weapons capabilities. The General Assembly had repeatedly condemned the growing collaboration between those two régimes in all fields, including the nuclear field and, at its thirty-fourth regular session, had adopted resolution 34/89, of 11 December 1979, on Israeli nuclear armament. His delegation looked forward to the Secretary-General's progress report on that question at the thirty-fifth session and to his final report at the thirty-sixth session.
14. Against that background, it was ironic that Iraq should have been subjected to a monstrous campaign of distortion, threats and vilification orchestrated by Zionism and its backers in the Western information media. Iraq had been a party to the Treaty since 1969 and, since 1973, had concluded a safeguards agreement with IAEA. Not a single violation of that agreement had been recorded. The question arose as to whether it was not the duty of IAEA and indeed of all parties to the Treaty to unmask such vicious attacks on the part of those who refused to join the Treaty against a party to the Treaty in good standing. His delegation would welcome any international support in defence of his country's fully safeguarded modest programme of developing nuclear energy for peaceful purposes.

15. Mr. AUVARTE (Liechtenstein) said that his country had become a party to the Treaty on 20 April 1978 and had subsequently concluded a safeguards agreement with IAEA which had entered into force on 4 October 1979. Liechtenstein had adhered to the Treaty in the conviction that it constituted an effective means to prevent the misuse of nuclear energy and that it thereby provided at least one way towards securing peace. Its people accordingly expected that the principles and objectives of the Treaty would be respected by all. IAEA as the proper organization for the implementation of the Treaty, merited the support of all in its efforts to promote nuclear energy for peaceful applications and safeguard it against misuse.

The meeting rose at 4.20 p.m.
GENERAL DEBATE (agenda item 12) (continued)

1. Mr. FOUYOURS (Cyprus) remarked that the Conference was being held at an opportune moment, for it was a moment when tensions between States were rising and when unprecedented dangers of nuclear war - by design, miscalculation, accident or even madness - were hanging over humanity like the sword of Damocles.

2. The Conference should therefore devote itself urgently to making accession to the Treaty and its application universal. His delegation believed that the more States parties there were to the Treaty, the greater would be its chances of success. It welcomed the States which had recently acceded to the Treaty and strongly urged those which had not yet done so to accede without delay. The Government of his country had signed the Treaty because it had deemed it necessary and in conformity with its policy of helping to put an end to the nuclear arms race, to secure the destruction of all stocks of nuclear weapons and the prohibition of the production and dissemination of nuclear weapons. It associated itself with all the efforts being made to strengthen the Treaty and to secure its full implementation.

3. His country, along with all other non-nuclear-weapon States, was becoming increasingly aware of the inequality existing between nuclear-weapon and non-nuclear-weapon States, and of the responsibility of the former towards the latter. They were greatly concerned at the very slow pace and sometimes retrogression in the efforts to work out a common strategy for the cessation of the manufacture of such weapons and their elimination under effective international control. It was therefore necessary, as a first step, to work together for an international agreement effectively guaranteeing the security of non-nuclear-weapon States. That was why his Government welcomed the signing of SALT II. It recommended the continuation of the SALT process, and strongly urged the States concerned to declare a moratorium on all nuclear-weapon tests.

4. By virtue of the provisions of articles I and II of the Non-Proliferation Treaty - which constituted its essential part - as a result of the energy crisis, peaceful uses of nuclear energy, even if they involved many risks, had acquired a new dimension. All countries should be assured of safe and fair access to energy supply, technology and equipment - whether oil, coal or nuclear energy. All States should benefit from nuclear technology for peaceful purposes, subject to international safeguards ensuring the non-proliferation of nuclear weapons. The system of safeguards developed to that end by IAEA should be recognized as important and should be applied to all peaceful nuclear installations of both nuclear-weapon and non-nuclear-weapon States.
5. Although full implementation of the provisions of the Treaty encountered difficulties, the Conference was in a position to overcome them in the interest of world peace and security, which rested on the principle of non-intervention and non-interference, the inalienable right of every State to freedom, independence and integrity, and the right of all peoples without exception to decide freely their own destiny.

6. Mr. LEENTHAAL (Ireland) said that the Conference was of the greatest significance for the cause of disarmament and arms control, and, therefore, for securing the peace of the world. The Treaty on Non-Proliferation of Nuclear Weapons had, in spite of its flaws, withstood the test of time and had become one of the foundation stones on which international security rested. The majority of States had acceded to it, and none of the States parties had infringed its provisions or abrogated it.

7. The fact remained, however, that among the States which were not parties to the Treaty there were some which could have an influence on the fate of all the nations of the world, and there were a number of countries which were coming very close to a nuclear-weapon capability. The present situation could well usher in an arms race, leading to a heightening of tensions and delaying the advent of nuclear disarmament. Surely, that could not serve the interests of any State, nor its political or military prestige. Moreover, the SALT process had not yet led to measures of real disarming; the possibility of fighting a rational nuclear war was being given serious consideration; and the security assurances which had been provided had not won wide acceptance.

8. The other vital area of the Non-Proliferation Treaty was that of the peaceful uses of nuclear energy. In the world of today, nuclear power made a valuable contribution towards meeting energy requirements, and the Treaty allowed non-nuclear-weapon States to benefit from that form of energy in exchange for accepting international safeguards. It was true that the operation of safeguards could sometimes be infirm and had entailed a number of difficulties in recent years, but no one could deny their necessity. Experience had shown that the safeguards should, if anything, be strengthened, while taking the necessary steps to resolve the divergences of view to which they had given rise. It was particularly regrettable that any State party to the Non-Proliferation Treaty should consider itself at a disadvantage in relation to States which were not parties.

9. The strengthening of safeguards should not contribute further to the existing imbalance between the Treaty obligations undertaken by the nuclear-weapon and the non-nuclear-weapon States. He welcomed the willingness expressed by certain nuclear Powers to place their own civil nuclear facilities under safeguards. He recognized that the commitment not to acquire nuclear weapons confirmed an inequality which might be a source of dispute and which everything possible should be done to diminish. Furthermore, safeguards had to be effective and comprehensive if they were to afford real protection to States which had genuinely accepted the non-proliferation regime against other countries which might now or in the future harbour the ambition to acquire nuclear weapons.
10. It had to be accepted that the problem was primarily a political one and that safeguards, however comprehensive they might be, could not provide an unbreachable barrier against States which had decided to develop their nuclear weapons and evade safeguards. The technical aspect could, however, not be disregarded and, in addition, safeguards created political inhibitions which served to prevent States from taking up the nuclear option.

11. No State could reasonably want to see the proliferation of nuclear weapons, which would entail dangers more real and more damaging to national security than the difficulties to which the application of the Treaty might give rise. All countries had legitimate security concerns, but no country had the right to safeguard its security at the expense of others. That applied with even greater force to those countries which had not yet acceded to the Treaty. He appealed to those countries to overcome their hesitations and to join the 113 States parties to the Treaty in helping to secure the safety of the world and that of future generations.

12. In considering the best ways of achieving the objectives of the Treaty, he felt that one of the most important was for the nuclear Powers to renew their commitment under article VI to bring the nuclear arms race to an end and to pursue concrete measures to bring about general and complete disarmament, preferably in conformity with a clearly stated timetable. Such an initiative would make a most effective contribution to reinforcing international confidence, which was an important element in making efforts for disarmament successful. In that spirit, his country attached particular importance to the conclusion in the near future of a comprehensive nuclear test ban treaty, which would bear witness to the goodwill of the nuclear Powers.

13. The second requirement was the provision of satisfactory security guarantees. The present security assurances, whether negative or positive, could not be considered adequate; legitimate regional security concerns should not allow neglecting the need to provide credible guarantees to other countries.

14. Thirdly, the question of strengthening safeguards needed to be carefully considered, in particular the possibility of placing sensitive elements of the fuel cycle under international or regional management. Fourthly, stress had to be laid on the special obligation on the nuclear-weapon States to reduce the risks which possession of such weapons entailed and to lessen the prestige attached to their possession. The conclusion in the near future of an agreement to cease production of fissionable material would be a very positive measure in that regard.

15. Finally, he wished to stress the necessity for preserving and strengthening the Non-Proliferation Treaty, which remained an essential and basic element in securing world peace. The acceleration of the arms race and the readiness shown by a number of countries to proceed in the direction of acquiring nuclear weapons would, if allowed to go unchecked, call the entire non-proliferation régime into question. It was of fundamental importance that countries in the position to reinforce the treaty should take advantage of the opportunity provided by the Conference before the threat of nuclear war became an unavoidable reality. He was confident that the Conference would achieve constructive results, and his delegation would spare no effort to contribute to the success of that vital endeavour.
16. Mr. GUMPHA-RATHI (Thailand) noted that since the signing of the Non-Proliferation Treaty in 1968, the number of nuclear-weapon States had not increased. In the present context of danger to international peace and stability, it was particularly important for the Conference to find ways of improving and strengthening the non-proliferation regime.

17. The Non-Proliferation Treaty régime was based on three main pillars: prevention of nuclear-weapon proliferation, nuclear arms control and disarmament, and the peaceful use of nuclear energy. Those three objectives must be pursued simultaneously, otherwise the credibility of the Treaty would be impaired; all articles of the Treaty must accordingly be implemented with equal emphasis. In essence, that meant that States which already had nuclear weapons should actively seek agreement on arms control and disarmament and States which had no nuclear weapons should refrain from developing such weapons on the understanding that they would not be handicapped in the use of nuclear energy for peaceful purposes, particularly to supplement other sources of energy.

18. With regard to the first main objective of the Treaty, prevention of nuclear proliferation, his delegation was gratified to note that that obligation had been faithfully observed by the States parties; however, everyone should strive towards the final aim of universal accession to the Treaty. In that connection, his delegation emphasized the importance of the safeguards system and the safeguards activities of the IAEA. In its opinion, nuclear technology, nuclear material, sensitive facilities and major critical components should not be transferred to any State not party to the Treaty unless such State was covered by full IAEA safeguards extending to the whole nuclear fuel cycle within the territory under its jurisdiction.

19. The IAEA safeguards system should be augmented to provide physical protection for nuclear material during international transport. His delegation regarded the Convention on the Physical Protection of Nuclear Material, adopted in 1979, as one of the major developments in that sphere.

20. With regard to the second objective of the Treaty - nuclear arms control and disarmament - a measure of encouraging progress had been made since the first Review Conference. The tenth special session of the United Nations General Assembly, its special session on disarmament, had served to remind international public opinion of the importance of nuclear disarmament. As a result of its decision to enlarge and reorganize the Committee on Disarmament, France and the People's Republic of China now participated in the Committee's work and the five nuclear-weapon States were now represented in the Committee. The Treaty on Underground Nuclear Explosions for Peaceful Purposes and SALT II - important landmarks - had been signed between the United States of America and the Soviet Union and he welcomed the opening of negotiations between the United States of America, the United Kingdom and the Soviet Union on a comprehensive nuclear test ban.

21. However, although those results were appreciable, they were not enough, and the international community was disappointed at the slow progress towards nuclear disarmament. His delegation therefore again urged the nuclear-weapon States, which had a special responsibility for nuclear disarmament, to exert their maximum efforts to achieve, step by step, concrete and realistic measures to that end. First of all an atmosphere of mutual trust and confidence must be created on the basis of respect for national sovereignty and the territorial integrity of
every State, so as to minimize the risk of confrontation between States and pursue a positive process of disarmament. The first step in that direction would be the speedy conclusion of a comprehensive nuclear test ban. The establishment of nuclear-weapon-free zones, such as the one envisaged by ASEAN would also help to strengthen confidence.

22. As to the third main objective of the Treaty - the peaceful uses of nuclear energy - he regretted that the provisions of article IV of the Treaty had not been fully implemented and that the gap between nuclear and non-nuclear countries, in particular the oil-importing developing countries, continued to widen.

23. To remedy the situation his delegation favoured the establishment of regional nuclear fuel cycle centres, under the full safeguards and stringent physical protection of IAEA. The Agency should be responsible for certifying the physical protection of nuclear material owned and managed nationally. An international repository of spent fuels and bank of fresh fuels should be established, preferably under the Agency. Countries should conclude individual agreements with the appropriate international authority on the equitable and non-discriminatory exchange of spent fuels for fresh fuels, to be supplied to nations which undertook not to allow any sensitive nuclear facilities on their territories except under international supervision.

24. He hoped that the Conference would lead to new progress towards the establishment of a viable non-proliferation régime, which alone could ensure the survival of future generations and of world civilization.

25. Mr. HUDS (Portugal) said that the Non-Proliferation Treaty, which had been signed at a time when people feared a nuclear war with unpredictable consequences, had been regarded as the major instrument of international security, opening new prospects for the peaceful uses of nuclear energy. It was in that spirit that Portugal had decided to ratify the Treaty, thus renouncing the option of acquiring nuclear weapons. Today, even more than yesterday, international peace and security required the strengthening of the obligations and duties laid down by the Treaty. However, the new importance of nuclear energy as an alternative source of energy increased the risks of the emergence of new nuclear-weapon countries, since beyond a certain point, the acquisition of nuclear weapons by a State was no longer merely a political decision, because technological difficulties were no longer an insurmountable obstacle. In view of the fact that 30 or 40 countries would be in a position to make such a choice by the year 2000, it was urgent to strengthen the non-proliferation régime by universal adherence to the Treaty.

26. The benefits of the Treaty, although modest, were not negligible: during the past five years no signatory State had yet violated its provisions and no nuclear device had been used for military purposes.

27. Moreover, SALT II was already in process of implementation and the prospects for SALT III negotiations seemed encouraging, in spite of the siting of SS-20 rockets in Europe by the Soviet Union, which could not but give rise to concern. Also, the two Superpowers had agreed on the elements of a treaty on the prohibition of radiological weapons and the first nuclear-weapon-free zone had been established in Latin America, although it would appear to be a more difficult matter in the case of other regions.
23. Some progress had also been made in nuclear co-operation for peaceful purposes with the improvement of machinery for preventing the use of fissionable material for non-peaceful purposes. Lastly, IAEA had done constructive work on safeguards and also on international co-operation in the peaceful applications of atomic energy.

29. Much remained to be done, however, and criticisms of the Treaty were understandable. It was difficult to see how the quantitative and qualitative arms race, both nuclear and conventional, could be slowed down until disarmament was seen as a global process. Nuclear disarmament must go hand in hand with conventional disarmament, for some States considered conventional disarmament the more important. Disarmament efforts which concentrated solely on the nuclear aspect might cause imbalances that would increase destabilization and the threat of armed conflict, instead of consolidating international peace. As stated in paragraph 29 of the Final Document of the tenth special session of the General Assembly, "the adoption of disarmament measures should take place in [...] an equitable and balanced manner". His country therefore supported the proposal made by Denmark (A/CH.10/13) to the Disarmament Commission at its 1980 session for a global study on conventional weapons in the light of the objectives of disarmament.

50. More particularly, his delegation considered that the early conclusion of an agreement on the comprehensive nuclear test ban would be an important step towards non-proliferation and nuclear disarmament, and that the conclusion of an agreement on strengthening the security of non-nuclear-weapon States would help to dispel the doubts of certain States about the Treaty and would also encourage universal accession.

51. With regard to the peaceful uses of nuclear energy, his delegation considered that the principles and rules established by the Treaty should be scrupulously observed and that the development of countries which had opted for nuclear energy for peaceful purposes should not be impeded, in respect of the transfer of technology and assistance, by other rules than those designed to prevent diversion to non-peaceful uses. IAEA should therefore continue and develop its assistance programmes by directing its efforts towards improving the well-being of people and implementing existing safeguards.

52. After stressing the importance of the conclusions of the International Nuclear Fuel Cycle Evaluation for the solution of many problems concerning international co-operation in the peaceful uses of nuclear energy, he said that the Conference should set itself three objectives: to encourage all States to accede to the Treaty, to promote international co-operation in the peaceful uses of nuclear energy so that the States which had no nuclear technology could benefit from it, and to strengthen the non-proliferation régime by opening the way to improved safeguards against any diversion of fissionable material for non-peaceful purposes.

ELECTION OF CHAIRMAN AND VICE-CHAIRMAN OF THE TWO MAIN COMMITTEES, THE DRAFTING COMMITTEE AND THE CREDENTIALS COMMITTEE (agenda item 5)

53. The President, referring to the provisions of rule 51 of the rules of procedure and in noting that the number of nominations did not exceed the number of offices to be filled, said that there was no need for elections by secret ballot.

54. In keeping with the agreement reached on nominations for the different offices, he suggested that Mr. Iaini (Kenya) should be elected Chairman and Mr. Grinberg (Bulgaria) and Mr. Boel (Denmark) Vice-Chairmen of Committee I.

It was so decided.
35. The **President** suggested that Mr. Fernandez (Australia) should be elected Chairman and Mr. Barenek (Czechoslovakia) and Mr. Sison (Philippines) Vice-Chairmen of Committee II.

*It was so decided.*

36. The **President** suggested that Mr. Herder (German Democratic Republic) should be elected Chairman and Mr. Poucoiros (Cyprus) and Mr. Værenæ (Norway) Vice-Chairmen of the Drafting Committee.

*It was so decided.*

37. The **President** suggested that Mr. Valdes (Ecuador) should be elected Chairman and Mr. Komives (Hungary) and Mr. Giselin (Belgium) Vice-Chairmen of the Credentials Committee.

*It was so decided.*

**ELECTION OF VICE-PRESIDENTS (agenda item 6)**

38. The **President** said that in accordance with rule 5 of the rules of procedure, the Conference had to elect 26 Vice-Presidents. He suggested the election of the representatives of the following countries: Canada, Congo, Costa Rica, Czechoslovakia, Ethiopia, Hungary, Indonesia, Japan, Mexico, Mongolia, Netherlands, Nigeria, Peru, Poland, Republic of Korea, Romania, Sri Lanka, Switzerland, Syrian Arab Republic, Turkey, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Yugoslavia and Zaïre.

*It was so decided.*

**CREDENTIALS OF REPRESENTATIVES TO THE CONFERENCE (agenda item 7)**

(a) **APPOINTMENT OF THE CREDENTIALS COMMITTEE**

39. The **President** invited the Conference, in accordance with rule 5 of the rules of procedure, to establish a Credentials Committee consisting of nine members: a Chairman and two Vice-Chairmen elected by the Conference, and six members appointed by the Conference on the proposal of the President. The Conference having already elected the Chairman and the two Vice-Chairmen, suggested that the six members should be the representatives of the following countries: Jordan, Malaysia, Senegal, Tunisia, the Union of Soviet Socialist Republics and the United States of America.

*It was so decided.*

The meeting rose at 12.10 p.m.
SUMMARY RECORD OF THE 11th MEETING
Monday, 18 August 1980 at 5.20 p.m.

President: Mr. KITIJI (Iraq)

GENERAL DEBATE (agenda item 12) (continued)

1. Mr. TEREKE (Ethiopia) said that his delegation welcomed the 28 States which had acceded to the Treaty during the past five years, although it was clear to all that a number of States with nuclear technology facilities and programmes still remained outside it. If further proliferation was to be averted, universal adherence to the Treaty should be actively encouraged and the obligations undertaken under it by the three nuclear-weapon States should be faithfully observed.

2. Numerous resolutions by the United Nations General Assembly urging the nuclear-weapon States to conclude a comprehensive test ban remained unfulfilled, as well as calls for the cessation of all nuclear-weapon tests. In that respect, therefore, the obligations undertaken by the three nuclear-weapon States under article VI of the Treaty were yet to be fully implemented. No new nuclear-weapon States had emerged since the Treaty's entry into force, nor were all the nuclear-weapon States yet parties to the Treaty. Nuclear-weapon testing was being conducted at an ever-increasing rate and the danger of a nuclear war loomed greater than it had ten years before.

3. The arms race, both quantitatively and qualitatively, continued unabated. Vertical nuclear proliferation had yet to be halted. The possibility of new types of weapons of mass destruction, including radiological weapons, being produced was disturbing. It was unfortunate that, despite the untiring efforts of the United Nations, the goal of general and complete disarmament was drawing further away with the passage of time. Therefore, the second Review Conference should provide an opportunity for all parties to the Treaty to redouble their efforts to halt and reverse the arms race before it was too late.

4. His delegation was not unmindful of the complex process of nuclear disarmament. It also realized that nuclear disarmament was the concern of all States, both nuclear and non-nuclear. The Committee on Disarmament had recognized the fact that, among measures in relation to disarmament, a nuclear test ban deserved one of the highest priorities and that there was enough material for initiating multilateral negotiations on a test ban treaty. The trilateral negotiations between the USSR, the United Kingdom and the United States of America for a treaty prohibiting nuclear-weapon tests in all environments and its protocol covering nuclear explosions for peaceful purposes called for a clearer political commitment to the early conclusion of such a treaty. Concrete negotiations had as yet to be initiated on ending the production of all types of nuclear weapons and gradually reducing their stockpiles until they were completely destroyed.

5. The international climate in 1980 had not been conducive to progress in disarmament negotiations. The Committee on Disarmament had noted with regret that SALT II had still not been ratified and had urged that the SALT III talks should start...
as early as possible. It had, nevertheless, succeeded in establishing four working groups to deal with the comprehensive programme of disarmament, international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, chemical weapons and radiological weapons.

6. The Review Conference should recommend a number of appropriate measures which would immediately prohibit any clandestine transfer of nuclear material, equipment and technology. Of the 113 States parties to the Treaty, 35 were African States, for most of which, with the exception of South Africa, nuclear power was still a distant prospect. South Africa, with its illegal control over Rehoboth, had access to the second largest uranium reserves in the capitalist world. Of the 29 countries that had nuclear-power reactors, nine were not parties to the Treaty and five of those were developing countries. In accordance with the Final Document of the tenth special session of the General Assembly, its session devoted to disarmament, "Non-proliferation measures should not jeopardize the full exercise of the inalienable rights of all States to apply and develop their programmes for the peaceful uses of nuclear energy for economic and social development". His Government, while fully supporting that declaration, appealed to both nuclear and non-nuclear-weapon States to undertake, in accordance with the Treaty, not to manufacture or help to manufacture nuclear weapons.

7. Article VII of the Treaty reaffirmed the right of States to conclude regional treaties banning nuclear weapons from a particular region. The General Assembly, in its resolution 2832 (XXVI) of 16 December 1971, in response to a call by the non-aligned countries, had adopted the Declaration of the Indian Ocean as a Zone of Peace. In July 1979, the Meeting of the Littoral and Hinterland States had reaffirmed that the extension of the zone 200 into the Indian Ocean was counter to the relaxation of international tension. His delegation was of the view that the existence and further development of military bases in the Indian Ocean and nuclear co-operation between the apartheid regime and some 12 Western Powers had rendered the security and peace of the African continent extremely hazardous.

8. The Assembly of Heads of State and Government of OAU, at its first regular session, held at Cairo in 1964, had issued the Declaration on the Demilitarization of Africa, in which the participants had expressed their readiness to undertake, in an international treaty to be concluded under the auspices of the United Nations, not to manufacture or acquire nuclear weapons, and had urged the nuclear Powers to respect the Declaration.

9. At its thirty-fourth session, the General Assembly had adopted resolution 34/76 A, of 11 December 1979, on the implementation of the Declaration on the Demilitarization of Africa, strongly reiterating its call upon all States to consider and respect the continent of Africa, comprising the continental African States, Madagascar and other islands surrounding Africa, as a nuclear-weapon-free zone. It had vigorously condemned the reported explosion of a nuclear device by South Africa, reaffirmed that the nuclear programme of the racist regime of South Africa constituted a very grave danger to international peace and security and had condemned any nuclear collaboration by any States, corporations, institutions or individuals with the racist regime of South Africa. His delegation urged all States to uphold and respect those decisions and to desist from helping South Africa to commit a nuclear crime directed not only at independent African States but at all the countries in the southern hemisphere.

10. The Director General of IAEA had stated at the opening of the Conference that "new weapons systems often emerge not so much from national security requirements as from
the sheer momentum of the technological process" (1st meeting, para.34). Unless the tide of that accumulation of nuclear weapons was arrested, the world would find itself in an irreversible process of self-annihilation. The nuclear-weapon States should take all measures to create the conditions for the full realization of the principles of the Treaty, one of which was the creation of a climate of mutual confidence. Both nuclear and non-nuclear-weapon States should refrain, in accordance with the United Nations Charter, from the threat or the use of force in relations between States.

11. Mr. FUUSEKA (Sri Lanka) said that all would agree that the present Conference could have been held in more propitious circumstances. The danger of a nuclear war had unfortunately not receded, owing to events which could not be described as other than repeated disregard of the Treaty's last preambular paragraph, which recalled the Charter provisions prescribing the threat or use of force against the territorial integrity and political independence of States.

12. After withholding ratification of the Treaty for over 10 years, his Government had finally become a party because it recognized that, on balance, its own interests, those of its region and those of the international community would be better served by joining the growing consensus for the Treaty. It was hardly necessary to say that Sri Lanka had never had, nor would it have in the future, any pretensions to a nuclear capability. It had become a part of the larger community of nations which had entered into an act of faith for a human race faced with annihilation by the nuclear arms race.

13. It should not be overlooked, however, that, of the 115 signatories to the Treaty, only 71 had notified their full participation, which meant that 42 States parties had chosen not to be present at the Conference. He did not think that that in any way reflected a lack of concern about the Treaty's importance, since even among those which had agreed to participate, several did not have the necessary personnel to make an active contribution. The overwhelming majority of those delegations, and the 42 States parties which were not present, were from the developing world. The Conference should therefore not be oblivious of the interests of those countries which were not represented at it.

14. His Government's ratification of the Treaty had affirmed its belief that the non-proliferation régime must be sustained and strengthened. His delegation warmly acknowledged the little-publicized but important work accomplished by IAEA. During the period under review, the Agency had concluded 39 safeguards agreements with non-nuclear-weapon States parties to the Treaty. No less significant were the 11 safeguards agreements with non-parties to the Treaty. He wished to acknowledge the value of other IAEA institutional arrangements, including International Plutonium Storage, International Spent Fuel Management and the Agency's part in the conclusion of the Convention on the Physical Protection of Nuclear Material. In spite of fiscal constraints, the Agency had also carried out 145 inspections by the end of 1979.

15. He also welcomed the significant decision taken by the United States and the United Kingdom to subject their peaceful nuclear facilities to IAEA safeguards. The fact that France, which was not a party to the Treaty, had made the same decision augured well for the non-proliferation régime. He appealed to the two other nuclear-weapon States to consider corresponding action on their part, as it would greatly enhance the credibility of the non-proliferation thesis, especially with non-parties to the treaty.

16. Concerning the implementation of article IV, he said that by that article the non-nuclear-weapon States parties had renounced nuclear weapons in 1968 and had chosen the path towards the peaceful use of the atom. Hardly anyone at that time could have foreseen the energy crisis which had compelled an increasing number of States, both
developed and developing, parties and non-parties to the Treaty, to see in nuclear power their future source of energy. His country, like nearly all developing countries, would have to have recourse to the peaceful atom as a substitute because of the unacceptably high cost of conventional energy and the lack of indigenous sources. It would have to do so in spite of the hazards which that entailed, hazards which had confronted even the most advanced users of nuclear energy.

17. While the overriding concern of suppliers was to minimize the risk of proliferation, the application of the criteria used by them varied with changes in the international situation, as well as with the suppliers' views concerning the degree of trust which could be placed in the recipient countries. The bilateral relations between individual suppliers and recipients also frequently played a part. Countries which had decided on a nuclear fuel cycle as indispensable for their national energy development programme were uncertain about the implementation of that programme and at the mercy of variable and unpredictable circumstances.

18. At the first Review Conference, a decision had been taken that parties to the Treaty should be given preferred treatment over that accorded to non-parties with regard to the facilities granted for their peaceful nuclear development. That was a logical outcome of the Treaty, but his delegation wondered whether a further step in that direction now contemplated, namely, that collaboration in nuclear programmes should be withheld from non-parties to the Treaty, was desirable or in fact feasible. His delegation believed that one purpose of the present Conference should be to continue efforts to secure the adherence of non-parties. That approach was of greater importance in the case of those non-parties, perhaps no more than 10, which were already known to possess a nuclear capability or to be very close to doing so. If those non-parties should regard any new measures as designed to coerce them, the prospects for their adherence would become more remote and the menace to the non-proliferation regime would become even greater.

19. Against that background, his delegation supported the widely-shared view that the modalities for the supply of nuclear material, equipment and information for peaceful purposes should be internationalized. He therefore looked forward to the outcome of the scheduled United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy.

20. Turning to article VI, he acknowledged that some tangible steps had been taken in an effort to limit, although not reverse, the arms race. Among those were SALT II, which his Government welcomed, the INMD Convention, "mutual and balanced force reductions" and the Treaty of Tlatelolco and its tw Protocols which had been signed by nuclear-weapon States. Nevertheless, no delegation had claimed that there had been a serious effort to pursue negotiations on effective measures for a cessation of the nuclear arms race, let alone nuclear disarmament and the perceived general and complete disarmament. As for the thesis of the nuclear deterrent, which had allegedly sustained peace in Europe during the last 50 years, his delegation found it difficult to reconcile a commitment to halt the nuclear arms race with repeated affirmations of that kind. The facts spoke otherwise. The nuclear deterrent had retained its deterrent characteristic only by the escalation and refinement of nuclear weapons on both sides.

21. An acknowledgement that article VI remained unfulfilled, therefore, seemed appropriate at the present Conference, although that by itself was no gain. His delegation would like to see some commitment by the nuclear-weapon States to renew efforts towards nuclear disarmament and at least a commitment to accomplish certain specific steps. Would article VI be more than a matter of more form at the General Assembly's next special session on disarmament in 1982 or even at the next review of the Treaty?
22. In their comments on article VI, many delegations had spoken of the great distance which still had to be covered before the conclusion of a comprehensive test ban treaty. They had heard of the detailed report (NPT/CONF.II/15) which the tripartite negotiators had placed before the Committee on Disarmament and which would be made available to the Conference. He would let the Conference make its own evaluation of that report. In the Committee on Disarmament, a majority of delegations remained unconvinced, and he ventured to think that even among some of those who had accepted it there had been varying reservations. At the present Conference, the three negotiators had also suggested that it would be best to leave the comprehensive test ban treaty to then. They would first have to overcome their difficulties and then place a draft treaty before the negotiating body, which was the Committee on Disarmament. His delegation's own conclusions were based on the assessment made by the Secretary-General of the United Nations as far back as 1972, and reaffirmed in the Secretary-General's letter to the Committee on Disarmament (CD/66), that all that was lacking was the political will for the conclusion of a comprehensive test ban treaty. His delegation hoped, therefore, that the Conference would consider such a treaty within the orbit of article VI, since it would be the first step towards any meaningful progress with nuclear disarmament.

23. He felt obliged to comment on the continuing references, in connection with articles IV and VI, to the nuclear explosion in India in 1974. That explosion had taken place before the first Review Conference and comment had been revived in the context of non-proliferation and safeguards. He would have preferred that such an explosion had not taken place, but thought that the renewed focus on that event was somewhat incongruous when the records showed that between 1975 and 1979 the Depositary States themselves had carried out a total of 177 nuclear tests regardless of General Assembly resolutions and the nearly universal plea that those tests should be abandoned.

24. The Conference's approach in that regard should be even-handed. It should ask itself whether the concern for non-proliferation began only after a nuclear explosion had taken place. Who was fuelling the nuclear cycle in Dimona (Israel) and Valianta (South Africa)? With all the monitoring and other resources available, why had it been impossible to explain the explosion in the Southern Hemisphere near Africa in September 1979?

25. Reference had been made to the futility of recrimination and the need to look forward rather than dwell on the unfortunate past, but the purpose of the Conference was, after all, to review past performance. Every delegation would have its own appraisal of the Treaty's implementation to date and of the best way to continue to strive for its goals. His delegation would do its best to ensure that a consensus was reached on the final document embodying the outcome of the second Review Conference.

26. Mr. HAYAH (Kenya) said that the purpose of the Conference was to assess the implementation and effectiveness of the Treaty and not to review it. The challenge of finding a common formula regarding the former in which the Treaty had functioned during the previous 10 years and whether it had met the expectations of the parties to it was likely however to prove difficult if one was to judge first the experience of the first Review Conference and the preparatory process preceding the current Conference. The Treaty imposed varying responsibilities on its parties and there would undoubtedly be sharp differences of opinion. It was essential that such differences should be narrowed through the process of mutual understanding and accommodation; otherwise the Treaty might be weakened rather than strengthened.
27. His delegation believed that the Treaty represented a major achievement in the field of disarmament. It had aimed at averting the danger of nuclear war by seeking to prevent the spread of nuclear weapons to additional countries as a first step towards the cessation of the nuclear arms race and towards nuclear disarmament. The Final Declaration of the first Review Conference had confirmed that articles I and II, relating specifically to the objective of averting the further proliferation of nuclear weapons, had been faithfully observed by all parties to the Treaty. It had also expressed serious concern that the arms race end, in particular, the nuclear arms race, continued unabated. It had therefore urged the early and effective implementation of article VI. Little progress in the field of nuclear disarmament had however taken place during the 10 years which had elapsed since the Treaty’s entry into force. While a nuclear test ban was not an arms reduction measure, there was no doubt that it would be a clear indication of the determination of the nuclear-weapon States to seek effective control of nuclear weapons; it would also substantially strengthen the non-proliferation regime by controlling both vertical and horizontal proliferation. On the basis of the reports submitted by the three nuclear-weapon States to the Committee on Disarmament, those States could not be considered to have met their obligations under article VI. The Treaty had slowed the process of horizontal nuclear proliferation but had been ineffective in checking vertical proliferation. Vertical and horizontal proliferation of nuclear weapons were however interrelated and the continued failure of nuclear-weapon States to fulfill their obligations would weaken the Treaty and undermine efforts to prevent the spread of nuclear weapons.

28. The first Review Conference had appealed to the nuclear-weapon States party to the Treaty to make every effort to reach agreement on an effective comprehensive test ban and had called upon the two Powers directly concerned to keep the number of their underground nuclear weapon tests to a minimum while endeavouring to conclude at the earliest possible date an agreement on the limitation of strategic arms. The appeals and recommendations of the first Review Conference had not been complied with. Negotiations on a comprehensive test ban treaty had not produced the desired results and the rate of nuclear weapon testing had significantly increased. Moreover, the three nuclear-weapon States which were currently engaged in negotiations for a treaty prohibiting nuclear weapon tests, were responsible for over 90 per cent of all nuclear explosions.

29. SALT II, signed in 1979, had placed certain constraints on the nuclear arms race and had set quantitative limits on the numbers of strategic nuclear delivery vehicles; it did not in any way stop the nuclear arms race nor reduce military spending in the field of strategic weaponry. That agreement was nevertheless an important step in disarmament because of the clear pledge made by the two parties that they would endeavour, in future SALT negotiations, to achieve significant reductions in strategic offensive weapons as well as important quantitative limitations of such weapons. His delegation noted with regret that the Agreement had not been ratified and urged those concerned to speed up the ratification process.

30. His delegation was deeply concerned that, although the number of States party to the Treaty on the Non-proliferation of Nuclear Weapons had reached 113, a large number of States with substantial nuclear programmes had not found the Treaty attractive enough to become parties to it, due to its discriminatory and unequal nature and the apparent reluctance of the nuclear-weapon States to implement the relevant articles of the Treaty. It was unrealistic to expect States to commit themselves not to acquire nuclear weapons while those which already had them were not prepared to part with such weapons. The nuclear-weapon States should make the Treaty more attractive by implementing fully
its provisions relating to the peaceful uses of nuclear energy. Agreement on a nuclear test ban treaty would go a long way towards demonstrating the commitment of the nuclear-weapon States to the goal of general and complete disarmament.

31. The question of the security assurances to be extended to non-nuclear-weapon States remained unresolved. The nuclear-weapon States had been reluctant to make firm commitments that they would never use or threaten to use nuclear weapons against non-nuclear-weapon States. During the tenth special session on disarmament, the three nuclear-weapon States party to the Treaty had made official policy statements regarding the use of nuclear weapons and the matter had become the subject of negotiations in the Committee on Disarmament. The problem was to work out a formula which would be acceptable to both sides and which would apply to all non-nuclear-weapon States. His delegation considered that the declarations made by the nuclear-weapon States did not go far enough in providing the necessary assurances. The condition, that, to obtain such assurances non-nuclear-weapon States must assume further obligations made such assurances unattractive. The demand by non-nuclear-weapon States for negative assurances should not be viewed as an acceptance of the status quo. The type of arrangements that the non-nuclear-weapon States sought should be accompanied by sincere and determined efforts on the part of the nuclear-weapon States to engage in meaningful negotiations with the aim of reaching agreement in the field of nuclear disarmament.

32. Host disarmament efforts in the international field appeared to be inexplicably divorced from conflict resolution machinery. Serious threats to international peace and security had arisen during the past few years. It was the view of his delegation that much more attention should be paid to the machinery for resolving disputes than had been the case so far. Every effort towards disarmament divorced from the process of resolving disputes was bound to face insuperable problems.

33. MR. KAMALKA (Zaire) said that non-proliferation represented a step towards halting the production of and ultimately destroying all nuclear weapons. The Treaty was therefore a reason for hope on the part of the nations of the world. Zaire had acceded to the Treaty with effect from 4 August 1970. Non-proliferation nevertheless represented only a negative step towards the goal of saving humanity from the threat of a nuclear holocaust. There was little point in preventing other Powers from obtaining nuclear weapons if existing weapons were capable of destroying the world several times over. Moreover, since the entry into force of the Treaty and notwithstanding that 113 States were party to it, there had been considerable proliferation of nuclear weapons by existing nuclear Powers while other States were preparing to join them.

34. The Review Conference represented an opportunity to make the Treaty universal in scope by adopting measures which would satisfy not only existing parties but also non-parties and thereby prevent the danger of further proliferation.

35. The first Review Conference had been disappointing. The non-nuclear States had appealed to the nuclear-weapon States to disarm and had at the same time sought assistance for the developing countries from those States in the peaceful uses of nuclear energy. The Final Declaration had limited itself to appealing to the nuclear-weapon States to conclude a strategic arms limitation treaty as quickly as possible. The non-nuclear-weapon States had failed to receive any meaningful assurances that the nuclear-weapon States would refrain from using nuclear weapons against them.
36. The future of the international community therefore depended on the Treaty. The non-proliferation regime was however constantly threatened as long as certain States with a nuclear capability did not accede to the Treaty. Such countries included South Africa, whose proximity to Zaire represented a potential danger to his country. It was therefore essential to broaden membership of the Treaty to the point of universality and the current Conference provided the opportunity to find the means to achieve that goal.

37. It was equally important to devote more attention to the question of safeguards under article III. During the first Review Conference, the nuclear-weapon States had been criticized for their failure to fulfil their obligations in regard to nuclear disarmament; subsequently they had increased their arsenals. The time had come to take concrete measures for the substantial reduction of both strategic and tactical nuclear weapons, with a view to redressing the flagrant imbalance in the obligations of the parties to the Treaty. In that connection, SALT II should be ratified by the States concerned and negotiations should be pursued for the reduction of other weapons of mass destruction as a first step towards arms limitation in other areas.

38. At a time when the attention of the international community was concentrated on the imperative need for development, the immense resources which could be released by ending the arms race, in particular in nuclear weapons, might more usefully be applied to development. If developing countries, for security reasons, set about building nuclear weapons, the result would be, not only the end of development, but greater insecurity throughout the world.

39. Zaire was not a nuclear Power and was devoted to the cause of regional and world peace. It was developing the peaceful uses of nuclear energy in a number of fields and, since 9 November 1972, the IAEA safeguards system had been applicable to the country. Zaire participated in all IAEA activities concerning the peaceful uses of the atom. It therefore expected appropriate assistance from nuclear countries in nuclear technology, in particular in the fields of agriculture and medicine. His delegation was ready to contribute to the work of the second Review Conference. The principal concern of the world currently was to eliminate the menace of nuclear war and to achieve total disarmament. The disarmament process, in particular the mechanism of concrete negotiation, was however still buried in the Committee on Disarmament.

40. President Mobutu Sese Seko had condemned all nuclear tests, wherever they might occur, during his speech on 4 October 1973 to the General Assembly at its twenty-eighth session. The nuclear countries were the first to demand that others should ratify the Non-Proliferation Treaty, but in the meantime they themselves continued to invent increasingly sophisticated arms. It was time to end such contradictions and take concrete measures with the nuclear countries setting an example, to put an end to the unbridled arms race and to ensure that the list of nuclear countries did not increase.

41. During recent years nuclear-weapon tests had coincided with tripartite discussions between the United States of America, the Soviet Union and the United Kingdom regarding a treaty for the prohibition of such tests. Those talks had begun in 1977 but had achieved no result so far and multilateral talks had not even begun. More intensive negotiations were necessary, in particular in the Committee on Disarmament. The members of the group of 21 in the Committee on Disarmament, occasionally supported by the group of socialist countries, had continued to express dissatisfaction and concern at the lack of concrete progress on those major questions.
42. The International Atomic Energy Agency (IAEA) noted the growing importance of security guarantees for non-nuclear countries. The development of nuclear weapons for its defense, it followed that other countries should not acquire nuclear arms and that those which already had such weapons should not use them against others. Such guarantees should be unconditional and real and should have an international legal basis accepted by all parties. Unconditional guarantees should be the counterpart to the renunciation of nuclear weapons combined with healthy co-operation in the nuclear field for development needs.

43. Mr. EL MOUTAL (Syrian Arab Republic) said that the prevailing political and security situation was alarming. Detente was losing momentum and United States designs concerning the Near East were creating conditions conducive to aggression. The Middle East remained a principal source of insecurity because of the Israeli-Egyptian-United States entente to re-establish United States hegemony over the entire area. That entente, or rather that new alliance between Zionism, reactionary forces and United States imperialism, had been forged at the expense of the inalienable rights of the people of Palestine. As a result of Egypt's perfidy, the strategic balance of power in the area had shifted in favour of Israel, further destabilizing the situation and shattering all hopes of a just and lasting peace. The United States military presence, both nuclear and non-nuclear, was being increasingly felt; even the allies of the United States of America were extremely concerned over the outcome of the new adventurism. The international situation in general and that in the Middle East and Africa in particular had deteriorated since the first Review Conference held in 1975; participants in the second Review Conference should close their ranks in order to thwart the non-proliferation regime. At a time when the global strategy of United States imperialism relied on South Africa and Israel as the two most secure garrisons of United States hegemony and of its rapacious designs on the peoples, natural resources and markets of the two regions concerned, relentless concerted efforts on the part of the non-aligned countries were called for. The work of the Conference would not be easy and its results were by no means guaranteed.

44. The Final Declaration of the first Review Conference could not be construed as reflecting the views of the entire membership of the Conference. The interpretative statement submitted by Mexico on behalf of the Group of 77 (IPT/CONF.35/I, annex II,p.1) placed on record that the States members of the Group of 77 parties to the Treaty had agreed not to oppose the consensus required for the adoption of the Final Declaration merely as a token of their appreciation of the endeavors of the President of the Conference. His delegation's position on such crucial issues as a comprehensive test-ban treaty, the cessation of the nuclear arms race and security guarantees, had not changed since 1975. The Conference should base its work on the interpretative statement he had just mentioned, together with the documents listed therein, and any new proposals taking into consideration the development of the situation in the Committee on Disarmament and elsewhere, and reflecting the threat to the Treaty, particularly as a result of the United States' failure to ratify SALT II.

45. With all its shortcomings, the Non-Proliferation Treaty remained a cornerstone of endeavors to control the spread of nuclear weapons. The success or failure of the non-proliferation regime depended on the recognition of the interdependence between the three central elements of the Treaty. The so-called discriminatory nature of the Treaty was inherent in the very nature of the instrument and the contracting parties, some of whom were nuclear and some non-nuclear. That discriminatory element would diminish if all the articles of the Treaty, and especially article VI relating to the cessation of the nuclear arms race at an early date and to nuclear disarmament, were implemented efficiently and in good faith. The really dangerous discrimination lay in the fact that non-nuclear contracting parties, despite the obligation they had
assumed and the options they had waived, still lacked positive or negative guarantees against the threat or use of nuclear weapons. Negative guarantees were credible only to the extent that general and complete disarmament might, one day, become a reality, as for positive guarantees, the Treaty made no provision for them at all, and that was its most significant lacuna.

46. While welcoming the statement in paragraph 15 of document NPT/CONF.II/3 that there had been no complaints or suggestions that the nuclear-weapon States or the non-nuclear-weapon States parties to the Treaty had failed to carry out the respective obligations assumed by them under articles I and II of the Treaty, he remarked that the non-existence of complaints was not, in itself, a proof of compliance. The cautious wording of the document, perhaps, reflected certain doubts: IAEA could not, after all, be expected to investigate media reports of theft or diversions of nuclear fuel from the territory of a country party to the Treaty to a country which was not a party.

47. He was glad to note that the geographical area covered by the Treaty had been extended and that the number of parties had reached 113, including some industrially developed countries. There was a longer, however, that abnormal entities such as Israel and South Africa would intensify their efforts to buttress their garrison status against the majority of non-nuclear States parties to the Treaty.

48. Referring to the problem of vertical proliferation, he mentioned the statement in paragraph 13 of the Final Document of the tenth special session of the General Assembly, its special session on disarmament, to the effect that vanishing international peace and security could not be built on the accumulation of weaponry by military alliances nor be sustained by a precarious balance of interference or doctrines of strategic superiority. A similar point had been made by the Director General of IAEA in his statement at the first meeting of the Conference. In that connection, he associated himself with the comments of some non-aligned countries submitted to the Committee on Disarmament concerning the Tripartite Report on the subject of a treaty prohibiting test explosions (NPT/CONF.II/13), particularly with regard to the participation of all members of the Committee in the multilateral negotiation of a nuclear test ban treaty, and also endorsed criticisms expressed with regard to the extension of the right of veto of the five permanent members of the Security Council to amendments and decisions adopted at conferences held to review the proposed treaty. The tripartite draft as it stood clearly fell short of expectations, and the conclusion of a genuine comprehensive test ban treaty could not be expected in the near future. His delegation was also extremely disappointed with the results of the work of the Ad Hoc Working Group on Security Assurances of the Committee on Disarmament. Guarantees were of vital importance to his country, which faced a growing threat from the two garrison regimes, Israel and South Africa. Security Council resolution 255 (1968) did not offer appropriate reassurances for the prevention of the use or of the threat of use of nuclear weapons. In that connection, he urged the Conference to adopt a text similar to that submitted to the first Review Conference in the annex to draft resolution NPT/CONF/L.4/Rev.1 (see NPT/CONF/55/1, annex II, p.12).

49. On the subject of South Africa's military nuclear capability, he referred to a recent publication by the Stockholm International Peace Research Institute and to an article in the International Defense Review (vol.13, no.2, 1968, pp.203-204). In connection with Israel's emergence as a threshold nuclear-weapon country, he also referred to the International Defense Review (this, p.202) and to IAEA's report on activities under article III of the Treaty (NPT/CONF.II/6, para. 27) which indicated that Israel and South Africa were among the non-nuclear weapon States not all of whose substantial nuclear activities were covered by individual safeguards agreements.
The fact that the United States had a co-operation agreement with Israel on civil uses of atomic energy was a source of deep concern. His Government considered any co-operation with Israel, with or without safeguards, which failed to cover all Israeli nuclear activities to be a direct or indirect violation of the relevant articles of the Treaty as well as a provocative and unfriendly act against the Arab nation and against the welfare of mankind as a whole.

50. The countries of Africa and the Middle East, aware of the dangers of nuclear proliferation in their respective areas, had taken steps as far back as 1964 to ensure the application of article VII of the Treaty. However, South Africa and Israel, backed by their protector, the United States of America, had exerted every effort to thwart the establishment of a nuclear-weapon-free zone in these areas. The international community's grave concern was reflected in General Assembly resolutions 34/73 and 34/99, both of 11 December 1979, the latter of which had been opposed by only ten countries, including Belgium, Denmark, Netherlands, Norway and the United States of America, all of which were parties to the Treaty. The Review Conference should study the case of Israel and South Africa and devise means of preventing nuclear proliferation to those racist and expansionist regimes. The flagrant contradiction inherent in the attitude of some NAM countries, particularly the United States, which preached non-proliferation on the one hand, while covertly assisting the spread of nuclear weapons to South Africa and Israel on the other, could only be explained by considerations of commercial gain.

51. Turning to the question of the peaceful uses of nuclear energy, he said that article IV of the Treaty had acquired a new dimension with the realization that the world was facing a continuing energy supply problem. Nonetheless, the developing countries were still being denied access to advanced nuclear technology on the grounds that such transfer of technology might lead to diversions of fissionable material to non-peaceful purposes. In that connection, he referred to the conclusions of the Sixth Conference of Heads of State or Government of Non-aligned Countries held at Havana in 1979 to the effect that the Treaty should not be used as a pretext to prevent States from exercising the right to acquire and develop peaceful nuclear technology.

52. To generate electricity in a nuclear reactor without, at the same time, using or manufacturing materials that could be used for the production of nuclear weapons was no doubt impossible; but the safeguards and obligations provided under articles I and II of the Treaty were designed precisely to prevent weapon development. The Director General of IAEA, in his introductory statement, had quoted eloquent facts and figures concerning the developing role of nuclear energy in the world energy supply. The Secretary-General of the United Nations, in his message to the Conference, had spoken of the principle of sovereign equality according to which all States should, subject to international safeguards, have access to, and benefit from, nuclear technology for peaceful purposes.

53. In reviewing the implementation of article IV, the Conference should bear in mind that the way to prevent horizontal proliferation was not to restrict the transfer of peaceful nuclear technology to developing countries, but to improve the safeguards system. In that connection, he referred to a report by the Stanley Foundation, which stated that current safeguards, despite the excellent work of IAEA, were not an adequate guarantee of non-proliferation. It was essential that safeguards should extend to all nuclear activities of States, whether disclosed or undisclosed, and should also be retroactively applied to non-parties so as to include all reactors and installations.
54. Mr. VAN DOREN (United States of America), speaking in exercise of the right of reply, said that the views expressed by the representative of the Syrian Arab Republic about the policies, aims and activities of the United States Government were inaccurate and distorted. He did not see how such statements could contribute to the success of the work of the Conference, to which all previous speakers had expressed their dedication. For its part, the United States was prepared to focus on the difficult and important work at hand and to avoid gratuitously offensive remarks about other States represented.

The meeting rose at 5.40 p.m.
SUMMARY RECORD OF THE 12th MEETING
Tuesday, 19 August 1980, at 10.45 a.m.

Chairman: Mr. MOHAMMAD ALI (Iraq)

GENERAL DEBATE (agenda item 12) (continued)

1. Mr. DABILY (Iran) stressed the importance accorded to nuclear disarmament in paragraphs 45, 47 and 48 of the Final Document of the tenth special session of the General Assembly, its special session on disarmament, and pointed out that the Non-Proliferation Treaty was the only existing multilateral nuclear arms control measure. Justly regarded as the most important international agreement promoting cessation of the arms race and the cause of peace, the Treaty had won international acceptance, and the General Assembly had repeatedly reaffirmed its support for that instrument and for its full implementation. The Treaty laid down a number of obligations for the nuclear-weapon States and contained commitments to prevent the emergence of new nuclear-weapon States. It went without saying that those closely interrelated provisions clearly discriminated against the non-nuclear-weapon States which, in ratifying the Treaty, had given up important elements of their sovereignty by waiving their option to acquire nuclear weapons and by accepting international safeguards to deter any violations of that commitment. Whereas the latter obligations had taken effect upon the entry into force of the Treaty, the corresponding commitments undertaken by the nuclear-weapon States to reverse the nuclear arms race, to halt nuclear-weapon testing, to provide security assurances to the non-nuclear-weapon States and to promote peaceful uses of nuclear energy had been merely promises for the future. Moreover, it had only been at the insistence of the non-nuclear-weapon States that the nuclear-weapon States had finally agreed to the holding of a Review Conference, the purpose of which clearly was to ensure that the nuclear-weapon States were in fact fulfilling their commitments.

2. The first Review Conference, held at Geneva in 1975, had shown that, while the non-nuclear-weapon States had fulfilled their commitments under the Treaty, the nuclear-weapon States had, contrary to the basic obligations they had assumed, continued and even accelerated the nuclear arms race. The task before the second Review Conference was once again to review to what extent the Treaty's provisions, which had been so carefully negotiated, had been implemented by the parties, and the future of the Treaty and of the non-proliferation régime would depend on the outcome of the Conference. Unfortunately, increasingly frequent use of military force for political purposes, expansion of more and more sophisticated nuclear arsenals and acceleration of the conventional arms race had complicated the task of the Conference.

3. The spread of three sensitive technologies, namely, uranium enrichment, plutonium reprocessing and fast-breeder reactors had changed the nature of the non-proliferation régime and brought about a closer interrelationship between the civilian and military aspects of nuclear energy, to such a degree that it had become virtually impossible to separate them. In order to prevent the nuclear club from expanding, it was necessary to adopt a new approach to the non-proliferation régime, based on faithful implementation of the provisions of the Treaty and on a more even-handed concept of the horizontal and vertical dimensions of non-proliferation. In that connection, he noted that the Treaty had at least been able to slow down horizontal proliferation and thereby strengthen the security of all nations.
4. The accession of 113 States as at 1 May 1980 might be taken as evidence that the idea of non-proliferation had been accepted by a substantial proportion of the international community. However, it still lacked universality, a situation further intensified by the fact that two nuclear powers, China and France, had not yet acceded to it. In those circumstances, proliferation was always possible, all the more so as the number of States capable of developing nuclear weapons in a short time-span was steadily increasing. The Conference must therefore consider ways of providing States with incentives to accede, because failure in that respect might force States parties to review their attitude to the Treaty. Such methods could consist in denying non-party States the advantages enjoyed by States that had acceded, by ensuring full implementation of the provisions of article VI on the part of the nuclear Powers and by providing non-nuclear-weapon States parties to the Treaty with appropriate security assurances.

5. The Islamic Republic of Iran fully supported the Non-Proliferation Treaty, which it regarded as the best available legal instrument for halting both vertical and horizontal proliferation. The provisions of articles I and II of the Treaty which made the basic distinction between nuclear-weapon and non-nuclear-weapon States, seemed to have been implemented, in particular by the non-nuclear-weapon States. By contrast, the nuclear-weapon States had not fulfilled the commitment they had undertaken under article VI to halt the arms race.

6. The non-nuclear-weapon States parties to the Treaty had accepted the discriminatory nature of the instrument only on the understanding that the nuclear-weapon States would pursue negotiations in good faith on cessation of the nuclear arms race at an early date. In view of the promises made by the Soviet Union and the United States of America since the entry into force of the Treaty, the limited results achieved from the SALT negotiations could only be considered steps in the right direction. Nevertheless, his country welcomed the signing of SALT II and looked forward to the beginning of the next stage of negotiations.

7. It should be borne in mind that the unwillingness or inability of the Superpowers to reduce their strategic deterrent weapons had perpetuated the prestige and power that seemed to be attached to possession of nuclear weapons, a factor which made it far more difficult for threshold States to accede to the Treaty. It was interesting to note, however, that the prestige of many of the most advanced industrial countries had not suffered as a result of their decision not to acquire nuclear weapons. It was to be hoped that the evident predominance of economic issues on the international scene would have the effect of diminishing the exaggerated importance accorded to a nuclear-weapon capability.

8. The Conference must seek a commitment from the nuclear Powers that they would reduce their strategic weapons by a certain date, in accordance with the provisions of article VI, since that was the prerequisite for enhancing the viability of the Treaty or ensuring its very survival.

9. The tenth preambular paragraph of the Treaty recalled that the nuclear-weapon States had also committed themselves to concluding a comprehensive test ban treaty; those States must therefore act to bring their negotiations to a positive and early conclusion. It was regrettable that it had not been possible to conclude such a treaty prior to the second Review Conference, when as far back as 1972 the Secretary-General of the United Nations had stated that only the political decision of States was necessary to achieve final agreement in that area. Such a treaty should be concluded, at the latest, by the next special session of the General Assembly devoted to disarmament.
10. The granting of legally binding negative security guarantees to non-nuclear-weapon States parties would make the Treaty more attractive and more equitable, since it would give countries that had renounced nuclear weapons a legitimate and minimum quid pro quo. The assurances provided by Security Council resolution 255 (1960) and the unilateral declarations made by the nuclear Powers were insufficient in that respect.

11. The regional approach continued to be an essential ingredient of the non-proliferation strategy and, in view of the slow rate of progress towards meaningful nuclear disarmament, it was a measure that complemented efforts aimed at general and complete disarmament. Specific reference was, moreover, made to such a possibility in articles V and VII of the Treaty, and the success of the Treaty of Tlatelolco bore witness to its validity. All States, in particular the nuclear-weapon States, should promote the concept of nuclear-weapon-free zones and provide all the necessary assistance for the establishment, maintenance and success of such zones. It was in the most troubled regions of the world, where the prospect of use of nuclear weapons by certain countries could not be discounted, that the establishment of such zones was the most urgent. In fact, in those critical regions certain States were reluctant to accede to the Treaty because they feared that their security might be threatened by regional disputes. His country was in favour of the establishment of demilitarized zones throughout the world and considered the establishment of such zones an intermediate step leading to general nuclear disarmament. The countries of the Middle East had repeatedly proclaimed their determination to achieve that goal and the African countries had done likewise where their continent was concerned. Furthermore, General Assembly resolutions 34/76 and 34/77, both of 11 December 1979, on that question had received the support of the overwhelming majority of the States Members of the United Nations. Only the policies of aggression of Israel and South Africa, which had chosen the path of nuclearization in pursuit of their schemes of territorial expansion and hegemony, had stood in the way of the establishment of such zones in those two regions. As long as the problem of the occupied territories and of people that were dispersed or whose very existence was threatened remained unsolved, the quest for more sophisticated weapons would continue in those regions, and the proliferation of nuclear weapons could take on unforeseeable and disastrous dimensions. The reports indicating that Israel possessed several untested nuclear bombs and that South Africa had already tested a nuclear device could not but give rise to deep concern, because international peace and security were being endangered. General Assembly resolution 34/99, of 11 December 1979, had, moreover, condemned military and nuclear collaboration between those two régimes and demanded that a study should be prepared on Israeli nuclear armament.

12. In short, his delegation expected the Conference to demonstrate convincingly the dedication of all parties to the principles of the Treaty and their determination to implement its provisions more effectively and faithfully, with the aim of achieving universality of the Treaty by means of effective and concrete actions.

13. Mr. MARTINI URDANETA (Venezuela) said that the Conference was taking place in an international climate of critical situations and sharp confrontations which necessitated the redoubling of efforts to stop the nuclear arms race and promote the peaceful uses of nuclear energy for the benefit of all peoples. The growing stockpiles of nuclear weapons accumulated mainly by the Superpowers were eloquent proof that one of the fundamental objectives of the Treaty - to stimulate efforts by the international community to limit nuclear weapons - had not been achieved. The International Nuclear Fuel Cycle Evaluation had only confirmed that there was no
14. The nuclear-weapon States parties to the Treaty, especially the two Superpowers, must demonstrate their political will to apply all the provisions of the Treaty, not merely those concerning horizontal proliferation of nuclear weapons. It would be difficult to regard SALT II as a measure of disarmament, since it did nothing to prevent an increase in the destructive power of strategic weapons.

15. The imbalance between the nuclear-weapon and non-nuclear-weapon States parties was growing more pronounced. The non-nuclear-weapon countries found themselves through one-sided conditions increasingly subjected to requirements and limitations which encumbered their legitimate aspirations to use nuclear energy for development purposes. At the other end of the scale, States not parties to the Treaty had sometimes benefited from transfers of nuclear technology, equipment and material through the use of selective criteria contrary to the Treaty's provisions, which called for priority to be given to the developing countries parties to the Treaty. Such discrimination could only encourage States which had not yet acceded to remain outside. Greater equality should be established between nuclear-weapon and non-nuclear-weapon States parties, developed and developing, as concerned the commitments entered into under the Treaty. The Final Declaration of the first Review Conference had in any case stressed the need to maintain a balance of mutual responsibilities and obligations of all States parties to the Treaty.

16. His country hoped that the Conference would adopt practical measures to give a new impulse to disarmament negotiations, nuclear disarmament in particular; contribute to assuring the security of States parties which had renounced the acquisition of nuclear weapons, and promote genuine international co-operation in the peaceful uses of nuclear energy.

17. His delegation therefore believed that the nuclear Powers parties to the Treaty must reverse the nuclear-weapons race and decide to suspend nuclear-weapon testing, and that the multilateral negotiations in the Committee on Disarmament must be speeded up.

18. Security Council resolution 255 (1968) had been a first step towards the development of a system of security assurances for the non-nuclear-weapon States, but many States regarded it as an insufficient commitment, nor had they found any more satisfactory the unilateral declarations made by the nuclear-weapon States, whether or not parties to the Treaty. An undertaking similar to that in Protocol II to the Treaty of Tlatelolco binding on all States parties to the NPT would make it more attractive to the States which had not yet acceded.

19. His country, a party to the NPT, was also a party to the Treaty of Tlatelolco, which prohibited nuclear weapons in Latin America. The latter Treaty was the fruit of an unprecedented common effort to free the countries of the Latin American region from the threat of nuclear destruction, and Venezuela had therefore given its unstinting support to the Agency for the Prohibition of Nuclear Weapons in Latin America, the body responsible for supervising the implementation of the policy of prohibition, and to the Inter-American Nuclear Energy Commission, a technical body working under OAS.
20. Convinced as it was of the necessity of non-proliferation, his country urged the adoption of effective measures to enable developing non-nuclear-weapon countries to benefit from the many advantages of the use of nuclear energy for peaceful purposes. In an age of energy shortage, nuclear energy could play a part of fundamental importance in world energy production, since it could help gradually to reduce the economic and technological lag of the developing countries behind the more advanced countries. Among the former, those not possessing nuclear weapons should not only be able to rely upon the supply of equipment and materials but also be assured of having the necessary personnel and they should be able to promote a national nuclear industry and obtain the co-operation they needed for the planning and financing of projects. The provision of technical assistance and the implementation of safeguards were two aspects of equal importance in the responsibilities of LAEA. The developing countries should through such technical assistance be enabled to acquire the scientific and technological infrastructure needed for their full development.

21. His delegation hoped the Conference would be marked by a new spirit of co-operation and understanding, for humanity looked to it to find solutions promoting a world free from nuclear weapons, co-operation in the use of nuclear energy for peaceful purposes; the strengthening of international peace and security and the establishment of a new international order.

22. Mr. EL SHAFAI (Egypt), speaking under rule 44 of the rules of procedure, stressed that though only a signatory and not yet a party to the NPT, Egypt had continued to play an active role within the competent bodies in its implementation. Unfortunately, the Treaty did not yet command the universal adherence that would make it a viable and durable instrument. It should therefore be a major preoccupation of the second Review Conference to work towards that objective by concrete measures to complement the Treaty and to redress the imbalance of obligations and responsibilities as between the nuclear-weapon and non-nuclear-weapon States.

23. With regard to the implementation of article VI, which was of crucial importance, he deplored the meagre results achieved since the first Review Conference, although nuclear disarmament, the cessation of the nuclear arms race and the destruction of nuclear weapons and their means of delivery were of the highest priority. SALT II was commendable but had not yet led to any genuine quantitative and qualitative limitation of strategic offensive nuclear weapons with a view to their subsequent reduction; the negotiations on a comprehensive test ban were still dragging on; the decisions taken unilaterally by the United States of America and the Soviet Union in 1964 to reduce the production of fissile materials for weapon purposes had not brought about a complete cut-off. What was lacking, obviously, was the political will to tackle those issues with the seriousness and imaginative vision that had made previous agreements possible. If the nuclear-weapon States failed to reach new substantial agreements in the near future, the frustration of non-nuclear States, whether parties or not to the Treaty, would grow greater and it would become difficult to contain the danger of further vertical and horizontal nuclear proliferation.

24. With regard to security guarantees, Security Council resolution 255 (1960) should despite its limitations continue to be a guide for the adoption of effective preventive measures against the occurrence of nuclear threat or attack, but it was not enough, and the General Assembly at its tenth special session, the first special session on disarmament in 1978 had, therefore, urged the nuclear-weapon States to pursue their efforts to conclude effective arrangements to guarantee the security of non-nuclear-weapon States. The most effective way of guaranteeing international security and in
particular the security of the non-nuclear-weapon States was to eliminate the danger of nuclear war. The immediate goal therefore should be a general prohibition of the use or threat of use of nuclear weapons on a global level, and then there would be no need for the so-called positive security assurances which many countries, especially the non-aligned countries, considered inconsistent with their status. In that connection, he stressed the useful work undertaken by the ad hoc Working Group of the Committee on Disarmament in the consideration and negotiation of international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. Unfortunately, no substantial progress had been achieved. The nuclear-weapon States bore a responsibility and obligation to renounce, in a legally-binding instrument the use or threat of use of nuclear weapons against non-nuclear-weapon States.

25. The Treaty of Tlatelolco, which had established the first nuclear-weapon-free zone, in Latin America, was an example to be followed. Beginning in 1961, Egypt had joined other African States in an effort to declare the African continent a nuclear-weapon-free zone. That effort had however been frustrated by South Africa's designs to acquire nuclear weapons in order to continue its policies of aggression and racism. The nuclear ambitions of Israel and its collaboration with the South African régime were also a threat to regional and global security, which had led the General Assembly to set up expert groups to investigate those two States' nuclear activities. Israel's important nuclear installations were not subjected either to a bilateral or to an international system of safeguards and Israel persisted in refusing to accede to the NPT or to respond positively to the idea of establishing a nuclear-weapon-free zone in the Middle East, an idea that Egypt had either alone or jointly with others advanced at every session of the General Assembly since 1974. His delegation hoped that in its final declaration the Conference would make a strong appeal for the establishment of nuclear-weapon-free zones, in the Middle East in particular.

26. On the peaceful uses of nuclear energy, he said that the fear of proliferation should not stand in the way of its development, subject of course to international safeguards, for the benefit of the developing countries in particular, with the help of the World Bank. The International Nuclear Fuel Cycle Evaluation, in which his country had participated, confirmed the importance of those activities. However, the letter and spirit of article IV of the Treaty had unfortunately not been observed, owing to the monopolistic policy of the nuclear supplier countries, which placed unnecessary restrictions on the transfer of nuclear technology and certain kinds of nuclear equipment and materials. In addition to that obstacle, there had been premeditated destruction of nuclear installations and the physical elimination of human talent engaged in peaceful nuclear activities. His delegation therefore welcomed the preparation of the Convention on the Physical Protection of Nuclear Material as a first step towards the containment of such dangers.

27. His country also appreciated the excellent work done by IAEA in connection with articles III, IV and V of the Treaty.

28. His delegation hoped that the Conference would offer participants an opportunity for presenting bold new ideas which could subsequently be translated into concrete measures to strengthen the non-proliferation régime.
29. Referring to the speech made at the 10th meeting by the representative of the Syrian Arab Republic, he regretted to observe that while his country was investing in peace, others found it more convenient to descend to frustration and self-commiseration. His country believed the danger of nuclear-weapon proliferation in the Middle East would persist as long as tensions and conflict continued in that region. All efforts to solve the Middle East problem on a just and lasting basis were bound to lessen the tensions and so contribute to containing the arms race in the region. His country had for that reason taken a lead in urging the establishment of a nuclear-weapon-free zone in the Middle East, and his delegation would have hoped that the representative of the Syrian Arab Republic would acknowledge, in all objectivity, his country's efforts in that field, rather than falsify the facts.

30. Hr. FERDINAND (Mongolia) said that ever since it had been signed the Non-Proliferation Treaty had continued to grow in effectiveness, owing partly to the favourable international political climate of the 1970s and the efforts of the Soviet Union and other socialist countries to ensure international peace, détente and social progress. That spirit had found concrete expression in the Helsinki Conference on Security and Co-operation in Europe and was now even more necessary in the context of present-day difficulties. The peoples of the world now placed their hopes in the forthcoming Madrid Conference and hoped it would have results contributing to a healthier international situation. The principle of peaceful co-operation and mutual trust implied in political détente could and must extend to the Asian States where there were centres of tension.

31. As Hr. Brezhnev, the Head of the Soviet Government, had pointed out in a recent speech, it was impossible to reduce the threat of war without taking effective steps to limit the arms race. In May 1980, concrete proposals to that end had been made in the Committee on Disarmament by the socialist States parties to the Treaty of Warsaw and had met with a wide response in the international community.

32. He reminded the meeting that in the preamble to its Final Declaration the first Review Conference had expressed its conviction that the prevention of any further proliferation of nuclear weapons or other nuclear explosive devices remained a vital element in efforts to avert nuclear warfare, and that the promotion of that objective would be furthered by more rapid progress towards the cessation of the nuclear arms race and the limitation and reduction of existing nuclear weapons, with a view to the eventual elimination from national arsenals of nuclear weapons. Those recommendations were in line with the provisions of article VI of the Treaty and his country attached particular importance to the strict implementation of that article by the State parties to the Treaty.

33. In recent years, important bilateral and multilateral agreements on the cessation of the arms race and on disarmament had been concluded: in particular, SALT II and the opening of SALT III, which in his view amounted to a start in the concrete implementation of article VI.

34. His delegation also attached great importance to the proposal of the Soviet Union to examine the question of medium-range nuclear missiles in conjunction with that, of United States advanced nuclear bases. In that connection, he said that his country was deeply concerned by the fact that certain United States circles were envisaging the principle of a new nuclear strategy based on strikes against limited or localized targets.
35. It was to ensure the fuller implementation of the provisions of article VI of the Non-Proliferation Treaty that the socialist countries had submitted to the Committee on Disarmament a proposal for holding negotiations on ending the production of all types of nuclear weapon; and gradually reducing their stockpiles until they had been completely destroyed (CD/4). The General Assembly at its thirty-fourth session had requested the Committee on Disarmament to hold preliminary consultations with a view to negotiations on the cessation of the nuclear arms race (see General Assembly resolution 34/33J of 11 December 1979); it was regrettable that the Committee had not been able to carry out that task, owing to the procrastination of some of the Committee members.

36. Among the measures needed to slow down the nuclear arms race was the conclusion of an agreement on a comprehensive nuclear-weapon test ban, and it was to be welcomed that appreciable progress had been made on the negotiations in that matter, as stated in the Tripartite Report submitted to the Committee on Disarmament by the United Kingdom, the United States of America and the Soviet Union (NPT/CONF.II/13). Those encouraging results further increased the responsibility resting on the two nuclear Powers which had kept themselves aloof from those negotiations on the ground that they were not parties to the ITP. In general, it was a matter of concern that several States having a considerable military and economic potential had still not acceded to the Treaty — an instrument that had, however, justified itself since no violation of the provisions of articles I and II, which were the principal reasons for its existence, had so far been observed.

37. To increase the number of accessions to the Treaty, it was essential that it should become of universal application and place equal obligations on the nuclear-weapon and the non-nuclear-weapon States. With that in view, the question of security assurances for non-nuclear-weapon States became of particular relevance. It was to endeavour to resolve that important problem that the socialist countries had proposed the conclusion of an international convention under which the nuclear Powers would commit themselves never to use nuclear weapons against countries which had renounced their manufacture or acquisition. The conclusion of such a convention would contribute substantially to reducing the deployment of nuclear weapons and improving the IAEA safeguards system, while promoting the establishment of demilitarised zones. The discussions on the matter in the Committee on Disarmament had brought out important divergencies of views regarding so-called negative security assurances. He was astonished that a nuclear Power which had declared itself in favour of granting unconditional guarantees to non-nuclear-weapon States could at the same time flout the existing agreements concerning the reduction of the arms race and practice a policy of obstruction in the field of disarmament. Security assurances, like the non-proliferation régime, could be strengthened only by the conclusion of an agreement on the non-deployment of nuclear weapons in countries where as yet there were none and he therefore welcomed the declaration by the Soviet Union that it was prepared to assume such an undertaking, so far as it was concerned.

38. Referring next to cooperation in the field of nuclear energy, as provided for in article IV of the Treaty, he said that his country attached particular importance to the IAEA safeguards system to prevent diversion to the manufacture of nuclear weapons or other nuclear explosive devices. There could be no doubt that the increasing needs for nuclear material, equipment and technology required the strengthening of the IAEA safeguards system. To meet that objective, 15 countries supplying nuclear material, equipment and technology had in 1978 decided to adopt a common export policy. Such measures appeared to be necessary in view of the undisguised nuclear ambitions of certain States not parties to the Treaty, such as
Israel and South Africa, which already possessed all the technical and scientific elements needed to equip themselves with nuclear weapons for achievement of their racist and expansionist objectives. The development of the co-operation necessary in the peaceful uses of nuclear energy must not disregard the danger inherent in such co-operation or the rules of prudence necessary, nor the essential aim of the Treaty, which was to set up an effective barrier to the proliferation of nuclear weapons.

39. Lastly, his delegation expressed the hope that the final document of the Conference would represent a balanced compromise acceptable to all participants and in conformity with the purposes and principles of the Non-Proliferation Treaty, and that it would include an appeal to all States which had not yet done so to accede to the Treaty.

40. Mr. KALIE (Senegal) said that, five years after the first Review Conference, the situation still gave cause for concern. Certain States not parties to the Treaty on the Non-Proliferation of Nuclear Weapons, in particular Israel and South Africa, were taking steps to equip themselves with nuclear weapons - a circumstance which was all the more alarming as the States in question were situated in zones of tension and did not hesitate to violate international law and human rights and to flout United Nations decisions.

41. The question was therefore why the risk of proliferation had grown, when there were now 113 States parties to the Treaty. The causes most often put forward were the existence of old and deep-seated tensions and regional rivalries, the defiant policy of the racist, expansionist, colonialist and Zionist régimes, the unrestrained commercial competition between countries supplying nuclear technologies, the non-application of certain of the fundamental provisions of the Treaty, such as those of articles IV and VI, and lastly the failure of efforts to induce countries most likely to endanger the existing non-proliferation régime to accede to the Treaty. It was therefore clear that non-proliferation went hand in hand with universal accession to the Treaty, which in turn depended largely on the strict implementation of articles IV and VI, and that finally the Treaty must be regarded only as an important stage towards the achievement of general and complete disarmament.

42. Speaking of the implementation of articles I and II of the Treaty, he noted that it had become necessary to modify somewhat the conclusion of the first Review Conference that the obligations undertaken under those articles had been faithfully observed by all parties. It was quite obvious that, if, according to reports, some States such as Israel and South Africa were developing nuclear weapons, they were doing so with the assistance or complaisant tolerance of certain States parties to the Treaty. That situation had become so alarming that the General Assembly, in its resolution 34/35D, of 12 December 1979, had invited the Security Council to declare that any military or nuclear collaboration with South Africa constituted a threat to international peace and security. It could hardly be claimed that the nuclear collaboration for allegedly peaceful purposes, in which certain countries engaged with the apartheid régime, had no military consequences - as was proved by the information disclosed in 1973 on South Africa's preparations for a nuclear explosion in the Kalahari Desert and the explosion on 22 September 1979 over the South Atlantic, which, although not yet clearly and fully explained, could not but increase the apprehensions of African countries as to South Africa's capacity to equip itself with nuclear weapons.
43. Nor was his delegation very satisfied with the application of the provisions of article IV of the Treaty. His country had been hoping to enjoy the full benefit of the applications of nuclear energy for peaceful purposes but was still awaiting the assistance it had been promised in that field. Such an instance, which should go specially to the developing countries, was all the more necessary as those countries suffered from technological backwardness and needed to master modern technologies likely to speed up their economic development, since the activities of IAEA had demonstrated that nuclear technology could be employed to increase food production and agricultural output, eliminate endemic diseases and improve industrial products. In addition, the higher cost of energy was leading non-oil-producing developing countries, like his own, to turn to other sources of energy, such as solar and atomic energy. Their increasing needs for energy could only be satisfied if, with international co-operation, these countries succeeded in mastering advanced technology, in particular that relating to the peaceful uses of nuclear energy. Some of the developed countries were, however, showing an increasing tendency to associate the spread of nuclear technology with a desire to use it for the manufacture of nuclear weapons, although the attitude of some countries, like the Federal Republic of Germany and Canada, proved that such was not the case. That was why his delegation thought that negotiations concerning the supply of nuclear material and equipment should be continued between the supplying and receiving countries, so as to reach a mutually satisfactory agreement that would take into account both the aim of non-proliferation of nuclear weapons and that of free access to the peaceful uses of atomic energy.

44. The provisions of article VI, which concerned the nuclear Powers, and the United States of America and the Soviet Union in particular, had scarcely been effectively implemented. While it was true that the two Superpowers had entered into negotiation on the limitation of strategic arms and had concluded SALT I and SALT II, they had not succeeded in putting an end to the nuclear arms race and they were continuing to produce new weapons, to deploy their armed forces and their navies in all the world’s seas and to increase their military budgets. That vertical proliferation of nuclear weapons was a threat to the survival of mankind and it was high time the Superpowers stopped their arms race. In the opinion of his delegation they should suspend their nuclear tests pending the conclusion of a comprehensive nuclear test ban treaty, and, pending the ratification of SALT II, they should comply with its provisions.

45. As to the implementation of article VII, nuclear-weapon-free zones should be established in the Middle East, in the Mediterranean and in South-East Asia, following the example of Latin America and Africa, declared by their respective States to be demilitarized zones.

46. The non-nuclear-weapon States parties to the Treaty cherished their security, especially as even the nuclear-weapon States parties to the Treaty were very reluctant to limit the use of their nuclear weapons and other States possessed nuclear weapons without having tested them. Positive and negative security assurances were therefore required. Negative security assurances were a matter primarily for the five nuclear-weapon States. Although those States had declared unilaterally their intention of not using their nuclear weapons against the non-nuclear-weapon States on certain conditions, such declarations did not have the same legal force as a duly signed treaty, for they were not identical and lent themselves to different interpretations. As for positive security assurances, they were vital for the future of the Treaty. They therefore needed to be developed and strengthened, so as to permit the adoption of the preventive measures set out in Chapter VII of the Charter of the United Nations, in the event of the employment of nuclear weapons against a non-nuclear-weapon State.
47. The Conference should decide on realistic objectives and demonstrate boldness, imagination and perseverance in achieving them, since on its success depended the future of a world freed from nuclear terror.

48. Mr. ARRAFASHI (Morocco) felt that one was obliged to record failure with respect to the great hopes raised in 1970 by the dual aim of the non-proliferation of the military uses and the proliferation of the civil uses of nuclear energy embodied in the Treaty. At the military level, the Treaty had remained without effect on the progression of nuclear weapons. Horizontal proliferation had been demonstrated by the emergence of a sixth nuclear Power and by the fact that racist and dangerous States, such as Israel and South Africa, were candidates for membership of the nuclear club. As to vertical proliferation, it had remained outside the scope of the Treaty and had enabled the two Superpowers to create the most formidable and most sophisticated nuclear arsenals ever assembled on the planet. To those two forms of proliferation had been added more insidious forms of proliferation such as "oblique" proliferation, namely the siting by a nuclear Power of nuclear weapons - over which it would exercise permanent and exclusive control - in the territory of a third State, within the framework of a defence agreement or through the use of pressure, proliferation through "obsolescence" and proliferation through "waste". "Oblique" proliferation could be seen especially in Europe. Two of the European countries nearest to Morocco - the United Kingdom, or more precisely Gibraltar, and Portugal - were members of NATO, and a third neighbour, Spain, was contemplating joining it. Such a situation, which involved nuclear bases close to its territory, had serious implications for his country, which already considered that the permanent presence of nuclear submarines at a base in southwest Spain constituted a serious threat to its security, in spite of the assurances which the nuclear Powers envisaged giving to non-nuclear-weapon States or States which did not have nuclear weapons on their territory. Furthermore, the Kingdom of Morocco, unlike three of its neighbours (Spain, Algeria and Mauritania) was a party to the NPT and the IAEA safeguards agreements.

49. He also wondered what would become of the approximately 50,000 nuclear warheads existing in the world, according to the Director-General of IAEA when they had been rendered obsolete by the rapid progress of military science and technology. It was to be feared that those weapons would pile up at the bottom of remote seas and contribute to the pollution of the marine environment already furthered by the steadily growing number of nuclear-propelled warships. There was still that other form of proliferation - that of nuclear waste, to which nuclear testing also contributed to a large extent.

50. Noting that that subject was one of the major concerns of the international community, he pointed out that the tenth preambular paragraph of the Treaty recalled the determination expressed by the parties to the 1963 Treaty to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to that end. The first Review Conference had stressed the importance of such a measure in bringing the nuclear arms race to an end. The same concerns were to be found in paragraph 51 of the Final Document of the tenth special session of the General Assembly, as well as in numerous General Assembly resolutions which emphasized the special responsibility of the nuclear-weapon States. In view of the multiplication of nuclear tests - 433 since 1970 - it was to be hoped that a working group would be set up by the Committee on Disarmament with a view to negotiating and drafting a treaty banning nuclear weapons tests in all environments.

51. The immersion of radioactive substances and the dumping of nuclear waste into the sea were matters of particular concern to Morocco, whose marine heritage was substantial and whose fish resources constituted a key element for its economic and social development.
52. As to the civil aspect, there too the "PT had proved to be a failure, since a

group of industrialized States had adopted guidelines in 1977 restricting their

exports of nuclear material, equipment and technology, in flagrant violation of the

provisions of article IV of the Treaty, which affirmed the inalienable right of all

parties to the Treaty to develop research, production and use of nuclear energy for

peaceful purposes without discrimination, as well as the undertaking of all parties
to the Treaty to facilitate the fullest possible exchange in that sphere.

53. He therefore felt that the Conference must denounce the blow to article IV

struck by that group of States, and should consider null and void a document likely
to favour the establishment of a new form of dictatorship, that of the "nuclearmongers",
and must most solemnly re-affirm the need for strict observance of all the provisions
of article IV. Those were the same Powers which had exploited and wasted the mineral
and energy riches of the third world and which were now refusing it the means to
equip itself with a technologically advanced industry, although it had renounced
nuclear weapons once and for all and had undertaken to place its peaceful nuclear
installations under IAEA control.

54. On the latter point, he observed that the activities of that Agency sometimes
gave the impression of favouring the exporting States, and he proposed that it should
include at the top of its list of priorities the training of senior staff from the
third world and that it should assign maximum resources to that objective.

55. What was more, his delegation expected the great nuclear Powers to undertake
to ensure fuller implementation of the provisions of article VI of the Treaty,
particularly by not trying to impede negotiations on prohibition of nuclear tests,
security assurances for non-nuclear-weapon States, the programme for nuclear and
general disarmament, and prohibition of chemical, radiological and other weapons of
mass destruction.

56. Lastly, his delegation thought that, at the next review conference at the

latest, revision of the IEN should be envisaged to take account both of new conditions
for implementation of the Treaty and of any positive results which might have meanwhile
meanwhile been obtained by the Committee on Disarmament.

57. Mr. EL FATAY (Syrian Arab Republic), speaking in exercise of his right of
reply, protested against the statement by the representative of Egypt to the effect
that Egypt was working for peace while other countries were giving way to self-pity
and frustration. Could countries such as the Syrian Arab Republic, Palestine,
Jordan, which were living under foreign occupation, be blamed for suffering from that
situation and for trying to liberate themselves by all possible means? To be sure,
the Arab world had good reason for commiseration over its fate and for feeling
instructed in its hopes when it saw President Sadat betray the cause of the
Palestinian people, which was also its own cause, in exchange for dollars from the
Americans. That was what the Sadet régime called the Egyptians peace, although
Sadet had clearly indicated, even before the Camp David agreements, that he would
recognize neither the Palestine Liberation Organization nor a Palestinian State.
Such a peace was nothing but capitulation and prostitution to the military bases and
nuclear weapons of the United States. Egypt had abandoned its Arab allies of 1973
and ran the risk of causing war by destabilizing the balance of forces in the region.

58. Mr. SHAER (Egypt), also speaking in exercise of the right of reply, said that
he categorically rejected the base allegations made against Egypt and its President.

The meeting rose at 1:15 p.m.
GENERAL DEBATE (agenda item 12) (concluded)

1. The PRESIDENT said that the general debate just coming to a close had been rather extensive; 52 speakers had made statements in the course of 11 meetings. He did not propose to offer a detailed summary or evaluation of the debate, but felt that a few brief comments from the vantage point of the Chair might be of service to the Conference and especially to its two main Committees.

2. He was convinced that the bitter confrontation predicted by the media and other sources had failed to materialize. The debate had been frank and forthright; every delegation had received an opportunity to state its point of view on the Conference's purpose and the action which should be taken to ensure its success. Between those points of view there were differences, sometimes of a major kind; nevertheless, he was now more optimistic than at the start of the Conference. Close scrutiny of the 52 statements made showed the presence of a common denominator and a general consensus on some basic points.

3. The first of those points was that the Treaty was one of the most important regimes in the field of disarmament, and that, if properly implemented, it could make a major contribution, not only towards nuclear disarmament, but towards international co-operation in general. Secondly, all speakers had agreed that there was no substitute for the Treaty and that its goals were as valid today as they had been in 1968. He was greatly encouraged by the spirit of give and take which all delegations had shown, and was confident that, as a result of their genuine collective efforts, the Conference would achieve results of which all could be proud.

4. In the next phase it was for the Committees, and more especially for their chairmen, to steer the deliberations towards results acceptable to all parties. Differences and difficulties must not be papered over, but at the same time it should be recognized that no-one had come to the Conference to wreck the Treaty. The second Review Conference should, to the greatest possible extent, contribute towards making the Treaty more attractive both to parties and to non-parties, so that at the end of the Conference the goal of universality might be closer at hand. The Committees should avoid going over the same ground as the plenary Conference, but should get down at once to the task of identifying the minimum and maximum parameters of the review exercise. He appealed to delegations intending to submit proposals to do so with all possible speed.

ADMISSION OF STATES AND AGENCIES APPLYING FOR OBSERVER STATUS

5. The PRESIDENT said that the following States had applied to the Secretary-General of the Conference for Observer status under rule 44 (2) of the rules of procedure: Algeria, Argentina, Brazil, Chile, Cuba, Israel, Spain, United Arab Emirates, United Republic of Tanzania, Zambia. In addition, two agencies had applied for Observer agency status under rule 44(4) of the rules of procedure: Agency for the Prohibition of Nuclear Weapons in Latin America, League of Arab States.
6. Mr. FONSEKA (Sri Lanka), speaking on behalf of States members of the Group of 77 participating in the Conference, said that, in principle, the Group favoured the attendance of non-signatories of the Treaty as observers. However, members were aware that the General Assembly had expressed concern about the nuclear weapons capability of Israel. Indeed there was a study under the auspices of the General Assembly on that topic. In addition, there were increasing reports that Israel had contributed significantly to the nuclear weapons capability of the apartheid régime of South Africa, while both had refused to sign the Treaty. The States members of the Group of 77 participating in the Conference therefore wished to place on record their misgivings that the attendance of Israel would not advance the cause of non-proliferation but, on the contrary, might well work against it.

7. The President said that those comments would be fully reproduced in the record of the meeting. In the absence of further observations, he would take it that the Conference wished to admit the States and agencies applying for observer status under paragraphs (2) and (4) of rule 44.

It was so decided.

ADOPTION OF ARRANGEMENTS FOR MEETING THE COSTS OF THE CONFERENCE (agenda item 11)

8. The President drew attention to rule 12 and to the appendix to the rules of procedure, as well as to the revised estimates of the costs of the second Review Conference contained in annex IV to the final report of the Preparatory Committee (NPT/CONF.II/1). He invited the Conference to accept the proposed cost-sharing formula.

It was so decided.

APPROVAL OF THE FIRST REPORT OF THE GENERAL COMMITTEE

9. The President invited the Conference to approve the first report of the General Committee in document NPT/CONF.II/16.

It was so decided.

The meeting rose at 3.45 p.m.
SUMMARY RECORD OF THE 14th MEETING
Monday, 1 September 1980, at 10.40 a.m.

President: Mr AITTANY (Iraq)

PROGRAMME OF WORK (agenda item 10)

1. The CHAIRMAN said that on 18 August 1980 the Conference, on the recommendation of the General Committee, had decided that the two main Committees would begin their work the next day and complete it by Friday, 29 August 1980. Despite their efforts, the two main Committees had not been able to meet that deadline, and the General Committee, after reviewing the situation on the basis of reports from the Chairmen of the two Committees, had requested the President to recommend that the Conference should extend that time-limit until 1 p.m. on Wednesday, 3 September 1980. The General Committee had also proposed that a plenary meeting should be held in the afternoon on 3 September to hear the reports of the two main Committees and to decide on the subsequent steps to be taken, with possible resubmission to the Drafting Committee. If there were no objections, he would take it that the new deadline was approved.

It was so decided.

ADMISSION OF STATES AND AGENCIES APPLYING FOR OBSERVER STATUS

2. The CHAIRMAN, noting that the Conference had already decided at the 13th meeting to confer observer status on 10 countries and 2 regional agencies, said that the Secretary-General of the Conference had just received such a request from Mozambique, presented under paragraph 2 of rule 44 of the rules of procedure.

3. If there were no objections he would take it that the Conference wished to confer observer status on that country.

It was so decided.

CREDENTIALS OF REPRESENTATIVES TO THE CONFERENCE (agenda item 7) (continued)

4. The CHAIRMAN said that the Credentials Committee had already met once, in accordance with rule 2 of the rules of procedure, to examine the credentials of the representatives, and that it intended to meet again on 4 September 1980 with a view to adopting its report. Therefore, the delegations which had not yet done so were requested to submit the credentials of their representatives to that Committee as soon as possible.

5. With the preliminary stage completed, the Conference was about to enter the crucial phase of its final document to meet the deadline assigned to it. He thus appealed to all delegations to show a spirit of conciliation and make known their definitive position without waiting to find out the position of other delegations. If all delegations respected that line of conduct, he had no doubt that the Conference would be in a position to complete its delicate task successfully.

The meeting rose at 10.50 a.m.
SUMMARY RECORD OF THE 15th MEETING
Wednesday, 3 September 1980 at 3.25 p.m.

President: Mr. KITANI (Iraq)

ORGANIZATION OF WORK

1. The PRESIDENT noted that at the 14th meeting the Conference had decided, on the recommendation of the General Committee, to extend the time-limit for completion of the deliberations of Committees I and II, originally set for 29 August 1980 to 1.00 p.m. on 3 September 1980. In the intervening period he had been engaged in the widest possible consultations and had been in constant touch with the Chairman of the two Committees. In the light of information available to him concerning the progress of the work, he wished to suggest that the time-limit should be extended by a further 24 hours, to 1.00 p.m. on 4 September. He appealed to all groups, individual delegations and individual participants to make the best possible use of the little time left to the Conference in order to achieve a result acceptable to all. It went without saying that the extension he was proposing would be the final one.

2. In the absence of objections, he would take it that the Conference accepted his suggestion.

It was so decided.

3. Mr. EL FATTAL (Syrian Arab Republic) congratulated the President upon the efforts he was making to consult important delegations to the Conference, but noted that his own delegation had never been consulted on any matter relating to the security of one of the world's most sensitive regions. The decision to hold simultaneous meetings of working groups had proved catastrophic for some delegations, especially those of developing countries. Various lobbies and pressure groups were taking advantage of the situation in order to guide the Conference away from the consideration of proposals submitted by the Group of 77.

4. The PRESIDENT explained that his consultations had been confined almost entirely to the Chairman of Committees I and II and of the Drafting Committee and to the co-ordinators of the three groups of countries represented at the Conference, namely, the Group of 77, the group of western countries and the group of socialist countries. If the representative of the Syrian Arab Republic or any other participant in the Conference felt that he had not been consulted, that was due to the exigencies of the situation. Furthermore, the consultations had been limited to discussion of the progress made in each Committee; on no occasion had they involved consideration of any written document. He reiterated his appeal to all concerned to expedite the work of the Conference and its bodies.

The meeting rose at 3.35 p.m.
SUMMARY RECORD OF THE 16th MEETING
Thursday, 4 September 1980 at 6.30 p.m.

President: Mr. KITTANI (Iraq)

STATEMENT BY THE PRESIDENT

1. The PRESIDENT said that it had become clear that no useful purpose would be served by continuing negotiations in Committee I and Committee II. Prospects for a successful conclusion of the work of the Conference had darkened and were currently not very bright. In the circumstances, it was the individual and collective duty of all members of the Conference to ponder very solemnly what the consequences of failure would be for the future of the Non-Proliferation Treaty, for the future of international peace and co-operation and for the interests of each and every party to the Treaty. Nobody stood to gain from the breakdown of the Conference and international relationships would be bound to suffer considerable damage.

2. As had been the case in 1975, the two Committees had been unable to reach agreement on definite recommendations to the Conference. The question therefore arose as to what could be done to bring the deliberations of the Conference to a successful conclusion.

3. In the situation which had arisen and consistent with his responsibility and mandate as President, he was ready to intensify informal consultations with a view to finding a satisfactory answer to the dilemma facing the Conference. He reaffirmed his final appeal that each and every representative had a solemn responsibility to review the position which his delegation had taken in the full consciousness of the consequences of failure and the importance which would attach to the success of the Conference. He expressed the hope that all would make a final effort which would prove that the collective will of the parties was that the final result of the Conference should enhance, rather than damage, the Treaty.

The meeting rose at 6.40 p.m.
SUMMARY RECORD OF THE 17th MEETING
Friday, 5 September 1980, at 5.50 p.m.

President: Mr. KITTANI (Iraq)

PROLONGATION OF THE CONFERENCE

1. The PRESIDENT said that, as a result of the common decision taken at separate meetings of the three main groups of participants, an attempt was being made by a drafting/negotiating committee on which they were all represented to advance the deliberations to a more satisfactory stage. He himself was keeping in touch with all delegations, particularly those of the Depositary States, with a view to transmitting to that Committee any useful suggestions. It had previously been decided to conclude the Conference in the evening of Friday, 5 September 1980. The plenary would therefore have to take a formal decision to extend it until the evening of Saturday, 6 September 1980. In the absence of any objection, he would take it that such was the wish of the plenary.

It was so decided.

The meeting rose at 5.55 p.m.
SUMMARY RECORD OF THE 18th MEETING
Saturday, 6 September 1980, at 10.35 p.m.

President: Mr. KITTANI (Iraq)

ORGANIZATION OF WORK

1. The PRESIDENT said that, at the end of the 17th meeting, there had still been some hope of the Conference ending with the adoption by consensus of a joint document; however, despite all the strenuous efforts and work that had continued uninterruptedly since the previous day, the working groups in which all members of the Conference were represented had succeeded in reaching near-unanimous agreement only on the work of Committee II. It was regrettable that the efforts to secure the adoption by consensus of a final document on the work of Committee I had had to come to naught.

2. In the light of extended consultations he had had with the three representative groups, he considered it advisable to close the meeting with a view to having a final meeting the next morning, at which delegations would have to decide either to close the Conference or to adjourn it and resume the second review of the Treaty at a later date.

The meeting rose at 10.40 p.m.
REPORTS OF THE MAIN COMMITTEES (agenda item 15) (NPT/CONF.II/19, NPT/CONF.II/20)

1. The PRESIDENT said that it remained for the Conference to adopt the reports of Committee I and Committee II, issued as documents NPT/CONF.II/19 and NPT/CONF.II/20 respectively. In the absence of objections, he would take it that the Conference took note of those two reports.

   It was so decided.

FINAL DOCUMENT OF THE CONFERENCE

2. The PRESIDENT said that certain changes needed to be made in the draft final document of the Conference (NPT/CONF.II/21). The last sentence of paragraph 23 should be amended to read: "At its nineteenth plenary meeting on 7 September, the Conference took note of the report".

3. Paragraph 25 should be completed to read: "The Conference held 19 plenary meetings between 11 August and 7 September, ...".

4. The second and fourth sentences of paragraph 30 should be amended to read: "Its report (NPT/CONF.II/19) was submitted to the Conference at its nineteenth meeting on 7 September [...]. Its report (NPT/CONF.II/20) was submitted to the Conference at its nineteenth meeting on 7 September ...".

5. The following wording had been decided upon for paragraph 32: "At its final plenary meeting, on 7 September, the Conference proposed to the Depositary Governments that a third conference to review the operation of the Treaty be convened in 1985. The Conference accordingly invited States parties to the Treaty which are members of the United Nations to request the Secretary-General of the United Nations to include the following item in the provisional agenda of the thirty-eighth session of the General Assembly: "Implementation of the conclusions of the second Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and establishment of a Preparatory Committee for the third Conference".

6. In accordance with the recommendation of the first Review Conference, the following words should be added to the end of paragraph 33: "... and are forwarded as such for the consideration of Governments of States parties to the Treaty on the Non-Proliferation of Nuclear Weapons".

7. In the absence of objections, he would take it that the draft final document was adopted by consensus.

   It was so decided.
(b) REPORT OF THE CREDENTIALS COMMITTEE (NPT/CONF.II/17)

8. The PRESIDENT reminded the Conference that, under rule 3 of the rules of procedure, the Credentials Committee was required to examine the credentials of representatives and report to the Conference. Its report had been submitted to the Conference as document NPT/CONF.II/17.

9. Mr. VALDEZ (Ecuador), Chairman of the Credentials Committee, said that after the publication of the Committee's report, it had received credentials-in due form for the Ethiopian delegation. Ethiopia should therefore be added to the list of countries which had submitted the credentials of their delegation.

10. The PRESIDENT said that, having regard to that observation, he would take it, in the absence of objections, that the Conference took note of the report of the Credentials Committee.

It was so decided.

FINAL STATEMENTS

11. The PRESIDENT reminded the Conference that there was no time for a lengthy discussion and requested delegations to limit their concluding remarks to five minutes.

12. Throughout the Conference, he had been struck by the lack of animosity in the discussions in spite of widely diverging views. He hoped that the delegations would continue to evince courtesy, dignity and mutual understanding.

13. Mr. EARLE (United States of America) said that the Conference had fulfilled its purpose, which was to provide the parties with an opportunity to review together the operation of the Treaty and progress towards achieving its objectives. During the exchange of views, there had been no criticism of the Treaty itself or of its objectives, and it had been observable that the parties shared a common desire to convince States that had not yet done so to adhere to it. The value of international safeguards and the importance of achieving full-scope safeguards coverage in non-nuclear-weapon States had been recognized. Furthermore, all delegations had expressed the desire for faster progress towards fulfilling the objectives of article VI relating to nuclear arms control and disarmament. That was a concern which was broader than the Non-Proliferation Treaty and which was the focus of discussion in many other important forums. The Conference could hardly have expected to settle that question, but it had given impetus to the ratification of SALT II, the initiation of SALT III and the completion of a comprehensive test ban treaty.

14. The Conference had also provided an opportunity to reduce misunderstandings about peaceful nuclear co-operation and to pay special attention to the needs of developing countries in that area. The fact that it had not been able to draft an agreed conference document should not cause the progress made on that subject to be

Resumed from the 10th meeting.
ignored. The failure had been due to the difficulty of reconciling differences on how the various views should be reflected and to the absence of agreement on the scope of the recommendations which the Conference might have formulated.

15. However, it must be recognized that there was nothing in its mandate that required the Conference to produce a negotiated document, desirable as that might have been and that it had considered in a very constructive fashion the ways in which the implementation of the Treaty could be improved.

16. The United States delegation, like the great majority of the other delegations, had done its utmost to negotiate a final text and it regretted that a small number of participants had adopted extreme and intransigent positions which did not help to advance the common objective or promote realistic arms control.

17. Mr. McPHERSON (Canada) reminded the meeting that in its opening remarks (18th meeting), his delegation had stated that the primary objective of the second Review Conference should be to maintain the integrity of, and broad international support for, the Treaty. In its view, the final declaration of the Conference should have reaffirmed the Treaty's purposes, acknowledged the progress made and the difficulties experienced since the first Review Conference and urged a firmer commitment to nuclear non-proliferation by both nuclear-weapon and non-nuclear-weapon States. In the course of the discussions, the nuclear-weapon States had been urged to accelerate efforts to halt the nuclear arms race and to achieve disarmament, while exploring possibilities for providing more effective security assurances to non-nuclear-weapon States.

18. His delegation had reaffirmed its commitments to share the benefits of the peaceful uses of nuclear energy, while emphasizing that assurances of nuclear supply must be complemented by assurances of non-proliferation, through the adoption of full-scope safeguards of the type envisaged in the Treaty.

19. Although the divergence of the views expressed during the lengthy deliberations had been fruitful in some respects, his delegation regretted that it had not been possible to work out an agreed final document since it had endeavoured up to the last moment to reach the consensus which it had still thought possible.

20. He referred to the two basic principles of the Treaty, namely a willingness by non-nuclear-weapon States to forgo nuclear weapons or nuclear explosive devices in return for a commitment by the nuclear-weapon States to pursue negotiations in good faith on effective measures of nuclear disarmament and the undertaking by all parties to promote the fullest possible co-operation on nuclear energy, subject to effective non-proliferation measures. Non-proliferation measures and peaceful uses of nuclear energy must be assessed in relation to other political considerations which also entered into play and it was as important to assess realistically the methods of ensuring the future satisfactory implementation of the Treaty as to analyse correctly past results. At the end of the discussions, it was evident that, while it had not been possible to reach a consensus on any text, there had been an identity of views on many points and it was legitimate to look forward to the conclusion of other agreements, even if that had not been formally recorded. Furthermore, the Conference had shown delegations that there was agreement on a large number of points. It could therefore be said that the Conference had fulfilled the most important aspects of its mandate and that considerable progress had been achieved through the efforts exerted on all sides. The validity of the Treaty had been reaffirmed and it was encouraging to note that the will to work towards strengthening the commitments that were assumed by adherence to the Treaty remained unshaken.
21. **Mr. PFELTEN** (Federal Republic of Germany) said that in the view of his delegation the Conference should have helped to strengthen the Treaty and achieve the common aim of winning the support of all countries for the Treaty. It had no doubt carried out its mission, but regretfully, it had not produced the results his delegation had hoped for. Although the Conference had not managed to agree on a substantive final document, his delegation still saw the Treaty as the central instrument of an effective non-proliferation régime because it had created the legal and political basis for non-proliferation. The Federal Republic of Germany would continue to abide by the provisions of the Treaty and work for its universality, while at the same time pursuing its policy of co-operation with the developing countries with regard to the peaceful uses of nuclear energy. Such a non-proliferation régime was only possible with the participation of the maximum number of States and he was pleased to note that the common aim of all the countries represented at the Conference was an effective non-proliferation policy. It was a positive sign which should encourage all the parties to strive for full implementation of the Treaty through co-operation and continued negotiation.

22. **Mr. OKAWA** (Japan) said he deeply regretted that the Conference had not been able to produce a substantive final declaration, but remained convinced that all States parties recognized the importance of the Treaty and that none of them had challenged the régime established by it. His delegation was confident that all States would continue their efforts, in respecting the letter and spirit of the Treaty, to strengthen the only existing international legal instrument which might prevent the dissemination of nuclear weapons and at the same time support the peaceful uses of nuclear energy. The Japanese Government was determined to join in the common effort to strengthen the non-proliferation régime and urged nuclear States to do more to achieve concrete measures of nuclear disarmament.

23. His delegation found it encouraging that the Conference had been able to arrive at a more or less general consensus with regard to the peaceful uses of nuclear energy and was of the opinion that the drafting of a document to reflect that consensus of opinion would be a good basis for further work in that field.

24. **Mr. RICHARD** (New Zealand) said that he deeply regretted that the Conference had not achieved more satisfactory results but thought that the setback should not be overstated.

25. His country remained committed to the principle of non-proliferation and took heart from the number of new accessions to the Treaty, some by States with a significant nuclear capability. It was gratifying that all delegations present had reaffirmed the principle of non-proliferation and that the differences which had arisen had largely concerned further steps towards strengthening the Treaty. The emergence of those differences had helped to redefine positions and refocus attention on the main objective, taking the Conference one step closer to a positive approach, and therefore a solution, to those problems.

26. His country, however, was concerned that so far no comprehensive nuclear test ban treaty, which it considered as an important stage in strengthening the Non-Proliferation Treaty, had been concluded. It also hoped for a universal application of full-scope safeguards, which must be considered as an absolute condition of the supply of nuclear material, and believed that small countries which maintained those safeguards should be assured of ready access to nuclear technology for peaceful purposes, in accordance with article IV of the Treaty.
27. His country had no doubt that further progress was possible if all States parties redoubled their commitment to making the principle of non-proliferation really work.

28. Mr. POWSEKA (Sri Lanka) said that he was speaking on behalf of the Group of 77 because, although the Conference did not recognize political groupings, the deliberations during the previous four weeks had shown that the point of view of that group of developing countries should be made known. By signing the Treaty those countries had renounced the acquisition of a nuclear weapon capability and had opted for the peaceful uses of nuclear energy. Their views were clearly stated in document NPT/CONF.II/C.1/II, which his delegation wished to have included among the official documents of the Conference and annexed to its report.

29. From the beginning of the discussions with regard to the review of developments related to articles I and III of the Treaty the Group of 77 had requested that greater attention should be paid to the different forms of nuclear co-operation and the non-application of safeguards, which, jointly, had allowed Israel and South Africa to acquire nuclear capabilities and seriously threaten international peace and security. It was nothing less than a violation of the provisions of the Treaty and a breach of the good faith which should govern the conduct of States parties. The Group of 77 was concerned that a failure to redress the situation would compromise the security of neighbouring States, thereby flagrantly violating the objectives of the Treaty.

30. The Group of 77 recognized the value of the work accomplished by Committee II, whose conclusions might serve as a basis for the application of the relevant articles of the Treaty, and hoped that it would be easier to resume discussions on that question at a later date as a result of the degree of understanding arrived at during the Committee's deliberations.

31. With regard to the implementation of articles II and VI, he observed that the Treaty had originally been conceived as an instrument to establish an acceptable balance between mutual obligations and responsibilities on the part of nuclear and non-nuclear States. The non-nuclear States members of the Group of 77, for their part, were able to state that they had faithfully observed the obligations assumed under article II. Although article VI was addressed to all parties it imposed greater obligations on nuclear States, which were in a position to influence the nuclear arms race and to negotiate effective measures for disarmament. However, it was clear that non-nuclear States had respected the obligations assumed under article II and that there had been no horizontal proliferation, but it was equally clear that obligations regarding vertical proliferation had not been respected; there was little evidence of effective measures of disarmament and even less promise.

32. The Conference would not issue a final document because the non-nuclear States members of the Group of 77 had wished in that way to draw attention to the fact that article VI had to a great extent remained a dead letter 10 years after the conclusion of the Treaty and five years after the first Review Conference. Those States had none the less requested that discussions should continue because they believed it was still possible to work out a final document.

33. The President said that the document (NPT/CONF.II/C.1/II) referred to by the representative of Sri Lanka would automatically be included among the official documents of the Conference in accordance with the decision taken by the Conference relating to all documents presented by the two Committees.
34. **Mr. GOLOB** (Yugoslavia) observed that the Conference had not succeeded in making an objective review of the implementation of the Treaty or in making recommendations on how to improve it. In a rapidly changing world where the struggle for independence and sovereignty and against foreign domination was a permanent feature, nobody was unaware of what was at stake in the Conference. His own and other countries wanted to see progress in the peaceful uses of nuclear energy for the benefit of all and would not be put off with arguments supporting technological domination or invoking non-proliferation. The reasons given for the absence of progress on disarmament did not satisfy those countries which wanted to do away with a system of fear and domination built upon the arms race and stockpiling of nuclear armaments. The Treaty was to have helped to achieve that objective but, unfortunately, its defects remained and confidence among countries was decreasing. As it had already done at the first Review Conference, his delegation could only warn against the adverse consequences of failure to implement the Treaty when the great Powers and States sharing their views continued to try to use the Treaty as a means of retaining all the advantages which its provisions offered them. The non-nuclear States, in particular the developing countries, however, were demanding a programme of measures to enhance equality in rights and duties between nuclear and non-nuclear States. There had been no consensus on that essential issue. If the non-aligned countries and the Group of 77 countries were again compelled to submit the same proposals for disarmament and the peaceful uses of nuclear energy at the next Review Conference, the future of the Treaty was bleak. His country would continue to support the objective of non-proliferation, but the Conference was a serious warning to the international community that it should scrupulously respect the Treaty, bearing in mind the rights and obligations of all nuclear and non-nuclear States.

35. **Mr. GARCIA ROBLES** (Mexico) observed that the Conference had not achieved all its objectives, but, as an impartial observer, he none the less considered that the outcome of the efforts to do so were evident. In addition to some progress in the discussions on article IV, all delegations had shown that they wished to strengthen the Treaty and encourage universal adherence to it, which was the essential aim of the Conference. It should not be forgotten that the Treaty had become feasible only because it had been recognized as a means of achieving an acceptable balance between the mutual responsibilities and obligations of nuclear and non-nuclear States, and therefore of preventing horizontal and vertical proliferation of nuclear arms.

36. The examination of article VI had clearly shown the need to adopt concrete and effective measures to bring about a radical change in the situation because, instead of a "cessation of the nuclear arms race at an early date", there had unquestionably been an intensification of that arms race.

37. His delegation was convinced that, if the Depositary States, which were the sole owners of such armaments, could interpret the lessons of the second Review Conference correctly, the next conference would take place in a more favourable climate and contribute effectively to the strengthening of the Treaty and its universal ratification.

38. **Mr. BOEL** (Denmark) said he deeply regretted that the Conference had been unable to adopt, by consensus, a final document which would have promoted non-proliferation. The Danish delegation shared the disappointment expressed by many others at the lack of progress made in the international negotiations on weapons control and disarmament, but considered that top priority should have been
given to reaffirming the commitments undertaken regarding the aims and principles of the Treaty in a final document on matters of substance. However, the useful work carried out by the Conference on almost all of the questions related to the peaceful uses of nuclear energy and to safeguards in that field should not be passed over in silence. Indeed, the members of the Conference had almost agreed on some of the most controversial questions, such as article VI, although that fact had not been mentioned in the official records. The Danish Government looked forward to the ratification of SALT II and hoped that a comprehensive nuclear test ban treaty would be concluded.

39. The Conference must be seen as part of a long and arduous process, and it must be borne in mind that the questions it had debated would be taken up in other international forums. Despite the divergent viewpoints still apparent on some aspects of the Treaty's implementation, all countries had continued to uphold the aim of non-proliferation; given the risks involved, they should all continue to work towards that common aim.

40. Mr. FERNANDEZ (Australia) said he was disappointed that the members of the Conference had not been able to reach agreement in the time available on a consensus final declaration and shared the concern expressed by many delegations about the slow progress of nuclear disarmament negotiations and, in particular, the delay in the conclusion of a comprehensive nuclear test ban treaty. The Australian delegation had hoped that such a treaty would be in force by the time the Conference was convened, since it considered that a test ban treaty would be an additional and important support for the international non-proliferation régime.

41. He could only express regret that differences over nuclear arms control issues meant that there would not be a final document reflecting the positive results achieved in the discussions on articles III and IV, on which the principal elements of agreed language had resulted from the full discussions in Committee II. That achievement at least was evidence of the continued strength and viability of the NPT.

42. The Conference also made it possible to achieve consensus on peaceful uses issues, for example that of IAEA safeguards, which should further international discussions within the Agency and other organizations.

43. His delegation had been impressed by the virtually universal commitment of delegations to the purposes of the Treaty, which remained of great importance, not only for international peace and security, but also for the advancement of co-operation in the peaceful uses of nuclear energy. It looked forward to universal adherence to and full implementation of the provisions of the Treaty in the best interests of all, both collectively and individually.

44. Mr. SUMMERHAYES (United Kingdom) said that the absence of a final declaration after four weeks of discussions would benefit no one and was a matter for regret. His delegation would have liked to have continued the search for a consensus, but it considered that disagreement over a final declaration did not imply that there was disagreement over the value of the Treaty, which continued in full force and effect, all parties remaining bound by its provisions. His Government would continue in a constructive manner to uphold the Treaty, the central and vital role of which had not been called into question, including the application of IAEA safeguards in accordance with agreements concluded under article III. The Agency's safeguards régime provided the basis for confidence among States, and the United Kingdom would do everything it could to ensure that the recently-established Committee on Assurances of Supply yielded a constructive result in facilitating fuller use of nuclear energy for peaceful purposes.
45. His Government would continue to be mindful of its obligations under article VI, in particular its obligation to pursue negotiations in good faith on effective measures relating to nuclear disarmament, including the comprehensive test ban negotiations.

46. Mr. TERWISCHA V. SCHELTINGA (Netherlands) said that the failure of the Conference to reach agreement on a final document represented a serious setback for international non-proliferation policies, potentially weakening the role of the Treaty in international relations. That setback, which he fervently hoped was temporary, was basically caused by the lack of progress in the field of nuclear disarmament which seriously endangered the viability of the NPT, and by the different approaches to the relationship between the use of the nuclear fuel cycle for peaceful purposes and the safeguards to be applied.

47. However, the Netherlands delegation noted with satisfaction the measure of agreement reached on a number of important points relating to articles III and IV, and hoped that the divergences of opinion would not have a harmful effect on future negotiations on the control of nuclear weapons and international co-operation in the field of the peaceful uses of nuclear energy. The participants in the Conference should retain from the lengthy debates a clearer perception of the precise views of participating countries on important issues and that perception should have a beneficial effect on later efforts to strengthen the Non-Proliferation régime.

48. It was evident from the preliminary statements made that 10 years after its entry into force, the Treaty had not proved to be outdated, or even fundamentally ill-conceived. The Netherlands Government would continue in its active non-proliferation policy, since, as stated by the Netherlands Minister of Foreign Affairs, there was a growing awareness in many countries of the vital importance of avoiding the spread of nuclear weapons and the only hope of further progress in the peaceful uses of nuclear energy lay in dispelling the mutual distrust between different groups of countries by working together.

49. Mr. VAERNØ (Norway) regretted that the Conference had not managed to draft a final document by consensus, particularly since agreement had been possible on many significant areas of concern. One could not however say that the Conference had been a failure since it had done what was required of it – it had reviewed the operation of the NPT. The discussions had shown that the Treaty was a unique accomplishment in international politics and continued to ensure the security interests of every State party. The almost-unanimous pledge of delegations to renew their commitments under the Treaty and their desire to see that Treaty strengthened should be a source of inspiration for Governments to continue their efforts to build a world where the role of nuclear weapons would be increasingly diminished.

50. Norway still urged a rapid ratification of SALT II and the opening of the third phase of the strategic arms limitation talks and subsequent negotiations with the aim of averting a new arms race on the continent of Europe with competitive deployments of tactical nuclear forces. An increased role of and emphasis on nuclear weapons in the management of security in Europe was incompatible with the consolidation of a non-proliferation régime in the world.

51. A comprehensive test ban agreement would also constitute a non-discriminatory instrument of essential relevance to the promotion of the objectives of non-proliferation. While seeking nuclear weapons control, it was essential to preserve the instruments already available for creating a safer world; the Treaty was in that respect the only framework for international co-operation which made it possible to avert the common danger of widespread proliferation of nuclear weapons.
52. Mr. GAYNOR (Ireland) believed that the Treaty and the non-proliferation régime were fundamental to the cause of peace, international understanding, and relaxation of tensions among nations. The success of the non-proliferation policy could lead to a more constructive use of the enormous resources diverted to military purposes; it was thus in the interest of all countries to contribute to the strengthening of that régime and to take no action which would derogate from that end.

53. The dual purpose of the Conference had been to review the operation of the Treaty and examine the possibilities for taking further steps to strengthen that Treaty; because of the difficulty of the problems involved, it had not been possible to find a comprehensive solution within four weeks. He shared the sense of disappointment felt by other delegations and considered that a great deal of arduous effort was needed in the years ahead to halt nuclear weapon tests and make substantial reductions in nuclear weapons. Nevertheless, the Treaty would remain the corner-stone of man's struggle to avert the threat of nuclear war.

54. Mr. NOROZOV (Union of Soviet Socialist Republics), speaking on behalf of the socialist States as a whole, noted that the second Review Conference had accomplished an important and useful task because it had reviewed in detail all aspects of the implementation of the Treaty. The great importance that the States attached to the strengthening of the Treaty had been evident during the work. The need to make real progress in the reduction of weapons and disarmament and in the development of co-operation in the peaceful uses of nuclear energy had also been stressed.

55. The socialist countries supported the role played by IAEA in the control measures specified in the Treaty. The Conference had shown that it was important to continue to respect the obligations imposed by the Treaty if proliferation was to be stopped. The delegations of the socialist countries were convinced that further measures would be implemented to strengthen the Treaty and increase the number of countries acceding to it; they would do all in their power to attain those objectives.

56. Mr. ADEKUJI (Nigeria) said that the last day of the Conference had not been a happy one for the cause of non-proliferation, not so much because it had been impossible to put the finishing touches to a final document as because the delegations had not taken it upon themselves to pick up their deliberations at the point where they had been obliged to leave them, owing to lack of time, and thus to show that they attached the greatest importance to continuing to seek a means of conciliation. That impasse arose in part because some delegations wished to make a routine review of the operation of the Treaty whereas others wanted to review the Treaty bearing in mind its objectives and purposes and studying in detail the implementation of its articles.

57. As the Nigerian delegation had pointed out during the general debate (8th meeting), non-proliferation for the 1980s could not be based on the mere existence of the NPT and on the commitment of countries to respect that Treaty. There were important loopholes in non-proliferation régimes since several important countries had not acceded to the Treaty and the States which were on the threshold of acquiring nuclear capacity and which were not yet parties to the Treaty were unlikely to become parties. The failure of the Conference had further reinforced that belief and had made it all the more difficult for the States parties to carry the flag of non-proliferation to those countries which had not acceded to the Treaty. The lack
of progress in the implementation of articles I and II would continue to bedevil the Treaty as a whole. Non-proliferation did not mean only the prevention of the emergence of additional nuclear-weapon States but also a commitment to nuclear disarmament. Those were not unreasonable demands from the non-nuclear-weapon States nor concessions that the nuclear-weapon States would make to them, since the former, by ratifying the Treaty, had already made the supreme concession of giving away their right to develop nuclear weapons, which in an uncertain world might be required for the defence of their sovereignty.

56. The Nigerian delegation nevertheless hoped that it would be possible in future negotiations to note some positive change in the attitude of nuclear-weapon States. It was to be hoped that, even in the absence of multilateral negotiations on a comprehensive test ban treaty, the commitments undertaken at the Conference would be maintained and demonstrated at the next session of the Committee on Disarmament. A test ban treaty was a basic requirement for non-proliferation in the 1980s. Moreover, the understanding reached on the promotion of the peaceful uses of nuclear energy through guarantee of supply and the establishment of a fund to which the developing countries parties to the Treaty would have access, should be respected. The Depositary States were being called upon to show that they were equal to the special responsibilities incumbent upon them.

59. Mr. RAJANOSKI (Finland) said that it would have been highly desirable to give expression in a final document to the continued support of the vast majority of States for the NPT. His delegation still regarded the Treaty as the most important disarmament and arms limitation measure taken so far. For more than 10 years, the Treaty had demonstrated its viability as the basis of the non-proliferation régime and, despite the divergence of views revealed by the Conference, particularly on article VI, it had never been challenged as such.

60. Finland reaffirmed its undertaking to do everything possible to further the development and strengthening of the non-proliferation régime.

61. Mr. CORDEJO di MONTEZEMOLO (Italy) said he regretted that it had not been possible to adopt by consensus a final document on matters of substance, but considered that the Conference had provided an opportunity for a complete and useful review of the functioning of the NPT during the past five years. In the hope that the discussion would be resumed in all appropriate bodies, his delegation reaffirmed its confidence in the Treaty as a complete and well-balanced instrument for dealing with one of the crucial problems of the day. The Treaty was essential for consolidating world peace and security and promoting international co-operation and national development, taking particular account of the needs of the developing countries. Italy renewed its undertaking faithfully to respect the provisions of the Treaty as the best means of strengthening credibility, consolidating the non-proliferation régime and encouraging States that had not yet done so to accede to the Treaty.

62. Mr. IOHESCU (Romania) said that, in his delegation's view, the Conference should provide a means, with the participation of all States parties, of verifying the way in which the provisions of the Treaty were being applied and of adopting appropriate measures to give a new impetus to nuclear disarmament, enhance world security and promote the peaceful uses of nuclear energy. While the non-nuclear-weapon States had scrupulously fulfilled their undertaking not to acquire or manufacture nuclear weapons, vertical proliferation and the nuclear arms race had continued and accelerated. At the same time, despite the efforts of IAEA, access by the developing countries to the nuclear technology, equipment and material required to meet their present and future needs had become increasingly difficult. The steps taken to attain the fundamental objectives of the Treaty were, on the whole, disappointing.
63. The quantitative and qualitative accumulation of nuclear weapons and the increase in their destructive capacity were of particular concern to his country, which, since its accession to the Treaty, had done everything possible to facilitate the achievement of the Treaty’s main objectives. If the Treaty failed to prevent both horizontal and vertical proliferation, its effectiveness and very existence would be endangered. His delegation appealed to the nuclear-weapon States and all other States to respect their obligations under article VI and to begin a genuine process of nuclear disarmament. That appeal was also addressed to States in a position to contribute to international co-operation in the peaceful uses of nuclear energy; they should make that contribution in a practical way that would benefit all mankind.

64. His Government attached particular importance to the security assurances to be given to the non-nuclear-weapon States, which were mostly small and medium-sized countries. In that connection, the draft additional protocol submitted by Romania at the first Review Conference (HPT/CONF/22) was still fully valid.

65. Although the Conference had highlighted the uneasiness of Member States, and even the lack of communication between the nuclear States and other States, it had nevertheless afforded an opportunity for all parties to express their views and to stress the fields of vital interest for them. His delegation endorsed the statement made by the spokesman of the Group of 77 and urged all States jointly to pursue their efforts.

66. Mr. ARRASSEH (Morocco) observed that delegations were seeing the spectacular close of a performance in several acts which had been running since 1968. In a desire to maintain an absolute arms monopoly, three Powers had at that time succeeded in persuading many States, which were terrified at the prospect of atomic war, permanently to renounce nuclear weapons. They had obtained their quietus in 1975 without making the least concession, and they had intended to renew that achievement at the present Conference – hence the present crisis and the special responsibility incumbent on those Powers.

67. It was difficult not to consider the transfer of nuclear technology and equipment and the deployment of nuclear weapons on the territory of third States or in international waters as contrary to article I. Since the entry into force of the Non-Proliferation Treaty, those Powers had persisted in pursuing a desperate nuclear arms race while refusing to pursue in good faith multilateral negotiations on appropriate measures to end the arms race and arrive at a treaty on general and complete disarmament in accordance with article VI. In that connection, SALT I and SALT II could be considered as nothing more than simple measures of rationalizing the combat in which those big Powers were engaged.

68. Those Powers, moreover, did not consider themselves bound to give the non-nuclear-weapon States security guarantees against the use or threat of use of atomic weapons.

69. International co-operation in the transfer of technology for peaceful purposes, provided for in article IV, was trammeled with the dual constraint of IAEA safeguards and the draconian conditions imposed as a matter of policy, often unilaterally, by the highly industrialized countries.

70. If the Depositary States wished to maintain the present régime, they must recognize that the situation had changed and that they must take a major step to meet the non-nuclear-weapon States. In any event, the HPT was of no benefit to the latter, particularly the third-world countries, since the insane arms race was going from bad to worse and they were always forced to accept humiliating terms in order to obtain the peaceful nuclear installations they needed.
71. **Mr. LIDGARD** (Sweden) said that his delegation was also very disappointed to see that, in spite of years of preparation and assiduous work, it had not been possible to formulate a substantive final declaration. However, there was perhaps a positive aspect inasmuch as the parties had renewed their commitment to the cause of non-proliferation and the Treaty, which was worth supporting both in the letter and in the spirit. It was more important than ever for the Treaty to be given universal effect.

72. The Conference had fortunately been able to deal at length with such important questions as IAEA safeguards and international co-operation in the peaceful uses of nuclear energy and even to reach a measure of agreement. His delegation remained convinced that relations between States would improve in the context of such co-operation if all non-nuclear States which had not adhered to the Treaty agreed to apply the same safeguards as States parties and if all exporting countries imposed those safeguards as a condition of supply, thereby eliminating what had been denounced as an element of discrimination or even inverse preference. The Conference had also helped to clear up some misunderstandings and to restore confidence among States concerning that co-operation. Those results augured well for progress in other bodies.

73. However, there were considerable differences of opinion about disarmament and he regretted that the Conference had not had time to draft a final document containing its important conclusions. It was to be hoped that States, particularly nuclear States, would draw the obvious conclusion from the Conference. The States parties to the Treaty, which were rightly concerned about their own security and world peace, should continue to work for nuclear disarmament and non-proliferation.

74. **Mr. VAN HOUTTE** (Belgium) also regretted that the Conference had failed to arrive at a final text, but observed that the objectives and the importance of the Treaty had not been contested. His delegation believed that the main reason for the failure was the state of negotiations on disarmament. However, something approaching a consensus seemed to have been reached in the negotiations on the peaceful uses of nuclear energy and the results achieved in that regard would be useful for future discussions, when delegations had had time to study them carefully and to comment on the new texts drawn up by the Conference.

75. **Mr. LEE** (Republic of Korea) said that the work of the Conference had started in a difficult international climate — as had been the case five years earlier — and, under such conditions, the objective pursued within the framework of the Treaty could not be other than limited.

76. The deliberations of the Conference had made it possible to focus more closely than in 1975 on the problems arising in the implementation of articles I and VI and to define more precisely the direction which future efforts in that field should take.

77. His delegation was pleased to note that the examination of the peaceful uses of nuclear energy had brought constructive results, bearing in mind the current political problems. The scope of work in that sector should be broadened in the coming years in order to assist the non-oil-exporting developing countries to resolve their energy problems. As a newly industrialized country, the Republic of Korea attached great importance to the development of peaceful uses of nuclear energy, a sector in which co-operation among developed and developing countries should be strengthened.
78. **Mr. SHAKER** (Egypt), speaking under rule 44 of the rules of procedure, reminded the meeting that his delegation had participated in the Conference as a signatory country which had not ratified the Treaty. However, it had not been permitted to speak in the informal, open-ended working groups established by the main committees under the pretext that it would thereby have participated in the adoption of decisions. His delegation interpreted rule 44 as meaning that signatory countries could participate not only in the work of the plenary meetings of the Conference and the main committees but also in the working groups, which were subsidiary bodies of the Conference. Moreover, those countries were entitled to submit their views in writing to the Conference, but they had not been permitted to speak in support of them in the working groups. Thus the document presented by the Group of 77 took into account the positions of all members of the Group which had participated in the Conference, whether they were parties or signatories, but they had not all been permitted to speak before a working group to explain their position.

79. **Mr. EL FATTAL** (Syrian Arab Republic), speaking on a point of order, asked why at the end of the Conference the Egyptian delegation found it necessary to raise that question on the rules of procedure at a solemn moment when matters of extreme importance were being discussed.

80. **Mr. SHAKER** (Egypt) said that he had not wished to raise the point earlier out of respect for the Conference and the parties to the Treaty. His delegation wished to play a constructive role in the Conference and was merely requesting that all delegations should take the problem into consideration.

81. The **President** said that he shared the disappointment expressed by many delegations, but that the undertaking should be seen in all its complexity, which meant synthesizing the positions of all States on a matter on which both the international climate and disarmament had a direct influence.

82. The discussions had shown that all commitments to which parties had subscribed under the terms of the Treaty had been upheld and differences of views had rather concerned proposals to improve the implementation of those provisions. Of the three main fields covered in the Treaty, horizontal proliferation had been the subject of very little controversy, as everybody had recognized that the non-nuclear parties had observed the Treaty. The question of the peaceful uses of nuclear energy had given rise to marked differences of opinion, but, following a considerable number of proposals on articles III, IV and V, it had been possible after a great deal of effort to obtain almost complete unanimity on those matters. The greatest difficulties had been in respect of the third sector - disarmament - and, although there had been agreement on many points, it had not been sufficient to satisfy everybody. It should be recognized that the Conference was not alone in that respect and that all bodies which had to deal with questions such as the ending of the arms race - the First Committee of the General Assembly, the Committee on Disarmament and other bodies within or outside the United Nations - were in no better a situation.

83. It was, however, necessary to be frank and to admit that the way in which the obligations contracted under the terms of article VI were being honoured was still disappointing. Instead of slowing down the arms race it was intensifying both qualitatively and quantitatively, and the prospects were far from bright. In that respect the warning given by a number of delegations was real and should be taken seriously. If it was hoped to avoid the worst, it should be recognized that all was not for the best in the application of the Treaty or in the world in general.
64. In conclusion, he urged delegations to study and implement with good will the proposals considered during the Conference on which agreement had been reached and also to re-examine their previous positions with regard particularly to disarmament in order to see what they could do to attain the objectives which were the raison d'être of the Conference.

85. He addressed the customary expressions of appreciation to the participants, the members of the General Committee and the secretariat and declared the second Review Conference of the Parties to the Treaty on the Non-proliferation of Nuclear Weapons closed.

The meeting rose at 1.30 p.m.
SECOND REVIEW CONFERENCE OF THE PARTIES TO THE TREATY ON
THE NON-PROLIFERATION OF NUCLEAR WEAPONS

COMMITTEE I

SUMMARY RECORDS OF THE 1ST TO 12TH MEETINGS

held at the Palais des Nations, Geneva,
from 19 August to 4 September 1980

Chairman: Mr. MAINA (Kenya)
SUMMARY RECORD OF THE 1st MEETING
Tuesday, 19 August 1980, at 5 p.m.

Chairman: Hr. MAINA (Konya)

ORGANIZATION OF WORK

1. The CHAIRMAN pointed out that an extensive general debate had already taken place and that the main Committees should go directly into the substance of the items allocated to them.

2. The plenary Conference had allocated to Committee I the series of items listed under part III of document NPT/CONF.II/16, namely agenda items 13 - A, C and D - and 14. He suggested that, to the extent possible, those should be dealt with item by item, bearing in mind that the ultimate aim of the Committee must be that of formulating elements for the final declaration of the Conference. Suggestions should therefore be made as soon and in as specific a form as possible. In view of the need to achieve consensus, it would be useful if the submission of proposals could be preceded by informal consultations.

3. In reply to a point of procedure raised by Hr. FLOWeree (United States), the CHAIRMAN suggested that the items should be taken up one by one as listed in document NPT/CONF.II/16.

It was so agreed.

4. The CHAIRMAN said that Hr. Boel (Denmark) had left Geneva and would be unable to take up his duties as a Vice-Chairman of the Committee. He would be replaced as a Vice-Chairman by Hr. Stenhjerrna (Denmark).

The meeting rose at 5.10 p.m.
SUMMARY RECORD OF THE 2nd MEETING
Wednesday, 20 August 1980, at 3.15 p.m.

Chairman: Mr. KAINA (Kenya)

REVIEW OF THE OPERATION OF THE TREATY AS PROVIDED FOR IN ITS ARTICLE VIII (3)
(agenda item 13)

A. IMPLEMENTATION OF THE PROVISIONS OF THE TREATY RELATING TO NON-PROLIFERATION OF NUCLEAR WEAPONS, DISARMAMENT AND INTERNATIONAL PEACE AND SECURITY:

(1) ARTICLES I, II AND III (1, 2 and 4) AND PREAMBULAR PARAGRAPHS 1-5

1. The CHAIRMAN suggested that the Committee should first review the implementation of articles I and II and the related first, second and third preambular paragraphs of the Treaty. It might then address itself to article III and the fourth and fifth preambular paragraphs. Thereafter it would seem logical to take up article VI, together with the eighth to twelfth preambular paragraphs, the Security Assurances and article VII, in that order. The Committee might wish to decide at a later stage whether it was necessary to have a separate discussion on item 14, bearing in mind that the main elements of that item might already have been dealt with in the context of the items previously discussed. Item III C, "other provisions of the Treaty", might be taken up in the context of the discussion on the specific articles already enumerated.

2. Following a procedural discussion, in which Mr. MEERDING (Netherlands), Mr. SIAZON (Philippines) and Mr. WALKER (Australia) took part, the CHAIRMAN suggested that a decision on the timing of the Committee's debate on article III should be postponed until he had had an opportunity to discuss the question with the Chairman of Committee II, which was also to address itself to that article. It was so decided.

3. The CHAIRMAN said that, with regard to articles I and II, it would seem that the Conference was required to pronounce itself on the observation of those articles by the parties and on the role that such observance played in fulfilling the objectives of the Treaty.

4. Mr. ADUOMI II (Nigeria) suggested that the conclusions of the Conference on articles I and II should be listed separately in the final document. Article I had been complied with. The article did not however cover the activities of non-nuclear-weapon States and the possible impact of such activities should be reflected in the final document. His delegation could accept a simple formula on article II to the effect that it had been observed by non-nuclear-weapon States party to the Treaty.

5. Mr. NORDBERG (Sweden) supported the suggestion of the representative of Nigeria. It was essential that the final document should reflect an interpretation to the effect that article I applied to all parties to the Treaty.
6. Mr. **HEDERBURG** (Netherlands) reminded the Committee that, during the negotiations which had led to the Treaty, the United Arab Republic had proposed an amendment which would have extended the application of article I to all parties. The amendment had not been taken up because the drafting of the Treaty had already reached an advanced stage. The point should however be reflected in the final document of the second Review Conference.

7. Mr. **SHA'AR** (Egypt) also supported the suggestion of the representative of Nigeria. A further loophole in article I was that it would still permit nuclear-weapon States to assist other nuclear-weapon States in the nuclear field and thus to promote vertical proliferation.

8. Mr. **ONTLING** (Belgium) said that great care was necessary at the drafting stage as otherwise the result might be the addition of obligations to those which already existed.

9. Mr. **OKAWA** (Japan) welcomed the fact that there had been no breaches of articles I and II during the previous 10 years. He expressed the hope that the Treaty would achieve universal adherence and appealed to non-parties, in particular the two nuclear-weapon States which were not yet members, to respect the spirit of articles I and II and to use self-restraint in any action which could lead to nuclear proliferation. He hoped that his comments would be reflected in the final document.

10. Mr. **NAZARKIN** (Union of Soviet Socialist Republics) said that there had been no indication of any violations of articles I and II and that that situation should be reflected in the final document. He reserved his position on whether comments on the two articles should be contained in one section or in two. A judgement could not be made until draft wording was before the Committee.

11. The CHAIRMAN said that the point made by the representative of the Soviet Union applied equally to all members of the Committee who could clearly not commit themselves until they could see a draft text or texts.

12. Mr. **ARASSE** (Morocco) did not agree that there had been no infringements of article I. There had indeed been transfers to third parties so that there had been oblique proliferation.

13. Mr. **SY** (Senegal) agreed with the representative of Morocco and requested that the point be reflected in the final document.

14. Mr. **ABDULU** (Nigeria) said that the comments of the representatives of Morocco and Senegal did not affect article II. The case for dealing with the articles separately in the final document was therefore strengthened and he hoped that the representative of the Soviet Union would have no difficulty in accepting that the conclusions of the Conference should be reflected article by article and not grouped together.

15. Mrs. **BEN AMILIA** (Tunisia) supported the statement made by the representative of Morocco. He considered that IAEA had not been able to prove that article I had been fully implemented.
16. **Mr. CIARRAPICO (Italy)** said that the evaluation of the implementation of articles I and II should be confined to the activities of the States party to the Treaty and not to others. In that regard, his delegation was satisfied that those articles had been implemented and that point should be reflected in the final document, which should nevertheless express concern that other States could provide nuclear assistance.

17. **Mr. ADEGBULE (Nigeria)** said that, if it was accepted that nuclear-weapon States party to the Treaty could transfer nuclear technology to non-parties, the whole purpose of the Treaty would be circumvented.

18. **Mr. MAHINA (Zaire)** agreed with the representatives of Senegal and Morocco that article I had not been respected one hundred per cent.

19. **Mr. CIARRAPICO (Italy)** remarked that in evaluating the results of the implementation of articles I and II, the Committee could consider only the activities of States parties to the Treaty and not of other States. From that point of view, the situation with regard to the implementation of articles I and II could be regarded as satisfactory. That fact should certainly be reflected in the final document of the Conference. His delegation did not, however, rule out the possibility that the final document might also include an expression of concern over the fact that, as the Belgian representative had said, some non-nuclear-weapon States might be assisting, encouraging or inducing non-nuclear-weapon States to manufacture or otherwise acquire nuclear weapons.

20. **Mr. ADEGBULE (Nigeria)** pointed out that article I spoke not only of nuclear-weapon States parties to the Treaty but also of "any recipient whatsoever". To interpret the article as meaning that the recipient State must be a party to the Treaty would surely be wrong. Such an interpretation would compound the already existing disadvantages of being a non-nuclear-weapon State party to the Treaty, thus discouraging further accessions and defeating the very purpose of the Treaty.

21. **Mr. CIARRAPICO (Italy)** said that he agreed with the representative of Nigeria on the substance of the issue; the point he had wished to make was a purely formal one.

22. **Mr. MAHINA (Zaire)** said that he agreed with the representative of Nigeria that articles I and II should be treated separately, like the representatives of Morocco and Senegal, he did not believe that the provisions of article I had been fully respected.

23. **Mr. NORDLING (Sweden)** and **Mr. KHHALILOVIC (Yugoslavia)** also supported the Nigerian delegation's suggestion that articles I and II should be dealt with separately in the final document.

24. **Mr. WALKER (Australia)** said that he agreed with the Chairman's reply to the comments by the Soviet representative. There was no necessity for any delegation to adopt a definitive position on the question of whether articles I and II should be dealt with together or separately. Two alternative texts might be prepared by the Secretariat and put before the Committee at a later stage.

25. **Mr. PONSEKA (Sri Lanka)** supported that suggestion.
26. Mr. SIAZON (Philippines) thought that everyone present agreed with the Nigerian representative's point that the undertaking set forth in article I should extend to non-nuclear-weapon States as well as to nuclear-weapon States parties to the Treaty. As for the allegation that some parties to the Treaty had, in one way or another, assisted another country to develop its capability to manufacture or otherwise acquire nuclear weapons, a group of experts under the auspices of the General Assembly was studying the nuclear capability of the country concerned; so far as he was aware, a first draft of a report emanating from that study was already available. He wondered whether the Committee might not request the Secretariat to procure a copy of that report with a view to examining it and drafting a recommendation on that basis.

27. Mr. FLOWEVER (United States of America) agreed that articles I and II should be dealt with separately, but reserved his delegation's position on the actual language to be employed until a draft was placed before the Committee. In connection with article I, he wished it to be put on record that the United States had scrupulously abided by the provisions of that article and that, to his delegation's knowledge, no nuclear-weapon State party to the Treaty had infringed those provisions. The statement relative to article I contained in the Final Declaration of the first Review Conference was therefore still valid. As for the obligation incumbent on all States to abide by the letter and the spirit of article I, he saw much merit in the Nigerian proposal and would support the inclusion of a statement to that effect in the final document of the present Conference.

28. The CHAIRMAN, noting that no further observations were forthcoming on articles I and II, invited the Committee to examine the first to fifth preambular paragraphs of the Treaty.

29. Mr. ADENIJI (Nigeria) said that the first to fifth preambular paragraphs remained true in substance and should be confirmed in the final document of the Conference. He hoped, however, that, while confirming those paragraphs, the Conference would also find a means of expressing its concern over the fact that the Treaty had not really contributed to any lessening of the dangers foreseen at the time when it was drafted. The Conference should, as the Japanese representative had suggested, express its satisfaction over the increased number of accessions to the Treaty since 1975, but, at the same time, should draw attention to the increasing accumulation of nuclear weapons in various parts of the world and also to the fact that the effectiveness of the Treaty was incomplete owing to the fact that a number of countries still did not find it possible to adhere.

30. Mr. GRITIJEV (Bulgaria), while agreeing with the substance of the foregoing remarks, suggested that it might be more appropriate to consider some of the points raised at a later stage of the Committee's work in connection with agenda item 14 section A (Acceptance of the Treaty by States) and section B (Measures aimed at promoting a wider acceptance of the Treaty).

The meeting rose at 4.30 p.m.
SPECIAL RECORD OF THE 3rd MEETING
Thursday, 21 August 1960, at 10.55 a.m.

Chairman: Hr. Liechty (Kenya)

REVIEW OF THE OPERATION OF THE TREATY AS PROVIDED FOR IN ITS ARTICLE VIII (5)
(agenda item 13) (continued)

4. IMPLEMENTATION OF THE PROVISIONS OF THE TREATY RELATING TO NON-PROLIFERATION
OF NUCLEAR WEAPONS, DISARMAMENT AND INTERNATIONAL PEACE AND SECURITY

(1) ARTICLES I, II AND III (1, 2 AND 4) AND PREAMBULAR PARAGRAPHS 1-5

1. The CHAIRMAN said that the Committee had concluded its general discussion of articles I and II.

2. He had been informed that Committee II intended to discuss article III in its
entirety, in connection with article IV. He suggested, therefore, that the Committee
should postpone discussion of article III until Committee II had concluded its
consideration of it.

It was so decided.

(2) ARTICLE VI AND PREAMBULAR PARAGRAPHS 9-12

5. Hr. SUCHARITA (Austria) recalled that, in the general debate (7th plenary meeting),
his delegation had already referred to the particular importance of the obligations,
especially those of the nuclear-weapon States, under article VI of the
Non-Proliferation Treaty. Unfortunately, five years after the first Review Conference
and 10 years after the entry into force of the Treaty, the arms race, in its
conventional and nuclear manifestations, continued unabated. The primary
responsibility for disarmament rested with those States which possessed the largest
military arsenals and, first and foremost, with the two leading nuclear-weapon States.
It was of considerable relevance for the Conference that the nuclear-weapon States,
through their enormous investments in increasingly sophisticated weaponry and in
increasing their nuclear arsenals, constantly emphasized the political and military
significance which they attached to nuclear weapons.

4. His delegation did not wish to belittle the limited results that had been
achieved. Austria, together with the majority of States, had welcomed the signing
of the second Strategic Arms Limitation agreements by the Soviet Union and the
United States as a small, but politically important, step towards nuclear disarmament.
That satisfaction had, of course, been linked with hopes that the agreements would
shortly be ratified and be followed by further negotiations leading to a progressive,
balanced and verifiable reduction of stockpiles of nuclear weapons and of the means
of delivering them. Those hopes had been shattered, at least for the time being.
Nevertheless, an early resumption of the strategic arms limitation process was not
only an urgent necessity, but would also constitute an important measure of the
compliance of the leading nuclear weapon States with their obligations under
article VI of the Treaty. Consequently, an appropriate appeal to the two Powers
concerned must be embodied in the final declaration of the Conference. Reference
should also be made to the arms race in the field of medium-range and intermediate-
range missiles and tactical weapons on the European continent. It was to be hoped
that both sides would exercise the utmost restraint and soon begin negotiations to
put an end to that very alarming aspect of the nuclear arms race.
5. In the area of non-proliferation, the single most important measure of vertical arms restraint remained the conclusion of a comprehensive test ban treaty. Accordingly, his Government had welcomed the initiation of the tripartite negotiations in 1977. However, it was disappointing that despite the long-standing commitment contained in the preamble of the non-proliferation Treaty, these negotiations had still not been concluded. His delegation had taken note of the Tripartite Report (HPT/CONF.II/13) which had been submitted only recently to the Committee on Disarmament by the negotiating partners and which indicated that, in spite of the prevailing difficult international situation, further negotiations had been carried out and results of some significance achieved. New ground had been broken in the field of verification. He hoped that momentum would encourage the parties to take the necessary political decisions which alone would bring about the long-awaited conclusion of the negotiations on the comprehensive test ban treaty. In the interests of strengthening the non-proliferation regime, the conclusion of these negotiations should not be made dependent on progress in other fields. The results achieved thus far in the tripartite negotiations would constitute an important input to the pertinent negotiations within the Committee on Disarmament. It was essential that the Committee on Disarmament should be in a position to conduct the necessary multilateral negotiations on a comprehensive test ban treaty at the beginning of its next session. Only through such a procedure would it be possible to arrive at a comprehensive test ban that would be acceptable to the international community at large, including, it was to be hoped, all nuclear-weapons States. That fact, too, should be reflected in appropriate language in the final declaration.

6. In general, the Conference’s recommendations under article VI would have to contain a sober assessment of the fact that very little perceivable progress of a practical nature had been achieved in the field of disarmament, and in particular that of nuclear disarmament, since the first Review Conference. The current increased tensions and uncertainties in international relations made disarmament even more essential than before. At a time when an adverse political climate worked against progress in disarmament, intensified efforts were urgently required to overcome those obstacles and to build an adequate basis for the necessary political decisions. The Conference should therefore call on the nuclear-weapons States in strong and clear terms to re-dedicate themselves to their commitments to reverse the nuclear arms race, in particular by halting all nuclear-weapons tests and undertaking to reduce significantly their strategic and tactical nuclear armaments. The nuclear-weapons States should realize that such commitments, and speedy fulfillment of the obligations arising from them, might very soon become crucial to the survival of the Non-Proliferation Treaty.

7. Ir. NIJEKO (Yugoslavia) said that developments in the military nuclear field over the past 35 years gave rise to the deepest concern. Nuclear weapons of extraordinarily destructive power had been created and the so-called “miniaturization” of nuclear weapons had evolved concurrently. There were nuclear weapons in some non-nuclear-weapons States, and the process of their deployment in foreign territory and space, especially marine, continued. Obsolete nuclear-weapons systems, and the means of their delivery, were being replaced ever more rapidly by new, more sophisticated ones. Nuclear weapons were being supplied to smaller military units, and the military forces of non-nuclear-weapons States were being trained in the handling of nuclear weapons, which constituted a particularly dangerous form of proliferation. The exceptional efforts made by nuclear-weapons States to develop their nuclear potential had resulted in the continuous growth of their nuclear weapon stockpiles.
8. The vertical and horizontal components were inseparable parts of the over-all problem of the proliferation of nuclear weapons. It would not be realistic to expect further horizontal proliferation of nuclear weapons to be halted without the prevention of vertical proliferation. It was precisely the vertical dimension of proliferation which presented the greatest direct threat to world peace and security. Of course, that did not mean that the horizontal component of proliferation was less important. However, undue emphasis on the horizontal dimension would deflect attention from the main problems and priorities involved in preventing the further proliferation of nuclear weapons.

9. The tenth special session of the General Assembly, the special session on disarmament, had accorded great attention to the problems of nuclear disarmament and had emphasized that effective measures of nuclear disarmament and the prevention of nuclear war had the highest priority. To that end, it had been pointed out that it was imperative to remove the threat of nuclear weapons, to halt and reverse the nuclear arms race until the total elimination of nuclear weapons and their delivery systems had been achieved and to prevent the proliferation of nuclear weapons. At its tenth special session the General Assembly had stressed that all nuclear-weapon States, particularly those in possession of the most important nuclear arsenals, bore a special responsibility for the achievement of the goals of nuclear disarmament. More than two years later, not even the first practical steps had been taken in that direction. The world was still faced with a continuously accelerating nuclear arms race and tardy negotiation by some nuclear-weapon States on disarmament. Despite the efforts of the great majority of its members, the Committee on Disarmament had been unable even to start fulfilling its mandate. The Committee must not be prevented from undertaking substantive negotiations on the halting of the nuclear arms race and nuclear disarmament. The final document of the Conference would have to contain adequate assessments and conclusions regarding the attitude of certain nuclear-weapon States parties to the Non-Proliferation Treaty towards their obligations under article VI of the Treaty, as well as those assumed at the first Review Conference.

10. Developments in regard to a comprehensive test ban also gave rise to the utmost concern. During the 17 years that had passed since the signing of the Treaty banning nuclear weapon tests in the atmosphere, in outer space and under water, the problem of a comprehensive test ban had been on the agenda of various negotiating bodies and, in the past few years, the three nuclear-weapon States which were parties to the Non-Proliferation Treaty had been conducting separate trilateral negotiations on the subject. The international community considered the conclusion of a comprehensive test-ban treaty a matter of the highest priority. The elaboration of such a treaty was, moreover, an obligation arising from the Non-Proliferation Treaty, for the fulfilment of which three nuclear-weapon States parties to the Treaty bore particular responsibility. The Conference could once again deplore the fact that that obligation had not been fulfilled. Nuclear-weapon tests continued to be carried out at an ever-increasing rate, particularly by the two leading nuclear-weapon States parties to the Treaty. Once again, it was a question of the attitude of nuclear-weapon States parties to the Treaty towards the fulfillment of their obligations under article VI and to the implementation of the conclusions of the Final Declaration of the first Review Conference. The tempo of the negotiations between the USSR, the United States and the United Kingdom was very slow. The latest report submitted by the parties to the negotiations to the Committee on Disarmament still did not give the right picture of the actual state of negotiations, of the results achieved and of the differences remaining.
11. His delegation did not share the view that trilateral negotiations offered the best way forward. The Committee on Disarmament had been completely excluded from substantive negotiations on the subject. His delegation deplored the fact that the Committee had been unable to set up a working group for negotiations on the comprehensive test ban, despite the insistence of the great majority of its members. Separate trilateral negotiations and negotiations within the Committee on Disarmament, far from being mutually exclusive, should supplement and encourage each other, with a view to achieving the earliest possible conclusion of a comprehensive test ban. He urged, therefore, that the Committee on Disarmament, at its next session, should immediately open multilateral negotiations on that question. The Review Conference would also have to state its position on the matter.

12. Those who had contributed in the past, and continued to contribute, to the constant vertical proliferation of nuclear weapons could make the largest and most direct contribution to the prevention of further proliferation of such weapons. A large number of members of the international community had already undertaken not to manufacture or acquire nuclear weapons and had fulfilled their obligation consistently and with a high sense of responsibility. The strengthening of the non-proliferation regime and universality of the Treaty could not, however, be achieved solely through the efforts of the non-nuclear-weapon States. The will and resolve of nuclear-weapon States, especially those party to the Treaty, were needed in order to halt further vertical proliferation of nuclear weapons and to progress towards nuclear disarmament. Without that will and action, it would be unrealistic to expect the Non-Proliferation Treaty to become more attractive, not only to the countries which had not yet acceded to it, but also to the States parties themselves.

13. It was often pointed out that the Treaty on the Non-Proliferation of Nuclear Weapons was the corner-stone of the international regime of non-proliferation. However, it was difficult to believe that an essentially discriminatory treaty could have such a function. The corner-stones of the regime could be, first and foremost, treaties on a comprehensive test ban, on the banning of the use of nuclear weapons, on the prohibition of further development and manufacture of nuclear weapons, on the withdrawal of nuclear weapons from foreign territories and on genuine nuclear disarmament measures. No such treaties had been concluded. As a result, the foundations of the existing regime of non-proliferation were very fragile and would not long be able to support the burden that had been placed on them. They must be strengthened, as a matter of urgency, by new effective measures for halting the nuclear arms race and by first steps towards nuclear disarmament. Otherwise, the foundations would be undermined still further.

14. Mr. IONESCU (Romania) said that he wished to outline a number of basic elements that should be reflected in the final document of the Conference.

15. The first element was the concern expressed in all statements at the gigantic proportions assumed by the arms race. Never before had the destructive capacity of weapons been so immediate, so complete and so universal. Moreover, the perfection of military technology had added an unexpected dimension to the nuclear arms race. In many cases, technology dictated policy, and new weapon systems were coming into being merely as a result of the momentum of progress in science and technology. In fact, the arms race was out of control. Research and development in the military field were at the root of the military imbalance. Use of modern science for military purposes constituted the principal driving force of the nuclear arms race, and the final document would therefore be unacceptable if it did not adequately reflect concern at that state of affairs.
16. The second element to be taken into account was the fact that the provisions of article VI had not been coupled with, either in spirit or in letter. No genuine progress had been made in the field of nuclear disarmament. Since the first Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons had not made regarding conclusion of agreements and the nuclear arms race intensified. It was therefore essential that the political leaders of all countries should try to ensure international security at lower levels of armament and to establish a security system that was not based on the use, or the threat of the use of force. It was necessary to seek a generally acceptable solution that would initiate genuine nuclear disarmament. The specific measures to be adopted by the Conference should be aimed at precisely that goal.

17. The third element that should be taken into account was that proliferation of nuclear weapons could no longer be prevented by measures of a technical nature. Since a country's decision whether or not to acquire nuclear weapons depended entirely on political considerations, the measures that might induce States not to acquire nuclear weapons would have to be primarily political. It must be demonstrated that nuclear weapons did not provide the State that possessed them or other States with greater security. A firm commitment on the part of nuclear-weapon States to outlaw such weapons was called for. A system that divided the world into nuclear and non-nuclear States could not be perpetuated indefinitely. Non-proliferation of nuclear weapons therefore depended primarily on the adoption of nuclear-disarmament measures and elimination of the risk of nuclear war.

18. His delegation planned to submit, together with other delegations, specific proposals based on these views.

19. Mr. ADENIYI (Nigeria) said that the first inescapable conclusion that the Conference would have to draw from its review of article VI and the relevant parts of the preamble to the Treaty was that the Treaty had made a major contribution to preventing the spread of nuclear weapons to countries other than the five possessing such weapons when the Treaty had come into force. But it had made little contribution to halting the nuclear arms race. Scarcely any steps had been taken to accomplish the objectives set forth in article VI; the Conference would have to note its disappointment, in the final document, that since the first Review Conference in 1975 the provisions of article VI had remained largely unfulfilled and that, instead of a cessation of the nuclear arms race, the development and deployment of nuclear weapons had intensified. The secret hope that nuclear weapons would not be used for fear of total destruction was being progressively undermined by a growing belief in the strategy of a partial - survivable - nuclear war; and the more that strategy gained currency, the greater the possibility of nuclear weapons being used - to the destruction of mankind. He hoped that the Conference would stress in its final document the need to call attention to the danger inherent in that kind of strategy, and also express its regret that no concrete negotiations had been started on implementing the nuclear disarmament programme proposed by the General Assembly at its tenth special session, its first on disarmament.

20. Reference should also be made to the fact that the hopes generated by the conclusion of negotiations on strategic arms limitation that there would be a resumption of negotiations, involving real disarmament measures and a reduction of the arsenals of the two Superpowers, had not been borne out, precisely because SALT II had not come into force. The Conference should call upon the two Powers concerned to ratify and bring into force SALT II as soon as possible and open the negotiations on SALT III, which would lead to significant reductions in strategic arms. Attention should also be drawn to the disquiet with which the Conference viewed the situation in Europe regarding deployment of nuclear weapons.
21. All the statements on article VI had referred to the measure singled out in
the preamble to the Treaty in its reference to the determination expressed by the
Parties to the 1963 Treaty banning nuclear weapon tests in the atmosphere, in
outer space and under water, to achieve the discontinuance of all test explosions
of nuclear weapons for all time and to continue negotiations to that end. The
question of a nuclear test ban would also have a significant place in the final
document of the present Conference, which should recall that, in the Final Declaration
of the 1975 Review Conference, the parties to the Treaty had expressed the view
that the conclusion of a treaty banning all nuclear-weapon tests was one of the most
important measures to halt the nuclear-arms race and that the nuclear-weapon States
parties to the Treaty, should take the lead in reaching an early solution of the
technical and political difficulties on that issue.

22. In his opinion, the importance attached to a nuclear-test-ban treaty lay partly
in its potential effect in preventing the acquisition of nuclear weapons by
non-nuclear States and partly in its deterrent of further escalation of the nuclear
arms race among the nuclear-weapon States themselves. Such a treaty was a basic
requirement in the fulfilment of the obligations which the nuclear-weapon States
had assumed under article VI. If the Non-Proliferation Treaty had not arrested the
nuclear arms race, it was because of the realization that complementary measures
would be needed to seal the loophole left by the Treaty. The need for a comprehensive
test-ban treaty should be recognized by all the nuclear-weapon States and also by
non-nuclear-weapon States, especially those outside the Treaty. It might also be
necessary for the parties to the Treaty to express some views on the nature of a
test-ban treaty. To be effective, it should be concluded with the greatest urgency;
otherwise the danger it was intended to avert might already have occurred.

23. The Conference should note the efforts of the three nuclear-weapon States which
had been negotiating on a nuclear test-ban treaty and a protocol on nuclear
explosions for peaceful purposes which would be an integral part of the treaty, but
should also express its regret that the negotiations had not been concluded with
the priority called for and should urge the three States to ensure that negotiations
were concluded in 1981. The Conference should also stress the urgency of the need
for a comprehensive test-ban treaty and the desirability of concluding it by 1982,
and accordingly recommend that the Committee on Disarmament should start negotiations
at the beginning of its 1981 session. It might also note that many of the scientific
and technological problems involved had been discussed repeatedly and some resolved,
and that what was needed was for all concerned to demonstrate the necessary
political will.

24. The final document should also include a reference to the Programme of Action
on general and complete disarmament which, if it was to be effective and efficient,
should provide practical guidance for disarmament negotiations in all relevant forums.
The Conference might therefore urge all the parties to the Treaty, in fulfilment of
their obligations under article VI, to co-operate actively in the Committee on
Disarmament, to ensure that the programme was an effective instrument.

25. Mr. OKAWA (Japan) said that much of what he had to say had been covered by
the preceding speakers. His country was not satisfied with the progress made
under article VI of the Treaty. He hoped that the main points made in his general
statement on nuclear disarmament at the 6th plenary meeting would be included in
the final document of the Conference. He had noted that some progress had been
made in the field of nuclear disarmament since the first Review Conference, but
felt that there was deep frustration and dissatisfaction in the international
community at the slow progress being made. He therefore strongly urged the
nuclear-weapon States to do their utmost to take concrete and realistic measures to achieve real nuclear disarmament as soon as possible. He hoped that a comprehensive test ban treaty would soon be concluded and that the three negotiating parties would do their utmost to present the final product of their trilateral negotiations to the Committee on Disarmament as soon as possible. Pending the conclusion of a comprehensive test ban treaty, the nuclear States parties to the Non-Proliferation Treaty should refrain voluntarily from all kinds of nuclear explosions, and the Conference should appeal to all countries not parties to the Treaty - nuclear and non-nuclear - not to conduct any nuclear explosions on any pretext whatsoever. He hoped that the international situation would soon be conducive to the ratification of SALT II and that there would be an early start on SALT III, aiming at further quantitative reductions of and qualitative restrictions on strategic arms.

26. Mr. LIE (Norway) said that the obligation laid down in article VI was of particular importance for the future viability of non-proliferation. In that context, the nuclear-weapon States bore a responsibility and obligation to reduce the role of nuclear weapons in their strategies and arsenals. There was a need for revitalization of the strategic arms limitation talks. Ratification of the second Strategic Arms Limitation agreements would exert a decisive influence in strengthening the Non-Proliferation Treaty. There was also a need for new agreements on concrete reductions and qualitative limitations which would include nuclear weapons categories not yet covered by negotiations.

27. A comprehensive test ban agreement would perhaps be even more important as a non-discriminatory instrument in the context of non-proliferation. By concluding such a treaty, nuclear-weapon States would be taking a significant step towards meeting their obligations under article VI. His delegation welcomed, therefore, the joint progress report recently presented by the participants in the trilateral negotiations. While the technical issues involved were complex, the benefits of such an agreement, embodying also the principle of verification, and the risks involved in violating it should outweigh those technical obstacles.

28. His Government also supported the idea of a treaty-bound moratorium on the production of fissionable materials for weapons purposes. Such a moratorium was a highly necessary measure in the search for more effective non-proliferation instruments. A ban on the production of such materials would place nuclear-weapon States on a more equal footing with non-nuclear-weapon States, in that they would have to accept much the same IAEA safeguards as those required of non-nuclear-weapon States, thereby eliminating one important element of discrimination between the two categories of States.

29. Mr. GARCIA ROBLES (Mexico) said that, as stated at the first Review Conference, his delegation attached great importance to the implementation of article VI of the Treaty and to the banning of nuclear-weapon tests, referred to in the tenth preambular paragraph. There was no better way of achieving the universality of the Treaty, which he believed everyone desired, than to fulfill the commitments in article VI.

30. The world was at the mercy of a computer error which could be more serious than the three that had recently occurred in one of the principal nuclear-weapon States. He recalled the statement in the opening paragraph of the Final Document of the tenth special session of the General Assembly that the existence of nuclear weapons was a threat to the very survival of mankind. The world's annual military expenditure had risen from $580 billion in 1976 to $500 billion in 1980 and the number of nuclear warheads held by the two Superpowers from 5,000 to 10,000.
31. He had spoken at length on the nuclear test ban at the 7th plenary meeting and his statement was summarized in the corresponding summary record; those who were interested could also read the verbatim record of his statement in the Committee on Disarmament on 5 August 1980 (CD/PV.97).

32. At the plenary meeting he had proposed five specific measures which seemed to him modest but feasible and which should be acceptable to the three nuclear states Depositaries of the Treaty if, as he hoped, they were really interested in the future of the Treaty. Briefly, the proposals had been, first, that the Depositary States which had negotiated SALT II should adopt a solemn joint declaration undertaking (a) to abide by the provisions of SALT II pending their ratification so that those provisions were already in force; (b) to initiate forthwith SALT III concerning significant reductions of and qualitative limitations on strategic arms - including the siting of medium-range missiles in Europe; in consultation with their respective allies; and (c) to support the establishment of an ad hoc working group on nuclear disarmament at the 1981 session of the Committee on Disarmament with a view to reaching agreement on the best way of putting into practice the provisions of paragraphs 47 to 50 of the Final Document of the tenth special session of the General Assembly, its first on disarmament.

33. Secondly, they should (1) proclaim the immediate cessation of all their nuclear-weapons tests, either through simultaneous unilateral moratoria or through a trilateral moratorium; and (2) approve, in February 1981, the establishment of an ad hoc working group of the Committee on Disarmament, which, parallel with the trilateral negotiations, would conduct the multilateral negotiations essential for the drafting of a comprehensive nuclear test ban treaty.

34. Mr. HADI (Indonesia) said that his delegation shared many of the views already expressed by earlier speakers.

35. With regard to article VI of the Treaty on the Non-Proliferation of Nuclear Weapons, the Conference's conclusions should include a reference to the disappointment of the non-nuclear-weapon States party to the Treaty that bilateral negotiations had so far not yielded significant results. However, his delegation welcomed the fact that the nuclear-weapon States concerned had recently announced their preparedness to initiate, or resume, negotiations on limitation of nuclear weapons.

36. The nuclear-weapon States party to the Treaty should undertake specific action in order to match the obligations assumed and already fulfilled by non-nuclear-weapon States. Inter alia, such action should include, first, a nuclear test ban and, secondly, limitation and reduction of nuclear weapons and at least an undertaking to place a moratorium on nuclear tests.

37. Mr. HEBERG (Netherlands) said that it was essential that the question of a comprehensive test ban should be dealt with adequately in the final document. Such a ban should be multilateral in character and, if at all possible, it should be of perpetual duration. The question of verification was also of great importance. The text of the test-ban treaty should be completed before 1982, if possible.
53. With regard to the second round of strategic arms limitation talks, it was important that new talks should be started as soon as possible on further measures to bring about a substantial reduction in strategic weapons, on restrictions in qualitative terms and on the new nuclear weapons in Europe. The question of a reduction in the role of nuclear weapons in security systems must also be tackled.

39. The idea of a cut-off in the production of nuclear fission materials for weapons purposes was an interesting approach to the question of nuclear disarmament and offered an effective way of setting a ceiling for nuclear weapons. An important aspect was that that approach permitted verification.

40. Since the talks on anti-satellite warfare had a bearing on nuclear warfare, it would be worthwhile to appeal to the Powers concerned to continue to hold such talks.

The meeting rose at 12.25 p.m.
REVIEW OF THE OPERATION OF THE TREATY AS PROVIDED FOR IN ITS ARTICLES VIII(3)
(agenda item 13) (continued)

A. IMPLEMENTATION OF THE PROVISIONS OF THE TREATY RELATING TO NON-PROLIFERATION
OF NUCLEAR WEAPONS, DISARMAMENT AND INTERNATIONAL PEACE AND SECURITY

(2) ARTICLE VI AND PREAMBULAR PARAGRAPHS 9-12

Mr. SUMMERHAYES (United Kingdom) said that it had been suggested that developments in recent years had put in question the attitude of the nuclear-weapon States, and he wished to clarify his Government's responsible and carefully considered attitude to the question of disarmament in relation to article VI of the Treaty. As a nuclear-weapon State and a Depositary for the Treaty, his country was acutely aware of the particular obligations it had assumed under that article, which set out three goals for all parties to the Treaty: an end to the nuclear arms race, nuclear disarmament, and general and complete disarmament under strict and effective international control. The Treaty was essentially a security Treaty, and all parties were thus obliged to work for enhanced international security through effective arms control measures.

2. His delegation shared the disappointment expressed by many speakers at the unsatisfactory progress achieved so far, as a result of the international tensions existing between the nuclear-weapon States, which had recently increased. Nuclear weapons still played a vital role in maintaining national security, and were an established part of the military balance which preserved the peace in Europe. Nuclear disarmament therefore involved delicate and complex issues of security, and meaningful nuclear disarmament measures were therefore difficult to negotiate, must be balanced and fully verifiable, and must not defeat their own objective by endangering any country's security, while continuing to depend on the deterrent value of nuclear weapons, his country also remained committed to seeking a general relaxation of tensions and to progress in arms control in accordance with article VI, with a view to the eventual abolition of nuclear weapons.

3. The Treaty had provided the framework and the impetus for serious negotiations on nuclear arms control. That process had begun after the signature of the Treaty, and had produced the ABM Treaty and the interim agreement on certain measures with respect to the limitation of strategic offensive arms, as well as further progress since the first Review Conference with the successful conclusion of SALT II. The latter should be ratified as soon as possible, but their provisions were being observed by both parties, which had also given a pledge that subsequent negotiations would result in significant reductions of strategic offensive arms as well as important qualitative limitations of those arms.

4. While his delegation shared the concern that had been voiced with regard to the failure of the three nuclear-weapon States parties so far to conclude a comprehensive test-ban treaty, it believed that substantial progress had been made, as was shown by the most recent Tripartite Report (NPT/CONF.II/13), to the Committee on Disarmament. It was not through any lack of effort that the negotiations had
not yet reached their conclusion, as the efforts being devoted to the elaboration of the treaty were of an exceptionally high order. The Conference should support those continued efforts, and that support should be reflected in the final document. His delegation hoped that all parties would make a strong recommittal to the objectives of article VI in order to achieve the goal of nuclear disarmament through realistic and lasting measures.

5. Mr. BAYTO (Turkey) said that it was difficult not to share the concern expressed at the unsatisfactory progress made in the negotiations on the cessation of the nuclear arms race and nuclear disarmament. It was to be hoped that all negotiations initiated in that field would reach a successful conclusion in order to facilitate general and complete disarmament under strict and effective international control.

6. It should be one of the main principles of any disarmament treaty that no country's security should be jeopardized, and that the existing over-all nuclear balance should not be undermined. Furthermore, the success of negotiations in that field required political will and mutual trust, and the maintenance of an appropriate political and military atmosphere. It was therefore the responsibility of all States parties, nuclear or non-nuclear, to refrain from actions which might increase international tension.

7. Mr. CIARRAPICO (Italy) emphasized that the fulfilment of the obligations of States parties under article VI would foster further adherence to the Treaty, creating a climate of mutual trust and consolidating the effectiveness of the Treaty. While results achieved so far fell short of general expectations, it was important not to underestimate what had been accomplished in the last five years, and particularly the successful conclusion of SALT II. It was to be hoped that the agreements would come into force in the very near future, followed by further negotiations on quantitative and qualitative arms limitation. In that field, in which responsibility rested primarily upon the Great Powers, the complexity of the existing strategic equilibrium called for a particularly sound and realistic approach, taking full account of existing security arrangements and of the guarantees they provided for the countries concerned. It was also necessary to take a balanced, comprehensive view of all the various elements of a disarmament programme, including the conventional as well as the nuclear aspect of the problem, and to avoid endangering the existing levels of security. The final document to be adopted by the Conference should reflect those concepts.

8. Mr. THUN (German Democratic Republic) said that although articles I and II contained the essential provisions of the Treaty, article VI was also very important. The non-proliferation of nuclear weapons had a significant role in the maintenance of peace and the creation of favourable conditions for further disarmament measures. The Treaty had contributed to the non-emergence of further nuclear-weapon States in Europe, which was not an end in itself but a means of nuclear arms limitation. His delegation therefore shared the view that there was a close link between the strengthening of the non-proliferation regime and progress in nuclear disarmament, and it viewed with great concern the constant modernization and expansion of nuclear arsenals: the nuclear arms race had to be stopped and reversed. Everything must be done to maintain and strengthen the Treaty, so that it could contribute to nuclear disarmament.

9. The socialist countries had constantly submitted constructive proposals on nuclear disarmament, and only recently the States parties to the Warsaw Treaty had again declared their readiness to embark on disarmament measures, including radical solutions, and reiterated that there was no type of weapon that they were not ready to prohibit or reduce on a mutual basis. Their security conception did not
presuppose the possession of nuclear weapons, whose elimination they advocated, provided that was done everywhere and in a way that would not diminish the security of any participant.

10. The most urgent measures to be accomplished in the field of disarmament were the ratification and entry into force of SALT II and the beginning of negotiations on SALT III; the conclusion of a comprehensive test-ban treaty with the participation of all States, and especially all nuclear-weapon States; and the conclusion of a convention to assure States which had renounced nuclear weapons and did not have them on their territories against the use or threat of use of nuclear weapons. Those measures should be mentioned in the final declaration of the Conference as high priority objectives.

11. At the same time, the Conference should request the Committee on Disarmament to start serious negotiations at its next session on the elaboration of an agreement on the cessation of the production of all types of nuclear weapons and the gradual reduction of their stockpiles until they had been completely destroyed, and also an agreement on the prohibition of the development and manufacture of new types of weapons of mass destruction and of new systems of such weapons.

12. The final declaration should express support for efforts directed towards regional disarmament in Europe, and particularly the convening of a conference on military détente. It should also emphasize that the designation of the 1980s as the Second Disarmament Decade, the preparation of a comprehensive disarmament programme, the next United Nations special session on disarmament, and the convening of a world disarmament conference after careful preparations, were all measures serving the implementation of article VI.

13. Mr. RAJAKOSKI (Finland) said that, although the course of international relations since the first Review Conference had fallen short of expectations, and the international climate had been unfavourable, some progress had been achieved in relation to article VI of the Treaty. The signing of SALT II had made a contribution to disarmament, and his delegation looked forward to their early ratification and to the speedy beginning of the negotiations on SALT III.

14. The conclusion of a comprehensive test-ban treaty would have an enormous impact on the implementation of article VI, and on strengthening, not merely the Treaty, but the whole non-proliferation régime. The recent Tripartite Report on the comprehensive test-ban negotiations was an encouraging contribution, although further action was urgently needed. That report had also shown that an adequate system of verification was an essential element of a comprehensive test-ban treaty. Progress had been made in that respect, with the creation of an international system for the exchange of data to identify seismic events. As a member of the Ad Hoc Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events, his country had endeavoured to make a contribution to that end.

15. His country had repeatedly voiced its concern at military trends in Europe, and welcomed the developments in the field of confidence-building measures stemming from the Conference on Security and Co-operation in Europe, which had been a stabilizing factor in East-West relations in Europe. Despite the relaxation of tension in the early 1970s, however, the military blocs in Europe were taking turns in pressing forward with new and more sophisticated-nuclear weapons and expanded conventional forces. In order to avoid that vicious circle, the States concerned should work together for a common approach to disarmament and
arms control in Europe. The urgent need to commence comprehensive consultations on European disarmament had prompted his country to take the initiative at the General Assembly in 1979 with a view to outlining a special disarmament programme for Europe. Although more comprehensive in scope, that initiative should be considered as complementary to other proposals.

16. His country had repeatedly expressed its interest in questions relating to the security of non-nuclear-weapon States. In 1978 it had proposed a Nordic arms control arrangement aimed at isolating the Scandinavian countries as completely as possible from the effects of the new, emerging nuclear strategy: the advance of nuclear weapon technology and the difficulties encountered in efforts to reduce the risks of military confrontation in Europe and in the world in general, had increased the topicality of such proposals.

17. Mr. NOTAFALISSE (Belgium) said that, in reviewing article VI, the Committee must keep in mind the spirit of articles I and II as well as paragraph 65 of the Final Document of the General Assembly's tenth special session, the session on disarmament, which had defined non-proliferation.

18. His delegation hoped to see the following elements incorporated into the final document of the second Review Conference. It should confirm the obligations of parties under article VI. While it was the responsibility of the entire international community to ensure that article VI was implemented, the responsibility of the nuclear-weapon States in that regard was overwhelming. It was to be hoped that causes of tension would be eliminated so that SALT II could be promptly ratified and discussions started on SALT III. Agreement on a comprehensive test ban should be reached as soon as possible. It was encouraging that the Tripartite Report submitted to the Committee on Disarmament (NPT/CONF.II/13) had indicated that certain zones of convergence had been found. Those States should not await the agreement of all nuclear-weapon States before concluding their own agreement.

19. Mr. MANMID (Ireland) said that an essential feature of the Treaty had been the determination to reduce the role of nuclear weapons in international relations. His delegation considered that reliance on nuclear weapons and the importance accorded to them had increased rather than diminished in recent years. There were difficulties in the way of progress and they had been increased by the continuing arms race. The greatest danger to the existing security balance was the persistent vertical proliferation which to a certain extent was permitted to continue under existing agreements. It was most important that the final document of the Conference should reflect, in a concrete manner which could be recognized by world opinion, the continuing commitment of the nuclear Powers to the obligations of article VI. In that connexion, a comprehensive test ban was most important. The related technical problems were not sufficient to prevent early conclusion of a treaty or the beginning of work in the Committee on Disarmament. Neither should a moratorium on nuclear testing be delayed. The nuclear Powers must demonstrate their willingness to proceed in a more constructive direction than that represented by the continuation of the arms race. If the parties to the Treaty showed by their behaviour that they continued to attach so much importance to nuclear arms, then it would be exceedingly difficult to persuade States which had not yet acceded to the Treaty that retention of the nuclear option was neither in their security interest nor a contribution to their political prestige.

20. Mr. FLOWEREE (United States) said that his delegation shared the concern and frustration expressed by others at the slow and limited progress made in the field of nuclear arms control and disarmament. It did not however share the view of certain delegations that no progress had been made since the first Review Conference in 1975. His delegation believed that it was essential that
the Conference should give due recognition to the concrete achievements in the area of nuclear arms control that had been made during the previous five years. The Conference should also make constructive and realistic recommendations for further improving the implementation of article VI and thus strengthening the Non-Proliferation Treaty regime in the years ahead.

21. He welcomed the high priority given to the question of a comprehensive test-ban treaty. The Tripartite Report on the subject had clearly demonstrated that considerable progress had been made towards an effective treaty and such progress should be reflected in the final document. His delegation renewed its pledge to continue efforts to conclude a comprehensive test-ban treaty at the earliest possible date and considered that it would be desirable for the Conference to give additional impetus to those efforts through a statement of encouragement and support for the early and successful completion of the negotiations. That common objective would not however be served by a nuclear testing moratorium, by the creation at the current stage of a comprehensive test-ban working group in the Committee on Disarmament, or by an attempt to set deadlines for the negotiating process.

22. In order to promote stability and mutual confidence among the participants, a comprehensive test ban must be based on adequate measures of verification. A moratorium would not be based on such measures and could indeed have the effect of complicating efforts to negotiate them.

23. His delegation recognized the legitimate role of the multilateral arms control community, particularly the Committee on Disarmament, in achieving a comprehensive test-ban treaty that could command broad international support. It differed however with those delegations which had stated that the commencement of multilateral negotiations in a working group of the Committee on Disarmament would, at the current stage, accelerate the process. As had been stated in the Tripartite Report, his delegation still felt that the best way forward was through the trilateral negotiations. His delegation was determined to solve the remaining issues in those negotiations as soon as possible, but did not believe that it would be in the interest of achieving a sound treaty to try to fix a deadline for completing a comprehensive test-ban arrangement.

24. His delegation believed that the Conference should give due recognition to the completion and signature of SALT II, which would make a major contribution to international security and stability. The United States was determined to proceed with the ratification of the agreements as soon as that was feasible. Pending ratification, his Government did not intend to take any action which would be inconsistent with any provision of those agreements. Moreover, his Government considered that it was important that the third phase, SALT III, should begin promptly following the entry into force of SALT II, and that, in those negotiations, the parties should pursue the objectives of significant and substantial reductions in, and qualitative limitations on, strategic offensive arms. The United States and the Soviet Union had committed themselves to such objectives for SALT III in the joint statement of principles for further negotiations which had been signed at Vienna in 1979 along with SALT II. His delegation believed that the Conference should support that critical on-going process through appropriate language in its final document.

25. A number of speakers had expressed interest in the commencement of negotiations on theatre nuclear systems in Europe. His delegation had proposed that preliminary exchanges should begin on that subject and was pleased to have received a positive response from the Soviet Union. His delegation looked forward to the early initiation of such exchanges and to their eventual incorporation into the SALT III framework.
26. Mr. GARCIA ROBLES (Mexico) said that, as a member of the Committee on Disarmament, he wished to draw attention to document CD/86, issued on 16 April 1980, entitled "Letter dated 24 March 1980 from the Secretary-General of the United Nations transmitting the report on a comprehensive nuclear test ban ...", prepared in the Secretariat with the assistance of four consultant experts. The report showed that, since 1963, there had been little progress towards a comprehensive nuclear test ban. Between 1970, when the Non-Proliferation Treaty had been signed, and 1974, the two Superpowers had conducted 169 nuclear explosions and, from 1975 to 1979, 173 explosions.

27. On 29 February 1972, the Secretary-General, in a statement to the Conference of the Committee on Disarmament, had stated his belief that all the technical and scientific aspects of the problem had been so fully explored that only a political decision was necessary in order to achieve final agreement and that, when account was taken of existing means of verification by seismic and other methods and the possibilities provided by international procedures of verification, it was difficult to understand further delay in achieving agreement on an underground test ban. Since 1972, verification methods had greatly improved. In that connexion he invited the Committee's attention to paragraphs 15 to 22 of the Tripartite Report submitted to the Committee on Disarmament (NPT/CONF.II/13).

The meeting rose at 4.25 p.m.
SUMMARY RECORD OF THE 5TH MEETING
Friday, 22 August 1980, at 11 a.m.

Chairman: Mr. WADA (Kenya)

REVIEW OF THE OPERATION OF THE TREATY AS PROVIDED FOR IN ITS ARTICLE VIII (5) (agenda item 13) (continued)

A. IMPLEMENTATION OF THE PROVISIONS OF THE TREATY RELATING TO NON-PROLIFERATION OF NUCLEAR WEAPONS, DISARMAMENT AND INTERNATIONAL PEACE AND SECURITY

(2) ARTICLE VI AND PREAMBULAR PARAGRAPHS 6-12

1. Mr. LIDGARD (Sweden) said that many speakers in the general debate had rightly given prominence to the obligations under article VI, pointing out that the failure to halt and reverse the arms race increased the danger of proliferation of nuclear weapons. His delegation had stated that the most serious problem in the implementation of the Non-Proliferation Treaty was the absence of nuclear disarmament.

2. The nuclear-weapon States party to the Treaty bore the main responsibility regarding implementation of article VI. Negotiations had been conducted over the years between nuclear-weapon States, but the arms race continued unabated. The fact that the provisions of article VI had not been fulfilled must be appropriately reflected in the final document.

3. The comprehensive test ban issue must also be given a significant place in the final document and the failure of the nuclear-weapon States, after 17 years of negotiations, to fulfill the basic requirement of preparing a comprehensive test ban treaty should be recorded. Genuine multilateral negotiations on a comprehensive test ban had not even started. In the Committee on Disarmament the countries of the Group of 21, including his own country, had put forward a formal proposal regarding the establishment of an ad hoc working party to deal with multilateral negotiations on a comprehensive test ban, but the States involved in the tripartite negotiations had not accepted it. The Committee on Disarmament had thus been prevented from fulfilling its obligations to negotiate a comprehensive test ban treaty. The final document must state that every effort should be made to enable the Committee on Disarmament to start genuine multilateral negotiations on a comprehensive test ban at the beginning of its next session. Reference should also be made to the kind of comprehensive test ban treaty that was envisaged. His delegation considered that such a treaty should be comprehensive and cover all kinds of nuclear explosions in all environments. It should, furthermore, be of perpetual duration and have an adequate verification system.

4. SALT negotiations must continue and substantial arms reductions must be achieved. The two super-Powers should be called upon to ensure the early ratification of SALT II. The final document should also contain an appeal to the United States and the Soviet Union to undertake to abide by the provisions of SALT II pending ratification. Although his delegation welcomed the readiness expressed by those countries to exchange views on medium-range nuclear systems in Europe, it suggested that the final document should call upon the two super-Powers to initiate negotiations.
on European theatre nuclear weapons immediately. He referred to a passage from the joint memorandum of the five Nordic countries (A/C.1/34/4) on the question of non-proliferation of nuclear weapons to the effect that the development and achievement of nuclear explosive capability by any additional State or States would pose a grave threat to the international community and that all States should try to enhance international confidence and trust. The final document should call on all non-nuclear-weapon States not to attempt to develop or otherwise acquire nuclear explosive capabilities and to do their utmost to advance international confidence in that connection.

5. In his delegation's view, the proposal put forward by the delegation of Mexico in the general debate (7th plenary meeting) and repeated the previous day in the Committee (4th meeting) was very useful.

6. Mr. GRINBERG (Bulgaria) said that his delegation shared the disappointment at the disarmament situation that could be detected in all the statements made during the debate. However, some delegations took a rather pessimistic view of the record achieved during the time that had elapsed since 1970 or 1979, while others recognized the merits of what had been achieved so far. In his delegation's view, the previous decade had been a period of considerable achievement in the field of disarmament. The atmosphere generated by the process of détente had created conditions that were propitious for deployment of efforts in the area of nuclear disarmament. The tenth special session of the General Assembly, its first on disarmament, had given stimulus, direction and perspective to the numerous negotiations under way. The attainments listed in documents NPT/CONF.II/2 and NPT/CONF.II/5 were particularly noteworthy in that connection. At the same time, his delegation was aware that those documents recorded deficiencies, the disappointing pace at which negotiations were moving and even regressive tendencies in some areas. It must also be borne in mind that international relations were passing through a complicated and difficult phase.

7. The final document of the Conference should reflect both achievements and disappointments in a balanced fashion. An expression of the extent to which achievements fell short of expectations would give impetus to further efforts. Moreover, such an evaluation would serve to strengthen the Non-Proliferation Treaty and the whole system of non-proliferation.

8. Mr. McPAIL (Canada) said that the final document of the Conference should contain an appeal for the early ratification of SALT II, as well as a call for strict adherence to the provisions of SALT II pending ratification. Negotiations on SALT III should begin as soon as possible, it being understood that the process of negotiation on theatre nuclear forces in Europe would be included in the framework of SALT III at a later stage.

9. Promotion of the realization of a comprehensive multilateral treaty banning nuclear tests had a high priority. His delegation did not have a firm position regarding the setting up of an ad hoc working group on that question within the Committee on Disarmament. Its principal concern was that the Committee on Disarmament should take action that would help the trilateral negotiations and the international community's efforts in that field. His delegation had endorsed a number of proposals put forward by the representative of Australia in that connection, suggesting, for example, that the Committee on Disarmament should at least start working out the administrative and institutional arrangements that would be needed under such a comprehensive multilateral treaty. Useful work could also be done on setting up an international network for monitoring seismic events. That kind of work could
accelerate the conclusion of multilateral negotiations on a multilateral test-ban treaty, once the key elements of such a treaty were put forward in the Committee on Disarmament. His delegation favoured the most forward-moving reference possible to that question in the final document.

10. He hoped that the final document would contain a firm re-commitment to the objective of nuclear disarmament and that such disarmament would involve measures of the kind mentioned by his country's Prime Minister in 1978, such as the prohibition of the production of fissionable materials for nuclear weapons purposes. With regard to the suggestion reiterated by a number of delegations in the current debate that a working group on nuclear disarmament should be established in the Committee on Disarmament, he said the role of that Committee was to negotiate specific agreements of a multilateral nature and not to redraft the paragraphs of the final document on the question of nuclear disarmament. It was to be hoped that the final document would express support for the pursuit of negotiations by the Committee on Disarmament on a comprehensive programme of disarmament.

11. Mr. NAZARKHIN (Union of Soviet Socialist Republics) said that his delegation shared the view that the situation regarding negotiations on arms limitation and disarmament was disappointing.

12. In the intervening period since the first Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons progress had been made on some aspects of arms race limitation. In that connection, he referred to the statement made by his delegation in the plenary meeting of the current Conference (1st plenary meeting). Advances had, for example, been made with regard to the prohibition of the hostile modification of the environment, security in Europe, strategic arms limitation, and the prohibition of nuclear weapon tests and of chemical and radiological weapons. However, it was necessary to make further efforts to achieve results in the field of arms limitation and disarmament.

13. The final document of the Conference should contain an objective evaluation and indicate what measures should be taken to achieve further and more substantial progress in the field of disarmament. It should also refer to the emphasis speakers had placed on the importance of rapid implementation of SALT II and the need to take up negotiations on SALT III. However, his delegation did not share the view that the parties should implement the provisions of SALT II prior to ratification, as that might lessen confidence in the observance of the agreements and make the process of their entry into legal effect seem unimportant. The Soviet Union was in favour of their rapid ratification and rapid entry into force. There had been agreement on the SALT III negotiations at Vienna in 1979; they were to lead to an agreement on the limitation and reduction of strategic weapons.

14. The final document should also include a reference to the important and urgent question of the conclusion of a comprehensive test-ban treaty. Formal proposals relating to limitation of nuclear weapons had been put forward. He believed that the tripartite negotiations between his country, the United Kingdom and the United States constituted the best approach to the question of the prohibition of nuclear-weapon tests. Many delegations had shown considerable interest in the proposal relating to limitation of nuclear weapons and gradual liquidation of existing weapons. The Conference should duly express its views on the subject, in order to encourage the Committee on Disarmament to take it up as soon as possible.
15. Mr. FONSEKA (Sri Lanka) said that, in its final document, the Conference might welcome the measures taken since the conclusion of the Non-Proliferation Treaty and, in particular, those taken since the first Review Conference in 1975, to implement article VI; urge States to ratify SALT II, the conclusion of which was welcomed by his own Government; express concern at the unabated continuation of the arms race, in particular the nuclear-arms race, and reaffirm the determination to stop nuclear weapon tests in the atmosphere, in outer space and under water expressed in the Partial Test Ban Treaty of 1963; express satisfaction with the report submitted by the parties to the trilateral negotiations on a comprehensive test ban and appeal to the three parties to make greater efforts to reach agreement on that question and to conclude a treaty which would secure the widest degree of adherence; and call for a limitation of underground tests of nuclear weapons. In so doing, the Conference would be following the broad lines of the Final Declaration of the first Review Conference. However, he was not sure that was the purpose of the Conference.

16. There seemed to be a wide measure of agreement that article VI had not been implemented. A number of very cogent reasons had been given for the failure to implement the article and, if it was felt necessary, those reasons could be enumerated in the final document, in order to maintain a balance. However, the Conference should endeavour to arrive at a consensus document, rather than simply setting out the different views. Certainly the measures taken thus far did not indicate that article VI had been implemented. The Conference must determine how best to reflect that situation in its final document.

17. Referring to observations made by a number of delegations in the Committee, he said that, as he had already stated in the plenary (11th plenary meeting) the concept of a nuclear deterrent was incompatible with the provisions of article VI. Experience had shown that the existence of a nuclear deterrent, far from promoting a reduction of nuclear arsenals, had an escalating effect. He would like to see that idea reflected in the final document.

18. He recalled that the representative of the German Democratic Republic had stated (4th meeting) that the Members of the Warsaw Treaty Organisation did not consider the existence of nuclear weapons to be indispensable to security. The inevitable reaction to that approach would be that the elimination of nuclear weapons required the maintenance of a certain balance and that, in implementing the provisions of article VI, care must be exercised to preserve the undiminished security of all States. In his view, such a response entailed a gross misuse of the term "undiminished security".

19. In that connection, he recalled that the representative of the United Kingdom had referred to the Non-Proliferation Treaty as a security treaty (ibid.). However the Treaty itself appeared to contain no substantive reference to the concept of security. Its main purpose was to promote the non-proliferation of nuclear weapons.

20. A large number of delegations had expressed the view that the negotiations on a comprehensive test ban should be conducted on a wider basis, in a forum such as the Committee on Disarmament. That view had not been limited to one group of countries. Consequently, in the final document, it would be fair to state that a large number of delegations had expressed some dissatisfaction with the existing negotiation process.

21. Mr. ARRASEN (Morocco) said that, despite the care exercised by the drafters of article VI to avoid allocating responsibility for general and complete disarmament to any one category of States, the fact remained that it was the nuclear Powers which,
almost exclusively, held the key to the situation. It would be quite natural, therefore, for the Conference to underline that fact in its final document and to urge the nuclear Powers to take steps to ensure that bilateral or trilateral negotiations were the exception rather than the rule, and that basic disarmament problems were tackled within a multilateral framework, the most appropriate being the Committee on Disarmament. Accordingly, the Conference should call on the nuclear Powers to assist in the establishment of a working group to negotiate and prepare, within the framework of the Committee on Disarmament, beginning in 1981, a treaty on the complete prohibition of nuclear tests in all environments.

22. Mr. CAJDA (Hungary), commenting on the implementation of article VI and the relevant paragraphs of the preamble to the Treaty, said that his delegation was convinced that the only sure way of stopping nuclear proliferation was to halt and then prohibit the production of all types of nuclear weapons and gradually reduce and ultimately destroy all stockpiles of such weapons and their means of delivery. That was the essence of the relevant preambular paragraphs and the most important direct commitment assumed by all the parties under article VI. That, too, was the essence and the object of the proposals submitted in document CD/4 by a group of socialist countries in the Committee on Disarmament on 1 February 1979.

23. He had mentioned those proposals in order to emphasize the importance which his country and its allies attached to halting the nuclear arms race and to nuclear disarmament. That did not mean that they underrated the significance or urgency of other proposals concerning equally important measures aimed at achieving the same goal. The socialist countries had made many other proposals which had recently been reiterated in the Declaration issued by the Political Consultative Committee of the States Parties to the Warsaw Treaty, circulated as General Assembly document A/35/237 and as an official document of the Committee on Disarmament (CD/100). A number of them had been mentioned at the 4th meeting by the representative of the German Democratic Republic, whose proposal that they should be incorporated in the final document as measures of the highest priority he supported.

24. His delegation had listened carefully to the statements by the representative of Mexico (7th plenary meeting) and in the Committee (4th meeting) and supported in particular his proposal for the establishment of an ad hoc working group of the Committee on Disarmament to deal with nuclear disarmament problems. The proposal merited careful consideration by all States concerned.

25. In connection with the complete and general ban on nuclear weapon tests - another important aspect of nuclear disarmament - his delegation reaffirmed its hope that the determination expressed in the Tripartite Report by the three Depositary States (NPT/CONF.II/15) would in the near future materialize in a treaty long awaited and worked for. The Conference should avoid any discrimination in its final document against those nuclear-weapon States which were not parties to the Treaty and had not yet fully committed themselves to the idea of stopping their own test explosions.

26. Another question which would have to be dealt with in the final document was a convention banning the development, production, stockpiling and use of radiological weapons. The head of his delegation to the Committee on Disarmament had served as chairman of the ad hoc working group established with a view to reaching agreement on such a convention. The final document should mention progress achieved so far and urge the Committee on Disarmament to continue negotiations and complete the preparation of the treaty banning radiological weapons.
27. In the course of the general debate and the discussions in the Committee many delegations had spoken at length of problems concerning Europe. Hungary, as a European country and one of the 35 States engaged in preparations for the Conference on Security and Co-operation in Europe to be held at Madrid later in 1980, shared the concern about certain developments in Europe. The Political Consultative Committee of the States Parties to the Warsaw Treaty had expressed concern about the European situation at its recent meeting, but had come to the conclusion that there were possibilities of concluding the Madrid meeting with an agreement on practical steps concerning the military and political aspects of European security. The Warsaw Treaty States believed that the central problem was military détente and disarmament in Europe and that progress in those fields was an urgent necessity. The Political Consultative Committee had therefore renewed the proposal, originally put forward by the Committee of Ministers for Foreign Affairs at their meeting at Budapest in May 1979, to convene a conference on military détente and disarmament in Europe. It hoped that with goodwill and a constructive approach the participants at the Madrid meeting might decide to convene such a conference.

28. Mr. FAHRY (Egypt) said that he had waited to hear the views of the parties to the Treaty on article VI and its implementation and how they should be formulated in whatever document or documents emerged from the Conference, before making his own comments.

29. With regard to implementation of article VI, he supported the comments of the representatives of Mexico (4th meeting) and Nigeria (3rd meeting) and especially their emphasis on the urgency of nuclear disarmament measures. He also agreed with those who had treated nuclear disarmament and general and complete disarmament as two separate, although perhaps related, issues. The Conference should emphasize the urgency of nuclear disarmament and the need to give it priority.

30. As far as general and complete disarmament and a treaty on general and complete disarmament under strict and effective international control were concerned, a suggestion had been made the previous day that those matters were related and could be dealt with in the comprehensive programme of disarmament. His delegation was alarmed at some of the statements made at the 4th meeting, especially those emphasizing the relationship between nuclear disarmament and conventional weapons. While recognizing the arguments adduced by some representatives regarding the concept of a nuclear deterrent, and their desire to take it into account, he thought that article VI singled out nuclear disarmament, as such, specifically for action. The article also referred to general and complete disarmament, and it was therefore, in his opinion, that the security concerns of those States - or others who had raised the principle of undiminished security - should be directed. The formulation of the article in two parts emphasized the urgency of nuclear disarmament measures. The Treaty itself was directed at preventing the proliferation of nuclear weapons, not other weapons of varying degrees of destructiveness or inhumanity.

31. Since the first Review Conference no new officially declared nuclear-weapon State had emerged. The non-nuclear-weapon States parties to the Treaty had upheld their basic responsibilities. The nuclear-weapon States bore the basic responsibility in respect of article VI of the Treaty. If the nuclear-weapon States parties to the Treaty, or those who attributed a deterrent effect to nuclear weapons, qualified their adherence to the Treaty 10 years after it had entered into force, or even allowed their position to be wrongly interpreted as wavering in their commitment to nuclear disarmament, there would be serious effects on the spirit of the Treaty and the principle of non-proliferation and non-parties would not be encouraged to adhere.
32. The manner in which the comments made during the discussion of article VI were to be embodied in whatever final document emerged from the Conference was of great importance, since that document would be studied seriously by the non-parties whose adherence was being sought. In the general debate his delegation and others had emphasized the principle of universal adherence to the Treaty and the credibility that it would give to the Treaty itself. In order to make the Treaty more attractive to the non-parties, it must be made clear to them that all parties were seriously implementing its provisions. Concrete measures on nuclear disarmament would have a very positive effect in that respect. It was because of the need to enhance the Treaty's credibility that a clear and frank expression of concern about the development of the nuclear arms race and the lack of sufficient progress in nuclear disarmament must be included in the final document; the Conference should not try to paint a falsely optimistic picture.

33. If the concern expressed by some representatives regarding the principle of undiminished Security and their relation of nuclear to conventional disarmament were to be mentioned in the final document, it should be in connection with general and complete disarmament, and not as a qualification of the urgency of nuclear disarmament.

34. Mr. BAYART (Mongolia) said that his delegation shared the disappointment felt at the slow progress in implementing article VI of the Treaty, although some progress had been made over the past five years, thanks to efforts by the international community and the socialist countries in particular. The measures taken had been amply described by other representatives, especially the representative of the USSR. His delegation had expressed its views in the plenary meetings, but he wished to emphasize that among the measures to be taken to achieve the objective of nuclear disarmament the most important was the signing of SALT II. He shared the concern expressed at the slow ratification of SALT II and supported the call for speedier action and for negotiations to be opened on SALT III.

35. His country attached great importance to the opening of negotiations on cessation of the manufacture of all types of nuclear weapons and the gradual reduction of stocks until they were completely eliminated. The socialist countries, including his own country, had proposed the establishment of an ad hoc working group in the Committee on Disarmament to deal with the cessation of the nuclear arms race and with nuclear disarmament. Conditions in the Committee on Disarmament were appropriate for the task, since it was the main body for multilateral negotiations and its members included the principal groups of States and the five nuclear Powers.

36. His delegation agreed with the USSR delegation that the Conference should comment on the questions of the cessation of the arms race and nuclear disarmament. The conclusion of a global agreement on a nuclear test ban would play an important role in the cessation of the arms race and in disarmament. An effective long-term solution to the problem would never be found unless all the nuclear Powers without exception participated in the agreement. All countries had a responsibility, especially the nuclear States and those with a large military potential.

37. In connection with the implementation of article VI, it must be remembered that two of the five nuclear Powers were still outside the Treaty. One of them did not hide its hostility to the Treaty and to most treaties and conventions on disarmament and openly helped certain countries which were not parties to the Treaty to acquire nuclear weapons. That situation was a serious obstacle to nuclear disarmament and
cessation of the arms race and prevented the effective implementation of article VI, which was an extremely important article in the Treaty. That was why his delegation considered universality of the Treaty increasingly important.

38. Regarding the final document, he fully supported the suggestions made by the representative of the German Democratic Republic at the 4th meeting.

39. The CHAIRMAN said that as there were no further comments the discussion on article VI was concluded.

The meeting rose at 12.30 p.m.
SUMMARY RECORD OF THE 6th MEETING
Friday, 22 August 1980, at 3.20 p.m.

Chairman: Mr. M'AIWA (Kenya)

REVIEW OF THE OPERATION OF THE TREATY AS PROVIDED FOR IN ITS ARTICLE VIII (3)
(agenda item 13) (continued)

A. IMPLEMENTATION OF THE PROVISIONS OF THE TREATY RELATING TO NON-PROLIFERATION OF NUCLEAR WEAPONS, DISARMAMENT AND INTERNATIONAL PEACE AND SECURITY

(3) ARTICLE VII

D. SECURITY ASSURANCES

(1) RESOLUTION 255 (1968) OF THE UNITED NATIONS SECURITY COUNCIL

(2) EFFECTIVE INTERNATIONAL ARRANGEMENTS TO ASSURE NON-NUCLEAR-WEAPON STATES AGAINST THE USE OR THREAT OF USE OF NUCLEAR WEAPONS

1. The CHAIRMAN noted that at the 1975 Review Conference the question of security assurances to non-nuclear-weapon States and the review of article VII had been considered together - a procedure reflected in the Final Document of that Conference. Several representatives at the present Conference had indicated that they wish to refer to article VII in the context of the discussion on security assurances, while others would no doubt prefer to speak on the latter issue separately. He would leave it to delegations to decide whether to treat the two topics together.

2. Mr. von ARX (Switzerland) referred to the statement made by his delegation in the general debate (7th plenary meeting) to the effect that the guarantees contained in Security Council resolution 255 (1968) provided no additional security assurances in so far as the nuclear-weapon States had assumed no obligations beyond those already contained in the Charter; on the other hand, the nuclear-weapon Powers had made unilateral declarations renouncing the use or threat of use of nuclear arms against non-nuclear-weapon States, and his Government considered such a declaration to be legally binding. Unilateral commitment was recognized in international law and had been confirmed by the International Court of Justice; it was nevertheless to be hoped that such commitments would be strengthened and certain texts clarified. In that connection his Government welcomed the creation by the Committee on Disarmament of an ad hoc working group on guarantees.

3. In addition to reiterating that statement, he wished to say that only so-called negative assurances were acceptable to Switzerland as a neutral State. Positive assurances of assistance to a State attacked or threatened by nuclear weapons would not be compatible with Switzerland's status of neutrality.

4. Mr. GRUBBERG (Bulgaria), noting that Bulgaria had been among the countries which had actively supported effective solution of the problem of security assurances as early as 1966, when the Treaty itself had still been under discussion, said that the present Conference had to treat the question of security assurances as a priority issue if it hoped to fulfil its major objectives. Effective international measures strengthening the security of non-nuclear-weapon States would constitute a positive contribution to the prevention of the spread of nuclear weapons and help towards the further promotion of a wider acceptance of the Treaty.
5. Referring to Security Council resolution 255 (1968), which had welcomed the identical declarations by the three Depositary Governments offering positive security assurances to non-nuclear-weapon States, he expressed his confidence that in the course of the present Conference the Depositary States would, as they had done in 1975, again confirm their determination to honour those assurances. As was well known, however, many countries considered positive assurances to be insufficient and insisted on other, more effective and credible arrangements, the so-called negative assurances. Accordingly, the Final Declaration of the first Review Conference (NPT/CONF/55/1, annex I) had stressed the responsibility of all parties to the Treaty and especially the nuclear-weapon States to take effective steps to strengthen the security of non-nuclear-weapon States and to promote the consideration of all practical means to that end in all appropriate fora. The first response to that recommendation had taken the form of unilateral declarations on non-use of nuclear weapons made by the five nuclear-weapon States on the occasion of the tenth special session of the General Assembly in 1978. At the same session, after taking note of those declarations, the General Assembly had urged the five nuclear-weapon Powers to pursue efforts to conclude, as appropriate, effective arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

6. A follow-up of that recommendation had been the initiative of the Soviet Union in 1978, sponsored later by a group of socialist countries in the Committee on Disarmament, for the preparation of a convention on the strengthening of guarantees of the security of non-nuclear-weapon States. That proposal, together with various other proposals and suggestions, had become the subject of intensive negotiations in the Committee on Disarmament during the past two years. Those negotiations had revealed, however, that although there was no objection, in principle, to the idea of an international convention of that kind, some difficulties still existed in connection with attempts to accommodate the different approaches of all countries. At the 1980 session of the Committee on Disarmament, work on negative security assurances had proved inconclusive and the ad hoc working group dealing with the matter had recommended that the Committee on Disarmament should explore ways and means of overcoming the difficulties encountered and continue negotiations at the beginning of the 1981 session with a view to reaching agreement.

7. His delegation felt that the final document of the present Review Conference should duly reflect the measures adopted at the time of the conclusion of the Treaty as well as the new developments which had taken place thereafter, in particular the negotiations in the Committee on Disarmament. The Conference should also urge all States concerned, and especially the nuclear-weapon States, to co-operate actively in the continuing search for a common approach on the substance of international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

8. Mr. FLORENCE (United States of America) said that in dealing with article VII and the question of security assurances there were few better points of departure than the Final Declaration of the first Review Conference, which had correctly recognized that the vital matter of national security lay at the very core of the problem of proliferation. No sovereign State would renounce the acquisition of nuclear weapons unless it determined that its security would be served by doing so. The final declaration of the present Conference should once more emphasize the particular importance of assuring and strengthening the security of non-nuclear-weapon States parties.

9. The 1975 Final Declaration had also underlined the importance of adherence to the Treaty by non-nuclear-weapon States as the best means of reassuring one another of their renunciation of nuclear weapons and as one of the effective means of strengthening their mutual security. The marked increase in the number of parties
... to the Treaty in the past five years testified to the continuing validity of that conclusion, which should, accordingly, again find its way into the final document of the present Conference. That document should also note the continuing determination of the Depositary States to honour the positive security assurances they had provided in 1968 in connection with Security Council resolution 255 (1968).

10. With regard to the question of nuclear-weapon-free zones, the United States Government had long held the view that the creation of such zones, under conditions that would ensure their effectiveness, would indeed have the desirable effects envisaged in article VII of the Treaty; its adherence in 1971 to Protocol II of the Treaty of Tlatelolco and its signature in 1977 of Protocol I to that Treaty provided tangible evidence of support. The United States welcomed the steps which other Governments had taken during the past five years to bring that important treaty regime fully into force throughout Latin America, and hoped that the Conference would lend its support to that effort. The United States had also favoured the creation of nuclear-weapon-free zones in other regions of the world, including Africa, the Middle East and South Asia. It regretted that more progress had not been made towards translating those objectives into reality, but hoped that those efforts would also be supported and encouraged by the Conference.

11. The Final Declaration of 1975 had also urged all States to refrain, in accordance with the Charter, from the threat or use of force in relations between States. The relevance of that recommendation to the work of the Conference had been emphasized in the general debate by the representative of Indonesia (8th plenary meeting), who had explained that the peaceful solution of regional armed conflicts was necessary for the realization of the Treaty's objectives. The United States delegation shared that view and considered that the final document should reflect it in some fashion.

12. Lastly, the 1975 Declaration had called on all parties, especially the nuclear-weapon States, to take effective steps to strengthen the security of non-nuclear-weapon States. He believed that substantial progress had been made in the last few years in response to that recommendation; most notably, each of the nuclear-weapon States had made a declaration regarding the assurance of non-nuclear-weapon States against the use or threat of use of nuclear weapons. The United States declaration made at the tenth special session of the General Assembly, its special session on disarmament, and reaffirmed at the present Conference (2nd plenary meeting) represented a substantial step forward in the area of negative security assurances. After briefly analysing the declaration, he pointed out that the United States declaration, in applying to parties to the Treaty that did not derive security advantages through alliance or association with nuclear-weapon States, addressed itself to the widely-held view that the States most deserving of negative security assurances were those non-aligned States that had become parties to the Treaty.

13. He could not agree with the view expressed by a number of delegations in the general debate that negative security assurances required further strengthening, in particular, through the negotiation of a common formula which could be embodied in a binding international convention. So far as the United States declaration was concerned, no further steps were necessary to make it a credible and effective assurance. The declaration had been issued by the President of the United States after careful consideration of all its implications, and could and should be regarded as a firm and reliable statement of United States policy. The desire for greater uniformity in the assurances available to non-nuclear-weapon States was understandable,
but the prospects for working out a common formula had to be gauged realistically. Given the diversity of security requirements throughout the world, he saw little practical possibility of reaching agreement on a single formula that would be acceptable to all concerned. However, the fact that a single universally applicable assurance formula appeared impracticable did not mean that binding commitments were not appropriate or feasible in a regional context. In that connection, he referred once again to his Government's adherence to Protocol II of the Treaty of Tlatelolco.

14. Mr. SY (Senegal) said, that in the view of his delegation, article VII represented an encouragement to groups of States to conclude regional treaties in order to assure the total absence of nuclear weapons in their respective territories. By virtue of article VII, the nuclear-weapon States parties to the Treaty, were in duty bound to assist the establishment of nuclear-weapon-free zones in various parts of the world. The usefulness of such zones in preventing the proliferation of nuclear weapons required no further proof, especially since the conclusion of the Treaty of Tlatelolco. The General Assembly at its tenth special session had recommended the establishment of such zones in Africa, the Middle East, South Asia and the Indian Ocean. So far as Africa was concerned, efforts to establish a nuclear-weapon-free zone were being thwarted by the attempts of the South African régime to acquire nuclear weapons. The African countries, 33 of which were parties to the Non-Proliferation Treaty, had repeatedly expressed their extreme concern in that connection, and the General Assembly had reflected that concern in its resolution 34/76A of 11 December 1979. The danger of proliferation of nuclear weapons in Africa had become more pronounced since 1977, when the Pretoria régime had begun preparations for a nuclear test. In a situation where one of the countries of a region was actively seeking to acquire nuclear weapons, the creation of a nuclear-weapon-free zone was a task of almost insurmountable difficulty; thus, the work of a commission set up by OAU for the purpose of preparing a draft regional treaty to that effect was held back by the latest developments in South Africa.

15. In order to strengthen the security of non-nuclear-weapon States, the nuclear Powers should encourage the adoption of international agreements establishing nuclear-weapon-free zones. The final document of the present Conference should stress the lack of progress achieved in that respect since the first Review Conference and the need for all States to undertake urgent measures to eliminate the obstacles to such progress. The final document should also express the concern of parties to the Treaty over the latest developments with regard to nuclear weapons in South Africa, bearing in mind that country's refusal to sign the Treaty and to accept IAEA safeguards in respect of all its nuclear activities.

16. Mr. MIHAILOVIC (Yugoslavia) said that all participants in the Treaty had recognized that its basic role was the promotion of non-proliferation of nuclear weapons, both vertically and horizontally, and of nuclear disarmament. At the same time, almost all speakers had been unanimous in saying that the nuclear arms race had continued both quantitatively and qualitatively, as well as vertically and horizontally.

17. In connection with horizontal proliferation, the physical presence of nuclear weapons in the territories of some non-nuclear-weapon States parties to the Treaty, and the further deployment of such weapons in those territories and in international waters unfortunately appeared to be a reality upon which the existing military alliances were relying.

18. That essentially confused the real status of some non-nuclear-weapon States. It had negative repercussions on the genuine prevention of horizontal nuclear proliferation and the possibility of establishing nuclear-weapon-free zones. It
also complicated agreement on an international legally binding instrument for security guarantees to non-nuclear-weapon States against the use or threat of use of nuclear weapons.

19. Direct and indirect nuclear weapon proliferation was also being carried out through the creation of new, or the development of existing, forms of nuclear infrastructure, nuclear bases and the stockpiling of nuclear weapons in foreign territories, including non-nuclear-weapon States parties to the Treaty.

20. One significant form of nuclear-weapon proliferation through the miniaturization of nuclear weapons had been applied in the development of new nuclear-weapon systems the so-called theatre nuclear weapons. Some existing field artillery pieces were being adapted for alternative use of conventional and nuclear shares, thereby confusing the boundary between nuclear and conventional weapons.

21. It could be concluded that real vertical and horizontal nuclear-weapon proliferation was coming solely from the nuclear-weapon States and encompassing not only their own territories but those of some non-nuclear-weapon States and international seas as well. That could by no means contribute to the strengthening of international security, confidence in the Treaty and the achievement of its universality.

22. Yugoslavia, as a European and non-aligned country, was particularly concerned about the spiraling weapon-nuclearization of Europe, the deployment of new generations of nuclear weapons and the introduction of new concepts of their uses, such as the limited use of tactical or "theatre" nuclear weapons. His Government considered the strategy of limited nuclear wars very dangerous. One of its implications was that limited nuclear wars could be fought for a prolonged period. Nobody had tested that theory and he hoped that nobody would ever try to do so. There was a real danger, however, of the selective use of "theatre" nuclear weapons against a non-nuclear, non-bloc country.

23. The strategy of flexible response, which would allow for retaliation short of all-out destruction, was not only dubious but to adopt it might increase the risk of nuclear suicide. Such strategies, the declared object of which was the achievement of "flexibility and deterrent effect", were turning the arms race into a marathon.

24. His delegation was not unaware of the political realities of the world, one of which was adherence to military-political alliances. It could not agree, however, to developments leading to the further strengthening and perpetuation of such alliances, instead of their gradual elimination. In view of the enormous concentration of nuclear armaments and military forces on European soil, he believed that some general measures of arms limitation and disarmament would have a very beneficial effect on the over-all situation in Europe.

25. In its final declaration, the Conference should, inter alia, urge the nuclear-weapon States to undertake immediate negotiations for the cessation of the qualitative improvement and development of nuclear-weapon systems. They should be urged to discontinue nuclear-weapon testing, to complete a comprehensive test ban treaty within an agreed period of time, and to initiate negotiations for the cessation of the production of all types of nuclear weapons and their means of delivery, as well as the production of fissionable material for weapons purposes. They should also be urged to ratify SALT II without delay and to open negotiations for the limitation and gradual elimination of nuclear weapons and, in particular, "theatre" nuclear weapons, including their phased withdrawal from the territories of non-nuclear-weapon States.
26. Lastly, his delegation considered that the present Review Conference should include in its final document a recommendation that the States participating in the forthcoming Madrid meeting of the Conference on Security and Co-operation in Europe should adopt, in principle, a decision to convene a European disarmament conference.

27. Mr. NGAUWA-MBATA (People's Republic of Congo) said that his delegation considered the question of assurances of considerable importance, since its country was situated in a continent which was under almost constant threat of attack.

28. It must be admitted that the insistence on safeguards by the non-nuclear-weapon States raised a certain number of political and other problems. His delegation still remembered the approach taken to that question by the nuclear-weapon States at the tenth special session of the General Assembly, its session on disarmament, when they had attached so many conditions to their proposals that the already precarious degree of security they were offering to the non-nuclear-weapon States had all but disappeared.

29. Moreover, safeguarding the security of the non-nuclear-weapon States should not be used by the nuclear-weapon States as an opportunity for creating and strengthening zones of influence in those States. On the contrary, it should lead to the dismantling by them of their military bases on foreign territory. It was felt by most States to be a legitimate demand that would strengthen the arrangements for the demilitarization of certain zones.

30. After quoting paragraph 2 of Security Council resolution 255 (1968), he observed that his delegation never tired of pointing out that Africa found itself between the hammer and the anvil: it had Israel above it and South Africa below it. Those two States, which were at war against humanity, still refused to accede to the Treaty. He would refrain from commenting at length on that subject, but hoped that steps would be taken to speed up the present inquiry into the nuclear potential of South Africa.

31. Lastly, he said that his delegation had been astonished by certain statements which seemed to indicate that the purposes of articles I and II of the Treaty had already been achieved, despite the fact that many delegations had pointed out the threat to peace represented by the nuclear potential of Israel and South Africa. Because of the collaboration between those two countries and certain other Powers, Africa was living in a climate of insecurity.

32. Mr. MELESCANU (Romania) said that by acceding to the Treaty, his country had always considered that the fundamental concept behind it was both the prohibition of the proliferation of nuclear weapons among States which did not possess any and the obligation for nuclear-weapon States to make real progress towards nuclear disarmament. Until nuclear weapons were totally eliminated from military arsenals, it was a matter of international justice that those States which had agreed not to acquire such weapons should obtain definite assurances that they would never, in any circumstances, be the victims of the use or the threat of use of nuclear weapons by the States that had them.

33. Since the entry into force of the Treaty in 1970, events had shown that whereas the non-nuclear-weapon States had scrupulously respected their undertaking not to produce or acquire nuclear weapons, the vertical proliferation of those weapons and the nuclear arms race had continued and even accelerated.

34. The accumulation of nuclear armament had made the problem of assuring the security of the non-nuclear States increasingly urgent. The insistence of the non-nuclear States on obtaining security assurances from the nuclear-weapon States had intensified in proportion to the increasing danger for international peace and
should... in Europe... con-... in the... cern for the creation of nuclear-weapons-free zones with appropriate security assurances from the nuclear-weapon States had spread as an expression of the determination of the peoples of various regions to protect themselves from the nuclear danger. The non-nuclear-weapon States had rightly considered, and still considered, that since they had agreed to renounce the nuclear option, they were entitled to demand and obtain effective guarantees concerning the non-utilization of nuclear weapons against them. That legitimate demand had been strongly expressed at the tenth special session of the General Assembly, its session on disarmament, which had urged the nuclear-weapon States to take effective measures to assure the protection of the non-nuclear-weapon States against the use or threat of the use of nuclear weapons.

35. Over the years, his Government had constantly spoken in favour of the adoption of strong measures to guarantee the security of the non-nuclear-weapon States. It had taken an active part in the drafting of the Treaty and had presented proposals for the improvement of the initial draft, some of which had been adopted. However, some of its proposals, and of those of other countries, had been included in the Treaty, with the result that it had not fully met the legitimate requirements of the security of all peoples.

36. At the first Review Conference, his Government, in agreement with other non-nuclear-weapon States, had taken the initiative in presenting a third additional protocol to the Treaty (NPT/CONF/22) to remedy those inadequacies of the Treaty. That draft protocol had been aimed at establishing the legal obligation for the nuclear-weapon States never and under no circumstances to use or threaten to use nuclear weapons against non-nuclear States parties to the Treaty whose territory was completely free from nuclear weapons.

37. The same question had been raised again by his Government in the Committee on Disarmament and, more recently, at the tenth special session of the General Assembly, its session on disarmament. On the basis of that position of principle, his delegation requested that the draft additional protocol of 1975 (NPT/CONF/22) should be considered as one of the working documents before the Committee. However, in view of the negotiations taking place in the Committee on Disarmament, his delegation would not press the adoption of a decision on that draft at the present Conference.

38. He would like to see the Conference make an urgent appeal to all States parties to the Treaty, and especially to the nuclear-weapon States, to assume the necessary responsibility to speed up the negotiations of the Committee on Disarmament on such arrangements. It should also be emphasized that in case that Committee was not able to arrive at any concrete results, his delegation believed that the question of negative security assurances for non-nuclear-weapon States should be a matter of concern for States parties to the Treaty. In that case, it considered that a special meeting of all the States parties to the Treaty would be necessary.

39. Mr. SUCHARIPA (Austria) said that his Government considered that non-nuclear-weapon States had every right to obtain assurances against the use or threat of use of nuclear weapons on the part of the nuclear-weapon States, although such measures could in no way be regarded as a substitute for effective nuclear disarmament. His delegation had taken note with satisfaction of the respective unilateral declarations issued by the Governments of non-nuclear-weapon States in the course of the tenth special session of the General Assembly, its session on disarmament and joined the delegation of Switzerland in regarding those declarations as binding upon the respective Powers under international law.

40. Austria considered that the declarations did not entail any further obligations on its part in addition to those it had undertaken in signing the Treaty.
41. In their divergency, the unilateral declarations reflected the different strategic doctrines and security perceptions of the nuclear-weapon States. They also provided for certain important exceptions as far as their applicability was concerned. There could be no doubt that the declarations would gain in effectiveness if a common and co-ordinated formula, acceptable to all nuclear-weapon States, could be agreed upon. In order to enhance the security of non-nuclear-weapon States effectively, the assurances should, to the greatest extent possible, be kept free of limitations and should not contain escape clauses which would allow nuclear-weapon States to divest themselves of the obligations they had assumed. The final document of the Conference might therefore appropriately call for further efforts in that direction.

42. In the view of his Government, the elaboration of such a common formula should take precedence over discussions on the legal form in which the assurances might find their final expression. In that connection, it should be stressed that for a country like Austria the idea of an international convention raised a number of serious questions which would have to be studied very closely. In particular, any obligation committing non-nuclear-weapon States to a binding mechanism of consultations would not be acceptable to Austria. The recipients of the assurances should not have to contract any new obligations, since an internationally recognized non-nuclear-weapon status, by virtue of adherence to such instruments as the Non-Proliferation Treaty or the Treaty of Tlatelolco, should suffice to make the State concerned eligible for so-called negative security assurances.

43. Expressing a view coinciding with that of the representative of Switzerland earlier in the meeting, he stated that, as a matter of principle, a country like Austria, which had committed itself to a status of permanent neutrality, could not agree to confer upon an outside Power the responsibility for the maintenance of its own security. Austria had therefore expressed strict reservations concerning so-called positive security assurances. It must be stated clearly that it was for the country which was the victim of an act of aggression, or of the threat of such an act, to decide by itself whether, and to what extent, any assistance offered in that regard would be accepted.

44. Mr. NORBERG (Sweden) said that his delegation had made it clear on a number of occasions that Sweden would not accept positive security assurances of the kind reflected in Security Council resolution 255 (1968). In the event that such assurances or assistance to a non-nuclear-weapon country should be contemplated under the provisions of that resolution, a country must have the right to decide if, and under what conditions, assistance might be granted.

45. On the other hand, his Government favoured in principle so-called negative security guarantees, which it understood to mean co-ordinated and binding commitments by nuclear-weapon States not to use or threaten to use nuclear weapons against non-nuclear-weapon States that had explicitly renounced such weapons. His Government had reservations, however, regarding agreements, such as the draft conventions that had been submitted in the General Assembly and in the Committee on Disarmament, which would imply that nuclear-weapon and non-nuclear-weapon States should enter into some kind of reciprocal obligations. The vast majority of non-nuclear-weapon States had already accepted their share of responsibility by acceding to the Non-Proliferation Treaty and there was no reason for them to repeat that obligation.

46. His delegation considered that the responsibility for formulating binding assurances acceptable to all States must rest with the nuclear-weapon States. Such assurances should be in a legally binding form as, for example, in a treaty among the nuclear-weapon States.
47. **Mr. Marshall** (United Kingdom) said that he proposed to discuss both article VII and the question of security assurances. With regard to article VII, which encouraged the conclusion of treaties establishing nuclear-weapon-free zones, his delegation considered that, properly conceived, such treaties could make a valuable contribution to international and regional security and to non-proliferation. He hoped that that consideration would be reflected in the final document of the Conference.

48. The Treaty of Tlatelolco had made a major contribution to stability and non-proliferation in Latin America. The United Kingdom had been the first nuclear-weapon State to ratify both Protocols to that Treaty. His delegation welcomed the fact that Additional Protocol II had been the first international instrument connected with nuclear disarmament to be accepted and ratified by all the nuclear-weapon States. He hoped that those States which had not yet done so would ratify the Treaty and its Protocols so that it might become fully operational.

49. After noting that his Government's continuing adherence to the positive security assurances of 1968 had been reaffirmed in the 3rd plenary meeting of the Conference, he said that his delegation attached great importance to the negative security assurance declarations made by the nuclear-weapon States during the tenth special session of the General Assembly, its special session on disarmament, in 1976. Those assurances represented a major step forward in an area which had attracted much attention at the first Review Conference; they had been carefully considered and solemnly given; and they took due account of existing commitments, from which many non-nuclear-weapon States derived security. The United Kingdom's assurance had been deliberately phrased to support the Non-Proliferation Treaty and was in force for all non-nuclear-weapon States parties to the Treaty. His delegation considered that the final document of the second Review Conference should recognize the contribution which such assurances could make to increasing the security of those States.

50. A number of representatives had called for a further strengthening of the negative security assurances. His Government was prepared to examine any serious proposals for enhancing such assurances and believed that the wider forum of the Committee on Disarmament, where there had already been much useful discussion, was the best place to pursue that question. His delegation would therefore see some difficulties in the revival of the protocol on the subject which had been proposed in 1975 and which had again been recommended by the representative of Romania.

51. **Mr. Rajakoski** (Finland) said that his delegation appreciated the work of the Committee on Disarmament in trying to establish effective international arrangements to assure non-nuclear-weapon States against the use, or threat of use, of nuclear weapons. Security guarantees must be improved both for the sake of the national security of non-nuclear-weapon States and in order to encourage accession by such States still not parties to the Treaty, thereby strengthening the Treaty regime. Pending effective measures of nuclear arms limitation and nuclear disarmament, all approaches aimed at reducing the risks of the use of such weapons should be explored. Finland had submitted a working document outlining his delegation's views on the subject.

52. It was encouraging that all the nuclear-weapon States had recognized the legitimate security concerns of States which, through the Non-Proliferation Treaty, had given up their option to acquire nuclear weapons. A further step forward would be for all the nuclear-weapon States to commit themselves in a binding form not to use nuclear weapons against non-nuclear-weapon States. His delegation recognized the high political value of the unilateral declarations regarding the non-use of
nuclear weapons which had been made by the nuclear-weapon States but considered that those were not sufficient. In order to give them permanent and binding character, the unilateral declarations must be translated into effective security arrangements. Furthermore, recent developments in nuclear arms technology had made it necessary to enlarge the scope of those guarantees so that the territory and air space of non-nuclear-weapon States was not violated by nuclear-weapon States in any conceivable situation.

53. Security guarantees were a prerequisite to the establishment of nuclear-weapon-free zones, which were a valuable means for strengthening and supplementing the non-proliferation regime. The creation of such zones was also an independent measure, since the restraints on nuclear weapons in the zone would go beyond the scope of the Non-Proliferation Treaty by guaranteeing the total absence of nuclear weapons. The Treaty of Tlatelolco was a concrete example. Additional Protocol II to the Treaty had become fully operational, with formal undertakings by the nuclear-weapon States not to use, or threaten to use, nuclear weapons against the parties to that Treaty. That was in line with the principal objective of nuclear-weapon-free zones, namely, the strengthening of the security of the zonal States, an objective recognized in the comprehensive study on the question of nuclear-weapon-free zones which had been carried out by the ad hoc group of qualified governmental experts under the auspices of the Conference of the Committee on Disarmament in 1975. It was inherent in the concept of the nuclear-weapon-free zone that, as a minimum, its status would be respected by all extra-zonal States, in particular by nuclear-weapon States.

54. Mr. AYEWAH (Nigeria) said that his delegation considered that the provisions of article VII were pertinent to the aspirations of the African region to free itself from the menace of nuclear weapons. His Government was very concerned that the purposes of the Declaration on the demilitarization of Africa adopted by the Assembly of Heads of State or of Government of the Organization of African Unity at its first ordinary session held in 1964 at Cairo, that continental Africa should be made a nuclear-weapon-free zone, had failed to materialize, owing principally to the emergence of South Africa's nuclear-weapon capability.

55. The creation of nuclear-weapon-free zones in the various regions of the world constituted an important collateral disarmament measure because it freed nations from the urge to pursue an unproductive arms race at the expense of socio-economic development.

56. Nigeria had noted with satisfaction that, through the Treaty of Tlatelolco, Latin America had become the first inhabited territory to become a nuclear-weapon-free zone and that, through the additional protocols, the nuclear-weapon States had assumed certain obligations bearing on strict respect for the status of the nuclear-free zone and had recognized the necessity to refrain from the use, or threat of use, of nuclear weapons against any of the States of the region. Nigeria entertained the same prospects for Africa.

57. Nigeria continued to adhere to the view it had expressed in 1967 to the effect that it would be unfair to ask any responsible Government to adhere to a non-proliferation treaty without guarantees and that such a treaty should provide for an international deterrent against nuclear blackmail. His country, whose commitment to the non-proliferation regime was firm and deep, took the view that the non-nuclear-weapon States which had foresworn the nuclear-weapons option by signing the Non-Proliferation Treaty should be credibly assured by the nuclear-weapon States, in an internationally binding agreement, that they would not be victims of any use, or threat of use, of nuclear weapons in the legitimate defence of their sovereignty, territorial integrity and hard-won independence.
58. The nuclear-weapon States had continued to make much of Security-Council resolution 255 (1968) by arguing that their voluntary declarations of intention provided enough guarantees, although they must be aware that their so-called positive security assurances lacked content, precision and modalities for implementation. The demand of the non-nuclear-weapon States for negative security assurances was therefore fully justified, and his delegation would like to be assured that the nuclear-weapon States saw the problem in the same perspective.

59. His delegation reaffirmed its position that the provision of concrete security assurances would encourage the process of nuclear non-proliferation, enhance mutual trust and confidence, and promote the creation of other nuclear-weapon-free zones in the various regions of the world.

60. Mr. GARCIA ROBLES (Mexico) thanked previous speakers for their encouraging words concerning the Treaty of Tlatelolco, for which his country was the Depositary State. The final document to be adopted by the Conference should explicitly reproduce some of the ideas set forth in the Final Document of the tenth special session of the General Assembly, its session on disarmament, and particularly paragraphs 60, 61 and 62, referring to nuclear-weapon-free zones. Although Additional Protocol II of the Treaty of Tlatelolco had now been ratified by the five nuclear-weapon States, an appeal should be made in the final document of the Conference for the ratification of Additional Protocol I, which had not been ratified by two of the States concerned, with a reference to General Assembly resolution 34/71 of 11 December 1979, which had specifically invited those two States to ratify Additional Protocol I at the earliest opportunity. Lastly, the final document should refer to the other proposals for the establishment of nuclear-weapon-free zones, especially in Africa, the Middle East and South Asia, in the same positive terms as in paragraph 63 (c), (d) and (e) of the Final Document adopted at the tenth special session of the General Assembly, its session on disarmament.

61. Mr. NAZARKIN (Union of Soviet Socialist Republics) referred to Security Council resolution 255 (1968), which welcomed the assurances of assistance given by certain nuclear-weapon States in case of use or threat of use of nuclear weapons against non-nuclear-weapon States: the importance of that resolution should be confirmed in the final document to be adopted by the Conference. His delegation considered the interest of non-nuclear-weapon States in increased security assurances to be warranted, fair and legitimate. His country had unequivocally declared that it would never use nuclear weapons against States which had renounced the production or acquisition of nuclear weapons and did not have them on their territory. It had proposed the conclusion of bilateral agreements with non-nuclear-weapon States, as well as a multilateral agreement covering both nuclear-weapon and non-nuclear-weapon States. The best way of enhancing the security assurances of non-nuclear-weapon States was the conclusion of an international convention containing the obligation for nuclear-weapon States not to use nuclear weapons against States which had renounced the acquisition of such weapons and did not have them on their territory.

62. The Final Document of the first Review Conference had referred to the importance of renouncing the use or threat of use of force in international relations, including relations between nuclear-weapon and non-nuclear-weapon States: that provision was important and should also be reflected in the final document to be adopted by the present Conference. His delegation also favoured the establishment of nuclear-weapon-free zones, which would increase the security of non-nuclear-weapon States. The Final Document adopted at the first Review Conference had referred to the establishment of such zones in positive terms as an effective means of curbing the spread of nuclear weapons which could contribute significantly to the security of non-nuclear-weapon States. In that connection, it should be remembered that his
country had ratified Additional Protocol II of the Treaty of Tlatelolco. The importance of the establishment of nuclear-weapon-free zones had also been stressed in the Final Document of the tenth special session of the General Assembly, its session on disarmament, and should likewise be emphasized in the final document to be adopted by the Conference.

63. Mr. NOIRPALISSE (Belgium) suggested that the final document to be adopted by the Conference should contain, inter alia, the following five points. First, it should confirm the importance of the implementation of article VII and of the obligations under the Treaty in strengthening the security of non-nuclear-weapon States which had renounced the acquisition of nuclear weapons. Secondly, it should recognize the potential contribution of nuclear-weapon-free zones to the objectives of non-proliferation, and should welcome efforts to that end with a particular reference to the Treaty of Tlatelolco and the constructive contribution made by the nuclear-weapon States in ratifying Additional Protocol II to that Treaty. Thirdly, it should stress the importance of the universalization of the Non-Proliferation Treaty for strengthening the mutual security of States. Fourthly, it should take note of the security assurances given by the nuclear-weapon States in the context of Security Council resolution 255 (1968) and the declarations made at the tenth special session of the General Assembly, its session on disarmament. Finally, it should stress the importance of pursuing efforts, in particular in the Committee on Disarmament, with a view to arriving at arrangements which, while taking into account the diversity of situations and doctrines, would strengthen security assurances for non-nuclear-weapon States, particularly the non-aligned States.

64. Mr. LHO (Republic of Korea) said that his country had continuously supported the spirit of the Non-Proliferation Treaty and had endorsed the many United Nations resolutions which had urged the nuclear-weapon States to expedite negotiations on nuclear arms control. It was to be hoped that the second Review Conference would be able to pave the way for the attenuation of tensions and anxieties affecting mankind.

65. His country, constantly apprehensive about its security, was reluctantly forced to assess the degree to which the Treaty régime could contribute to its security. It was not in a position to concern itself only with prevention of the proliferation of nuclear weapons. Without in any way advocating the use or threat of use of nuclear weapons, it continued to feel the necessity for the strong deterrent power of positive security assurances especially in an area of tension. The eradication of nuclear weapons and the prevention of nuclear war was the ideal to which his country, like all peace-loving countries of the world, was firmly dedicated.

66. Unfortunately, in the current international situation in which there was no effective and responsible universal security system, his Government considered it meritable that security arrangements should be left to each country, within the framework of the spirit and purposes of the United Nations, because nearly all countries were non-nuclear-weapon States, whose security did not revolve mainly around the issue of nuclear arms. Many other aspects affected the peace and security of individual States, such as geopolitical situations, the apparent fragility of the local military balance of power, or the existence of superior hostile armies. As each country had its own unique security requirements, the blanket application of a general security system, such as "negative" security assurances, was not acceptable to his country. Consequently, the discussion on security assurances should not adversely affect the security arrangements of each country. Having suffered from the devastation of war, and constantly exposed to the danger of renewed invasion, his country valued peace more than any other country.

The meeting rose at 5.20 p.m.
SUDBURY RECORD OF THE 7TH MEETING
Monday, 25 August 1930, at 3.30 p.m.

Chairman: Mr. KAMHA (Kenya)

REVIEW OF THE OPERATION OF THE TREATY AS PROVIDED FOR IN ITS ARTICLE VIII (3).

A. IMPLEMENTATION OF THE PROVISIONS OF THE TREATY RELATING TO NON-PROLIFERATION
OF NUCLEAR WEAPONS, DISARMAMENT AND INTERNATIONAL PEACE AND SECURITY

(3) ARTICLE VII

D. SECURITY ASSURANCES

(1) RESOLUTION 255 (1960) OF THE UNITED NATIONS SECURITY COUNCIL

(2) EFFECTIVE INTERNATIONAL ARRANGEMENTS TO ASSURE NON-NUCLEAR-WEAPON
STATES AGAINST THE USE OR THREAT OF USE OF NUCLEAR WEAPONS

1. Mr. KAMHA (Zaire) said that, like other African representatives who had already
addressed the Committee, his delegation was greatly concerned by the uncertain
prospects for peace and security in the region. Africa was an area where many
external influences were at work and where one country, South Africa, might one day
be in a position to use or threaten to use a nuclear weapon against its neighbours.
South Africa had refused to become a party to the Non-Proliferation Treaty.

2. He hoped that all States would adhere to the Treaty but recognized that such a
goal would be difficult to attain. The final document of the Conference should
nevertheless repeat the appeal to all States which were not yet parties to the Treaty
to accede to it.

3. He welcomed the nuclear-free-zone created in Latin America and would have wished
to see a similar zone created in Africa in accordance with article VII of the Treaty.
All efforts in that direction had however been frustrated by the intent of
South Africa to develop nuclear weapons. OAU was seriously concerned by that
situation and would be encouraged to pursue the matter if a further appeal to that
effect were to be included in the final document of the Conference.

4. His Government welcomed the negotiations under way in the Committee on
Disarmament for the conclusion of an international convention under which the
nuclear-weapon Powers would offer uniform assurances regarding the non-use of
nuclear weapons to interested non-nuclear-weapon States which renounced the
manufacture or acquisition of such weapons and which did not deploy such weapons on
their territory. His own country was in the latter category. He hoped that the
final document of the Conference would contain a declaration which would strongly
support the efforts of the Committee on Disarmament.
5. Mr. AMIRI (Iran) said that the importance of strengthening the Non-Proliferation Treaty had been emphasized by all delegations in the course of the general debate. The Treaty could be strengthened and made more attractive to non-parties if it were to grant negative security guarantees to parties. His delegation supported the provision of such assurances because they would reinforce the Treaty by making it more equitable. Such guarantees must have a legally binding form. The non-nuclear-weapon States had renounced their nuclear options by a treaty and the corresponding security guarantees must be given by the nuclear-weapon States in the same manner. Such guarantees would constitute a just, legitimate and minimum quid pro quo for the renunciation of nuclear weapons and represented the only approach compatible with the fundamental principle of the sovereign equality of States. The assurances provided by Security Council resolution 255 (1963) and the unilateral declarations made by the nuclear Powers were inadequate.

6. The regional approach to the non-proliferation of nuclear weapons continued to be an essential ingredient of the non-proliferation strategy. The global approach had become increasingly undermined as the sole approach to nuclear disarmament. Attention had therefore shifted to a regional approach which held out the prospect of at least a partial answer and also reflected a more positive motivation. The regional approach was nevertheless not a panacea; it was complementary to the global approach. The Non-Proliferation Treaty specifically referred to such possibilities in articles VII and V; his delegation welcomed the success of the Treaty of Tlatelolco. All States and, in particular, the nuclear-weapon States had a responsibility, not only to support the concept of regional demilitarized zones, but also to provide all necessary assistance for their establishment, maintenance and success.

7. Certain regions of the world were profoundly troubled and the prospect that one or more countries of such regions would develop nuclear weapons could not be discounted. The creation of nuclear-free-zones in such areas, though clearly difficult, was more urgent than in less disturbed regions. The reluctance of States in certain critical regions to adhere to the Treaty was due to uncertainty about the future course of regional politics and insecurity originating in regional disputes. In such cases the malady required a regional cure through co-operation by the States of the region in devising a demilitarized zone.

8. His delegation supported the establishment of nuclear-weapon-free zones throughout the world as an intermediate step that ultimately would lead to a totally demilitarized world. The desire of the countries of the Middle East and Africa to make their regions nuclear-weapon-free zones had been repeatedly proclaimed. The overwhelming majority of the Members of the United Nations had expressed their support for the establishment of such zones in those regions in General Assembly resolutions 34/76 and 34/77, both of 11 December 1979. Their creation had however been prevented by the policies of territorial expansion, political blackmail and hegemony chosen by Israel and South Africa, which had decided to follow the path of nuclearization. Those areas of the world were quite different from Latin America. So long as no solution was found to the problems of occupied territories and of dispersed or threatened peoples, the quest for more sophisticated weapons would continue and be intensified; proliferation of nuclear weapons in those areas, once started, could assume disastrous dimensions.
9. Reports to the effect that Israel possessed several untested nuclear bombs and that South Africa had already tested a nuclear device were a cause of deep concern. The General Assembly had accordingly, at its thirty-fourth session, adopted resolution 34/89, of 11 December 1979, which had condemned military and nuclear collaboration between the two regimes and had requested the preparation of a study on Israeli nuclear armament.

10. His delegation considered that the final document of the Conference should reflect the deep concern of the parties to the Non-Proliferation Treaty at the grave threat posed by the activities of those two regimes. Moreover, certain countries would thereby be reminded of their special responsibilities in their irresponsible nuclear co-operation with those regimes and might cease such co-operation.

11. Mr. RAHMAN (Iraq) said that Iraq, as a non-aligned country, reaffirmed its commitment to the ideas reflected in the Political Declaration of the Sixth Conference of Heads of State or Government of Non-Aligned Countries, held at Havana, which had stated clearly that the nuclear-weapon States must refrain from any activity in the nuclear field which would jeopardize the security and well-being of the peoples of non-nuclear-weapon States. The Havana Conference had noted with satisfaction that proposals had been submitted to the Committee on Disarmament and that there had been no objection in principle in that Committee to an international convention which would safeguard non-nuclear-weapon States against the use or threat of use of nuclear weapons. The Havana Conference had also welcomed the establishment of a working group to elaborate such a convention and had recommended that negotiations on the matter should be continued at the next session of the Committee on Disarmament.

12. The world was faced with the threat of nuclear catastrophe. In the Middle East the Zionist régime in Palestine had persisted in its aggressive intentions by adopting a nuclear programme and there was mounting evidence that it had achieved a nuclear weapon capability. The régime had refused to accede to the Non-Proliferation Treaty and had worked against its goals and aims; it had rejected the idea of a nuclear-weapon-free zone in the Middle East.

13. His Government strongly supported all efforts to create nuclear-weapon-free zones, in particular, in the Middle East, as part of the security assurances which were being sought. He called on the Conference to support those views in its final document.

14. Mr. BOOM (United Republic of Cameroon) said that his delegation attached great importance to article VII which represented the best hope of guaranteeing the security of non-nuclear-weapon States against the threat represented by nuclear weapons. Since 1960, his country, together with other African States, had clearly expressed their wish to free Africa of nuclear weapons. That position had been subsequently reiterated on a number of occasions, in particular, at the OAU Assembly of Heads of State or of Governments in 1964 and in the United Nations General Assembly; General Assembly resolution 34/76, of 11 December 1979, had been explicit on the subject. Thirty-three African countries had already joined the Non-Proliferation Treaty.

15. It was to be regretted that their peaceful initiative had been threatened by the efforts of the Government of South Africa, supported by the complicity of the Governments of certain industrialized countries, some of which were parties to the Treaty, and of Israel. It had been reported that the South African régime had tested a nuclear device. South Africa's possession of a nuclear capability, bearing in mind
that that country had not signed the Non-Proliferation Treaty, that it continued to occupy Namibia illegally notwithstanding United Nations resolutions, and that it regularly committed acts of aggression against the southern African States, represents a serious menace to the security of all African countries and a potential cause of proliferation of nuclear weapons in Africa. In its final document, the Conference should recognize the legitimate concern of the African States for their security in the face of nuclear developments in South Africa and the nuclear blackmail to which they might be subjected by its racist and aggressive apartheid regime. The Conference should also appeal to the economic and scientific partners of South Africa to cease all co-operation in the nuclear field. In its resolution 418 (1977), the Security Council had requested all States to refrain from nuclear co-operation with South Africa. That appeal should be repeated in the final document of the Conference, which should also encourage the efforts of the peaceful States of Africa to create a nuclear-free zone and thus to follow the example of Latin America. Confronted by the threat to their security represented by South Africa, States like Cameroon which, since 1968, had placed its confidence in the Non-Proliferation Treaty, could in fairness expect to be assured in a formal and unequivocal manner that the international community would guarantee their security if they were ever attacked with nuclear weapons. The unilateral assurances given by the Depository States and by France were not sufficient guarantee in themselves. Bilateral assurances were required. The divergence of opinion between the nuclear-weapon States on the subject of negative security assurances was not reassuring. His delegation considered that the final document of the Conference should reiterate the concern expressed in Security Council resolution 255 (1968).

16. Mr. GYÖRFY (Hungary) said that the main task of the Conference with regard to strengthening the security of the non-nuclear-weapon States against the use or threat of use of nuclear weapons was to encourage the Committee on Disarmament to proceed resolutely with the elaboration of an effective international instrument.

17. In its Final Declaration, the first Review Conference had emphasized the particular importance of assuring and strengthening the security of non-nuclear-weapon States parties which had renounced the acquisition of nuclear weapons and had urged that determined efforts must be made, especially by the nuclear-weapon States parties, to ensure the security of all non-nuclear-weapon States parties. The negotiations which had subsequently taken place in the Committee on Disarmament and, in particular, in the ad hoc Working Group, had indicated a dangerous deviation from that crucial principle. With a view to achieving a compromise between the different approaches, certain delegations had proposed qualifications and exceptions which, if accepted, would exclude many non-nuclear-weapon States parties from the Non-Proliferation Treaty from the scope of assurances against the use or threat of use of nuclear weapons.

18. His Government firmly maintained that States which had renounced the acquisition of nuclear weapons, which did not permit the deployment of nuclear weapons on their territory, and which therefore maintained a genuinely non-nuclear status, were entitled to enjoy firm commitments from the nuclear-weapon States that they would not be subjected to the use or threat of use of nuclear weapons, irrespective of whether they were allied or non-aligned. That view was shared by the majority of participants and he therefore hoped that it would be reflected in the final document of the second Review Conference, thereby encouraging and facilitating the attainment of effective international arrangements for strengthening the security of all non-nuclear-weapon States.
19. His Government believed that the final document should encourage the establishment of nuclear-weapon-free zones and, in that connection, that two considerations were of particular importance, namely: that such zones should be based on the common and free decision of the States of the region concerned and that States belonging to such zones should maintain a really nuclear-weapon-free status.

20. Mr. DAVYD (Mongolia) said that his delegation shared the view that the creation of regional demilitarized zones would contribute to the consolidation of the non-proliferation regime and to the security of States within such zones. The Conference should encourage the creation of such zones.

21. His delegation attached considerable importance to the idea of giving credible security guarantees to non-nuclear-weapon States which did not deploy such weapons on their territory against the use or threat of use of such arms against them. The most effective means of guaranteeing the security of non-nuclear-weapon States lay in the conclusion of an international convention. There had been no objections in principle to such a convention in the Committee on Disarmament, where indeed it enjoyed strong support. The final document of the Conference should therefore encourage the conclusion of an international convention on the strengthening of security guarantees.

22. His delegation also supported the suggestion that the Conference should stress the importance of Security Council resolution 255 (1962) on positive security guarantees.

23. It was important that all States should comply fully with General Assembly resolution 2696 (XXVII) on the non-use of force in international relations and permanent prohibition of the use of nuclear arms, which had been adopted on 29 November 1972 on the initiative of the Soviet Union, and which had represented a step towards the conclusion of an international treaty prohibiting the use of force in international relations. His delegation proposed that the Conference should request the Special Committee on Enhancing the Effectiveness of the Principle of Non-use of Force in International Relations, established for the purpose of drafting such a treaty, to accelerate its work.

24. Mr. ARRASEH (Morocco) said that the existing political and juridical conditions were favourable for the conclusion of a multilateral convention on security assurances. The nuclear-weapon States had made unilateral declarations renouncing the use or threat of use of nuclear weapons against non-nuclear States. The common denominator of those declarations had been the clear intention of the nuclear-weapon States to give guarantees to the non-nuclear States. China had declared that in no circumstances would it be the first to employ nuclear weapons and had called upon other nuclear-weapon States to undertake a similar obligation, in particular, in respect of non-nuclear-weapons States and demilitarized zones. The Soviet Union had declared categorically that it opposed the use of nuclear weapons and would never employ such weapons against States which had renounced the manufacture or acquisition of nuclear weapons and did not deploy such weapons on their territory. The United States and the United Kingdom, in virtually identical declarations, had given assurances that they would not employ nuclear weapons against non-nuclear-weapon States parties to the Non-Proliferation Treaty or which had otherwise renounced the acquisition of a nuclear capability. The French declaration had been more limited in so far as it had applied only to demilitarized zones. Moreover, the five nuclear-weapon Powers had signed Additional Protocol II to the Treaty of Tlatolocoo. The good intentions of the nuclear-weapon States were therefore clear and only needed to be given legal form.
25. In paragraph 59 of the final document of the tenth special session of the General Assembly, its session on disarmament had taken note of those declarations by the nuclear-weapon Powers and had appealed to them to provide guarantees to the non-nuclear-weapon States against the use or threat of use of nuclear arms and to make the necessary arrangements to that end. In its resolutions 34/14, 34/35 and 34/66, of 11 December 1973, the General Assembly had requested the Committee on Disarmament to continue its efforts to conclude a multilateral convention which would guarantee non-nuclear States against the use or threat of use of nuclear weapons. Pursuant to those recommendations, the Committee on Disarmament had created an ad hoc Working Group to continue negotiations for such an agreement. The appropriate agency and documentation for the conclusion of such a convention already existed. The relevant documents included CD/55, CD/5/CP.1 and those listed in annex A of section C of chapter III of the Report of the Committee on Disarmament to the General Assembly at its thirty-fifth session (A/35/27).

26. The Working Group had already identified two essential conditions for the conclusion of such an instrument, namely, the conditions to be observed by the non-nuclear States in order to be the beneficiaries of security guarantees and, the inevitable exceptions linked to the right of legitimate self-defence.

27. The Conference should therefore support the Committee on Disarmament in its efforts to solve the problem and, in particular, should appeal to all members of the Committee to give the ad hoc Working Group a mandate for the entire duration of the negotiations for the conclusion of a convention covering such guarantees. The same consideration should apply to the mandates of other working groups of the Committee on Disarmament.

28. His delegation had not touched on the question of positive guarantees as it considered, together with many other delegations, that the guarantees covered by Security Council resolution 255 (1968) were ineffective and dangerous.

29. His delegation welcomed the establishment of the first nuclear-weapon-free zone, although it was not entirely convinced of the real effectiveness of such zones because of the absence of complementary protective measures. Such measures would require profound changes in the three basic sectors of traditional public international law - continental, maritime and aerospace. The task would be difficult in the current state of international relations.

30. Mr. CIPARRAPICCO (Italy) said that, as a non-nuclear-weapon State, Italy was fully aware of the importance of measures aimed at strengthening the security of non-nuclear-weapon States and, in that context, of the importance of negative security guarantees. It had favoured the establishment of an ad hoc working group open to all member States of the Committee on Disarmament to consider and negotiate on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. The great variety of regional conditions, as well as any security arrangements that might already be in place in a given region, should be taken into account in that connection. Being a country which relied on a system of alliances for assuring its own security, Italy had drawn from experience the conviction that alliances and other existing security arrangements played a positive role in fulfilling the legitimate security needs of the States concerned and in preventing horizontal proliferation of nuclear weapons. That reality should be taken into consideration in any effort aimed at strengthening the security of non-nuclear-weapon States.
31. His delegation was guided by similar considerations in connection with the review of article VII. It shared the view that the establishment of internationally recognized nuclear-weapon-free zones could represent an effective means of curbing the spread of nuclear weapons. Italy had therefore welcomed steps taken towards that end, such as the Treaty of Tlatelolco and its two additional Protocols, and noted with satisfaction that the second of those Protocols had been ratified by all five nuclear-weapon States.

32. The security of individual States in a given region must remain the primary factor to be considered in planning or establishing nuclear-weapon-free zones. Italy had consistently held the view that the establishment of such zones must rest on the initiative or the free consent of the States directly concerned and should not undermine existing security arrangements which a State might have entered into by virtue of its right to individual and collective defence as provided by the Charter.

33. Other important questions arising in connection with nuclear-weapon-free zones included the limitation of the zone and compatibility with the rights of third States under international law, with special regard to the freedom of the seas and space; the participation of all military significant States of the zone; the responsibilities of other States, particularly nuclear-weapon States; and the international verification system. All those problems called for a sound and realistic approach.

34. Mr. FADHY (Egypt) said that the only real security guarantee would be a general prohibition of the use of nuclear weapons as a step towards stopping the nuclear arms race and nuclear disarmament. As an interim measure, his Government supported undertakings of a binding nature by nuclear-weapon States to refrain from the use or threat of use of nuclear weapons. With regard to article VII, he reiterated Egypt's support for initiatives by groups of States in any region to establish nuclear-weapon-free zones. Such initiatives should receive the support of the nuclear-weapon States as well as of other States both within and outside the region concerned. He congratulated the Latin American States on the conclusion of the Treaty of Tlatelolco, but noted with regret that his own region had not been equally successful. The call for the denuclearization of Africa made at the OAU Assembly of Heads of State and of Government held at Cairo in 1964 had produced no results owing to the policies of South Africa. Egypt had, over the years, sponsored a number of resolutions calling for a nuclear-weapon-free zone in the Middle East; at the thirty-fourth session of the General Assembly, all countries with the single exception of Israel had supported that call. The final document or documents which would emerge from the Conference should clearly reflect that situation and urge the establishment of nuclear-weapon-free zones in both those sensitive regions of the world.

35. Mr. EL FATTAL (Syrian Arab Republic) said that his delegation had not intended to intervene until the Secretary-General of the United Nations submitted the report on Israel's nuclear armaments requested under General Assembly resolution 34/89 of 11 December 1979. He wished only to remind the previous speaker that by capitulating to Israel, Egypt had itself dashed any hopes of the establishment of a nuclear-weapon-free zone in the Middle East.

36. Mr. FAHMI (Egypt) said that he did not propose to answer that remark, which did not merit his own or the Committee's consideration.
ORGANIZATION OF WORK

37. The CHAIRMAN said it had been suggested that consideration of article III should be left entirely to Committee II. That procedure had been adopted at the first Review Conference. In the absence of objections, he would take it that such was the wish of the Committee.

It was so decided.

ROLE OF THE TREATY IN THE PROMOTION OF NON-PROLIFERATION OF NUCLEAR WEAPONS AND OF NUCLEAR DISARMAMENT AND IN STRENGTHENING INTERNATIONAL PEACE AND SECURITY (agenda item 14)

A. ACCEPTANCE OF THE TREATY BY STATES

B. MEASURES AIMED AT PROMOTING A WIDER ACCEPTANCE OF THE TREATY

38. Mr. WINKLER (Switzerland) said that his delegation endorsed the remarks made in the general debate by the representative of Kenya (11th plenary meeting), who had expressed the view that much more attention than hitherto should be paid to the machinery for peaceful settlement of disputes. One of the most effective means of strengthening the Treaty and making it more attractive would be to establish a system for the peaceful settlement of disputes which might arise among States parties over the interpretation or implementation of the Treaty. In that connection, he referred to the IAEA "Blue Book" (INFCIRC/153) on the structure and content of safeguards agreements to be concluded with States parties to the Treaty and to article 17 of the Convention on the Physical Protection of Nuclear Material (NPT/CONF.II/6/Add.1).

The system for the peaceful settlement of disputes in connection with the Non-Proliferation Treaty should be confined to articles I to V of the Treaty, which were most likely to give rise to differences of interpretation or implementation. The introduction of such a system would, on the one hand, enhance confidence in the Treaty by making States parties feel less exposed to unilateral and arbitrary measures and, on the other hand, would make the Treaty more attractive to countries which had not yet acceded to it. The remaining articles of the Treaty, however, did not appear to lend themselves to a system of that kind.

39. He proposed that the final document of the Conference should include a paragraph recognising that a system of peaceful settlement of disputes would contribute towards the strengthening of the Treaty, and inviting States parties to establish such a system in respect of the rights and obligations set forth in articles I to V.

40. Mr. WALKER (Australia) said that he was interested in the original suggestion just made by the representative of Switzerland, but wondered whether the vast body of arrangements for the peaceful settlement of disputes already provided in international law did not cover disputes that might arise over any aspect of the Treaty.

41. Mr. HEBERG (Netherlands) said that he also found the subject very interesting, but felt that further discussion might be deferred until the Committee started considering texts for inclusion in the final document of the Conference.

42. The CHAIRMAN agreed with that view and noted that the Committee had formally disposed of the agenda items referred to it by the Plenary Conference.

The meeting rose at 4.50 p.m.
SPECIAL RECORD OF THE 8th MEETING
Tuesday, 26 August 1980, at 5.30 p.m.

Chairman: Mr. MAINA (Konya)

ORGANIZATION OF WORK

1. The CHAIRMAN said that he understood that a number of working papers containing proposals for the final document had yet to be submitted to the secretariat for translation and distribution, and invited suggestions as to whether to postpone the work of the Committee until those papers were available.

2. Following a procedural discussion, the CHAIRMAN proposed that the meeting should be adjourned until the following day at 5 p.m.

   It was so decided.

   The meeting rose at 4.20 p.m.
SUMMARY RECORD OF THE 9th MEETING
Wednesday, 27 August 1980, at 5 p.m.

Chairman: Mr. MAHA (Konya)

REVIEW OF THE OPERATION OF THE TREATY AS PROVIDED FOR IN ITS ARTICLE VIII (5)
(agenda item 15) (continued)

A. IMPLEMENTATION OF THE PROVISIONS OF THE TREATY RELATING TO NON-PROLIFERATION
OF NUCLEAR WEAPONS, DISENARMAMENT AND INTERNATIONAL PEACE AND SECURITY:

(1) ARTICLES I, II AND III (1, 2 AND 4) AND PREAMBULAR PARAGRAPHS 1 - 5

(2) ARTICLE VI AND PREAMBULAR PARAGRAPHS 6 - 12

(5) ARTICLE VII

C. OTHER PROVISIONS OF THE TREATY

D. SECURITY ASSURANCES

(1) RESOLUTION 255 (1963) OF THE UNITED NATIONS SECURITY COUNCIL

(2) EFFECTIVE INTERNATIONAL ARRANGEMENTS TO ASSURE NON-NUCLEAR-WEAPON STATES
AGAINST THE USE OR THREAT OF USE OF NUCLEAR WEAPONS

1. Mr. NORDBERG (Sweden), introducing his delegation's working paper in
document NPT/CONF.II/C.1/1, pointed out that the first paragraph simply reflected
the provisions of article VI of the Treaty. The second paragraph noted that the
Treaty had made a major contribution in preventing the spread of nuclear weapons
to additional countries, but that it had had hardly any effect on the nuclear
arms race, which continued unabated.

2. The following paragraphs discussed the central question of implementation of
the Treaty. It was noted that, despite the negotiations that had taken place
between nuclear-weapon States, the arms race had not been halted. Many delegations,
including his own, had stated that in their view the obligations under article VI
of the Treaty had not been fulfilled.

3. Some other delegations had, in the course of the discussion on article VI,
expressed the view that some progress had been made and had given examples in support
of that view. However, as far as his delegation was aware, no-one had maintained
that the situation was satisfactory or had argued that the letter and spirit of
article VI had been fulfilled. It was obvious that the idea of achieving results
"at an early date" was inconsistent with the period of 12 years during which
negotiations had been carried on. In his view, that conclusion should be
incorporated in the final document.
4. Page 2 of his delegation's working paper reflected the statements in paragraph 50 of the Final Document of the tenth special session of the General Assembly, relevant to nuclear disarmament. In that context, it was stressed that the Committee on Disarmament should be enabled to discharge its responsibilities in the field of nuclear disarmament.

5. The working paper went on to deal with the important issue of a nuclear test ban. It was stressed that a ban on all nuclear test explosions in all environments was a most important measure in the context of the Treaty. It was also stressed that real multilateral negotiations on a test ban Treaty should begin in the Committee on Disarmament without further delay and that the three States involved in the comprehensive test ban should be urged to support the creation of an ad hoc working group for that purpose.

6. Lastly, the working paper contained a paragraph on the SALT negotiations. It was suggested that the Conference should call upon the super-Powers to ensure the ratification of the provisions of SALT II and to abide by the pending ratification, and that further measures should include, among other things, the medium-range tactical nuclear systems in Europe.

7. Mr. GARCIA ROBLES (Mexico), introducing the working paper submitted by the Group of 77 in document HPT/CONF.II/C.I/2, said that the text, particularly concerning articles I, II, VII and VIII, was largely self-explanatory and he would therefore confine himself to commenting on article VI, as well as on the Group's conclusions and recommendations. He wished to emphasize the Group's feeling that the review provided for in article VIII (5) of the Treaty was not a mere academic exercise but was intended to strengthen the Treaty and to encourage its universal recognition.

8. Concerning article VI, the Group recalled that all parties to the Treaty had undertaken to pursue negotiations in good faith, but in its review of the article, it had arrived at the conclusion that its provisions had not been fulfilled. Although some limited agreements had been reached concerning the cessation of the nuclear arms race, that race had unfortunately been intensified to such an extent that between 1970 and 1980 the total number of nuclear warheads in the strategic arsenals of the United States and the Soviet Union had almost tripled. An alarming trend had also developed favoring a so-called "new strategy" for the use of nuclear weapons, based on the theory of a limited nuclear war which could be won by one of the parties in conflict.

9. The Group had noted that the Final Document of the tenth special session of the General Assembly, its first session on disarmament had concluded that the achievement of nuclear disarmament would require "urgent negotiation" of agreements on (a) cessation of the qualitative improvement and development of nuclear-weapon systems; (b) cessation of the production of all types of nuclear weapons and their means of delivery, and of the production of fissile nuclear material for weapons purposes; (c) a comprehensive, phased programme with agreed time-frames, whenever feasible, for progressive and balanced reduction of stockpiles of nuclear weapons and their means of delivery.
10. The Group had noted that the treaty known as SALT II had been signed, but expressed regret that it had not yet been brought into force despite the fact that more than a year had elapsed since the date of the signature. The Group also recalled the determination expressed in the Non-Proliferation Treaty "to achieve the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to this end". The first Review Conference had expressed the hope that the nuclear-weapon States party to the Treaty would take the lead in reaching an early solution of the technical and political difficulties on that issue. The Group had noted the report of the three nuclear-weapon States party to the Treaty on their comprehensive test-ban treaty (HPT/CONF.II/15) negotiations and regretted that the pace of those negotiations had fallen far short of the expectations of the international community, particularly when viewed against the background of 25 years of efforts on that question.

11. The conclusions and recommendations at the end of the working paper (HPT/CONF.II/C.1/2) were the result of a careful and objective review of all the articles of the Treaty, and particularly article VI and the tenth preambular paragraph. In contrast with the many proposals and draft resolutions which the Group of 77 had submitted at the first Review Conference, the six conclusions and recommendations could not be more modest, feasible and realistic, and they should be acceptable to all delegations. It was now crucial to know the position of the three nuclear-weapon States: the Depositories of the Treaty, with regard to them.

12. Mr. GRUNDHORN (Bulgaria) introducing the working paper on the security of non-nuclear-weapon States (HPT/CONF.II/C.1/3 and Corr.1) submitted by his delegation, said that the document was self-explanatory. It drew largely on the Final Document of the first Review Conference and on the report of the Committee on Disarmament, particularly the report of the ad hoc working group on security assurances (CD/125). The first paragraph contained the rationale of the working paper; the second was taken from the Final Document of the first Review Conference, and referred to the importance of Security Council Resolution 255 (1968); the third and fourth referred to developments since the first Review Conference, and to recent developments in the Committee on Disarmament; and the fifth and sixth contained appeals for the continuation of efforts by all States to conclude effective international arrangements, and to refrain from the threat or the use of force in relations between States. The working paper was well-balanced, and reflected views widely held in the Committee on Disarmament. Although some elements might not be approved by some delegations, his delegation was prepared to work together with them to reach a consensus.

13. Mr. von ARNOLD (Switzerland), introducing the working papers submitted by his delegation in documents HPT/CONF.II/C.1/4 and HPT/CONF.II/C.1/5, said that the purpose of the first of the working papers (HPT/CONF.II/C.1/4) was to strengthen international confidence in the Treaty through the establishment of a system for the peaceful settlement of disputes arising from the interpretation or implementation of articles I to V of the Treaty. His country had in the past repeatedly submitted similar proposals. The proposed system would be similar to the arrangements provided for in article 17 of the Convention on the Physical Protection of Nuclear Material. It concerned only articles I to V of the Treaty, as the final articles of the Treaty should not give rise to dispute, while article VI did not lend itself to such a system. His delegation was convinced that the system would strengthen confidence in the Treaty and make it more attractive to States.
14. The second working paper (NPT/CONF.II/C.I/5) concerned security assurances and was self-explanatory. It recognized the binding nature of the undertakings given by the nuclear-weapon States, and called for those undertakings to be further strengthened and expressed more precisely. It also expressed the hope that the ad hoc working group on security assurances which had been set up in the Committee on Disarmament would be successful.

15. Mr. McP H A I L (Canada), introducing document NPT/CONF.II/C.I/7 on the review of article VI, stressed that although the working paper had been submitted by his delegation, it was the product of negotiations among the delegations of many countries which habitually consulted closely on such subjects: it thus represented a compromise, and a harmonious approach to the issues from a broad range of States. The working paper confined itself to the proper prerogatives of the Conference and attempted to list what could actually be done by the Conference. He expressed the hope that all delegations would agree that the working paper set a sound course for the Committee to follow in the presentation of its views in the final document.

16. With regard to the working paper on the review of article VI submitted by his delegation together with a number of other delegations (NPT/CONF.II/C.I/6), he said that the document was self-explanatory and dealt with an issue of particular concern to these delegations, who wished thereby to emphasize that concern.

17. Mr. L I E (Norway) introduced the working paper in document NPT/CONF.II/C.I/8 on the review of articles I and II. Before drafting the paper, he had consulted those delegations which had been consulted by the representative of Canada in connection with document NPT/CONF.II/C.I/6. His delegation had no strong feelings as to whether articles I and II should be reviewed separately in the final document of the Conference, or together; on balance, however, there would be merit in reviewing the two articles together. The point which his delegation's working paper sought to stress was that there was wide support for the view that the final document of the Conference should underline that no party should in any way assist, encourage or induce any non-nuclear-weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices.

18. Mr. M E E R B U R G (Netherlands) introduced the working paper (NPT/CONF.II/C.I/9) on the review of article VII and the security of non-nuclear-weapon States. He had consulted those delegations which had been consulted by the representative of Canada in connection with document NPT/CONF.II/C.I/7. His delegation's paper was not controversial and was not far removed in thrust from other papers which had been submitted on the same subject.

19. He regretted that it had not been possible to go further on the question of negative guarantees. Work was under way in the Committee on Disarmament on methods whereby existing guarantees could be strengthened and the question was not in any case capable of solution by the Review Conference. He hoped nevertheless that his delegation's working paper could be used as a basis for further discussion.

20. Mr. G A J D A (Hungary) introduced document NPT/CONF.II/C.I/10 on the review of article VI, on behalf of the delegations of Hungary and Poland. The motives behind the working paper included the desire of the two delegations to express
their belief that article VI was very important, both as part of the delicate balance embodied in the Treaty and as a commitment by all parties thereto to do everything possible to solve the most urgent problem, namely, the need to halt and reverse the arms race and achieve genuine and effective measures on disarmament, in particular nuclear disarmament. The sponsors had also considered it necessary to stress the fact that the Treaty had not yet achieved universal adherence; such a situation not only hindered the operation of the Treaty and the non-proliferation regime but also contributed to the unsatisfactory state of affairs in the field of disarmament.

21. The sponsors had paid careful attention to the views of other delegations as reflected in the general debates at plenary meetings and in the Committee. They had attempted to harmonize those views with the positions of their own Governments and had gone a great distance to find common ground. The working paper was therefore a composite text which had attempted to meet many, but not all, of the preoccupations of others. It therefore differed somewhat from a text reflecting only the views of the sponsors on the review of article VI.

22. He stressed that the sponsors were ready to continue their co-operation with other delegations in an active manner, with a view to reaching consensus on the text of the final document, thereby contributing to the success of the second Review Conference and to the realization of the goals and provisions of the Non-Proliferation Treaty, including article VI.

23. Mr. DAYART (Mongolia), introducing document NPT/CONF.II/C.I/11 on the review of article IX, said that his delegation's working paper touched on the importance of stressing the universal character of international agreements, which had also been emphasized in paragraph 40 of the Final Document of the tenth special session of the General Assembly. The importance of the widest possible acceptance of the Non-Proliferation Treaty was generally recognized as, like any other treaty, it would only be fully effective if all States acceded to it. He welcomed the fact that, since the first Review Conference, 25 States had become parties to the Treaty, bringing the total to over 110 States. Many States, however, including several with nuclear weapons or with highly developed nuclear technology, had not yet become parties. The effect and role of the Treaty would be strengthened by its universal acceptance and it would then represent an effective barrier to the acquisition of nuclear weapons by additional States.

24. Mr. SIDIK (Indonesia), on behalf of the delegations of Indonesia and the Philippines, introduced document NPT/CONF.II/C.I/12 relating to article VII. The two delegations had participated in the discussions which had led to the submission of document NPT/CONF.II/C.I/2 and fully shared the views expressed therein. The working paper which he was introducing contained an element which the sponsors considered important to peace and security. The Final Document of the tenth special session of the General Assembly, in paragraph 64, had referred to the establishment of nuclear-weapon-free zones in South-East Asia and the Indian Ocean. A number of resolutions of the General Assembly also bore upon that subject. The sponsors considered that, in reviewing article VII, it must be stressed that the creation of nuclear-weapon-free zones would contribute to the establishment of zones of peace in certain regions of the world.
25. The CHAIRMAN said that the Committee's remaining task was to work out a text for incorporation in the final document of the Conference. Some articles were covered by many texts and others by only a few; the material must be reduced to one text for each article. Only two working papers had been submitted on articles I and II. The authors of those two texts might be asked to meet and try to produce a common text for consideration by the Committee.

26. Mr. FONSEKA (Sri Lanka), speaking on behalf of the Group of 77, said that it might be premature at the current stage to ask those delegations which had provided texts on different articles to consult together with a view to producing common texts. As a preliminary step, he would have liked to hear statements from the Depositary States and, in particular, to hear how the Treaty had been implemented since the first Review Conference. The Committee was required to make an assessment and also to say in what respect the Treaty had been fulfilled or not fulfilled. It should also indicate what should be done in future.

27. Mr. MEERBURG (Netherlands) suggested that two working groups might be established to hear the points of view of different sponsors as a preliminary to asking delegations to consult on the actual drafting.

28. The CHAIRMAN said that article VI had attracted the largest number of texts and that there was likely to be a more detailed debate on that article than on others.

29. Mr. DJOKIC (Yugoslavia) supported the representative of Sri Lanka. Before proceeding further, the Committee must agree on a format for each part of the final document for which Committee I was responsible. The Committee must decide whether articles I and II should be dealt with separately or jointly. Once a decision on that point had been taken, drafting would be facilitated.

30. He supported the representative of Sri Lanka on article VI; there must be agreement in advance on the main points to be covered. It would be difficult to start the drafting process until a consensus had been reached on the concept of that article.

31. Mr. SUMNERHAYES (United Kingdom) supported the Chairman's idea of establishing a small working group on articles I and II and said that he was willing, as the representative of a Depositary Governrnent, to take part in the work of such a group.

32. Mr. FLOWEDE (United States) associated his delegation with that statement.

33. Mr. MEERBURG (Netherlands) said that he was puzzled by the position adopted by the representatives of Yugoslavia and Sri Lanka. It would appear that, as a precondition for progress in connection with article VI, they insisted that there should be agreement on the question of form as well as on the assessment of the situation. In his view, the form of the text to be adopted and the manner in which different assessments should be reflected were matters of drafting.

34. Mr. FONSEKA (Sri Lanka) said that he had no intention of setting any preconditions; the representative of the Netherlands should be reassured on that score. So far as his position on articles I and II was concerned, it would appear desirable that a decision as to whether those articles should be treated together or separately should be taken in the Committee rather than referred to a working group.
35. **Mr. LIE** (Norway) said that, as the sponsor of the only working paper on articles I and II other than that submitted by the Group of 77, he could see no reason why a small open-ended working group should not be set up to deal with those articles, as the Chairman had suggested.

36. **Mr. THUN** (German Democratic Republic) also supported that suggestion.

37. **Mr. FONSEKA** (Sri Lanka) said that the views just expressed confirmed his apprehension that, in the understandable desire to make headway, the Committee might be tempted to by-pass some important stages of its work. The question of whether articles I and II should be dealt with together or separately in the final document was an important one and should not be the responsibility of a small group.

38. The **CHAIRMAN** remarked that there was no compelling reason why articles I and II should be tied together simply because it had been thought convenient to do so at the first Review Conference in 1975. He did not think that a point of principle was involved.

39. **Mr. GARCIA DOBLES** (Mexico) suggested that the meeting should be adjourned so as to enable delegations to study the many proposals before them.

40. **Mr. SUMMERHAYES** (United Kingdom), supported by **Mr. MEERBURG** (Netherlands), suggested that a small working group to consider the proposals on articles I and II should be set up before the adjournment of the meeting.

41. **Mr. GRINBERG** (Bulgaria) agreed and also suggested that a similar working group be set up to deal with proposals relating to article VII and security assurances.

42. The **CHAIRMAN** proposed that the decision to establish working groups should be deferred until the next meeting of the Committee to allow informal consultations to take place.

   *It was so decided.*

   **The meeting rose at 6 p.m.**
SPECIAL RECORD OF THE 10th MEETING
Thursday, 23 August 1980, at 11.05 a.m.

Chairman: Mr. NATHA (Kenya)

REVIEW OF THE OPERATION OF THE TREATY AS PROVIDED FOR IN ITS ARTICLE VIII (3)
(agenda item 13) (continued)

A. IMPLEMENTATION OF THE PROVISIONS OF THE TREATY RELATING TO NON-PROLIFERATION
   OF NUCLEAR WEAPONS, DISARMAMENT AND INTERNATIONAL PEACE AND SECURITY

(1) ARTICLES I, II AND III (1, 2 AND 4) AND PREAMBULAR PARAGRAPHS 1-5

(2) ARTICLE VI AND PREAMBULAR PARAGRAPHS 6-12

(3) ARTICLE VII

1. The CHAIRMAN reminded the Committee that at the 9th meeting he had suggested
   the formation of a small informal working group composed of all interested
   delegations which, on the basis of the working papers submitted for the review of
   articles I and II, would select one to serve as a basis for the work of the Committee
   or else consolidate the papers into a single document. He wished to announce that,
   following consultations, agreement had been reached to that effect and also to deal
   with the five articles separately. As to the text concerning article VI, in the
   final declaration, he suggested that it should be considered by the Committee
   itself, either formally or informally, as its members might prefer.

2. Mr. LIDGARD (Sweden) said that his delegation accepted the Chairman's suggestion
   concerning the review of articles I and II, and hoped that the working group would
   not confine itself to adopting either one or the other of the two working papers that
   had been submitted but would try to consolidate the two texts into a single document.

3. Mr. MEERBURG (Netherlands) supported the observations of the Swedish delegation
   concerning articles I and II. With regard to article VII, he wondered whether it
   would not also be possible to set up a small working group.

4. Mr. GRINBERG (Bulgaria) supported the proposal of the Netherlands delegation
   concerning article VII, since that would save time.

5. The CHAIRMAN said that he was not in favour of many informal working groups,
   which always become formal eventually. On the other hand, he invited delegations
   that had submitted working papers concerning article VII to hold consultations aimed
   at producing a single text.

6. Mr. FONSEKA (Sri Lanka) said that he agreed with the Chairman's suggestion
   concerning articles I and II, on the understanding that any text prepared in that
   manner would be presented to the Committee for consideration. He also approved the
   Chairman's suggestions concerning articles VI and VII.

7. Mr. LIDGARD (Sweden) pointed out that his delegation had been led to support
   the Nigerian proposal to deal with articles I and II separately so as to make it
   possible to emphasize the loopholes in article I.
8. Speaking of article I, his delegation, like the Group of 77 and the Norwegian delegation, thought that the Conference should reaffirm the importance of those provisions and should state that it was convinced that the States parties had fulfilled the obligations they had undertaken under that article. The Conference should impose a political obligation on all States parties by stating that it was firmly convinced that the obligations referred to in article I applied to all States parties to the Treaty, whether nuclear-weapon States or not. Lastly, the Conference should state that it was deeply concerned about certain forms of co-operation which were emerging in the nuclear field and which might help to increase the capability of certain States not parties to the Treaty to manufacture nuclear weapons—something totally contrary to the objectives of the Treaty.

9. Referring to the suggestion that the passage in the final declaration dealing with implementation of article I should be drafted more explicitly, he warned against any amalgamation of two major questions, one of which related to general or specific sanctions applicable under the United Nations Charter and therefore within the competence of other bodies, and the other, to the restrictions to be imposed in order to prevent the proliferation of nuclear weapons. Concerning the first question, he pointed out that Sweden was in favour of sanctions against South Africa requiring that country to put an end to its policy of apartheid; the second question involved the matter of full-scope safeguards or other similar restrictions and therefore the work of Committee II. It would therefore be advisable to have consultations with that Committee.

10. Mr. AYEMAH (Nigeria) said that his delegation's basic premise regarding article I was that there were loopholes, both in conception and construction, that certain non-nuclear-weapon States parties to the Treaty had exploited in favour of South Africa, which itself was not a party to the Treaty and which was also benefiting from Israeli co-operation in the nuclear field. That was a violation, both in letter and spirit, of the provisions of the Treaty to which the parties had subscribed. South Africa's nuclear-weapon capability was a destabilizing factor for the African continent, and even a threat to international peace and security, and for that reason article I in the final document of the second Review Conference had to be dealt with differently from what it had been at the first Review Conference.

11. Mr. FAHMY (Egypt) endorsed the comments of the Nigerian delegation concerning the loopholes in article I. He added that in its final document, the Conference should invite the States parties to respect the spirit of the Treaty and to refrain from taking advantage of those loopholes.

12. Mr. ONKELINX (Belgium) said he shared the concerns just expressed by the Nigerian delegation. The question was what article to reflect them. The idea would be to prohibit co-operation in the nuclear field as soon as it entailed risks of proliferation. The text to be included in the final document would be a general one, going beyond the single case of South Africa. It would refer to all exporting and importing States. Care should be taken not to add to the obligations devolving on the non-nuclear-weapon States any constraints which might be interpreted as restricting the broader interpretation to be given to article IV. In the opinion of his delegation, it would therefore be advisable, while broadening the interpretation of article I, to make a fundamental distinction between those States which were parties to the Treaty and those which were not. After all, the States parties to the Treaty had undertaken to renounce nuclear weapons and had concluded safeguard agreements with IAEA; the text to be prepared would therefore have to be aimed mainly at co-operation with States not parties to the Treaty.
13. The CHAIRMAN said that it was now the task of the small working group to work on the text concerning articles I and II to be embodied in the final declaration taking into account the working papers submitted and the observations of delegations.

14. The working documents concerning the review of article VI all contained more or less three major elements: an assessment of the situation since the previous Review Conference, the conclusions to be drawn from that assessment regarding implementation of the article and recommendations for future action.

15. Mr. PILGER (United States of America) said he wanted to make some observations on what should be the structure of the draft final declaration as concerned article VI. Most of the proposals made in the Committee reaffirmed the obligations of the parties under article VI, and that element should therefore appear first in the declaration. Then an assessment could be given of the present situation with respect to the operation of the Treaty. However, before reviewing the implementation of the measures specifically relating to article VI recommended at the first Review Conference, it would be better to proceed to a global assessment of the progress made. Only after such an overall appraisal would it be possible to examine the concrete actions so far taken in pursuance of article VI and, lastly, formulate the recommendations necessary for the future. That procedure was in line with what had been done in the case of many similar documents.

16. Mr. DELIŠCARU (Romania) thought that it would be easier for the Committee to reach valid conclusions if the text of the final declaration hinged on three elements: (a) a description of the main obligations of the parties under article VI, as suggested by the representatives of the United States; (b) a factual assessment of the state of the nuclear arms race; and (c) a factual account of the disarmament negotiations currently under way.

17. Mr. DEPRING (Netherlands) considered that the formulas proposed by the representatives of the United States and Romania were very similar. He observed that it was difficult to draft a text in a formal meeting, in view of the many points of detail that came up in drafting, and he wondered if it would not be better to consider the structure to be given to the text of the final declaration in small group meetings in private.

18. Mr. GARCIA ROBLES (Mexico) observed that the plan of the working paper of the States members of the Group of 77 (NPT/CONF.II/0.1/2), which he had introduced at the 9th meeting, corresponded in broad outline to the formula advocated by the representatives of the United States; for instance, it began with an overall appraisal of the situation, went on to review the concrete action that had been taken and then formulated conclusions and recommendations. That text could thus easily be incorporated into the final document of the Conference by replacing the words "the Group of 77" by the words "the Conference" and by making any necessary alterations resulting from the discussion of that working paper.

19. However, in his view, the most important part of the Group's working paper was the "Conclusions and Recommendations", which were objective and took into account that the First Review Conference had recommended specific and tangible measures. Apart from some recommendations which were addressed more especially to the Conference, the paragraphs of those conclusions and recommendations called for the cooperation of the nuclear-weapon States. Thus, in paragraph 2, the three nuclear-weapon States parties to the Treaty were asked to support the creation of an ad hoc working group in the Committee on Disarmament, with the task of negotiating disarmament agreements. Paragraph 3 expressed the hope that the parties to the SALT negotiations would ratify SALT II as quickly as possible. In view of current
circumstances, however, it was not realistic to count on that possibility and so the sponsors of the proposal attached more importance to the second part of paragraph 3, which requested the two contracting parties without prejudice to the procedure established in article XIX of the SALT II Treaty, to adopt formally a joint declaration. It would not be necessary for the two parties to make a separate declaration, since the declaration would appear in the final document of the Conference approved by consensus. In the same paragraph, the parties to the SALT negotiations were also asked to commence negotiations on a SALT III agreement.

20. The Group of 77 also called upon the three nuclear-weapon States parties to the Treaty to participate in multilateral negotiations on a comprehensive test ban treaty commencing in the Committee on Disarmament in 1981, and to support the creation of an ad hoc working group of that Committee. Those multilateral negotiations would usefully supplement those at the trilateral level. Lastly, the countries members of the Group of 77 considered it very important for those three States, pending the conclusion of that treaty, to proclaim the immediate cessation of all their nuclear-weapon tests.

21. The representative of Mexico also considered that before the creation of any drafting group it was important for the position of the nuclear-weapon States on those recommendations to be expressed in formal meetings of the Committee covered by summary records.

22. Mr. FLOWERSTEIN (United States of America) recognized that the most important part of the final document of the Conference was the conclusions and recommendations and a logical order should be followed in the presentation of the document. The representative of Romania had proposed an assessment based on concrete facts, but such an assessment was not necessarily exempt from subjective elements. Some delegations might arrive at an optimistic interpretation and others at a pessimistic appraisal of the results so far achieved in the operation of the Treaty. It would be better if the Committee acted on a single text worked out by a working group which attempted to reconcile the positions. Without such a procedure, the Committee might waste a lot of time.

23. Mr. OKAWA (Japan) observed that drafting required negotiations among the sponsors of the various proposals before the Committee. He was aware that the Chairman did not want to set up formal working groups. However, all the States parties to the Treaty had a stake in the implementation of article VI and the working meetings should therefore be open to all members wishing to participate. Pursuant to article 43, paragraph 1 of the rules of procedure, the representative of Japan proposed that the Committee meet in closed session at 1 p.m.

24. Mr. LIDGARD (Sweden) felt that the Chairman was in the best position to determine the basic elements of agreement and disagreement in the proposals submitted to the Conference. If, however, the majority of the Committee members favoured the establishment of open-ended working groups, he would not oppose that procedure.

25. For his part, he noted that there were points common to all the proposals. They all began with a more or less similar general introduction which should not cause any problems. They then referred basically to three main elements: nuclear disarmament, a comprehensive test ban and a global disarmament programme. As to nuclear disarmament, the proposals were subdivided into two parts: assessment of concrete results so far, and recommendations. On the first point, the paper of the Group of 77 was particularly interesting and should appear in the text of the final document to be approved by the Committee. Of course, the proposals differed in

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their appraisals but the final document of the Conference did not necessarily have to limit itself to a single assessment and it could very well include different points of view. Lastly, of the recommendations contained in the proposals, those of the Group of 77 were the most complete, since they referred not only to multilateral negotiations on the agreements envisaged in the final document of the tenth special session of the General Assembly, its first session on disarmament, but also to the role of the Committee on Disarmament and to the SALT negotiations.

26. As to the comprehensive test ban, the Group of 77 should be commended for citing specific facts concerning the nuclear explosions carried out in the 1970s and for recommending multilateral negotiations on a comprehensive test ban treaty. Those highly relevant elements should also be included in the text to be approved by the Committee.

27. Mr. HoFRAIL (Canada), noting that the Committee had before it five proposals on article VI and four different suggestions concerning the way in which a common text should be drawn up, said that one or two overly concise texts could no doubt be put aside, while the proposal of the Group of 77, despite all its merits, could be regarded as needing further elaboration to serve as a basis for discussion. On the other hand, the other proposals, those in documents NPT/CONF.II/C.1/1, NPT/CONF.II/C.1/7 and NPT/CONF.II/C.1/10 adopted a very similar approach, offered possibilities for compromise and were more or less in accord with what the Committee was looking for. The best course would be to follow the United States proposal, i.e. to set up a kind of pre-drafting group which would enable the authors of the proposals to prepare an analytical text that could then be studied by a true drafting group.

28. Mr. DJUKIĆ (Yugoslavia) said that the procedure suggested by the United States and Romanian delegations appeared entirely acceptable to him. In any event, his delegation believed that the final text should contain four main parts. The first part should reaffirm the obligations assumed under the provisions of article VI, that part being the easiest to draft, since it already appeared in the four main proposals. It would then be necessary to assess the implementation of those obligations by making a distinction between assessment of the intervening period as concerned the arms race, nuclear-weapon tests, new military strategies and military expenditure, on the one hand, and assessment of the results so far achieved, on the other. As the United States delegation had suggested, the Conference should then draw certain conclusions on the way in which article VI had been implemented and on the reasons why it had not been better observed, with possible emphasis on the responsibility of certain States parties to the Treaty. In the last part, the Conference would have to recommend certain concrete measures for the future.

29. After reading the five working papers before the Committee, his delegation felt that it should not be very difficult to group together the various paragraphs concerning those different topics and then to consider them one by one to arrive at a common wording.

30. His delegation was, however, not in favour of setting up an informal pre-drafting group, because the questions discussed were of interest to all the delegations and they should all be able to participate in any group that might be set up.

31. Mr. SÜNDRYKAYS (United Kingdom) noted that it was a question of arriving at a single proposal based on the five working papers and thought that the only viable solution was for the Chairman to set up a small drafting group.
32. Mr. AYEWAHI (Nigeria) said that the strict implementation of article VI remained, for everyone, the essential element in the efforts made by the international community to bring the arms race to an end. For his delegation, of the three constituents of article VI, the most important was the undertaking entered into by the parties to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date. Of the two aspects of the nuclear arms race, the vertical aspect was the more important, since what mattered was ending the qualitative improvement of nuclear weapons and their vectors.

33. His delegation thought that the draft of the States members of the Group of 77, introduced by the representative of Mexico of the 9th meeting (NPT/CONF.II/C.I/10), contained the elements of the basic recommendation which should appear in the final document on how to achieve the aims of article VI and that, therefore, it should be the basic working paper.

34. Mr. GARCIA ROBLES (Mexico) said that in his opinion it was necessary for the different points of view to be expressed in the Committee and to appear in the summary records, since all delegations must assume their responsibilities in the matter. He suggested asking the Secretariat to prepare a comparative table of the four main proposals (NPT/CONF.II/C.I/1, NPT/CONF.II/C.I/2, NPT/CONF.II/C.I/7 and NPT/CONF.II/C.I/10) to facilitate the task of the Committee, which could then devote one or two meetings to drawing up a final text in the light of the different proposals contained in that working draft.

35. Mr. MOLLESCANU (Romania) supported the Mexican suggestion and explained that the Secretariat would have only to bring the different proposals together, so that the delegations could more readily examine them. It would also be useful, as the Yugoslav delegation had suggested, for the proposals to be arranged by subject.

36. On the other hand, his delegation could not agree to the setting up of a pre-drafting group with limited membership.

37. Mr. CORRADINI (Secretary-General of the Conference), replying to a question from Mr. FONSEKA (Sri Lanka), said that the document requested could be issued by the secretariat only in English in time for the morning meeting on the following day, it being understood that it would be available in the other languages as soon as possible.

38. Mr. MEERBURG (Netherlands) said he did not understand why the Committee could not work on the basis of the five working papers before it, since, in view of the little time left to it, it should go about its work as soon as possible, without waiting for new documents to be issued.

39. The CHAIRMAN, replying to a question from Mr. LIDGARD (Sweden), said that he was not planning, for the time being, to ask delegations to meet at night or during the weekend.

40. Mr. FONSEKA (Sri Lanka) remarked that while waiting for the document which the secretariat had been asked for, the Committee might, to save time, go on meeting, possibly informally, so as to continue consideration of that question. Participation in those meetings might be restricted, as had been suggested, to the signatories of the Treaty, so as to facilitate an exchange of views which would not have to be put on record.
41. The CHAIRMAN said that the Committee must decide on how to arrive, in one way or another, at a single text from which it could work in drafting the final text, and that seemed to him to be impossible without interrupting the present discussion.

42. Mr. DJOVIĆ (Yugoslavia) said that while waiting for the text which the representative of Mexico had suggested asking the secretariat to provide, and if the Committee decided to adopt the four main topics previously suggested by his delegation, the Committee could start with the first topic at the next meeting, namely reaffirming the obligations contained in article VI. Meanwhile, delegations would have time to go through the different proposals, extracting the relevant paragraphs in order to take up the second topic, namely the assessment of implementation of these obligations.

43. Mr. CALTAGIRONE (Italy) said that in his opinion, the Committee could not wait for the document in question without continuing the discussion. It would be desirable, in organizing the discussion, to separate the different points dealt with in the proposals and to proceed to an orderly review of the main subjects so as not to have a scattered discussion. The first conclusions would thus be ready when the document was issued.

44. The CHAIRMAN said that, if there was no objection, the Secretariat would be asked to prepare the document requested in the form of a table and, in the meantime, the Committee would continue its discussion of the different elements it had decided to include in the final text.

It was so agreed.

The meeting rose at 1:15 p.m.
SUMMARY RECORD OF THE 11th MEETING

Monday, 1 September 1980, at 11.10 a.m.

Chairman: Mr. NAINA (Kenya)

ORGANIZATION OF WORK

1. Following a procedural discussion, in which Mr. NEERBURG (Netherlands), Mr. PONSEKA (Sri Lanka), Mr. GIARRAPITO (Italy) and Mr. McPHAIL (Canada) took part, the CHAIRMAN said that, if there were no objections, he would take it that the Working Group instructed to prepare a working paper on articles I and II for the final declaration was to be asked also to consider the document on article VII which had been prepared by the unofficial working group chaired by the representative of the Netherlands.

   It was so decided.

2. The CHAIRMAN said that the Committee was required to complete its work by 1 p.m. on Wednesday, 3 September, and the working groups to complete theirs by 6 p.m. on 2 September.

   The meeting rose at 11.25 a.m.
SUNNY RECORD OF THE 12th MEETING
Thursday, 4 September 1980, at 5.40 p.m.

Chairman: Mr. H. KIM (Korea)

CONSIDERATION OF THE DRAFT REPORT OF THE COMMITTEE AND THE TEXTS SUBMITTED BY THE WORKING GROUPS

1. The CHAIRMAN said that the Committee should consider its own draft report (NPT/CONF.II/C.1/15) as well as the documents submitted by the two working groups it had appointed, which were unfortunately only available in English. Following the second reading of the review of the various articles entrusted to the Committee, the working groups had reached agreement on some points, but there were still many square brackets. The Committee must also decide how the results achieved in the working groups should be reflected in the Committee's report to the Conference.

2. He asked the representative of the working group entrusted with consideration of articles I, II, VII and security assurances to inform the Committee of the results of its deliberations.

3. Mr. LIB (Norway) said that the group had, in his view, managed to reach a compromise which should serve as a basis for subsequent work and proposed that the co-ordinator of the group should introduce the results of the group's work himself.

4. Mr. THEOLIN (Sweden) said that the group had not managed to reach agreement on whether to choose paragraph 1 (a) or 1 (b) for the review of article I. However, all delegations agreed in principle to the deletion of the square brackets from paragraphs 5 and 5 (a) provided that the paragraphs were incorporated in a preamble to the Final Declaration and nowhere else. However, no agreement had been reached on the content or the position of paragraph 5 (b) in the Declaration; one Depository State and several other delegations had requested the inclusion of paragraphs 6 and 8.

5. He thought that it might be possible to remove other important square brackets and that agreement could be reached on certain important statements of principle.

6. Mr. UHJALOVIC (Yugoslavia) said that it was his delegation's understanding that no agreement had been reached on the removal of the square brackets in paragraphs 5 and 5 (a) or on their incorporation in a preamble to the Declaration; no decision had been taken on the placing of those paragraphs in the Declaration. It had simply been decided that the substantive question should be discussed within the framework of Committee I or another body and that a decision should then be taken on the placing of those paragraphs.

7. Mr. THEOLIN (Sweden) agreed that the clarification supplied by the Yugoslav delegation was correct. There had been no agreement on the placing of the paragraphs, and all that could be said was that it might be possible to reach agreement on the removal of the square brackets in certain cases.

8. The CHAIRMAN asked the representative of the working group on articles VI, VIII and IX to introduce his report.
9. Mr. PONSEKA (Sri Lanka) said that it had been possible to remove all the square brackets in paragraphs 1, 10, 11, 19, 25, 29 and 39, concerning article VI, as well as in the three paragraphs concerning article VIII.

10. Mr. McPHAIL (Canada) said that article VI had, for obvious reasons, been considered particularly important and felt that some distinction should be drawn between the various paragraphs in square brackets. In some cases, despite certain passages in square brackets, the text could be approved by the majority; in other paragraphs the group had been able to isolate certain issues which should be included in the Declaration, but no agreement had been reached because the members of the working group had not managed to decide upon the exact wording. Several other isolated paragraphs contained specific ideas which had not met with general approval, but they were not generally essential and it might perhaps be possible to amend the wording. Others, although not unimportant, were incidental at least with regard to the review of article VI. Lastly, some paragraphs dealt with miscellaneous questions and the presence of square brackets did not really pose a problem.

11. There had therefore been general agreement on the over-all plan for assessment despite certain differences and lack of agreement on two or three essential points. It would be necessary to work on the text further before it could be submitted.

12. Mr. GAJDA (Hungary) recalled that during the general discussion, his delegation, like the Polish delegation and that of other countries which shared the view expressed in the working document on the review of article VI, had emphasized the urgent need for negotiations to reach agreement on a text that could be adopted by consensus. However, despite the frequent appeals to proceed to the active phase of the group's work, its members had unfortunately realized too late that there was not sufficient time to do so and too much of the short time available was still devoted to continuation of the general discussion, as some members were in no hurry to negotiate. However, his delegation was ready to make a final attempt to achieve what had not been achieved and if possible to make a new start.

13. Mr. PONSEKA (Sri Lanka), speaking on behalf of the Group of 77, said that he had tried in his previous statement to be as factual as possible, as he had not wished to refer to the controversies which had arisen in the working group. He had wanted to allow members of the Committee to assess the positions expressed in the document without commenting on the willingness to compromise or lack thereof within the working group. In his view, it would have been better if certain remarks had not been made and, in view of the short time still available to the Committee, it would be pointless to try to reopen negotiations.

14. Mr. McPHAIL (Canada) said he could well understand the representative of Sri Lanka because he himself had tried to avoid making a statement that was partial as he had no intention of entering into a controversy. He had tried to present the views expressed within the working group and if the representative of Sri Lanka felt offended he could only offer his apologies. His delegation merely wished to further the Committee's work without analysing the procedure adopted by the working group.

15. Mr. PONSEKA (Sri Lanka) said that he understood and respected the Canadian delegation's position.

16. The CHAIRMAN said that the draft report on article VII was not yet available but it would be helpful if the co-ordinator of the group could inform the Committee whether many square brackets still remained.
17. Mr. VREEBURG (Netherlands) said that the text drafted by the working group in question contained very few square brackets and that it should be possible to obtain a final text in a few hours concerning an article which was after all not very controversial.

18. The CHAIRMAN pointed out that the Committee unfortunately did not have that much time at its disposal.

19. Mr. THEOLIN (Sweden) said that the observations he had made in introducing paragraphs 3 and 5 (a) of the draft report on article I were aimed at facilitating the continuation of work and that the text in square brackets represented a sincere contribution from several groups. If agreement had been reached on the placing of those paragraphs in the Final Declaration, but, under certain conditions, delegations would be ready to contemplate removing the square brackets.

20. The CHAIRMAN recalled that the Committee had hoped initially to be able to communicate the results of the review by the working groups to the plenary or to the Drafting Committee, which could then include them in the Final Declaration. However, despite the efforts made, that did not seem to be possible. A decision must therefore be taken on what to do with those texts. He proposed that the Committee should go on to consider its draft report (NPT/CONF.II/C.1/13) and decide later how to deal with those texts. It was in any case too late to consider negotiating the adoption of a draft text.

21. Mr. CIRARRAPICO (Italy) said that his delegation would support the adoption of paragraphs 3 and 5 on article I as they stood if they were included in an introduction to the Final Declaration.

22. Mr. KAMBA (Senegal) said that the main problem for the Committee was to reach agreement on its recommendations to the Conference. Even though agreement had been reached on some articles, it would be difficult for the Committee to make a partial recommendation. However, once it had reached a decision on the subject, the procedure would follow automatically.

23. The CHAIRMAN pointed out that he had proposed that the Committee should consider the technical report of Committee I not the documents submitted by the working groups, and that it should decide subsequently how to deal with the working groups' texts.

24. Mr. GARCIA ROBLES (Mexico) proposed the following wording for paragraph 8 of the Committee's draft report: "The Committee regrets that the results of its deliberations are such that they do not lend themselves to any recommendation thereon to the Conference." The documents referred to in paragraphs 3 and 4 of the draft report could be annexed to it.

25. Mr. NIJENBURG (Netherlands) asked whether, in that case, the reports of the informal working groups would not be annexed to the report.

26. Mr. GARCIA ROBLES (Mexico) replied that, as far as he knew, the Committee had not considered any reports from the working groups. The documents it was considering at the present time were unofficial documents and, to his knowledge, such documents were never annexed to a report to the plenary of a Conference.
27. Mr. McPHEE (Canada) felt that it was essential to know what should be done with such documents. He found the solution proposed by the representative of Mexico surprising, since it seemed to imply that the work of the Conference had been completed. It was not for the Committee to decide upon something which fell within the province of the plenary. He proposed that the procedure provided for in the Rules of Procedure should be followed, namely that the document should be transmitted to the Drafting Committee, which might help overcome the difficulties. Paragraph 8 should therefore state that, in accordance with the Rules of Procedure of the Conference, the Committee had submitted the text prepared by the informal working groups to the Drafting Committee for further consideration and submission to the plenary.

28. The CHAIRMAN proposed that the Committee should agree to recognize that the working groups had been given a mandate to reduce the four texts on article VI to a single text and that they had succeeded, but without producing a text which was unanimously agreed. The question now was to find out what should be done with that text.

29. Mr. GARCIA ROBLES (Mexico) thought that the alternatives open to the Committee at the current stage of the work of the Conference were the following: either the Conference should approve the necessary steps for organizing a third Review Conference in five years time; or it should decide that the second Conference which was drawing to a close was only the first part of the second Review Conference, the second part of which would begin within one year. In view of the importance of the question, the Committee should give the matter thorough consideration.

30. Mr. DICKIC (Yugoslavia), referring to the first statement of the representative of Mexico, said that if the Committee had to adopt its report to the plenary at the current meeting, the Mexican delegation had indicated the only course of action open to the Committee.

31. Mr. PFELDNER (Federal Republic of Germany) agreed with the representative of Mexico that the work carried out by the working group was not such as to lead to the formulation of recommendations. Therefore, since the Committee was not entitled to decide on the final outcome of the Conference, he proposed that the working papers be referred to the Conference for further consideration. Paragraph 8 of the draft report could then be deleted completely and paragraph 7 amended to read: "The Committee notes that the various views expressed and proposals made are fully reflected in the summary records of the Committee and in the papers, worked out by the working groups and submitted to the Conference, relating to articles I, II, VI, VII, VIII and IX of the Treaty and to the question of security assurances".

32. Mr. SUMMERSAYES (United Kingdom) said that it was obvious that Committee I had not been able to complete the work entrusted to it and that it must therefore be left to the plenary to decide how the future work of the Conference should be organized.

33. Mr. VELD (Netherlands) asked how the plenary could judge if it could not see the papers, which, although they had not yet been unanimously accepted, had been drafted with great care. He therefore proposed, in line with the proposal of the representative of the Federal Republic of Germany, that reference should be made, perhaps in paragraph 4, to the informal papers before Committee I and that they should be annexed to the report.

34. Mr. FONSEKA (Sri Lanka) thought that it was for the Committee and not the plenary to decide what should be done with the documents prepared by the working groups. Like the representative of Mexico, he felt that the documents were not such as to lead to the formulation of recommendations. He did not see how the plenary could reach a decision when the Committee itself appeared to be unable to do so.
35. The CHAIRMAN said that transmitting the texts submitted to the Committee did not amount to a recommendation. It was only to give the plenary an idea of the work carried out by the Committee on which the plenary, as the supreme body, would have to take a decision.

36. Mr. PFLEIPER (Federal Republic of Germany) said that it was not a question of making recommendations, but of informing the Conference about the work of the Committee and its working groups. That was why he had proposed that the documents should be submitted to the Conference for consideration.

37. Mr. OKAWA (Japan) supported the proposal of the representative of the Federal Republic of Germany. However, rather than amend paragraph 7, he proposed that the words "Recommendations of the Committee" should be deleted and that paragraph 8 should be amended to read "The Committee was unable to produce agreed texts on all the articles it undertook to review, but transmits the texts that were produced by its working groups to the Conference for its decision regarding their further consideration."

38. Mr. DE SOTO (Peru) supported the suggestion of the representative of Mexico, who had proposed a neutral formula for paragraph 8. However, he would find it difficult to accept the proposal of the representative of Japan, because it might give the impression that the Committee had reached agreement on the majority of the questions before it. A more neutral formula therefore seemed to him to be more appropriate, particularly since delegations were divided as to whether the entirely informal texts, from which in his view it would be unrealistic to expect any positive results, should be referred to the Conference. As for submitting them to the Drafting Committee, as the representative of Canada had proposed, he recalled that, under rule 36 of the Rules of Procedure, the Drafting Committee was not entitled to discuss substantive issues.

39. The CHAIRMAN asked whether, at a United Nations conference, an unagreed text from a committee had ever been submitted to the plenary for a decision on its further consideration.

40. Mr. OCMELINX (Belgium) pointed out that in international conferences it frequently happened that the subsidiary organs referred texts which had not been agreed upon and therefore contained a number of passages in square brackets, to the main body. In the present case, he felt that the members of Committee I were perhaps too formalistic and that it would be sufficient to take a very simple decision. The Committee could send all the documentation from the informal working groups to the plenary of the Conference, wording paragraph 8 along the following lines: "The Committee submits in the annex to the report the informal documents, prepared by the two informal working groups referred to in paragraph 6 of the report, to the Conference for its information."

41. Mr. McPHATL (Canada) acknowledged that it was necessary to find a practical solution. He shared the view of delegations which felt that it was not for the Drafting Committee to take decisions on the informal working groups' documents nor realistic to expect the plenary Conference to decide on them. However, it would be useful, in his view, to refer those texts to it so that they would not be entirely forgotten. Although he had previously proposed referring those papers to the Drafting Committee, it was only so that the Conference would have the texts available for information. He recalled that, according to the second half of paragraph 1 of rule 36 of the Rules of Procedure, the Drafting Committee could not reopen substantive discussion on any matter but only formulate drafts as requested by the Conference or a main Committee.
42. The CHAIRMAN, summing up the situation, pointed out that opinions differed only with regard to paragraphs 7 and 8 of the report. To expedite the work of the Committee, it was sufficient to abandon the formulation of recommendations, but efforts must be made to find a way to indicate what should be done with the papers and documents drafted by the informal working groups.

43. Mr. GARCIA ROBLES (Mexico) said that the Committee's report had not been officially approved and that the discussion to date had only covered paragraphs 7 and 8 of that report. As the Chairman had suggested, it would be helpful to proceed to adopt the report paragraph by paragraph.

44. The CHAIRMAN invited members of the Committee to consider the draft report (NPT/CONF. II/C.1/13) paragraph by paragraph.

Paragraphs 1 and 2 were adopted.

Paragraph 3

45. Mr. GARCIA ROBLES (Mexico) asked the secretariat to check the accuracy of the list of background documents in paragraph 3 and to ensure that there were no other documents which should be included.

Paragraph 3 was adopted, taking into account the observation of the representative of Mexico.

Paragraph 4

Paragraph 4 was adopted.

Paragraphs 5 and 6

46. The CHAIRMAN said that the secretariat would subsequently fill in the blanks in the text to indicate the number of meetings held and summary records written.

47. Mr. GARCIA ROBLES (Mexico) proposed that paragraphs 5 and 6 which were complementary be considered together. It was important to use the expression "informal groups" in the penultimate line of paragraph 5 and in paragraph 6 so as to make it clear that they were not formal working groups.

48. Mr. von ARP (Switzerland) said that the Committee had not considered document NPT/CONF. II/C.1/4 which contained draft clauses submitted by Switzerland relating to the establishment of a system for the peaceful settlement of disputes. He therefore had reservations concerning the referral of documents to the plenary Conference.

49. The CHAIRMAN regretted that that document had not been considered for lack of time and suggested that the word "detailed" be deleted from paragraph 5 to meet the objection raised by the representative of Switzerland.

50. Mr. von ARP (Switzerland) accepted the Chairman's proposal.

Paragraph 5 was adopted, as amended by the Chairman and the representative of Mexico.

Paragraph 6 was adopted, as amended by the representative of Mexico.
Paragraphs 7 and 8

51. Mr. SUMMERHAYES (United Kingdom) said that the plenary Conference could not take an appropriate decision on the informal working groups' papers if it did not have the texts; he supported the formula proposed by Japan provided the word "all" was deleted.

52. Mr. GRIBBERG (Bulgaria) supported the proposal of the representative of Japan as amended by the representative of the United Kingdom; he did not think it could be said, as the representative of Mexico proposed, that the texts of the informal working groups did not lend themselves to recommendations, because there had been agreement on a number of points, particularly with regard to articles VII, VIII and IX of the Treaty and the question of the security assurances to be given to non-nuclear-weapon States, although many passages were still in square brackets.

53. Mr. ADENIJI (Nigeria) thought that the situation was being unduly complicated; the Committee was dealing with a report which the Chairman had described as "technical" and which should be simple and non-controversial. However, many of the texts drawn up by the informal working groups were in square brackets; some of them, particularly those on article VII of the Treaty, had not been reviewed by all the members of the Committee and other documents merely reflected the stage of negotiations reached within the informal working group at the time of crafting. Consequently, he suggested that paragraph 8 of the report should simply indicate that the work of the informal working groups had been inconclusive and that it had not been possible to submit recommendations to the plenary Conference on the items entrusted to the Committee. It was for the plenary Conference to decide if it wished to continue the work at the point where the working groups had left off.

54. Such a formula would not prejudice the position of any delegation and would take all opinions into account.

55. Mr. PFEIFFER (Federal Republic of Germany) said the fact that the informal groups had accomplished important work, even though they had not managed to reach complete agreement on some points, should be taken into account. It would therefore be appropriate to take the formula proposed by the representative of Mexico, and indicate that it had been impossible to make recommendations, but that the Committee transferred the documents drawn up by the open-ended informal groups to the Conference for information on the work accomplished, which should be taken into consideration.

56. Mr. MEERBURG (Netherlands) strongly supported the proposal of the representative of the Federal Republic of Germany.

57. Mr. KANE (Senegal) proposed that the Committee should refer the records of the informal working groups to the plenary Conference giving them a document symbol, since such action would not prejudice the Conference's decision. His suggestion was in accordance with the Japanese proposal on paragraph 7 and the proposal of the representative of Mexico, amended by the representative of the Federal Republic of Germany, on paragraph 8.

58. Mr. CHELBI (Tunisia) said that the Committee could not refer a working document to the plenary Conference without a conclusion which accurately reflected the work accomplished. Consequently, he supported the proposal of the representatives of Mexico and the Federal Republic of Germany and proposed that paragraphs 7 and 8 should be transposed. Paragraph 6 would become paragraph 7 and would read: "The Committee regrets that the results of its deliberations do not lend themselves to appropriate recommendations to the Conference, within the framework of the mandate entrusted to the Committee."
59. In order to take into account the praiseworthy efforts made by the various groups and despite the fact that neither recommendations nor conclusions were formulated, the Committee could then adopt the following wording for paragraph 8: "However, the Committee informs the plenary of the views expressed and opinions formulated in the Committee's summary records and submits to it the papers prepared by the working groups on articles I, II, VI, VII and VIII of the Non-Proliferation Treaty for appropriate action."

60. The CHAIRMAN asked the representative of Tunisia to submit his proposal in writing.

61. Mr. AMIRI (Iran) supported the proposal made by the representative of Mexico. He recalled that it had been agreed when the informal working groups had begun their work that final approval of each paragraph would depend upon the state of the negotiations in each group. The working group which had reviewed articles I and II had not reached agreement and all the paragraphs in its paper were in square brackets. He felt that such documents could not therefore be referred to the plenary Conference.

62. The CHAIRMAN recalled that in 1975, at the first Review Conference, Main Committee I had come up against similar difficulties, and had adopted a formula for paragraph 8 of its report (NPT/CONF/23) which was not a recommendation but a simple referral of the proposals made and views expressed to the Conference. That formula might perhaps solve the Committee's current problems.

63. Mr. GARCIA ROBLES (Mexico) thanked the delegations which had supported his proposal. He regretted that he could not agree with the delegations that wished to refer the informal documents prepared by the groups, which were not even official working groups, to the plenary Conference together with the official documents mentioned in paragraphs 3 and 4. To his knowledge, there was no precedent for an important body such as the main Committees of the Conference referring papers prepared by informal groups to their supreme organ in the same way as official documents. If the Committee wished to report to the Conference on the work it had accomplished and the work carried out by the groups it had established, the documents referred to in paragraphs 3 and 4 were sufficient to give an over-all idea of what had been achieved. Furthermore, each delegation was well aware of its position and of those which had been expressed in the informal groups and could, if necessary, request the plenary to take up any specific document; it was important to avoid action that was contrary to the established precedents.

64. The CHAIRMAN proposed that, in view of the time-table of meetings of the Conference, the meeting of the Committee should be suspended to allow delegations to attend the plenary Conference and to continue the Committee I meeting subsequently.

   The meeting was suspended at 6.15 p.m. and resumed at 7.30 p.m.

65. The CHAIRMAN proposed the following wording for paragraph 7 of the Committee's draft report:

"The Committee notes that the various views expressed and the proposals made are fully reflected in the summary records of the Committee and in the informal papers submitted to the Committee on articles I, II, VI, VII, VIII, IX and on questions of security assurances as a result of the work carried out in the informal open-ended groups mentioned in paragraph 6 above."
66. Mr. FONSEKA (Sri Lanka) said that the original text of paragraph 7 in document NPT/CONF.II/C.1/13 referred to "[...] the summary records of the Committee and [...] the documents submitted to it". He wondered whether the Chairman had deliberately omitted a reference to the documents submitted to the Committee from the text he had read out.

67. The CHAIRMAN pointed out that the documents submitted to the Committee were listed in paragraph 4 of the draft report.

68. Mr. GARCIA ROBLES (Mexico) said the fact that several documents were listed, as in paragraph 4, was not the same as indicating that those documents reflected the views expressed and proposals made before the Committee. He therefore proposed the following amendment to paragraph 7:

"The Committee notes that the various views expressed and the proposals made are fully reflected in the summary records of the Committee, in the documents submitted to it and in the informal papers submitted to the Committee on articles I, II, VI, VII, VIII, IX and on questions of security assurances as a result of the work carried out in the informal open-ended groups mentioned in paragraph 6 above."

69. Mr. SIDIK (Indonesia) supported that proposal.

The text of paragraph 7, as amended, was adopted.

70. The CHAIRMAN proposed the following text for paragraph 8 of the draft report:

"The Committee regrets that the results of its deliberations are such that they do not lend themselves to making any recommendation thereon to the Conference."

The subtitle "Recommendations of the Committee" should be deleted.

Paragraph 6, as read out, was adopted.

The report of the Committee as a whole, as amended, was adopted.

71. Following the customary exchange of courtesies, the CHAIRMAN said that the Committee had concluded its work for the current session. He expressed the hope that, despite all the setbacks, the plenary Conference would manage to formulate a text which would enable the second Review Conference to reach a successful conclusion.

The meeting rose at 7.55 p.m.
SECOND REVIEW CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

COMMITTEE II

SUMMARY RECORDS OF THE 1st TO 10th MEETINGS
held at the Palais des Nations, Geneva,
from 19 August to 4 September 1980

President: Mr. FERNANDEZ Australia
2. In conclusion, pointed out paragraph 3, had been all.

3. The Co would give Committees should meet light of th

4. He suggested the informal to require for:

5. Mr. TV article II Group of 7 could be g

6. Mr. K article-by article II would call:

7. The would be comments:
The CHAIRMAN drew attention to the First Report of the General Committee (HPT/CONF.II/16). The item which had been allocated to Committee II was agenda item 13: Review of the operation of the Treaty as provided for in its article VIII (3); B. Implementation of the provisions of the Treaty relating to peaceful applications of nuclear energy: (1) articles III and IV; (2) article V and preambular paragraphs 6 and 7.

2. In connection with the allocation of item 13, B (1), to Committee II, he pointed out that discussion in article III did not have to be limited to paragraph 3. Committee II would also be free to discuss item 14, B, although it had been allocated to Committee I.

3. The Committees were expected to complete their work by 29 August 1980, which would give them eight working days. The immediate question for decision by both Committees was whether they should meet simultaneously. He thought that they should meet consecutively, but that decision could be taken a few days later in the light of the progress made.

4. He suggested that the Committee should deal with its work article by article, beginning with article III. He hoped that delegations would take advantage of informal talks to find language which could be adopted by consensus and would not require further discussion in the Drafting Committee.

5. Mr. FONSEKA (Sri Lanka), speaking on behalf of the Group of 77, said that article III was one on which many delegations, including a number of members of the Group of 77, would like to comment in some detail. He would be grateful if they could be given an opportunity to present their views.

6. Mr. ILJUN (Yugoslavia) agreed that the Committee should adopt an article-by-article approach in its work. He pointed out, however, that article III was closely connected with article IV and hoped that the discussions would allow for some flexibility.

7. The CHAIRMAN assured the representative of Yugoslavia that the discussions would be flexible; he hoped, like the representative of Sri Lanka, that specific comments would be forthcoming on article III.

The meeting rose at 4.25 p.m.
1. It had been desired.

2. If one of the provided strength precursors was needed, it would preclude threat. There is no need to provide such product.

3. The field under a threat or expected within their provisions for the IAEA Cooperative Co-operative material control and prevention of proliferation could be an effective means of safeguarding some of the sensitive materials.

4. It is not necessarily the case that the current arrangements provide sufficient safeguards.
REVIEW OF THE OPERATION OF THE TREATY AS PROVIDED FOR IN ITS ARTICLE VIII (3) (agenda item 13):

B. IMPLEMENTATION OF THE PROVISIONS OF THE TREATY RELATING TO PEACEFUL APPLICATIONS OF NUCLEAR ENERGY

Articles III and IV

1. The CHAIRMAN said that, after consultations with the Chairman of Committee I, it had been agreed that Committee II would deal with all of article III, on the understanding that Committee I would be free to revert to article III if it so desired.

2. Mr. KULESTOV (Union of Soviet Socialist Republics) said that article III was one of the most important articles of the Treaty. The IAEA control for which it provided was essential for the proper implementation of the Treaty, and would strengthen trust among countries, since its strict observance would effectively preclude the appearance on their neighbour's territory of nuclear weapons posing a threat to their security and give States parties an assurance that there was still no need for them to divert resources from their budgets for the development and production of nuclear weapons. The general debate had shown that participants were favourably impressed by the progress being made with the implementation of article III, and those conclusions should be recorded in the appropriate section of the final document to be prepared by the Committee.

3. The two main aspects of the implementation of article III to consider were: the performance by States parties of their obligations, and IAEA activities in the field of control. States parties were on the whole fulfilling their obligations under article III.1, as evidenced by the fact that the Agency had concluded that there had been no diversion of nuclear material for the production of nuclear weapons or explosive devices. Sixty-nine States had concluded safeguards agreements with IAEA. Although the 41 States parties which had not concluded safeguards agreements within the specified time limit were not engaged in peaceful nuclear energy activities, their conclusion of such agreements would help to ensure full compliance with the provisions of the Treaty. It was important to emphasize the need for world-wide IAEA control, through its system of safeguards, and for national systems of nuclear materials accounting and control both for discharging State party obligations and co-operating with IAEA in the application of safeguards. All States engaged in peaceful nuclear activities should establish and maintain such effective accounting and control systems with IAEA assistance.

4. States parties were fulfilling their obligations under article III.2. A group of nuclear suppliers had agreed on a broad policy for nuclear exports to that end; some suppliers had also adopted minimal standards for the application of IAEA safeguards to their exports of nuclear materials and equipment to non-nuclear-weapon
States which were not parties to the Treaty. In accordance with the decisions of the first Review Conference, it was important to develop general safeguards requirements for nuclear exports with a view to extending IAEA control to all the peaceful nuclear activities of importing States which were not parties to the Treaty: a statement to that effect should appear in the final document.

5. The document should express approval of IAEA control activities. They respected the sovereignty of States and did not impede economic, scientific or technological development or international co-operation in the field of peaceful nuclear activities. That situation should be maintained.

6. Support should be given to IAEA efforts to extend safeguards to all peaceful nuclear activities of all non-nuclear-weapon States, irrespective of whether they were parties to the Treaty. The Agency had prepared a draft model safeguards agreement for non-nuclear-weapon States which were not parties to the Treaty; its efforts to that end should be supported by the Conference. The document should note the further development of the IAEA control system provided for in article III.2, and the need to develop general safeguards requirements concerning nuclear materials processed, used or produced as a result of the application of scientific or technical information transmitted to non-nuclear-weapon States which were not parties to the Treaty, and to include appropriate requirements in a new set of guidelines concerning the provision of technical aid by IAEA in that field.

7. Efforts should be continued to increase the effectiveness of IAEA control and to secure the standardized and universal application of safeguards by improving the Agency's material, technical and automatic data processing facilities, with the necessary assistance from States.

8. The Agency's resources were limited and it should rationalize its inspection activities, taking particular account of the relevant provisions of the model safeguards agreement for non-nuclear-weapon States parties. It should focus on those stages of the nuclear fuel cycle which might be used for the development of nuclear weapons and other explosive devices: controls in countries only having nuclear power stations were of secondary importance and the procedure should be modified accordingly.

9. He stressed that, according to the Agency's Statute, in the formation of the corps of inspectors, due attention should be paid to the qualifications of specialists whose recruitment should reflect as broad a geographical basis as possible. States should not tolerate discrimination in connection with the recruitment of IAEA inspectors. In the financing of the application of IAEA safeguards, full account should be taken of the more limited financial possibilities of many developing countries.

10. The Convention on the Physical Protection of Nuclear Material called for by the first Review Conference had been prepared, and his country had signed it. In view of its importance, the final document should call on all States to sign and ratify it.

11. Mr. RAJAKOSKI (Finland) said that his Government considered that the problem of the proliferation of nuclear weapons and the question of international co-operation in the peaceful uses of nuclear energy should be viewed and discussed as closely interrelated issues. The discussion in the Committee on articles III and IV should be centred on one problem, that of the most effective safeguards regime which would at the same time constitute the best possible conditions for co-operation and exchanges in the peaceful uses of nuclear energy.
12. In the view of his delegation, nuclear trade was still practised in conditions which did not satisfy the letter and the spirit of the Treaty, particularly with regard to article III, paragraph 2. Efforts had been undertaken during the last five years to give effect to the recommendations of the First Review Conference that the application of safeguards should be extended to all nuclear activities in importing States and considered as a mandatory condition of supply. His Government had supported those efforts and hoped that the principle of full-scope safeguards would be confirmed in the final declaration of the present Conference. The application of that principle would be the single most important measure which could be taken in order to prevent the spread of nuclear explosive capability. On the other hand, the non-application of that principle might motivate a State which was not a party to the Treaty to remain outside the non-proliferation regime, since in that case it would continue to be supplied with nuclear materials under less stringent conditions than those it would have to accept if it acceded to the Treaty.

13. His delegation had noted with satisfaction that the safeguards system established by IAEA pursuant to article III had in general functioned as expected, but the rapid growth in the use of nuclear materials, subject to safeguards, as well as the imminent expanded use of more sensitive technologies, had put the resources of IAEA to a hard test. He was pleased to note that the Agency had not detected any anomalies that indicated a diversion of safeguarded material to prohibited uses. Great efforts of research and development, however, were still needed before the Agency's safeguards system could provide the best possible guarantees against diversion.

14. In particular, more experience and resources were needed for the safeguarding of bulk handling facilities. He considered it important that the Conference in its final declaration should express its full support of the IAEA safeguards activity. The parties to the Treaty should then see to it that the safeguards requirements were duly met in the annual budgets and programmes of IAEA.

15. There was rapid development of international trade in nuclear materials, equipment and services. His Government was convinced that that expansion would not have been possible without the fundamental role of the Treaty, which was indeed a solid corner-stone for nuclear trade and co-operation between nations.

16. International nuclear co-operation had had to face the emergence of additional safeguards requirements. It had been found necessary to include many additional arrangements in bilateral co-operation agreements. It had sometimes been alleged, however, that the present requirements went too far. For its part, his Government had lent its support to the strengthening of the safeguards system and had also made concrete proposals of its own.

17. Importing countries which had to deal with several other countries for their nuclear supplies had become dependent upon the conditions of several suppliers that differed one from the other. Those conditions directly affected the ways in which individual countries managed their over-all energy planning. He thought that such conditions, i.e. overlapping controls and prior consent requirements, could be taken care of in a way which, without resorting to bilateral arrangements, would take better account of the needs of importing countries and the need for additional non-proliferation requirements.

18. Lastly, the interests of the Treaty and its application would be better served by the creation of a universal régime for the non-proliferation conditions of nuclear co-operation which would replace, or at least minimize, the need for additional bilateral arrangements between parties to the Treaty.
19. **Mr. YATABE** (Japan) said that, since his delegation had addressed the question of the implementation of article III in some detail at the 5th plenary meeting, he would confine himself to enumerating what he considered the major points. The conclusion of the safeguards agreement between non-nuclear-weapon States parties to the Treaty and IAEA required under article III should be accelerated as much as possible; all nuclear-weapon States should conclude voluntary submission agreements with IAEA; and the adoption of the Convention on the Physical Protection of Nuclear Material was a great achievement; international efforts should be made to improve the IAEA safeguards system. He paid tribute to the Director-General, Dr. Eklund, and the staff of the Agency for their work in that field.

20. During the two and a half years of the International Nuclear Fuel Cycle Evaluation, all participants had become convinced that international safeguards should and could play a key role in achieving the goal of harmonizing the peaceful uses of nuclear energy with non-proliferation requirements. In increasing number of large countries were embarking on the development of nuclear energy, and the number of sensitive facilities was increasing. It was therefore more important than ever to improve safeguards technology and rationalize the system. His Government had been making considerable efforts to contribute to that improvement in various technological fields.

21. His delegation had noted that many delegations considered acceptance of full-scale safeguards by the recipient State as a condition of nuclear exports as an important issue: an attempt to reach a clear, unified interpretation of the phrase, "the safeguards required by this article", in article III.2., could help to promote fairness in the field of nuclear trade.

22. **Mr. ROHNSCH** (German Democratic Republic) said that article III played a particular role within the framework of the Treaty because of its close relationship to the fundamental provisions of articles I and II. It served to prove whether those provisions were fulfilled. Article III called for IAEA safeguards in non-nuclear-weapon States parties to the Treaty, with a view to preventing the diversion of nuclear materials to nuclear weapons or other nuclear explosive devices in those States. By placing all other nuclear activities under III. safeguards, the non-nuclear-weapon States demonstrated that nuclear energy in their countries was being used exclusively for peaceful purposes, a fact which prompted confidence among all nations and facilitated peaceful co-operation.

23. His Government had always scrupulously implemented the safeguards agreement concluded with IAEA in accordance with article III. During the past eight years in which it had complied with that agreement, his Government had not noticed any impediment in its nuclear energy development or any undue burden or impairment of safety. It therefore saw no reason why more safeguards agreements had not yet been concluded with parties to the Treaty and joined the Director General of IAEA in his appeal for further accessions.

24. In his view, considerable progress had been made since the first Review Conference with respect to the implementation of article III. The number of safeguards agreements had increased and now covered such important nuclear activities as those of the EURATOM States and Japan. The officials and staff members of IAEA deserved gratitude and credit for the organizational, conceptual and analytical work they had done in further developing the safeguards system.

25. He recalled that IAEA had been called upon to make an immediate improvement of safeguards in connection with the safeguards of non-nuclear-weapon States. He was pleased at the measures which had been taken in that connection. The question of the safeguards of non-nuclear-weapon States was bound up with the object of the Treaty, and the full implementation of the safeguards system would give the greatest degree of assurance of the peaceful purpose of nuclear activities, not only for the States parties to the Treaty but also for the non-nuclear-weapon States. He hoped that further steps would be taken in connection with the safeguards for non-nuclear-weapon States. It was a step forward in the implementation of the Treaty and would provide an important example to other States in the field of nuclear energy.

26. His Government welcomed the new joint efforts of IAEA to implement the safeguards of non-nuclear-weapon States in accordance with the Treaty. He had made no secret of his Government's wishes with regard to safeguarding non-nuclear-weapon States and to the further development of safeguards in general.

27. Good faith had been shown in the interpretation of IAEA safeguards to date. It was a matter of concern that there was not yet full implementation of the safeguards system. The President was authorised to convey this view to the Director General of IAEA.

28. It was not possible to sum up the adequacy of safeguards in the first Review Conference. They had been discussed in detail in each plenary meeting and in the plenary meetings of the Conference. The President was authorised to transmit to the Director General of IAEA the observations of the Conference as to the adequacy of safeguards.

29. For the first Review Conference, he hoped that steps would be taken to implement more safeguards agreements.

30. Mr. LINDO (India) was grateful to the Secretary General for the results of the safeguard measures taken under the Treaty. They had been important in the development of international confidence in the Treaty and had helped to prevent the misuse of nuclear material.

31. The safeguards provisions of the Treaty had been an essential part of the treaty, and the safeguards system had been a success.

32. His Government would welcome the offer of IAEA to assist in the development of the safeguards system, and would make every effort to implement any safeguards agreements reached.

33. The President was authorised to convey to the Director General of IAEA the satisfaction of the Conference with the safeguards system, and to convey to the Director General the need for further steps to be taken to implement the safeguards system for non-nuclear-weapon States.
25. He noted with satisfaction that the recent safeguards implementation reports of IAEA had concluded that the safeguarded nuclear material was still being used in peaceful activities or was otherwise adequately accounted for. Of course, the ability of IAEA to fulfill its tasks under the Treaty presupposed that States parties to the safeguards agreements would meet their obligations, including the principal duties of co-operation in facilitating the implementation of Agency safeguards. After all, the IAEA safeguards system could only be as good as the support it received from States.

26. His Government actively supported the Agency in all appropriate measures to increase the effectiveness of the safeguards system. It was also prepared to assist other countries in setting up State Systems of Accountability for and Control of Nuclear Material on the basis of its own experience. It believed that effective systems were not only a prerequisite for fulfilling international control obligations but could also satisfy national safety and economic interests.

27. Good progress had been made in the field of physical protection, which the first Review Conference had identified as an important aspect of international security. He appealed to all States to sign and ratify as soon as possible the Convention on the Physical Protection of Nuclear Material, prepared under the auspices of IAEA, with a view to expediting its entry into force.

28. Attention should also be paid to designing nuclear facilities in such a way as to permit the effective and inexpensive application of safeguards. The International Nuclear Fuel Cycle Evaluation, which had dealt with the role of safeguards in connection with the proliferation aspects of the nuclear fuel cycle, had explicitly drawn attention to that problem. He welcomed the fact that IAEA had already taken steps to set appropriate criteria.

29. Particular importance should be attached to the conclusions of the first Review Conference concerning article III, paragraph 2. The main concern of that Conference had been not to admit any condition which might lead to the proliferation of nuclear weapons by the transfer of nuclear material, facilities and technology to States not parties to the Treaty. Special urgency had been attributed to the extension of IAEA safeguards to all peaceful nuclear activities in such States by means of adequate agreements. The non-proliferation of nuclear weapons and full-scope safeguards should under no circumstances be at the mercy of economic competition but should be reinforced by common export requirements. However, the demand for full-scope safeguards in nuclear trade with countries not parties to the Treaty had not yet been met. In his delegation's view, the Conference should define the attainment of that goal as a priority task which would contribute essentially to increasing international security in peaceful co-operation in the nuclear field.

30. Mr. CROMPTON (United Kingdom) said that the international safeguards system developed and refined by IAEA over the past 25 years represented the best means of ensuring that non-proliferation objectives were met. At the same time, the existence of that system facilitated the growth and spread of nuclear energy for peaceful purposes. The IAEA safeguards had been very widely accepted and were applied in many nuclear installations, even in States which were not parties to the Treaty.

31. The cost of administering the safeguards system was only about 320 million per year. That was a small price to pay for the assurance it gave against the danger of nuclear proliferation and for the contribution it made to the maintenance of a climate conducive to nuclear trade. The impartiality of IAEA was guaranteed by the fact that it was an international organization open to all.
32. The technology of safeguards was a constantly evolving one. Research and
development work leading to the adoption of the techniques employed was of great
importance for maintaining and improving the effectiveness of the safeguards system
as the number and complexity of nuclear installations increased. His Government
supported the Agency's efforts to develop new techniques which could make for a more
efficient and more cost-effective safeguards system. It had just allocated the sum
of $500,000 for each of the next three years to support the Agency's safeguards
development programme.

33. The International Nuclear Fuel Cycle Evaluation had pointed out the particular
need for further work to improve the techniques and methods for safeguarding
enrichment, reprocessing and plutonium-fuel fabrication facilities. His Government's
financial contribution would assist the Agency's work in those areas. In addition,
the application of safeguards in the United Kingdom under the UK/EURATOM/IAEA
Safeguards Agreement would give the Agency useful experience in safeguarding advanced
nuclear facilities. He therefore hoped that the Conference would request IAEA to
continue to give high priority to the further improvement of safeguards techniques.

34. Many speakers had expressed their understandable dissatisfaction with the fact
that non-parties were able to obtain nuclear materials without accepting the full-
scope safeguards which their own countries had accepted as parties to the Treaty.
His delegation agreed that that situation was unsatisfactory; it had already stated
its view that the Conference should firmly stress the desirability of full-scope
safeguards being applied in all non-nuclear-weapon States.

35. His Government welcomed the establishment of the IAEA Committee on Assurances
of Supply, whose task comprised two closely-linked aspects, assurances of supply
and considerations of non-proliferation. It was important that all parties to the
Treaty should work together to convince non-parties that it would be in their own
interest to accept full-scope safeguards. If they were not prepared to accede to
the Treaty, it was still possible for them to accept full-scope safeguards on the
basis of alternative commitments. The IAEA secretariat had already drawn up a model
agreement for that purpose on the basis of a decision by the Board of Governors
in 1975.

36. The acceptance of full-scope safeguards by all non-nuclear weapon States would
greatly increase world-wide confidence that the peaceful uses of nuclear energy were
not being abused as a cloak for the development of nuclear weapons and other
explosive nuclear devices. That increased confidence would make possible freer
trade in nuclear materials, which would in turn promote the use of nuclear energy
for peaceful purposes to meet the world's growing need for energy. His delegation
therefore considered it important that the Conference should urge all non-nuclear
weapon States not parties to the Treaty to submit all their nuclear activities to IAEA
safeguards and urge all parties to work for a situation in which full-scope safeguards
were a part of the generally-accepted pattern of international nuclear trade.

37. Mr. JMH (Malaysia) said that his delegation was not satisfied that paragraph 3
of article II was being implemented with sufficient strictness. That paragraph
stated that safeguards "shall be implemented in a manner designed to [...] avoid
hampering the economic and technological development of the parties". On the
contrary, it was convinced that certain measures by exporting countries did hamper
development. That was particularly so in relation to the criteria set by exporting
countries, which, in the case of his country, had substantial financial implications.
Since that trend was undermining the Treaty, he urged that if there was any need for
non-Treaty measures, they should be taken under the auspices of IAEA.
38. His delegation reiterated its whole-hearted support for strengthening the Agency's safeguards. It felt it necessary to reaffirm that all States parties to the Treaty should faithfully abide by the letter and the spirit of the Treaty and also take into account the relevant United Nations resolutions, especially General Assembly resolution 31/75, of 10 December 1976. In that context, it could not agree that there was any real link between the peaceful uses of nuclear energy and the further spread of nuclear weapons. In fact, in order to enhance the Treaty as the cornerstone for continued international co-operation in nuclear energy, those developing States parties which had declared their acceptance of the Agency's safeguards should be entitled to preferential treatment by those countries possessing the necessary technological facilities.

The meeting rose at 5.50 p.m.
SUMMARY RECORD OF THE 3RD MEETING
Thursday, 21 August 1980, at 10.50 a.m.

Chairman: Mr. FERNANDEZ (Australia)

REVIEW OF THE OPERATION OF THE TREATY AS PROVIDED FOR IN ITS ARTICLE VIII (3) (agenda item 13) (continued)

B. IMPLEMENTATION OF THE PROVISIONS OF THE TREATY RELATING TO PEACEFUL APPLICATIONS OF NUCLEAR ENERGY

Articles III and IV

1. Mr. PFLEIPPER (Federal Republic of Germany) noted that the general debate had demonstrated a desire on the part of all the participants to preserve the integrity of the Non-Proliferation Treaty as well as to ensure its non-discriminatory operation. Those objectives should be reflected in a final document adopted by consensus, since voting would be detrimental to the spirit of the Treaty and to the viability of any non-proliferation regime. In that connection, he endorsed the appeal made by the representative of the Netherlands (4th plenary meeting) to all members of IAEA, including States not parties to the Treaty to work together towards a new consensus in the field of peaceful nuclear-energy relations.

2. Committee II could also learn a valuable lesson from the International Nuclear Fuel Cycle Evaluation, the participants in which included countries with important nuclear-power programmes that had not signed or ratified the Treaty. The Evaluation had confirmed the merits of the policy adopted by his country on nuclear energy, which aimed at integrating as many countries as possible into an effective system of co-operation and joint responsibility for sharing the exclusively peaceful uses of nuclear energy. Furthermore, it was significant that developing countries were among those that had successfully participated in the Evaluation.

3. After pointing out that in all likelihood the Conference would not have the time to solve all the problems connected with the implementation of articles III and IV of the Treaty, he welcomed the setting up, by the Board of Governors of IAEA, of a committee open to all IAEA member States to examine the linked problems of assurances of supply and mutually acceptable non-proliferation considerations. He hoped that the Conference would encourage all parties to the Treaty to make full use of the potential of that committee, particularly for the study of problems which could not be solved during the Conference.

4. One of the key issues deserving study would be to find ways and means by which supplies of nuclear material, equipment and technology, as well as fuel-cycle services, could be assured on a more predictable and long-term basis. The objective in the coming years should be to reach common approaches with a view to establishing a safe worldwide nuclear-trade régime free from interruptions and unilateral intervention.
5. His delegation noted with satisfaction that the safeguard techniques for sensitive facilities had improved during the past five years, and he welcomed the IAEA activities in that area aimed at cost optimization. He pointed out that, in number and intensity of inspection activities, his country was at the top of the list and was co-operating closely with IAEA in the further development of safeguard techniques, taking into account the Evaluation results.

6. The new Committee on Assurances of Supply (COS) would also have the task of developing, together with non-parties to the Non-Proliferation Treaty, mutually acceptable measures on non-proliferation. On that point, his delegation fully shared the view expressed by a large number of delegations that the acceptance of full-scope safeguards by all non-nuclear-weapon States would strengthen worldwide confidence that any nuclear material or facility would not be used for making nuclear weapons or other explosive nuclear devices. The submission of all peaceful nuclear activities in all States to IAEA safeguards would facilitate the exchange of material, equipment, technology and fuel-cycle services, and would at the same time promote the use of nuclear energy to meet the world's growing energy needs. In order to arrive at as wide a consensus as possible within the new Committee on Assurances of Supply on the linked issues of assurance of supply and non-proliferation, his delegation felt that it was important for the Conference to appeal to all non-nuclear-weapon States not parties to the Treaty to submit all their nuclear activities to IAEA safeguards. In that connection, he wished to associate himself with the remarks made at the 2nd meeting by the representative of the United Kingdom.

7. In conclusion, he observed that although the present Conference was concerned with the operation of the Treaty over the past five years, it was also important to look to the tasks of the future.

8. Mr. KLJUN (Yugoslavia) said that no diversion of nuclear energy for peaceful purposes to military ends had been detected by IAEA. Experience showed that countries which pursued military objectives started such activities directly and not by way of peaceful nuclear activities. In spite of that fact, the Nuclear Suppliers Club, or "London Club" had agreed in January 1976 on a common policy regarding the export of nuclear material, equipment and technology, which in certain respects hampered technological development and directly affected State sovereignty. Thus, importing States parties to the Treaty were asked to reconfirm their Treaty commitments through bilateral agreements, and restrictions were placed on the transfer of technology and facilities for plutonium reprocessing, uranium enrichment and heavy-water production. Certain countries which were nuclear suppliers had drawn up a list of sensitive materials and technologies that had never been agreed on either by the States parties to the Treaty or the States members of IAEA. Canada had imposed additional control requirements, although its exports had already been restricted to States parties to the Treaty or to those which had otherwise accepted full-scope safeguards. Australia required the conclusion of special bilateral agreements both with nuclear-weapon and with non-nuclear-weapon States, while France and the Federal Republic of Germany had officially stated that they were no longer prepared to authorize the export of reprocessing and enrichment plants. Finland had recently joined the London Club and was following its guidelines. In the United States, the Non-Proliferation Act 1978, made the issue of export licences subject to even stricter conditions than those of the London Club: prior consent had to be obtained for the reprocessing of spent fuel of United States or any other origin, for the enrichment of uranium produced or processed in the United States, and for subsequent retransfer of nuclear material or technology which did not agree with safeguards agreements country by country. It was also stressed that countries must respect international norms of good nuclear practice as they also stressed the activities of international organizations, notably IAEA and the Convention on the Non-Proliferation of Nuclear Weapons. Sweden, for its part, had recently announced that it would keep that issue under review.

9. On the other hand, he hoped that such investigations would come to light. He stressed the need for the United States to enter into discussions with other non-nuclear-weapon States on the question of non-proliferation under the aegis of the United Nations. In the conclusion, he encouraged all States parties to the Treaty to refer to the report of the Committee of Experts on the implementation of the Treaty, which had been adopted by the Committee of the Whole on 11 December 1983. It was time to set the stage for a conference in the United States or any other country of the United States in 1983.

10. He stressed the importance of the non-proliferation of nuclear weapons and the tasks of the Committee of the Whole. In that regard, he recalled the recommendation of IAEA and stated that the Committee of the Whole should re-examine the question of the implementation of the Treaty, which had been adopted by the Committee of the Whole on 11 December 1983. It was time to set the stage for a conference in the United States or any other country of the United States in 1983.

11. He stressed the need for the United States to enter into discussions with other non-nuclear-weapon States on the question of non-proliferation under the aegis of the United Nations. In the conclusion, he encouraged all States parties to the Treaty to refer to the report of the Committee of Experts on the implementation of the Treaty, which had been adopted by the Committee of the Whole on 11 December 1983. It was time to set the stage for a conference in the United States or any other country of the United States in 1983.

12. He noted that the London Club was the only international organization to which the London Club was a member. He stressed the importance of the non-proliferation of nuclear weapons and the tasks of the Committee of the Whole. In that regard, he recalled the recommendation of IAEA and stated that the Committee of the Whole should re-examine the question of the implementation of the Treaty, which had been adopted by the Committee of the Whole on 11 December 1983. It was time to set the stage for a conference in the United States or any other country of the United States in 1983.
technology. Twenty-five agreements concluded by the United States with other countries which did not meet those conditions had been abrogated, including two trilateral agreements to which Yugoslavia was a party. It had been obliged to negotiate agreements for the supply of equipment, material and services, and that had caused his country many difficulties, additional costs and delayed completion of its nuclear power plant.

9. On the other hand, he expressed appreciation of the attitude of the Soviet Union which had always strictly observed the conditions of contracts concluded within the framework of the Treaty.

10. Those restrictive export policies had been the subject of much criticism in many bodies, and had been condemned in the Political Declaration of Heads of State or Government of Non-Aligned Countries at their Sixth Conference held in Havana in 1979 and in the Final Document of the tenth special session of the General Assembly, its session on disarmament. They were in contradiction with the provisions of Article IV, paragraph 1 of the Treaty and seriously affected the inalienable right of all the parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes, and they impeded the exchange of equipment, materials and scientific and technological information, provided for in paragraph 2 of that Article; they also served to slow down development in the third world.

11. Referring to the activities of IAEA, he expressed the hope that the Agency would continue to fulfill the twin tasks entrusted to it, namely the application of safeguards and the promotion of the use of nuclear energy for peaceful purposes, and would resist tendencies that would turn it into a police organization. The establishment of a Committee on Assurance of Supply was a positive initiative. In connection with IAEA activities relating to international plutonium storage and international management of spent fuel, the group of non-aligned countries had recently stressed that IAEA should comply strictly with the terms of its Statute and that those activities should not interfere with free technological development and free disposal of nuclear material in the countries concerned, taking into account mutually agreed international procedures. He stressed that the problem was not only a technical one, as the results of the International Nuclear Fuel Cycle Evaluation had shown, and that the political aspect was the more important. It was necessary to establish a climate of confidence to work out acceptable solutions through international consensus; the most suitable framework to that end would be the International Conference to be held in 1985.

12. He drew attention to the fact that a number of recommendations of the first Review Conference had not been implemented, especially those calling for the supply to IAEA by all parties to the Treaty of economic data concerning the construction and operation of facilities, such as chemical reprocessing plants, plutonium fuel fabrication plants, waste-management installations and long-term spent-fuel storage. The same applied to the setting up of regional or multinational nuclear fuel-cyclo centres, which the first Review Conference had recognized might be an advantageous way of satisfying safely and economically the needs of many States in the course of initiating or expanding nuclear power programmes. The study made by IAEA on that subject dealt more particularly with the interests of the developed countries than those of countries which were just starting nuclear activity. If present trends went on, the gap would continue to widen as the representative of Switzerland had said (7th plenary meeting) - between the obligations and the rights of the parties to the Treaty. The unilateral imposition of new conditions was not acceptable and only internationally agreed solutions and strict observance of contracts could lead to further co-operation.
13. He also had some criticism of the papers on IAEA activities under articles III and IV of the Treaty (NPT/CONF.II/6 and 7) for dealing chiefly with the activities of certain countries which were members of the London Club, for saying nothing at all about the new export criteria introduced by those countries, and for not devoting enough space to the points of view of the developing countries.

14. In conclusion, he wished to mention certain general principles which had been accepted in some international forums and which deserved support by the Conference. They could be summarized in the following terms: (a) full implementation of the Treaty provisions and universal accession to the Treaty would make a major contribution to peace and to co-operation between the States parties to the Treaty in the peaceful uses of nuclear energy; (b) only through a balance of mutual responsibilities and obligations of all States parties to the Treaty could the Treaty continue to maintain its importance and attract accessions; and (c) effective international measures could and should be taken at the national level and through international agreements to minimize the danger of the proliferation of nuclear weapons without jeopardizing energy supplies or the development of nuclear energy for peaceful purposes.

15. Taking account of those principles, the Conference should, in its final document, confirm the significance of nuclear energy and of transfers of peaceful nuclear technology for economic development, especially in the developing countries, and for the progress of all countries, having regard to the existing energy crisis. It should also reaffirm the legitimate rights of States to acquire or develop nuclear-energy technology for their economic and social development, in conformity with their priorities, interests and needs, and condemn any threat against any country which accepted the internationally agreed safeguards that was aimed at preventing it from continuing nuclear-energy development programs for peaceful purposes. It was a special responsibility of nuclear-weapon States and of supplier States to meet the legitimate energy needs of developing countries by participating in the fullest possible transfer of nuclear equipment, material and technology, under agreed international safeguards applied through IAEA on a non-discriminatory basis. It was also necessary for other States parties to the Treaty to discharge the obligations which they had accepted under the Treaty and other international agreements and contracts concerning exchanges of equipment, material and scientific and technological information.

16. The Conference should also declare that new conditions regarding safeguards imposed unilaterally were contrary to the provisions of article IV of the Treaty and hampered the development of nuclear co-operation for peaceful purposes. It should, moreover, also be stressed that IAEA had not taken sufficient account of the necessity of recruiting its inspectors on a wide geographical basis as possible.

17. The conclusion of the new Convention on the Physical Protection of Nuclear Material was to be welcomed and it was to be hoped that all countries would ratify it.

18. The States parties to the Treaty should reaffirm their support for the Treaty and stress that only through its full implementation and observance, through the balancing of their mutual responsibilities and obligations and through the application of the principle of non-discrimination, could the Treaty be strengthened and made universal. They should also confirm the importance of fulfilling the provisions of agreements on co-operation in the nuclear field and on assuring nuclear supply, while adopting mutually acceptable measures for non-proliferation of nuclear weapons.
19. Mr. SCHMIDT (Austria) said that his country attached great importance to the International Convention on the Physical Protection of Nuclear Material, which it had been among the very first States to sign on 3 March 1960, and he urged States which had not yet done so to sign the Convention as early as possible so that it might enter into force. His delegation did not, however, believe that the Convention was as yet sufficiently comprehensive; its scope should also include the domestic side of the use, storage and transit of nuclear material. It was to be hoped that those aspects would be covered at a future conference convened within the framework of the Convention.

20. Turning to article III of the Non-Proliferation Treaty, he commended the work of IAEA in the field of safeguards, which constituted its most important task. The Agency’s other tasks, whether that of furthering the peaceful uses of nuclear energy or that of establishing adequate safety criteria, could only be performed if there were reliable controls to ensure that none of those activities would lead to the production of nuclear weapons.

21. With reference to article III (2), he said it was clear that the safeguards required for source or fissionable material were those described in IAEA document INFCIRC/153 of 1970, which represented the then most recent and most thorough regime, and not those of the old regime described in document INFCIRC/66/Rev.2, which certain States wanted to regard as equally valid. He hoped that the final document of the Conference would contain a clear statement on that point and would establish a single safeguards regime in accordance with the most recent document.

22. Mr. LEE (Republic of Korea) said that his country, heavily dependent as it was on Middle East oil, attached increasing importance to nuclear energy, which offered the only possibility of meeting its steadily growing demand for energy. Nuclear energy was also the most economical way of producing electric power, and his country’s present plan called for 60 per cent of total electric power demand to be filled from nuclear sources by the turn of the century.

23. For those reasons, the Republic of Korea was deeply concerned about long-term assurances of supply of nuclear fuel and the fullest possible exchanges of scientific and technological information. In the conclusions of the International Nuclear Fuel Cycle Evaluation it was recognized that a supplier country’s right of prior consent to any retransfer or reprocessing should be exercised in a manner that took account of the national policies and particular circumstances of consumer countries, with the objective of avoiding, wherever possible, problems in the planning of nuclear power programmes. In that connection, his delegation welcomed the establishment of a committee under the Board of Governors of IAEA to deal, inter alia, with the question of supply assurances. He hoped that the Conference would examine that important question in connection with its review of the implementation of article IV.

24. The Republic of Korea valued the efforts being made by IAEA to secure more effective safeguards; it attached great importance to the national and international safeguards to minimize the danger of proliferation of nuclear weapons without jeopardizing energy supplies. For that reason, his Government had acceded to the Treaty in 1975 and had concluded its safeguards agreement with the Agency in the same year. It had scrupulously fulfilled all the requirements for the international as well as the national safeguards system. However, it wished the entire Korean peninsula to accede to the Treaty, believing simultaneous or concerted accession to be one of the best ways of achieving the universality of the Treaty. Wider adherence to the Treaty would further promote international co-operation in the peaceful uses of nuclear energy with due consideration for the special needs of the developing countries.
25. Considering that a general introduction of new generations of reactors could be anticipated as a result of rapid advances in the field of nuclear technology, he noted with satisfaction that the International Nuclear Fuel Cycle Evaluation had identified, inter alia, reprocessing and fast-breeder deployments as milestones towards the effective utilization of available uranium resources.

26. He wondered, however, why no progress had been made with regard to the possible establishment of the regional fuel cycle centres referred to in the Final Declaration of the first Review Conference. The setting up of such centres in accordance with article IV would help to strengthen mutual confidence and consequently to prevent the risk of proliferation of nuclear weapons; for that, political and institutional means were of greater importance than technical fixes.

27. He hoped that the Conference would not only succeed in formulating workable principles and guidelines for the assurance of fuel supply and fuel cycle services and for full access to the required technology but would also create a spirit of mutual co-operation and trust free from any political or commercial concerns.

28. Mr. VAN DOREN (United States of America) suggested that, in reviewing implementation of article III of the Non-Proliferation Treaty, the Conference should deal with four principal aspects of the problem of safeguards, and expressed the hope that all these aspects would be reflected in the final document of the Conference. Referring first to the previous history of the safeguards issue, he found it encouraging that a number of countries to which safeguards had been applied had testified that the safeguards had not hampered their nuclear programmes. The final document should include some pertinent comments on the efficacy of safeguards.

29. The second important aspect related to the scope of the safeguards. It was desirable that the final document should contain an invitation to countries which had not yet done so to conclude safeguards agreements. Mention should also be made of activities undertaken within the framework of paragraph 2 of article IV and of implementation of the voluntary offer made by several nuclear-weapon States to authorize the IAEA to apply safeguards to their civil nuclear facilities.

30. The third and most important question to be tackled was that of total safeguards. The most serious horizontal proliferation problem was the existence, in a very small number of countries not parties to the Treaty, of unsafeguarded facilities capable of producing weapons-useable material. Despite all appeals, those States had not yet joined the Treaty and, since they were sovereign States, they could not be required to do so. However, the States attending the Conference could make it clear to them that if they wished to continue to benefit from the co-operation of the parties to the Treaty in peaceful uses of nuclear energy, they would have to accept the same safeguards obligations as the parties. During the general debate, a large number of delegations had expressed support for such a recommendation, pointing out that it would remove an element of discrimination against parties to the Treaty in that certain non-party States had been able to obtain the benefits of nuclear co-operation from some States parties without accepting the same safeguards obligations. The Conference presented a unique opportunity to remedy that defect. His delegation thought it preferable not to refer the matter to a forum where non-parties to the Treaty might seek to block consensus.

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31. The implementation of safeguards was another point which should be reflected in
the final document. In particular, it was necessary to mention that the States which
had nuclear programmes should develop adequate State systems of accounting and control
which would facilitate the application of safeguards; that all parties which
introduced nuclear facilities should try to design those facilities in such a manner
as to facilitate safeguards; that the cost effectiveness of safeguards should be
improved through better techniques and instrumentation; that there should be further
development of safeguards for specific facility-types, including processing and
enrichment plants; and that efforts should be made to ensure the adequacy of human
and financial resources and political support for effective and cost-effective
safeguards. Lastly, it was necessary to recommend assistance by the member States
in the further development of safeguards.

32. Furthermore, he endorsed the proposal that the final document should make a plan
for the widest possible adherence to the Convention on the Physical Protection of
Nuclear Material. There should also be some discussion of the studies going on in
IAEA on international plutonium storage, on international spent fuel management and
on assurances of supply, all of which were important ongoing activities which should
be included either under article III or article IV.

33. Mr. LIDGARD (Sweden) said that international safeguards played a most important
role in promoting non-proliferation and that those of IAEA helped to strengthen
international confidence in nuclear energy programmes. With regard to implementation
of article III, it was reassuring to note the excellent results of the IAEA
safeguards system. There had been widespread acceptance of the safeguards, with a good
record of their application marked, above all, by the co-operation of States with
IAEA and its staff. It was, in addition, very reassuring that no diversion of nuclear
material had taken place from facilities under Agency safeguards.

34. It would be desirable for the final document of the Conference to mention the
essential role of IAEA safeguards in promoting the objectives of the Treaty, and due
credit should be given to States for their co-operation with the Agency and to the
Agency itself for the competence and efficiency of its staff. It would also be
appropriate to reiterate the importance of universality and non-discrimination in
connection with safeguards and to appeal to the non-nuclear-weapon States parties to
the Treaty to conclude safeguards agreements with IAEA as required by article III,
paragraph 1. Conference should also appeal to the nuclear-weapon States to make
offers to IAEA to apply safeguards to non-military nuclear facilities in their
territories.

35. Besides the commitment to renounce nuclear weapons, the non-nuclear-weapon States
parties to the Treaty had accepted full-scope IAEA safeguards, thus giving a double
assurance that their nuclear activities would not be abused for the production of
nuclear explosives. The fact that States not parties to the Treaty had not accepted
the commitment to renounce nuclear weapons under article II of the Treaty should be
compensated by an obligation which was at least equivalent in respect of safeguards.
Unfortunately, the real situation left much to be desired, and his delegation
considered that the Conference should call upon States not parties to accept full-scope
IAEA safeguards, for that would eliminate an existing unnecessary element of
discrimination owing to the difference in scope of safeguards. The final declaration
should include a statement making acceptance of such safeguards a condition for
supply - a position in line with the conclusions of the first Review Conference. Some States, including his own, had unilaterally committed themselves to imposing such a condition, thereby, in effect, giving preferential treatment to States parties to the Treaty, but such a commitment was not yet general. His delegation therefore suggested that the following declaration should appear in the document to be adopted by consensus:

"The Conference urges Parties which are nuclear suppliers to require as a condition of all future supply arrangements the application of safeguards to all present and future nuclear activities in importing States which are not Parties to the Treaty in fulfilment of obligations under article III (2). The Conference calls on all other States which are nuclear suppliers to abide by the same requirements. In this connection the Conference notes the model agreement for the application of full-scope IAEA safeguards which has been drawn up by IAEA."

36. During the general debate (6th plenary meeting), the representative of his country had emphasized the importance of improving the effectiveness of IAEA safeguards. It was a matter involving many problems of research and development, as well as funds and priorities.

37. Assurances of supply, which was occupying an increasingly important place in international discussions on nuclear energy and non-proliferation, was primarily related to review of article IV of the Treaty, but in his present statement he wished to stress that the more confidence was established by means of IAEA safeguards, the less need there might be for other, supplementary, measures for achieving the compliance with non-proliferation necessary to promote international co-operation in the sphere of nuclear energy and enhanced assurances of supply.

38. Mr. van HOUTTE (Belgium) said that effective and non-discriminatory safeguards were extremely important for promoting the development of the peaceful uses of nuclear energy and for preventing the proliferation of nuclear weapons. Such safeguards had been in effect in Belgium and in the other States members of EURATOM since 1960.

39. His delegation would like the Conference to appeal to all nuclear-weapon States to follow the example of the United States of America and the United Kingdom and voluntarily subject their civil installations to safeguards. It deplored the fact that one of the three Depositary nuclear-weapon States had so far refused to follow that course.

40. In order that the conditions required by suppliers of nuclear material, equipment and technology for States which were not parties to the Treaty should not be less strict than for States parties to the Treaty, his country was in favour of extending to the whole fuel cycle the safeguards required for supplies to States not parties to the Treaty. It welcomed the approval of the concept of full-scope safeguards by all the delegations which had spoken on the matter and hoped that the Conference would endorse that principle unanimously.

41. Mr. ZANGGER (Switzerland), after noting that his country had acceded to the Treaty in 1977 and had concluded a safeguards agreement with IAEA, said that while he welcomed the impressive progress made in accessions to the Treaty, making the Treaty universal should continue to be the underlying objective. He noted with satisfaction that a goodly number of States parties had concluded safeguards agreements with IAEA over the past 10 years. In his view, there must be confidence in the way in which the Agency administered those safeguards, in increasingly difficult
42. His delegation considered paragraph 1 of article III to be of fundamental importance for the establishment of a world-wide control system applying solely to the flow of nuclear material. Paragraph 2 of that article would lose its significance when all States had acceded to the Treaty and, in so doing, accepted full-scope safeguards. It would then be possible to speak of free nuclear trade among all States. The aim of universality for the Treaty therefore entailed full-scope safeguards.

43. There were, on the other hand, matters in article III which went beyond the implementation of bilaterally accepted safeguards and which were rather more related to the objectives of article IV.

44. The basic question was how to strengthen the Treaty, once the aim of full-scope safeguards was recognized as fundamental. Two methods could be contemplated. The first would be to increase the constraints by extending the application of safeguards to the nuclear activities of non-party States; in exchange, those States might receive certain forms of compensation under article IV. In deciding to impose full-scope safeguards without providing for a form of compensation, the Conference might encourage such States to seek total nuclear independence and to reject the Treaty once and for all. His delegation considered that it would be better to adapt the solution to each case in the light of a political analysis. A second and, in its view, better solution would be to make the Treaty more attractive. For that, it would be necessary to promote universal accession to the Treaty and to enhance its credibility by scrupulous observance of the provisions of the sixth and seventh preambular paragraphs and of article IV of the Treaty. It should be reaffirmed that national legislation could in no way diminish or affect the responsibilities and rights specified by the Treaty or by other international agreements. All States parties should be urged to rationalize their export and retransfer licensing procedures affecting nuclear activities carried out in other States parties, by avoiding all administrative obstacles or complications liable to cause undue delay in the granting of such licences. States parties should be invited to adopt criteria on the subject that would enable the granting of licences to be predictable and valid for several years, so as to make possible the planning of nuclear activities. It would also be desirable for national regulations to be in conformity with certain internationally agreed standards. All States parties should contribute to the creation of a climate favourable to an international dialogue permitting supply assurances and non-proliferation safeguards to be dealt with in an objective and balanced manner in respect of all fuel-cycle operations. Lastly, States parties should refrain from prohibiting or impeding the export of nuclear fuel, equipment, technology or material to States parties to the Treaty which fulfill their international obligations.

45. His delegation would like the Conference to adopt measures similar to the safeguards system prescribed in article III (1) that would make it possible to verify, in accordance with procedures to be determined, the fulfillment of commitments undertaken under article IV. It suggested entrusting the task of preparing an annual report on that subject to the IAEA Committee on Assurances of Supply which, bringing together as it did both States parties and States not parties to the Treaty,
constituted the longed for place for dialogue. On the assumption of universal accession to the Treaty, full-scope safeguards would be applied in all countries; as a counterpart, they should be accompanied by total assurances of supply in the sense of free trade.

46. His delegation welcomed the conclusion of the Convention on the Physical Protection of Nuclear Material, but regretted that it applied only to international transfers. It would like Governments to give an assurance that they would apply to nuclear activities on their territories certain minimum standards of protection such as those set out in IAEA document INFCIRC 225/Rev.1.

47. Mr. TVUM-DANSO (Ghana) said that there was no doubt that safeguards, by preventing any diversion of nuclear energy to non-peaceful uses, were important for the management of nuclear energy in the non-nuclear-weapon States. The inspection activities of IAEA in that respect were deserving of praise.

48. Ghana unreservedly supported the non-discriminatory application of full-scope safeguards, for it believed that, only by so doing, could his country's programme for the peaceful uses of nuclear energy and the collaboration between the Ghana Atomic Energy Commission and IAEA - particularly in the field of training - be to the benefit of his country and probably to Africa as a whole. His delegation appealed to all States parties to the Treaty which had not yet concluded safeguards agreements with IAEA to take the necessary steps to do so, in the interest of world peace.

49. Mr. ALLISON (Nigeria) said he was pleased to note that the background document on IAEA activities concerned with implementation of the provisions of paragraphs 1, 3 and 4 of article III of the Treaty, as well as certain statements made during the general debate demonstrated that more non-nuclear-weapon States parties to the Treaty had concluded safeguards agreements with the IAEA and that those States had not diverted nuclear material for weapons purposes. His delegation, therefore, suggested that the Conference should refer to those encouraging trends in its final declaration. Moreover, with regard to paragraph 5 of article III of the Conference should state that, by imposing additional safeguard measures, both nuclear-weapon and non-nuclear-weapon States parties to the Treaty which were exporting nuclear material and equipment created impediments to international cooperation in the peaceful uses of nuclear energy. Countries supplying nuclear material and equipment should not impose unilateral and/or retroactive obligations on non-nuclear States parties to the Treaty.

50. With regard to paragraph 2 of article III, his delegation wished to reiterate the misgivings it had expressed during the general debate, especially concerning the African continent. In particular, it was greatly concerned by the fact that certain non-nuclear-weapon States and nuclear-weapon States, whether parties or not to the Treaty, were collaborating with South Africa in its nuclear-weapon programme, although that country had refused to subject its nuclear facilities to the IAEA's full-scope safeguards. In its final declaration, the Conference should therefore call upon all the nuclear-weapon States and all the non-nuclear-weapon States concerned to cut off all contracts and contacts with South Africa in the nuclear field, unless it subjected all its nuclear activities to full-scope safeguards and the consequent assurance of non-diversion for weapons purposes.
51. Lastly, his delegation urged countries suppliers of nuclear technology that required safeguards from certain recipient countries which went beyond the IAEA safeguards to introduce, if possible, some flexibility in discriminatory and selective conditions which affected the developing countries in particular.

52. Mr. LODGARD (Norway) said that his delegation like many others thought that the favourable treatment with regard to nuclear supply enjoyed by non-party States because of article III of the Treaty, far from encouraging access to the Treaty, was harmful to the cause of non-proliferation. It was necessary to put an end to the practice of transferring nuclear material and equipment to non-nuclear-weapon States without considering whether they were or were not parties to the Treaty and had or had not agreed to subject all their nuclear activities to safeguards. On the contrary, it was necessary to encourage the universal application of full-scope safeguards to nuclear exports.

53. Noting that the principle of the application of full-scope safeguards had received increasingly wide support since the first Review Conference in 1975, his delegation hoped that in its final document the Conference would emphasise the need to subordinate all future supply arrangements to the application of safeguards to all nuclear activities, both present and future, in fulfilment of the obligations set out in paragraph 2 of article III. In that connection, it supported the formulation proposed by the Swedish delegation. For its part, Norway would in future restrict its nuclear exports to only those countries which were parties to the Treaty or which had undertaken similar commitments having mandatory force at the international level or which had publicly stated that they would behave as if they were parties to the Treaty.

54. As some States parties to the Treaty had not concluded any safeguards agreements with IAEA, his delegation urged them to fulfil the obligations they had undertaken in that regard, even if their nuclear activities were of no particular importance. The first Review Conference had made an appeal to that effect which the present Conference ought to reinforce.

55. Mr. BASSOV (Turkey) noted with satisfaction, after reading the documentation concerning the implementation of the provisions of article III, that, along with the increase in the number of countries which had acceded to the Treaty, the number of safeguards agreements concluded between IAEA and the States parties to the Treaty since 1975 had increased considerably. That was a factor working for the cause of non-proliferation, like the agreements whereby certain nuclear-weapon-States had unilaterally agreed to subject their civil nuclear activities to safeguards. In that connection, his delegation deplored the fact that certain "facility attachments", without which the safeguards remained incomplete, had not yet become operative. While noting that the great majority of safeguards agreements had been supplemented with subsidiary agreements and "facility attachments", his delegation shared the concern expressed by some delegations regarding the fact that nuclear installations in certain States not parties to the Treaty were not subject to the safeguards system. That situation called for corrective measures on the part of the States parties, in particular those which were exporting nuclear material, equipment and technology, and fuel-cycle services.
56. He announced that his Government had entered into negotiations with IAEA concerning the signing of a safeguards agreement under the Treaty, which would be in conformity with document INFCIRC/153 and other agreements concluded between IAEA and the other States parties. He thought that the safeguards agreements which had been concluded or would be concluded with States not parties to the Treaty should so far as possible also be in conformity with the provisions of document INFCIRC/153.

57. His delegation would like to draw attention to one fact which might lead to the appearance of so-called "grey" markets for nuclear materials and be harmful to non-proliferation and the safeguards system, namely, the application of excessively strict bilateral or multilateral guidelines to nuclear exports and the inevitable commercial competition between exporting nuclear countries. After all, development of nuclear energy for peaceful purposes in the world should be based on reliable principles. In that respect, his delegation welcomed with satisfaction the decision taken by the Board of Governors of IAEA to establish a Committee on Assurance of Supply. It hoped that means would be found to assure, on a predictable and reliable basis, the supply of nuclear materials, equipment and technology and nuclear fuel-cycle services.

58. Mr. CAMPBELL (Australia) said that, in view of the intention expressed by all to encourage the peaceful uses of nuclear energy in an international climate of confidence, he agreed that the final document should include an objective treatment of the concerns expressed about the procedures of some nuclear suppliers and about the policies of some other countries, as well as the development which had motivated them to adopt their positions. The Conference should ask all non-nuclear-weapon States not parties to the Treaty to accept the application of IAEA safeguards on all their present and future nuclear activities, in view of the considerable contribution which would make to reassurance against the further spread of nuclear weapons or other explosive nuclear devices. The situation in southern Africa, in the Middle East and in southern Asia obviously called for an appeal of that kind. At the same time, his delegation saw the need for measures which would narrow the distinctions and discrimination between the nuclear-weapon States and the non-nuclear-weapon States. For that reason, in its final document the Conference should welcome the offers made by the United States of America and the United Kingdom to place their civil nuclear facilities under IAEA safeguards, it should note with appreciation the similar offer made by France, which was not a party to the Treaty. The Conference should appeal to other nuclear-weapon States, whether parties to the Treaty or not, to make corresponding offers.

59. Lastly, with reference to supplier conditions, he said that Australia, in deciding policies to govern the export of uranium, had paid particular attention to its obligations under articles III and IV of the Treaty. His Government had therefore decided that it would not export uranium to non-nuclear-weapon States unless they were parties to the Treaty. A particular weakness in the Treaty régime derived from the fact that some other nuclear suppliers did not require States which were not parties to the Treaty to accept safeguards conditions consistent with the provisions of paragraph 2 of article III of the Treaty. Consequently, his delegation supported the suggestion of the Swedish delegation that in its final document the Conference should call on all supplier States parties to the Treaty to require as a condition of export the application of safeguards on all present and future nuclear activities in importing States which were not parties to the Treaty.
60. **Mr. al-KUTAL** (Iraq) said that his delegation subscribed to the view held by many non-aligned and developing countries that compliance with the provisions of article II and acceptance by States parties to the Treaty of full-scope safeguards should enable those countries to receive nuclear equipment, material and technology without being subjected to additional conditions. The IAEA safeguards could always be reviewed with a view to ensuring their effective application. Such a development would encourage States which had not yet acceded to the Treaty to reconsider their position and would avoid a situation in which many States parties might be inclined to question the usefulness of their accession.

61. His delegation wished to reaffirm the right of all States parties to the Treaty to make full use of nuclear energy for their economic and social development as they deemed best for their national interests. They therefore needed all possible assurances of reliable supply and definite commitments on the part of suppliers not to take unilateral measures that would relieve them of their obligations under the Treaty or under contracts already signed.

62. His delegation hoped that those views would be reflected in the final document of the Conference.

The meeting rose at 1:05 p.m.
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Chairman: Mr. FERNANDEZ (Australia)

REVIEW OF THE OPERATION OF THE TREATY AS PROVIDED FOR IN ITS ARTICLE VIII (3)
(agenda item 13) (continued)

B. IMPLEMENTATION OF THE PROVISIONS OF THE TREATY RELATING TO PEACEFUL APPLICATIONS
OF NUCLEAR ENERGY

Articles III and IV

1. Mr. TERWISCHA van SCHRITTINGA (Netherlands) said that, before going into greater
detail concerning the comments made by his delegation during the general debate on
the present and future implementation of article III, he wished to reaffirm that
the IAEA safeguards system was and should remain the backbone of the
non-proliferation system.

2. The verification by IAEA of compliance with the fundamental non-proliferation
undertakings made by the parties to the Treaty was of essential importance to the
effectiveness and credibility of the Treaty. The application of adequate
safeguards was also an essential precondition for nuclear co-operation. His
Government had studied with great interest the safeguards implementation reports
submitted by the IAEA secretariat to the IAEA Board of Governors in the past four
years. According to those reports, there had been no indication of the diversion
of significant amounts of nuclear materials; that was a source of great satisfaction.
There were, however, a number of areas in which the application of safeguards might
be improved. Since the Director General of IAEA had made it clear during the
general debate that no insurmountable technical difficulties were involved in the
effective application of safeguards, all that was needed was for IAEA to make an
additional effort, with, of course, the political, financial and technical support
of its member States. His delegation attached great importance to such an effort,
particularly with regard to safeguards for so-called sensitive nuclear
installations. It welcomed the safeguards development support programmes which had
been announced in the past few months by several Governments. His country was taking
part in the further development of safeguards for enrichment installations and his
Government was now considering the possibility of an additional Netherlands
contribution in that area.

3. Since the number of nuclear installations coming within the scope of IAEA
safeguards had increased enormously, IAEA's inspection activities had been expanded
and intensified. The member States of IAEA should ensure that such inspections were
kept at current quantitative and qualitative levels. A number of parties to the
Treaty still had not concluded safeguards agreements in accordance with
article III (4). It was urgently necessary that they should do so and that all
nuclear-weapon States should voluntarily place their peaceful nuclear activities
under IAEA safeguards.
4. The maintenance and strengthening of the effectiveness and credibility of the IAEA safeguards system was a goal which should be referred to in the final document of the Conference. To that end, his delegation had prepared the following text: "The Conference, noting that IAEA safeguards are adequate for their current task, emphasizes the importance of continued improvements in the effectiveness and efficiency of IAEA safeguards. It calls upon IAEA and its Member States to ensure that safeguards are applied and developed so as to enable the Agency to fulfill its growing responsibilities. These will result from increasing amounts of nuclear material subject to safeguards and the special safeguards requirements involved with certain nuclear fuel cycle facilities, including, for example enrichment and reprocessing plants. The Conference expresses the hope that IAEA and its Member States will ensure that the Agency has adequate human and financial resources for research and development of safeguards and techniques to this end. The Conference requests States planning new nuclear facilities to do design and construct them to facilitate the efficient application of safeguards."

5. He also drew attention to the importance of the application of full-scope safeguards. According to some delegations, Article III (2) should be interpreted as requiring, for all nuclear exports to non-nuclear-weapon States, the application of IAEA safeguards to all nuclear activities in receiving countries. Other delegations disagreed with that interpretation and considered that it was enough to apply safeguards to materials and/or equipment. It was a matter of concern that certain countries which were not parties to the Treaty and which had important nuclear activities and programs did not accept the application of IAEA safeguards to all their nuclear activities. That concern was shared by many other delegations. It was not normal for States which had, until now, preferred to remain outside the Treaty to enjoy what was, in fact, a kind of preferential treatment in the area of the application of safeguards. The acceptance of full-scope safeguards for all the nuclear activities of all States was thus one of his Government's main non-proliferation policy objectives, and he hoped that it would be possible to include in the final document a very clear commitment of the parties to the Treaty on that matter. Like the United Kingdom delegation (2nd meeting), his delegation was of the opinion that the only way of achieving the objective of universal application of full-scope safeguards was to ensure that the States not party to the Treaty were involved in the discussions.

6. Lastly, he said that it would be desirable to supplement the IAEA safeguards system by implementing Article XII.1. of the IAEA Statute in respect of the establishment of an international plutonium storage system. As everyone knew, the proliferation risks in that area were much more serious than those involved in the production and use of other nuclear materials because of the much shorter time available to IAEA for the detection of possible misuses. The system not being worked out by IAEA would provide a large part of the answer to the proliferation problems posed by the presence of excess quantities of plutonium. It would be in the interest, not only of countries which were well advanced in the nuclear field, but also in that of all parties to the Treaty and it thus deserved unanimous support. His delegation had therefore prepared a text on that question for inclusion in the final document which read: "The Conference welcomes the work of the IAEA Expert Group on International Plutonium Storage and supports the early establishment of an effective regime for international plutonium storage. The Conference considers that a well-designed regime for plutonium storage would make a substantial further contribution to non-proliferation, as well as to the improvement of the predictability of nuclear supply and the development of common approaches and generally agreed arrangements for international nuclear trade."
7. Mr. RICHARDS (New Zealand) said that, in view of his country's active part in the first Review Conference and its intensive efforts to ban nuclear tests in the atmosphere and elsewhere, the Committee would not be surprised to learn that it had decided to do the impossible to ensure that the second Review Conference produced real results and drew up a clear and forceful final document.

8. He reminded the Committee that the Treaty's future depended on progress in nuclear disarmament. The non-nuclear States, which included his country, were entitled to expect that measures would be taken in that respect. Nevertheless, he welcomed the modest progress achieved so far and hoped that it would be possible to extend it rapidly.

9. He read out the following text which his delegation had prepared for inclusion in the final document, which should be considered as an informal working document designed to promote further discussion on the subject before the adoption of a final text on article III: it was based broadly on the Final Declaration of the 1975 Conference (NPT/CONF.35/1, annex I):

"(1) The Conference notes the essential role of safeguards administered by IAEA in providing reassurance that nuclear material is not diverted from peaceful uses and their contribution thereby to the maintenance of confidence among States. The Conference recognizes the growing importance of the IAEA safeguards techniques to keep pace with the development of nuclear technology.

(2) The Conference affirms as a principal objective the universal application of non-discriminatory safeguards administered by IAEA. (3) The Conference emphasizes that the activities of IAEA under the terms of article III.1 continue to respect the sovereign rights of States and do not hamper the use of nuclear energy for peaceful purposes. (4) The Conference appeals to all parties which have not yet done so to conclude with IAEA the safeguards agreements required by article III.1 and notes the importance of the establishment and maintenance by States of effective accounting and control systems in order to facilitate the application of safeguards."

10. Mr. SIMONSON (Denmark) said he considered that articles III and IV of the Treaty were closely linked; nevertheless, in accordance with the Chairman's request, he would confine his remarks to article III, which was of fundamental importance for the establishment of a lasting non-proliferation regime.

11. The IAEA safeguards system had proved effective and should therefore continue to be supported and developed. At present, it covered all nuclear activities only in the case of non-nuclear-weapon States which were parties to the Treaty. In order, therefore, to achieve a universal non-discriminatory safeguards system, the nuclear-weapon States would have to be persuaded of the need to submit their peaceful nuclear activities to IAEA safeguards. In that connection, he welcomed the offer made by the United States of America, the United Kingdom and France. The application of full-scope safeguards should also be made a condition of future supply arrangements for all States not party to the Treaty.

12. He read out the following two texts which his delegation wished to have included in the final document in connection with article III:
"The Conference urges that all States become parties as soon as possible to the Convention on the Physical Protection of Nuclear Material which has been negotiated in fulfillment of the recommendations of the first Review Conference. The Conference also stresses the responsibility of States to take national measures to ensure that adequate levels of physical protection are applied."

"The Conference further recommends that consideration of arrangements for international co-operation in the management of spent fuel and sensitive facilities, including the possibility of multinational systems, be continued, having particular regard to the potential non-proliferation benefits of such systems."

13. Mr. DE ICHE (Italy), reiterating his delegation's position regarding article III, said that his delegation considered the universality of the Treaty an essential aim in achieving nuclear non-proliferation. The Conference might usefully draw attention in its comments on article III to the importance of the decision by certain nuclear-weapon countries, both parties and non-parties to the Treaty, to agree voluntarily to submit certain of their facilities to the IAEA safeguards system; it would be useful if similar measures were taken as soon as possible by the USSR. That would help to eliminate the imbalance in the Treaty between the commitments of non-nuclear-weapon States and the absence of any similar commitments on the part of the nuclear-weapon States.

14. His delegation also thought that the Final Document of the Conference should stress the fact that experience over the past five years had shown the IAEA safeguards system to be effective as far as the States party to the Treaty were concerned. The States parties to the Treaty had all expressed the fear that non-parties which used nuclear energy for peaceful purposes and benefited in that field from the co-operation of exporting countries parties to the Treaty, jeopardized the objective of non-proliferation, because they escaped the IAEA safeguards system. There was no doubt that full-scope safeguards would have the advantage of ending discrimination between the measures to which States parties to the Treaty were submitted and those applied to States which were not parties. However, when the Conference drew up the text of the final document concerning full-scope safeguards, it would have to take care not to impose conditions which might transform the nuclear military option hitherto exercised by a number of States - and which it was hoped they would renounce - into a definite refusal to adhere to the Treaty. Such a renunciation would basically depend first, on a political choice and secondly, on the interest that a country which had not yet adhered to the Treaty might have in ratifying it despite the stricter safeguards that would entail.

15. He therefore stressed the need for strict compliance with article IV of the Treaty. The proposal by the delegation of Switzerland at the 3rd meeting, for the establishment of a system for periodic verification of the implementation of article IV, was extremely interesting. Such a system would be a useful complement to that provided for in article III.

16. Mr. KANE (Senegal) said that the use of nuclear energy for peaceful purposes should not involve any risk. The scope of the safeguards was a vital question and the provisions of article III raised the essential problem of non-disclosure. The credibility of the Treaty on the Non-Proliferation of Nuclear Weapons depended upon the existence of safeguards. South Africa had not signed the IAEA safeguards agreement specified in article III and he feared that the recent explosion in a region bordering on South Africa might well have been of nuclear origin.
17. States parties to the Treaty and States which had signed safeguards agreements with IAEA should not be at a disadvantage compared with others. In that respect the Treaty had certain gaps and inconsistencies. The private companies which sold nuclear power stations or fissile material should be subject to IAEA inspection if they belonged to States which had signed safeguards agreements. The London Club safeguards also should not discriminate against the developing countries.

18. Countries which were parties to the Treaty should agree to be bound by the Convention on the Physical Protection of Nuclear Material, which in his opinion was extremely important because the world seemed to have entered a period of aircraft-hijacking and terrorism.

19. He reminded States which were not yet parties to the Treaty that no State party had indicated during the general debate that its adherence to the Treaty had hindered its nuclear development for peaceful purposes.

20. In order to ensure public confidence in the future of nuclear energy for peaceful purposes, all non-nuclear-weapon States must accept IAEA safeguards for all their nuclear activities and the nuclear-weapon States must agree to the application of IAEA safeguards to their civil programmes.

21. Mr. STAIZON (Philippines) reminded the Committee that IAEA's primary concern was not, as one delegation had stated, with safeguards, but with the contribution which atomic energy could make to peace, health and prosperity in the world. The question of safeguards came next, but to reverse that order would be to introduce the use of nuclear energy for peaceful purposes among the contentious questions dividing the North from the South.

22. The Philippines welcomed the progress made in the negotiations on the Convention on the Physical Protection of Nuclear Material and hoped that the Final Declaration would strongly urge States which had not yet done so to accede to it. It also welcomed the increase in the number of States which had concluded a safeguards agreement.

23. Turning to the IAEA report on the application of safeguards for 1973, he indicated his concern at the delays in the submission of reports by States and at the fact that the Agency had been able to carry out no more than 40 per cent of the inspection activities which it was required to undertake. That failure could be attributed to financial causes and a radical transformation of the programme budget of the Agency was essential. In view of the fundamental aims of the Agency, it was essential to provide for it to fulfill its task. The industrialized countries had, so far, tended to think that financial considerations were more important than implementation of the Agency's aims. But it was difficult to see how, for example, zero growth of the Agency's budget could be reconciled with a requirement for it to increase its supervisory activities. If good relations between developed and developing countries were to be maintained, it was essential, as the USSR representative had rightly stated (2nd meeting), that the particular financial situation of the developing countries should be taken into account. The present system of allocating the Agency's expenses resulted in the developing countries assuming the burden of certain expenses which were currently included in the category of expenditure not concerned with safeguards and in making them pay more than their fair share of IAEA's safeguards activities. He therefore hoped that the Final Declaration would contain a recommendation for correcting the present situation.
24. In connection with the Final Declaration of the 1975 Review Conference, he noted that various interpretations had been placed on the phrase "on a non-discriminatory basis, for the equal benefit of all States party to the Treaty" which ended the first paragraph of the section "Review of article III" of the Final Declaration of the 1975 Review Conference (NPT/CNFP/75/I, annex I). For certain delegations that meant that non-nuclear-weapon States not parties to the Treaty should also agree to place their nuclear activities under the safeguards specified in the Treaty so as to avoid any discrimination against non-nuclear-weapon States which were parties to the Treaty. In his view, the expression "on a non-discriminatory basis" referred to the request made by non-nuclear-weapon States parties to the Treaty to non-nuclear-weapon States not parties to the Treaty that they should agree to accept the Agency's safeguards for the nuclear activities which they undertook for peaceful aims.

25. As opposed to those who said that certain non-nuclear-weapon States parties to the Treaty had complained that they were discriminated against because non-nuclear-weapon States not parties to the Treaty could obtain nuclear equipment which they needed without submitting to the conditions stipulated in the first paragraph of article III, he thought that the majority of the representatives of the developing countries considered that the discrimination to which they were subjected consisted in the fact that, although they had accepted the safeguards provided for in article III, paragraph 1, and the conditions stipulated in article II, they had not been able to receive the supplies of nuclear material guaranteed to them.

26. The Philippines delegation would like all non-nuclear-weapon States to accede to the Treaty and all parties to the Treaty to remain so, but it feared that the situation was evolving in the opposite direction.

27. The world had been given to understand that the safeguards mentioned in article III, paragraph 2, were full-scope safeguards. But various interpretations were possible. Were the safeguards to be considered full-scope de facto or de jure? In his view, the safeguards were of the type indicated in BTGO/66/Rev.2, for two reasons: on the one hand, because that was the sense in which they were understood by the United States Senate during the debates which preceded that country's ratification of the Treaty, and, on the other hand, if the safeguards were full-scope, the wording of the Final Declaration of the 1975 Review Conference would have been different, for it would not have been sufficient, in that case, to say that "the Conference urges", since such wording implied no obligation. The Philippines nevertheless sympathized with the arguments put forward by those who maintained that the safeguards mentioned in article III, paragraph 2, should be taken to mean full-scope safeguards but it considered that, in view of the prevailing situation, it would be better not to take a premature decision.

28. There were only five States with large-scale nuclear facilities which had not agreed to submit them to a de facto full-scope system of safeguards. One of them, a signatory of the Treaty, was thereby compelled to respect its provisions. Another would be obliged to do so as soon as it entered the Common Heritage. As for the three others, their case could only be solved by political means, that is, in some forum other than the present Conference. He concluded that it would be advisable to stick to the position - and it was not a bad one - reached in 1975.
29. Mr. POPOV (Bulgaria) said that, with regard to article III, paragraph 1, the fact that Bulgaria was a party to the Treaty had in no way hampered the development of its national economy and, particularly, of its peaceful nuclear activities. The same could be said of IAEA's inspections, which had helped his country's national inspectors in carrying out their control functions. Bulgaria also took care to see that its safeguards activities were conducted in close co-operation with the research undertaken by IAEA in that field. Thus, many Bulgarian scientists were working on the improvement of safeguards techniques, in particular, of non-destructive measurement techniques. As regards inspections of nuclear power stations, the Bulgarian delegation shared the opinion expressed at the 2nd meeting that it was worth considering a limitation of the number of inspections in cases where it was unlikely that fissionable material could be diverted from certain specific types of facilities. Although Bulgaria supported international co-operation in the field of the peaceful uses of nuclear energy, it was nevertheless convinced that sensitive nuclear technology, nuclear materials and services should not be transferred to any State which was not a party to the Treaty unless all the peaceful nuclear activities of that State had been covered by the IAEA safeguards system. Bulgaria welcomed the results of the International Nuclear Fuel Cycle Evaluation programme and considered that the Convention on the Physical Protection of Nuclear Material was a major step forward in the implementation of the recommendations of the first Review Conference. In conclusion, he stressed the importance which Bulgaria attached to the fundamental role of IAEA in the implementation of articles III and IV of the Treaty. His delegation, therefore, hoped that the Agency would continue to enjoy the support of all States.

30. Mr. BOLD (Mongolia) said that he wished to make three comments of which he hoped account would be taken in the final document of the Conference. First, he stressed the extreme importance of article III in any review of the Treaty. He recalled that during the discussion of that article in the general debate and in Committee II, the States parties to the Treaty had viewed the implementation of article III unfavourably. It should not be forgotten that, on the whole, the States parties to the Treaty had respected its provisions. Secondly, as regards the IAEA safeguards system, although Mongolia greatly appreciated IAEA's inspection activities, it nevertheless considered that improvements could be made to the inspections and the effectiveness of the Agency. Finally, many States parties to the Treaty had not yet concluded safeguards agreements with IAEA. The Mongolian delegation, therefore, suggested that the Conference should request States which had not yet done so to participate in the Agency's safeguards system.

31. Mr. TRAVERSARI (Ecuador) said that his delegation had followed the debate attentively, particularly the statements of the Philippines. In order to prevent the proliferation of nuclear weapons, the work of both the First and Second Committees should be based on a common criterion, namely, absolute respect for the various articles of the Treaty and they should diligently seek constructive solutions, thereby helping to eliminate the friction which was endangering world security. It was extremely important that the debates should refer to a frank and open manner to the activities of the nuclear Powers. Ecuador was convinced that the peaceful use of nuclear energy was the only way whereby nations could aspire to positive development which would advance the wellbeing of mankind. Although 69 States had concluded safeguards agreements with IAEA, the latter should nevertheless ensure the security of States which, like Ecuador, had no nuclear energy system whatsoever. The Ecuadorean delegation had no doubt that the Conference would endeavour to obtain results which encouraged technological progress but not the excessive growth of nuclear arsenals.
32. Mr. SHAUER (Egypt) said that when Egypt had signed the Treaty in 1968, it had accepted all its provisions, including those of article III. It had even taken part in the discussions which had led to the preparation of document INFCIRC/153. Egypt was particularly concerned that, in Africa and in the Middle East, two countries with large-scale nuclear operations had refused, not only to accede to the Treaty, but to accept the international safeguards to which those activities should be linked. Egypt was also very interested in the safeguards aimed at limiting, and even halting, vertical proliferation of nuclear weapons. It therefore welcomed the offer made by three nuclear States, the United States of America, France and the United Kingdom, for it should enable experience to be gained which might be useful when the time came to negotiate a cut-off agreement on fissile material. That was no utopian dream; no one would have thought a few years ago that the States would become parties to an instrument requiring full-scope safeguards. On the question of vertical proliferation, he recalled that at the first Review Conference Egypt had suggested placing under the IAEA safeguards system the transfer of nuclear material to nuclear-weapon States so as to avoid any country, irrespective of whether it was a nuclear State, contributing, knowingly or not, to the nuclear armament programmes of nuclear-weapon States.

33. In view of the limited objective of the application of Non-Proliferation Treaty safeguards, Egypt welcomed the Convention on the Physical Protection of Nuclear Material, which would be a first step towards containing dangerous phenomena such as the disappearance of uranium and enrichment. Egypt also welcomed the provisions of the Treaty of Tlatelolco dealing with special inspections, which should be such as to dissuade countries aspiring to nuclear-weapon status from concealing fissile material they had accumulated over the years in the absence of or under ineffective safeguards.

34. The CHAIRMAN, noting that many preliminary and other more detailed comments had so far been made on article III, expressed the hope that at the next meeting the Committee would address itself to specific questions. Although some of them, in particular the export policies referred to in article III, paragraph 2, gave rise to very different opinions which would have to be reconciled, there were many more, such as the importance of encouraging States to become parties to the Convention on the Physical Protection of Nuclear Material, or of safeguards and ways of applying them, on which it seemed quite likely that agreement could be quickly reached, once the linguistic difficulties had been overcome.

The meeting rose at 4.50 p.m.
SUMMARY RECORD OF THE 5th MEETING
Friday, 22 August 1980, at 10.55 a.m.

Chairman

Mr. FERNANDEZ

(Australia)

REVIEW OF THE OPERATION OF THE TREATY AS PROVIDED FOR IN ITS ARTICLE VIII (3) (agenda item 13) (continued)

B. IMPLEMENTATION OF THE PROVISIONS OF THE TREATY RELATING TO PEACEFUL APPLICATIONS OF NUCLEAR ENERGY

Articles III and IV

1. Mr. GONZALEZ DE LEON (Mexico) thought that articles III and IV of the Treaty could not be dissociated, and that it was therefore regrettable that, since the Treaty had entered into force and particularly since the first Review Conference, there had been a steadily growing tendency to bring article III into prominence at the expense of the application of article IV. As the delegation of the Philippines had very properly pointed out at the 4th meeting, that tendency was reflected in the lack of balance between IAEA's programme and its budget - a lack of balance which was diverting the Agency from its main task, namely the furtherance of the peaceful uses of nuclear energy, to turn it into an instrument for control and supervision.

2. It was high time to remedy that state of affairs. His country knew by experience, being a party to the Treaty of Tlatelolco establishing the first nuclear-weapon-free zone in Latin America, and a party to the Non-Proliferation Treaty, that article IV was entirely compatible with article III, and that it was its natural corollary, as it ensured a balance between the rights and obligations deriving from the Treaty. However, the application of the system of safeguards referred to in article III for the sole purpose of verifying that the commitments assumed under the Treaty were fulfilled and nuclear energy was not diverted from peaceful use had, in practice, gradually become an obstacle which was increasingly hampering the exchange of nuclear equipment, materials and scientific and technical information provided for in article IV. The seriousness of the situation resulted from the fact that at the time when the Treaty had entered into force, the non-proliferation régime had consisted in prohibiting the acquisition or manufacture of nuclear weapons or other nuclear explosive devices, whereas it consisted today in preventing acquisition of the mere capacity to develop items which might possibly serve to manufacture weapons. His delegation protested at that last-mentioned interpretation, and also against the increasingly restrictive conditions imposed in connection with the acquisition by non-nuclear-weapon countries, especially the developing ones, of nuclear equipment, substances and scientific and technical information, particularly as such conditions helped to strengthen the trade monopoly in nuclear energy, in addition to the military monopoly. In that connection, he reminded the meeting that his country had, in exercising its sovereign rights, given up the military nuclear option at the international level by acceding to the Non-Proliferation Treaty, at the regional level by acceding to the Treaty of Tlatelolco and at the national level by enacting in its constitution a prohibition on the use of nuclear energy for non-peaceful purposes. His country could not, however, renounce the development of its civil nuclear activities and could not accept that prior conditions restricting its choice in that sphere should be imposed on it unilaterally or by a group of countries.
3. In its final document, the Conference should, in addition to reiterating the remarks appearing in the first paragraph of the conclusions of the first Review Conference on the application of article III, condemn any limitation of the development of nuclear energy for peaceful purposes which went beyond the application to the States party to the Treaty of the system of safeguards provided for in the Treaty.

4. Mr. SUJKA (Poland) said he had understood from the statements made in the general debate at the plenary meetings and from the background documents transmitted by IAEA that the provisions of article III of the Treaty were generally thought to have been applied in a satisfactory manner, a fact which should be mentioned in the final document. His delegation had felt, special satisfaction in learning that the programme of safeguards applied by the Agency had not revealed any signs of diversion of a significant amount of nuclear materials subject to safeguards nor the illicit use of plant or materials for activities prohibited by the Treaty. His country considered that the activities of the Agency in that field constituted a fundamental aspect of the non-proliferation regime and reaffirmed its confidence in IAEA; he hoped that the Agency would extend the scope of its safeguards and improve their effectiveness.

5. His delegation had noted with satisfaction that since the first Review Conference the number of safeguards agreements concluded to meet the aims of the Treaty had greatly increased and now involved 69 States. It hoped that all the non-nuclear-weapon States which were parties to the Treaty would shortly sign such agreements. It would be in the interest of the whole international community for non-nuclear-weapon States which had not acceded to the Treaty also to conclude such agreements with the Agency. Since 1970, Poland had undertaken not to supply non-nuclear-weapon States with nuclear material, equipment or technology included in a "Trigger List" unless all the nuclear activities of the receiving country were subject to Agency safeguards. In its final document, the Conference should make a solemn appeal to the non-nuclear-weapon States, and especially to those which had not acceded to the Treaty, to agree, at the time of transfer, to the application of full-scope safeguards to their nuclear activities. That practice should be a strictly enforced policy and a prior condition for any transfer.

6. His delegation welcomed the Convention on the Physical Protection of Nuclear Material; Poland had taken an active part in drafting the Convention and would sign it as soon as the relevant domestic legislation was ready.

7. The promotion and consolidation of a climate of mutual confidence between suppliers and recipients of nuclear material and technology was imperative if the non-proliferation regime was to function properly; that would require the drafting and acceptance of a mutually agreed code of conduct and assurance of the long-term supply of nuclear material and technology to the recipient countries, under strict and effective international control exercised by IAEA. The United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy, to be held in 1983, should enable such a code of conduct to be drawn up; that work might be facilitated by the Committee on Assurances of Supply established by the Board of Governors of IAEA.

8. Mr. SHITTU (Kenya) said that article III might be regarded as the essential element in the Treaty and reminded the meeting that it had been the most difficult article to negotiate. The controls and safeguards which it provided for had, however, been accepted only by non-nuclear-weapon States which were parties to the Treaty; there was no provision in it for verification that the obligations accepted by nuclear-weapon States had been fulfilled. That was the basis of charges of discrimination between the parties made by many delegations with respect to the Treaty.

9. Not every nuclear weapon State had not concern been held shown to undermine acquire referred treated or the ura measure provision.

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9. Noting that a consensus appeared to be emerging as to the need to ensure that no nuclear material was supplied to States which were not parties to the Treaty and had not agreed to accept full-scope safeguards under IAEA control he endorsed the concern expressed at the way in which certain States not parties to the Treaty had been helped to build nuclear reactors, and probably nuclear weapons, when they had not shown the slightest respect for the Treaty's provisions. Such practices could undermine the very essence of the Treaty and tempt States in the areas concerned to acquire similar facilities to counterbalance that potential threat. On that point, he referred to the fact that several respectable international newspapers had not long ago reported the disappearance of 100 kg of highly enriched uranium. He wondered whether the ensuing silence on that affair implied an assumption that those who had stolen the uranium were not a threat to world peace. He regarded it as a serious matter: measures to prevent any further loss of that kind should be taken and the Treaty provisions strengthened accordingly.

10. Mr. KLJUN (Yugoslavia) said that the disagreement on article III during the past few days had elicited new and interesting views and proposals. It must be stressed, however, that a review conference should start by making an appraisal of the past and should only then consider the future. During the review of the implementation of the provisions of article III, his delegation had formed the impression that the Conference was much more interested in the future than in the past. That was perhaps due to the nature of that article, but the same thing could certainly not be said of article IV, where an evaluation of the past was of fundamental importance.

11. Mr. van HOUTTE (Belgium) said that he wished to submit two draft texts on article III which the Committee might consider for the final declaration: one referred to the impact of IAEA's verification activities on the economic, scientific and technological development of States parties to the Treaty, while the other dealt with the application of full-scope safeguards.

12. On the first point, the Conference should qualify the statement made by the first Review Conference in 1975 to the effect that IAEA's verification activities did not hinder the economic, scientific or technological development of States parties to the Treaty. Most of IAEA's inspection activities had only become operational after 1975 and they had caused expense and non insignificant difficulties for enterprises in terms of their budget, their production and the protection of industrial secrets, and it would be premature to state categorically that such charges had no impact on the economic activities or competitive position of enterprises; secondly, not all nuclear-weapon States had opened their civilian installations to IAEA controls, although such voluntary submission was a very important factor in appraising the economic and technological impact of IAEA's control activities. For that reason his delegation proposed that the following text should be included in the final declaration of the Conference:

"The Conference stresses the importance of effective controls by IAEA in all States engaged in peaceful nuclear activities, in order to prevent the proliferation of nuclear weapons."

"It notes that IAEA verification activities under article III of the Treaty do not so far appear in any way to have hampered the development or the economic, scientific or technological activities of the parties to the Treaty or international co-operation in peaceful nuclear activities. It urges that this situation be maintained".
13. On the second point, concerning full-scope safeguards, Belgium supported the application to the entire fuel cycle in the case of States not parties to the Treaty, which imported nuclear material, equipment and technology, since, in contrast to States parties to the Treaty, non-parties had not undertaken to accept such controls over the whole fuel cycle. The Conference should therefore repeat and indeed extend the appeal made by the First Review Conference to both importing and exporting countries to agree to control. His delegation therefore proposed that the following text should be included in the final declaration of the Conference.

"The Conference appeals to States importing nuclear material, equipment and technology to agree to control all material present in their territories or under their jurisdiction. It appeals to States exporting them to require such controls as a condition for their supply."

14. Mr. SIASON (Philippines) asked the Belgian delegation to clarify whether the application of full-scope safeguards meant application of the IAEA safeguards system to all the peaceful nuclear activities of the importing State at the time of export.

15. Mr. van HOUTTE (Belgium) said that his delegation considered that the supplying country should make the export of nuclear material, equipment and technology to any other country conditional on acceptance by the importing country of control over all materials on its territory or under its jurisdiction. If there was no control system in the importing country, such a system should apply as from the moment at which the export took place; if a control system was already in existence, it would continue to apply.

16. Mr. KONHOLLEN (Finland) read out the following draft paragraph for the final declaration:

"In order to give parties to the Treaty preferential treatment and thus to enhance the adherence of additional States to the Treaty, the Conference urges that parties to the Treaty, in implementing the provisions of article III (2) of the Treaty, require as a condition of supply of nuclear material and equipment, that the application of safeguards should be extended to all peaceful nuclear activities in the importing States not party to the Treaty.

"The Conference takes note in this respect that a draft safeguards agreement for this purpose has been elaborated within IAEA."

17. Mr. YATADA (Japan) said it was clear from the comments already made by delegations that the application of full-scope safeguards required by article III (2) could be approached in two ways: the first would be to try to reach a uniform interpretation of the conditions applicable to exports of material or equipment covered by the paragraph and the second would be to appeal to non-nuclear-weapon States not parties to the Treaty to agree to submit their nuclear activities to full-scope safeguards. During the general debate, he had spoken in favour of the first approach, (6th plenary meeting) which had seemed consistent with the establishment of equitable practices in international nuclear trade. He feared, however, that such an approach might lead the Committee into an excessively legalistic discussion on the interpretation of the Treaty and, in view of the statements which had been made and the proposals formulated on article III (2), he favoured the second approach.
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18. Mr. VAN DOOREN (United States of America) said that, in the view of his delegation, there was a middle way between the two possibilities mentioned by the representative of Japan. In practical terms, it was not a question of compelling exporting countries, under article III (2) of the Treaty, to insist on full-scope safeguards in non-nuclear-weapon States parties to the Treaty as a condition of providing nuclear materials or equipment, but simply of formulating a recommendation to that effect. His delegation considered that the application of such conditions to exports of nuclear materials or equipment would represent a wise and prudent policy for States parties to the Treaty and that it would contribute to strengthening the purposes of the Treaty by preventing the diversion of nuclear supplies to military ends. He therefore supported the second approach proposed by Japan, provided there was added to it a recommendation urging supplying countries, whether or not they were parties to the Treaty, to make their supplies of nuclear materials and equipment subject to the norm of full-scope safeguards.

19. There was confusion regarding the expression "full-scope safeguards". Before the Non-Proliferation Act adopted by the United States in 1978, full-scope safeguards had in his country been taken to mean safeguards of the type accepted by the non-nuclear-weapon States parties to the Treaty under article III. The Act had introduced a de facto full-scope safeguards requirement covering all nuclear facilities at the time of export, but that did not give an assurance that the importing country would not in future build new and unsafeguarded nuclear facilities. It had to be understood consequently that there were two concepts of full-scope safeguards and that a number of countries might base themselves exclusively on one. In a document published several years previously, IAEA had enunciated the principle that once materials or facilities had been subjected to safeguards they would remain so until they were no longer used. It must therefore be presumed that, in the case of importing countries not parties to the Treaty, supplies covered by safeguards would continue to be subject to such safeguards, regardless of the agreement reached or its duration.

20. Mr. SIAZON (Philippines) thanked the representative of the United States for his explanation and for the information which he had provided regarding the acceptance of full-scope safeguards. It would seem that the United States Non-Proliferation Act required only de facto full-scope safeguards.

21. He considered nevertheless that, if the Conference decided to require de jure full-scope safeguards for exports destined for States not parties to the Treaty, that would represent a unilateral decision which could have serious consequences for the nuclear programmes and economic development of many non-nuclear-weapon States not parties to the Treaty which would not be in a position to defend themselves because they were absent from the Conference. Such a decision would risk creating resentment as had happened in the past when a group of countries had adopted directives without consulting the other non-nuclear-weapon States parties to the Treaty. The safeguards called for under article III of the Non-Proliferation Treaty had been the subject of long negotiations with IAEA; countries not parties to the Treaty but members of IAEA had participated and had therefore had the opportunity to express their point of view. The same had been true of the negotiations concerning the Convention on the Physical Protection of Nuclear Material. It would be prudent for the current Conference to adopt a similar approach before taking new decisions. The Agency had appropriate machinery for dealing with supply assurance; there, the importing
countries could be urged to accept full-scope safeguards by demonstrating to them that their acceptance of full-scope safeguards would be in their interest and would enable them to obtain long-term assurances of supply. Such a process would help to re-establish confidence, which had been eroded in recent years.

22. Mr. VAN DOREN (United States of America) said that the overriding objective in adopting the Non-Proliferation Act had been to encourage adherence to the Non-Proliferation Treaty and that for the legislature it had represented no more than an interim measure pending the acceptance of full-scope safeguards.

The meeting rose at 12.15 p.m.

REVIEW OF
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REVIEW OF THE OPERATION OF THE TREATY AS PROVIDED FOR IN ITS ARTICLE VIII (3) (agenda item 13) (continued)

B. IMPLEMENTATION OF THE PROVISIONS OF THE TREATY RELATING TO PEACEFUL APPLICATIONS OF NUCLEAR ENERGY

Articles III and IV

1. Mr. CARAFOTIAS (Greece) said, in connection with article IV, that it was of primary importance that nuclear exporting States should guarantee importing States parties to the Treaty complete and non-discriminatory access to the technology required for the peaceful uses of nuclear energy. In fact, nuclear energy was essential to the economies of the developing countries which lacked other sources of energy and non-proliferation policy should not become an obstacle to the peaceful uses of nuclear energy. Article IV of the Treaty also provided explicit assurances in that regard and its provisions must be fully implemented. IAEA could play a key role in harmonizing the peaceful uses of nuclear energy and the requirements for nuclear non-proliferation through its system of international safeguards. Tho latter had already promoted international confidence in civilian nuclear energy programmes without compromising their implementation.

2. His delegation supported the text submitted by the Netherlands in document NPT/CONF.II/C.II/4 on the improvement of the system of safeguards. With regard to the conclusion of safeguards agreements between IAEA and the parties to the Treaty, in accordance with article III, paragraph 1, his delegation endorsed the appeal made by New Zealand in paragraph (iv) of document NPT/CONF.II/C.II/5 and hoped that it would be included in the final document of the Conference.

3. Mr. DAHLHOFF (Federal Republic of Germany) supported the proposal submitted by Belgium on verification activities (NPT/CONF.II/C.II/6) and hoped that it would be incorporated in the final document of the Conference together with the proposal by Bulgaria and the German Democratic Republic (NPT/CONF.II/C.II/6) and the amendments proposed by Hungary (NPT/CONF.II/C.II/10). In his view those proposals constituted a useful approach to the problem of safeguards.

4. He felt that the question of the application of safeguards in States which were not parties to the Treaty was closely linked to the question of supplying such countries with nuclear equipment, as the Director General of IAEA had stressed at the General Conference held at New Delhi in December 1979. That was why, in his view, articles III and IV of the Treaty were inseparable. In the absence of a solution to the problem posed by the Treaty's lack of universality, another solution must be found, but the objective must remain non-proliferation and the means - co-operation and safeguards. In any case, in his country's view, the solution selected must respect the sovereignty of nations and the principle of good faith.

5. If the question was considered from the supply point of view, reference must be made to the case of France, a nuclear Power which was not a party to the Treaty, but was among the most advanced countries in the field of peaceful uses of nuclear
power, and whose position on safeguards was explained in the book entitled *Le complexe atomique: Histoire politique de l'énergie nucléaire* (Paris, Payard, 1980), by Bertrand Goldschmidt, the father of the French nuclear programme. It was reasonable to ask whether, if the Conference decided to adopt a system of safeguards that were more restrictive than those provided for in the Treaty, France would make the same undertaking as it had in 1975 with regard to the Treaty. At least the IAEA Committee on Assurances of Supply had the advantage of having been set up with the co-operation of France, which had undertaken to continue its collaboration.

6. In presenting the consumer countries' point of view, the representative of the Philippines had rightly pointed out (5th meeting) that differences existed between the States which were not parties to the Treaty and were carrying out important nuclear programmes. In addition to the information provided by the Philippines on that subject, it should be noted that two countries had virtually acceded to the non-proliferation régime since they were situated in a demilitarized zone, had undertaken to combat the proliferation of nuclear weapons and had subjected their nuclear activities to certain safeguards. Four other countries had played an active part in the establishment of the Committee on Assurances of Supply and seven others had participated in the International Nuclear Fuel Cycle Evaluation. The Conference must therefore take into account those different situations and show sufficient flexibility to meet the needs of the various countries involved.

7. The classic distinction between supplier and consumer countries was becoming increasingly blurred, since the majority of supplier countries had also become consumers (for example, France and the Federal Republic of Germany) and some consumer countries had become suppliers. Furthermore, increased co-operation among developing countries in the field of nuclear material supplies was to be expected. The developing countries would therefore soon have to face the problem of safeguards themselves. At the First Regular Meeting of Non-Aligned Co-ordinating Countries on the Peaceful Uses of Nuclear Energy held at Buenos Aires in June/July 1980, it had been suggested that all the non-aligned countries should increase their co-operation in all fields concerning the nuclear cycle as a whole. Since not all those countries had acceded to the Treaty, it was possible that much of that co-operation would take place in future outside the Treaty régime, in which case the only body in a position to settle such questions would be IAEA, of which all those countries were members, and its Committee on Assurances of Supply. The main recurring problem was that of keeping the options for the universality of the Treaty open through bilateral arrangements or multilateral means such as the United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy, scheduled for 1983, in which countries such as China and France should participate.

8. He agreed that the concept of full-scope safeguards, already referred to by the representatives of the United States and the Philippines, could be interpreted in several ways, depending on whether it was viewed in the context of the Treaty, a local system of safeguards, the Agency model agreement or a de facto régime. However, all the delegations which had participated in the debate apparently considered that the provisions of article III, paragraph 2, of the Treaty had been complied with; his delegation therefore proposed that the following sentence should be included in the final document of the Conference: "The Conference confirms that its participants, parties to the Treaty, have fulfilled their obligations under article III (2)".

9. Mr. KIJUN (Yugoslavia) proposed that reference should be made in the final document, in connection with article III of the Treaty, to the fact that the Conference had noted with concern that, immediately after the first Review Conference, a group of exporting countries had unilaterally imposed non-proliferation conditions that were exporting consultation through I "sensitive measures article I parties activity system, the Conference only on token, w

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that were more restrictive than the safeguards required under article III, that exporting States parties to the Treaty had imposed such requirements without consulting or informing other States parties to the Treaty, either directly or through IAEA, and that they had in the same way drawn up a list of so-called "sensitive" materials and technologies to which they had decided to apply additional measures of control. The application of more restrictive measures was contrary to article III, since they hampered the economic and technological development of the parties as well as international co-operation in the field of peaceful nuclear activities; furthermore, they undermined the reputation of the IAEA safeguards system. His delegation felt that that was an unacceptable practice and would like the Conference to urge the parties to the Treaty to introduce new safeguards measures only on the basis of a consensus between the parties to the Treaty and, by the same token, would like such safeguards to be applied by IAEA.

10. Mr. LINDE (Sweden) said that the problems arising out of article IV of the Treaty were certainly among the most difficult with which the Conference had to deal, but he hoped that, after objectively assessing the facts, it would be able to include in its final declaration statements indicating real progress towards a better understanding and common approaches, avoiding any artificial division between States.

11. The way in which the transfer of nuclear material, equipment and information took place had been a major subject in discussions which had become increasingly difficult with the development of technical know-how and the growing role of nuclear fuel as a source of energy. His delegation hoped nevertheless that the deliberations of the Conference would throw light on the sensitive issue of facilitating nuclear transfers and would enable a consensus to be reached on the conditions for such transfers and on the enhancement of assurances of supply. That consensus would naturally have to be based on the Treaty and full-scope IAEA safeguards, and its aims would be to provide assurances on non-proliferation and on the predictability and stability of nuclear supplies.

12. Pointing out that, to a considerable extent, article IV was concerned with the rights of States - the right to develop their own energy policy, to decide whether or not to use nuclear power, and to participate in international co-operation - he noted that the exercise of those rights not only raised commercial, technical, economic and social problems, with which the Conference was not directly concerned, but also gave rise to problems or misunderstandings regarding non-proliferation. It was important to know what level of non-proliferation assurance was required for co-operation in the field of peaceful uses of nuclear energy. It had to be recognized that nuclear-supplying countries had been led to impose conditions with respect to supplies which went beyond accession to the Treaty and acceptance of IAEA safeguards by their concern that additional States might acquire nuclear explosives. Furthermore, the secrecy surrounding the negotiations conducted by the group of nuclear suppliers had also given rise to misunderstandings as to the real purposes and as to the guidelines of that group of countries. In addition, differences between the conditions laid down in the bilateral safeguards agreements created problems of overlapping and uncertainties as to the implementation of prior consent clauses had made long-term planning difficult for certain countries where nuclear energy programmes were being carried out. Those problems could and should be solved by a search for agreed approaches which were likely to provide better assurances compatible with the aim of non-proliferation. In the opinion of his delegation, the conclusions of the International Nuclear Fuel Cycle Evaluation, and especially the valuable technical data, the collection of which it had made possible, were an excellent starting point for future discussions on those problems and stress should be laid in the final document on the usefulness of that evaluation as an example of fruitful international co-operation in the search for ways of making nuclear energy widely available consistent with non-proliferation objectives.
13. With regard to institutional measures, his delegation was pleased to learn that the IAEA group of experts on international plutonium storage seemed to be making considerable progress towards an agreed régime, which would also greatly facilitate bilateral co-operation; it supported the proposals in document NPT/CONF.II/C.II/4 presented by the Netherlands. The advantages, especially for developing countries, of the internationalization of fuel cycle facilities other than plutonium storage should also be borne in mind.

14. It would be well to reaffirm that effective and agreed non-proliferation measures provided the necessary basis for assurances of nuclear supply and co-operation. He welcomed the establishment by IAEA of the Committee on Assurances of Supply. He stressed the need for ratifying as soon as possible the Convention on the Physical Protection of Nuclear Material, which would be called upon to play an important part in strengthening confidence between nations.

15. His delegation hoped that new accessions to the Treaty, the universal acceptance of full-scope safeguards, the international management of sensitive nuclear facilities and a functioning international plutonium storage system would create the indispensable political basis for the regularization of nuclear trade and would diminish tensions between nations in that field. It would then be possible to devote more effort to international research and co-operation in the field of nuclear energy, especially on problems of safety and possible environmental aspects of nuclear energy.

16. Mr. REKSODIPUTRO (Indonesia) said that his delegation attached great importance to article IV of the Treaty because of its role in the promotion of international co-operation in the peaceful application of nuclear energy and its relevance to the development efforts of the developing countries. The conclusion had unfortunately to be drawn that, during the five years which had elapsed since the first Review Conference, the States parties to the Treaty which were in a position to supply the non-nuclear developing States parties with scientific and technological information on the peaceful uses of atomic energy, had not implemented the provisions of that article, especially those of paragraph 2, in a satisfactory manner. A non-nuclear State which, by acceding to the Treaty and thus renouncing the acquisition of nuclear weapons in conformity with article II and accepting the system of safeguards provided for in article III, would expect in return to benefit from the implementation of article IV, which could only serve the aims of the Treaty, encourage States which had not yet done so to accede to it, and improve the climate of relations between non-nuclear developing countries and nuclear countries party to the Treaty.

17. In the opinion of his delegation the Conference should, in its final document, reaffirm the right of all parties to the Treaty to develop their nuclear activities for peaceful purposes, recognize – as at the first Review Conference – the growing need for non-nuclear States party to the Treaty to benefit from the implementation of the provisions of article IV, and, lastly, call on nuclear States party to the Treaty to implement fully the provisions of that article.

18. Mr. FLOREAN (Romania) said that in present circumstances, a feature of which was, on the one hand, an unprecedented technical and scientific revolution and, on the other, an energy crisis which had hit most countries, especially the developing countries, peaceful applications of nuclear energy had acquired immense importance for economic and social development. It was therefore regrettable that the application of the provisions of article IV left much to be desired. Since the first Review Conference, some countries had been putting obstacles in the way of transfers of technology relating to the peaceful uses of nuclear energy and had imposed unilaterally financial and other conditions affecting non-nuclear countries party to
the Treaty which were incompatible with the principle of the national sovereignty of the developing countries and upset the balance between the rights and obligations of States parties set out in articles III and IV of the Treaty. Concern to prevent nuclear proliferation could in no case serve as a pretext for stopping States party to the Treaty from exercising their inalienable right to acquire and make use of nuclear technology for peaceful purposes - all the more so as the secretariat of IAEA "in carrying out the safeguards programme of the Agency, did not detect any anomaly which would indicate the diversion of a significant amount of safeguarded nuclear material - the misuse of facilities or equipment under certain agreements - for the manufacture of any nuclear weapon, or to further any other military purpose, or for the manufacture of any other nuclear explosive device." (NPT/CONF.II/6, page 8).

Those restrictive measures went beyond the Treaty provisions on the control system, which was why his delegation was in favour of a strict observance of that system. His country had fulfilled and would continue to fulfill scrupulously the commitment into which it had entered and it was co-operating closely in that respect with IAEA.

19. His delegation was convinced that a balance had to be re-established between the provisions of article III and those of article IV of the Treaty in order to arrive at a proper solution of the major problems, such as the access of non-nuclear-weapon countries, especially developing countries, to the peaceful uses of nuclear energy, the transfer to those countries of technology relating to peaceful applications of nuclear energy, and increased technical assistance in that field by countries which were in a position to provide it.

20. To ensure the viability of the Treaty, the Conference should, in its final document, set out specific and immediately applicable measures to facilitate the transfer, without any obstacles, of nuclear installations, equipment, material and technology for peaceful purposes to non-nuclear-weapon developing countries, as well as the access of those countries to advanced technology in that sphere; to encourage the States party to the Treaty, in the first place those which were in a position to do so, to assist, through bilateral arrangements or through multinational bodies such as IAEA and UNDP, the developing countries to increase peaceful uses of nuclear energy, to support developing countries' national programmes for the peaceful use of nuclear energy and for the training of senior personnel. The final document should also specifically mention the role of IAEA in the peaceful use of nuclear energy and the need to encourage the Agency to undertake programmes and strengthen its activities in that field.

21. Mr. VAN DOREN (United States of America) said that he first wished to clear up any misunderstanding by putting certain facts related to the implementation of article IV of the Treaty into their right perspective.

22. The first fact was the establishment of the Zangger Committee, entrusted with the task of assisting the States parties which supplied nuclear equipment and related materials to meet their obligations under article III, paragraph 2. The guidelines worked out by that Committee had had no impact on the non-nuclear-weapon States parties to the Treaty which had met their obligations under article III, since those guidelines were intended simply to specify what was covered by the phrase "equipment or material expressly designed or prepared for the processing, use or production of special fissionable material", with a view to avoiding any unfair competition. The document published later - INFCIRC/209 - apart from containing a "trigger list" of exports which the exporting parties all agreed fell within the scope of article III, paragraph 2, included two other guidelines; one was designed to ensure that the items exported would not be used for the manufacture of nuclear explosive devices in States not parties to the Treaty - thus removing the ambiguity that India had
exploited in 1974: the other was intended to ensure that the provisions of article III, paragraph 2, could not be undermined by subsequent retransfers without safeguards by recipients to States not parties to the Treaty. Consultations were subsequently held in London to persuade a major supplying country not party to the Treaty to accept and help improve those guidelines in accordance with the recommendations of the first Review Conference in 1975.

23. The Nuclear Non-Proliferation Act of 1978 permitted the United States to fulfil all its supply commitments vis-à-vis all the States parties to the Treaty under bilateral agreements, which were renegotiable for purposes of improvement but that had not affected deliveries under existing arrangements. That Act stipulated that the importing State must subject all its nuclear facilities to the safeguards system and that the United States of America would have consent rights over the reprocessing or the retransfer of spent fuel; the United States had in fact exercised such consent rights long before 1978, but quite flexibly; it had authorized substantial retransfers of spent fuel and was bearing in mind the need for predictability of supply over long periods.

24. Referring to the implementation of article IV by the United States, he pointed out that the States parties to the Treaty, together with France which had clearly stated that it would act as if it were a party, had 98 per cent of the world's installed nuclear power capacity, 95 per cent of the capacity under construction and the lion's share of the world's nuclear research facilities. Since the beginning of 1975, the United States had exported power reactors to the States parties to the Treaty totalling 11,000 MWe of generating capacity and had licensed for export to those countries enriched uranium with an energy value equivalent to three billion barrels of oil. It had also provided them with over $3.5 billion through the Export-Import Bank, which gave preference to Treaty parties to help them to finance such imports. The United States was in the forefront of nuclear suppliers in publishing information on the peaceful uses of nuclear energy. Through the IAEA International Nuclear Information System it had made available over 100,000 abstracts and nearly 40,000 technical reports. More than 4,000 persons, from 51 countries parties to the Treaty representing all the regions of the world had participated in peaceful nuclear research programmes of the United States Department of Energy or its contractors. The United States had, in such activities, been attentive to the special needs of developing countries parties to the Treaty. It still made the largest contribution to the IAEA General Fund for Technical Assistance as well as other voluntary contributions or gifts in kind, as shown in particular in annexes D, F, G and K of document NPT/CONF.II/7.

25. The United States acknowledged that there had been some cases of frustration and delay in the supply of such services and equipment, for instance in the exports earmarked for Yugoslavia and the Philippines, but those problems were already solved or in the process of being solved.

26. Mr. VERBEEK (Netherlands) said that one of the most important aims to be attained was that of restoring the climate of mutual confidence clouded by the fact that the undeniable right of a country to develop and use nuclear energy for peaceful purposes - one of the basic principles of the Treaty - had been somewhat neglected. The work of the new IAEA Committee on Assurances of Supply would help dispel the doubts about the possibility of reconciling the two different objectives of ensuring an unhampered supply of nuclear material, etc., to countries wishing to avail themselves of the advantages offered by the peaceful uses of nuclear energy and preventing the proliferation of nuclear weapons.
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27. The Conference should therefore welcome the establishment of the aforementioned Committee and recognize that effective measures could and should be taken at the national level and through international agreements to minimize the danger of proliferation of nuclear weapons, without jeopardizing energy supplies or the development of nuclear energy for peaceful purposes.

28. Mr. LEE (Republic of Korea) proposed in connection with article IV of the Treaty, that the Conference, in its final declaration, should reaffirm that regional or multinational nuclear fuel cycle centres would be an advantageous way to satisfy, safely and economically, the needs of many States initiating or expanding nuclear power programmes, while at the same time facilitating physical protection and the application of IAEA safeguards and contributing to the goals of the Treaty. The Conference should also urge all parties to the Treaty in a position to do so to cooperate in, and provide assistance for, the planning and establishment of such centres.

29. Mr. YATABE (Japan), in making some preliminary observations concerning article IV of the Treaty, said that his delegation attached the greatest importance to that article, which was the counterpart of the obligations incumbent upon non-nuclear-weapon States since it affirmed their right to use nuclear energy for peaceful purposes. The Non-Proliferation Treaty as a whole was based on the premise that a system of non-proliferation of nuclear weapons was compatible with promotion of the peaceful uses of nuclear energy; it was thus essential for article IV to be implemented in good faith, as also articles I and II.

30. It was regrettable that an unfortunate incident in 1974 had raised doubts concerning the possibility of reconciling the non-proliferation regime with the development of nuclear energy for peaceful purposes, in particular for the non-nuclear-weapon States parties to the Treaty which fulfilled their obligations and which had nothing to do with that incident. The result had been a policy of denial which could lead to the negation of the basic principles of the Non-Proliferation Treaty and the decline of the whole non-proliferation regime.

31. Fortunately, the intensive consultations over the past few years, particularly within the framework of the International Nuclear Fuel Cycle Evaluation had revived confidence in the possibility of reconciling the provisions of article IV with the maintenance of the non-proliferation system. It was important to state that in the final document of the Conference.

32. He underlined the importance of nuclear supply assurances for the attainment of the Treaty's objectives. The final Evaluation Conference had asserted that the assurance of supply and the assurance of non-proliferation were complementary. That conclusion should also be reflected in the final document of the Conference. However, the question of nuclear supply required careful consideration since it comprised some complex elements. He therefore welcomed the establishment, within IAEA, of a Committee on Assurances of Supply open to all the members of IAEA including States not parties to the Treaty. That Committee was the appropriate body to deal with that question. The Conference should request it to make a full study of the subject.

33. Mr. DE NOHRE (Italy) said that the debates of the Conference had shown up some distortions in the implementation of articles III and IV of the Treaty. While the safeguards provided for in the Treaty against the risk of the diversion of nuclear energy to military purposes had proved effective, the implementation of the provisions of article IV concerning the promotion of the exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy seemed to have been insufficient and even to have led to some
discriminatory practices which were contrary to the spirit and the objectives of the Treaty, according to which all the parties, whether nuclear-weapon or non-nuclear-weapon States should have access to nuclear technology. The final document of the Conference should therefore mention the insufficiencies in the implementation of article IV over the last five years and stress the importance of the political will of all States parties to do their utmost to implement the provisions of that article to the letter in the future. The proper balance must be struck between respect for the rights and fulment of the obligations laid down in the Treaty, with regard to promotion of the peaceful uses of nuclear energy and access to materials, equipment and technology in that field, and the provisions of the Treaty adapted to take account of the important conclusions of the International Nuclear Fuel Cycle Evaluation.

34. The final document of the Conference should make explicit reference to the conclusions of that important study, which confirmed the irreplaceable role of plutonium, especially in fast reactors, in meeting the growing energy needs of economic development, but which showed the impossibility of altogether excluding the risk that nuclear energy might be diverted to military purposes in the latest nuclear fuel cycles, reaffirming that the real answer to the danger of nuclear proliferation lay primarily in the political choice made by each State by adhering to the Non-Proliferation Treaty.

35. Another essential facet of the conclusions of the Evaluation that should be stressed in the final document of the Conference was the growing need for a joint approach by industrialized and developing countries alike in seeking solutions which would enable countries to realize their hope of developing peaceful uses of nuclear energy.

36. The final document of the Conference should reaffirm the freedom, even priority, of access of non-nuclear-weapon States parties to the Treaty, to the mining of nuclear raw materials, the acquisition of such materials, fuel production technology and advanced techniques. It should attempt to create a climate of confidence and not of mistrust, with a view to encouraging an increase in the number of accessions to the Treaty in the short term, with the longer-term prospect of universal accession. To help to attain that objective - vital for nuclear non-proliferation - the Conference should also stress the importance it attached to the future activities of the Committee on Assurances of Supply, recently established by IAEA.

37. It should mention the interest shown in the possibility of having permanent institutional arrangements comparable to those already provided for articles I and II of the Treaty, for verifying the implementation of the provisions of article IV.

38. Lastly, the final document of the Conference should stress the desirability of the participation of the States parties to the Treaty in the United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy scheduled for 1983.

39. Mr. ALLISON (Nigeria) said that, in view of most of the developing countries, the operation of article IV was far from satisfactory. Article IV reaffirmed the inalienable right of all the parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes, but developing countries importers of nuclear equipment, materials and technology had had to accept changes in supply conditions and assume additional obligations, although their facilities were subject to IAEA full-scope safeguards. The first Review Conference had recommended, in its Final Declaration, that in reaching decisions on the provision of equipment, services and information for the peaceful uses of nuclear energy, States party to the Treaty should give weight to the adherence to the Treaty by recipient reality, technology States were not the Treaty safeguards reaffirm the Treaty the Treaty techniques of fissile fuel cycles technologies development ensure unilaterally equipment subject established would the treaty caterin

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recipient States, but that recommendation had seldom been complied with. In reality, as far as the exchange and supply of nuclear equipment, material and technology were concerned, being a party to the Treaty was rather a disadvantage; States which were not parties to the Treaty, like South Africa, whose facilities were not subject to safeguards, had enjoyed relatively easier terms than parties to the Treaty, whose nuclear programmes were subject to IAEA full-scope system of safeguards. The Conference should therefore consider righting that injustice by reaffirming in its final document that parties to the Treaty should give preferential treatment and concessional terms to non-nuclear-weapon developing countries party to the Treaty with regard to the supply of equipment, materials and scientific and technical information for the peaceful uses of nuclear energy, including the supply of fissionable materials and the provision of the services required for the nuclear fuel cycle. The Conference should also take a decision to set up a special fund for technical assistance in the peaceful uses of nuclear energy to non-nuclear-weapon developing countries party to the Treaty. The Conference should also take steps to ensure that international co-operation in that field was not jeopardized by unilateral measures which contravened supply agreements. The supply of nuclear equipment, materials technology and services should be predictable and subject to international agreements. In that connection, he welcomed the establishment of the Committee on Assurances of Supply in IAEA; he hoped that body would be of assistance in assuring the long-term supply of materials and equipment, the transfer of technology and the provision of services for the nuclear fuel cycle, catering specially for the specific needs of developing countries.

40. Mr. van HOUTTE (Belgium) stressed that when non-nuclear-weapon States renounced the acquisition of such weapons on adhering to the Non-Proliferation Treaty, they did not simultaneously renounce applications of nuclear energy for peaceful purposes, since non-proliferation was assured by the application of IAEA full-scope system of safeguards. Consequently, the principle which should guide non-proliferation policy was the need to maintain non-discrimination between nuclear-weapon and non-nuclear-weapon States parties to the Treaty with regard to the use and development of nuclear energy for peaceful purposes. With regard to so-called 'sensitive' nuclear activities, the International Nuclear Fuel Cycle Evaluation had demonstrated that, whatever the technical means, political solutions were required if it was desired to allay fears of proliferation. The possibilities which might be considered included the internationalization of enrichment and reprocessing plants, the establishment of an international plutonium storage system and other measures mentioned by speakers. Belgium was not against such proposals. Nevertheless, with regard to the internationalization of reprocessing or enrichment plant, Belgium thought it would be preferable to place such plant under the authority of a single director to ensure efficient management. An international system of plutonium storage should be available to nuclear-weapon countries as well as to non-nuclear-weapon countries so that its cost did not handicap its users in the international market. Finally, the conditions under which a stock of plutonium was returned to its owner should be identical for both nuclear-weapon and non-nuclear-weapon States.

41. Mr. CAMPBELL (Australia) thought that article IV was one of the cardinal elements of the régime instituted by the Non-Proliferation Treaty, not only because it affirmed the "inalienable right" of all the parties to the Treaty to have access to nuclear technology, without discrimination but, even more so, because it imposed on all States party to the Treaty "in a position to do so" the obligation to assist other States party to the Treaty in the development of nuclear energy for peaceful purposes, with due consideration for their needs. In his delegation's view, the balance thus established between the rights and duties which States assumed in adhering to the Treaty was essential to encourage non-nuclear-weapon States to adhere to the Treaty.
42. Many speakers had thought that the provisions of the article had not been fully implemented. It seemed that sufficient account had not been taken of the fact that the nuclear co-operation referred to in paragraph 2 of article IV should apply "especially in the territories of non-nuclear-weapon States party to the Treaty" and that consequently supplier States should give preferential treatment to other States parties.

43. Furthermore, many delegations had stressed the need to make the conditions of acceding to the Treaty more attractive. If all the supplier States fully respected the provisions of paragraph 2 of article IV by giving preference to States parties in their exchanges of nuclear materials and technology, that would encourage a greater number of States to adhere to the Treaty.

44. He proposed that the Conference should take account of such considerations in its final declaration and he submitted a draft text in that sense.

45. Mr. KORHONEN (Finland) conceded that, in spite of efforts to apply the preferential treatment specified by article IV in favour of States parties, the results had not been entirely satisfactory. His delegation hoped that the Conference would institute appropriate machinery to ensure more effective implementation of the obligations assumed by virtue of paragraph 2 of article IV, particularly for the benefit of developing countries which had undertaken, or were proposing to undertake, nuclear energy programmes. In a previous statement (2nd meeting) he had reviewed the problems caused by the conditions laid down by nuclear suppliers under bilateral agreements and the need to find universally acceptable solutions. His delegation would produce a working paper on the issue so that the Conference could mention the point in its final document.

46. His delegation attached considerable importance to the setting up by IAEA of a Committee on Assurances of Supply to study the wide range of issues related to the assurance of nuclear supplies; it hoped that the committee would provide an appropriate forum in which supplier and consumer countries could discuss ways of assuring nuclear supplies more effectively without jeopardizing the non-proliferation regime. That Committee might also tackle the problems faced by countries like Finland which had to resort to the services of other States to carry out the complete nuclear fuel cycle. The continued use of nuclear energy presupposed the setting up of a system of management for spent fuel and waste, which in its turn depended on the solutions adopted for reprocessing, having regard to non-proliferation considerations.

47. He drew attention to the inadequacy of the funds available to IAEA to meet the technical assistance requirements of developing countries in the nuclear field; he thought that the scope of the Agency's assistance activities should be considerably increased. Finland had on various occasions expressed its readiness to support a substantial increase in the technical assistance target; the Conference should, in its final document, lay stress on technical assistance as a concrete means of promoting the peaceful uses of nuclear energy in developing countries.

48. Multinational institutional arrangements could also help to attain the Treaty's dual objective of promoting the peaceful uses of nuclear energy while safeguarding against its potential misuse; studies carried out within the framework of IAEA and the International Nuclear Fuel Cycle Evaluation had indicated the potential value of an international plutonium storage system, international spent fuel management and regional fuel cycle centres on both economic and non-proliferation grounds. In particular, the Evaluation Working Group 7 (Waste Management and Disposal) had recommended the setting up of centralized facilities for the disposal of spent fuel and waste. The viability of such arrangements should be mentioned in the final document of the Conference.
Mr. SIMONSEN (Denmark) said all the participants at the Conference agreed that one of its most important objectives was to ensure that adherence to the Non-Proliferation Treaty was as widespread as possible. To that end, it was of primary importance, as Denmark had stressed in its statement (4th meeting) on article III of the Treaty, to establish complete equality with regard to nuclear supplies and exchanges among non-nuclear-weapon States, whether or not they were parties to the Treaty. However, it was not sufficient to ensure that States parties to the Treaty were not in a worse position than the other States; positive measures must also be adopted which would provide incentives to adhere to the Treaty. One of them would be to give preference to non-nuclear-weapon States party to the Treaty in the provision of bilateral technical assistance in the nuclear field, with due consideration for the needs of the developing areas of the world. That was what the first Review Conference had recommended in its Final Declaration. He proposed that the final document of the current Conference should also contain a statement to that effect.

The meeting rose at 12:55 p.m.
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REVIEW OF THE OPERATION OF THE TREATY AS PROVIDED FOR IN ITS ARTICLE VIII (3)
(agenda item 13) (continued)

B. IMPLEMENTATION OF THE PROVISIONS OF THE TREATY RELATING TO PEACEFUL
APPLICATIONS OF NUCLEAR ENERGY:

Articles III and IV

1. Mr. RICHARDS (New Zealand) noted that the International Nuclear Fuel Cycle
Evaluation had reached the conclusion that the use of nuclear energy for peaceful
purposes would continue to grow in the future, and that during the following 20 years
new types of reactors would become widely used and more and more countries would have
 recourse to nuclear energy for generating electricity. Accordingly, it was advisable
to strengthen nuclear exchanges with and supplies to non-nuclear-weapon States parties
to the Treaty and to strike a balance between the rights and obligations of all
countries, whether developed or not. It was also advisable to take into account the
special needs of developing countries and adopt appropriate measures to ensure that
they would benefit from nuclear technology.

2. He added that he considered the proposals of Finland (INPT/CONF.III/C.III/9) and
Denmark (INPT/CONF.III/C.III/10) interesting and that they deserved to be reflected in
the final document of the Conference. He suggested a text based on the considerations
he had put forward and on those two proposals.

3. Mr. ROBESCH (German Democratic Republic) expressed the view that the
Non-Proliferation Treaty created favourable conditions for international co-operation
by providing the assurance that such co-operation would not become a channel for
the proliferation of nuclear weapons. It was not the Treaty that should be blamed
for delay or even a temporary setback in co-operation. Efforts must be concentrated
on universal accession to the Treaty, since it was the instrument best suited to
 protect international peace and security. Even in exchanges with the countries not
parties, the principles of the Treaty must have priority over unilateral economic
interests.

4. The German Democratic Republic was one of those States which depended on
economic, technical and scientific aid from other countries for its nuclear energy
programmes. In particular, it had dealings with the USSR and other OCEA countries,
offering a good example of regional co-operation for the benefit of all participants,
in conformity with the Treaty.

5. Moreover, his country had developed bilateral co-operation with many other
countries, especially developing countries. Since 1975, it had more than doubled its
contributions to IAEA technical assistance programmes and had provided a great
number of nationals of developing countries with professional training. It
participated as much as possible in the numerous scientific and technical co-operation
activities undertaken by the IAEA in connection with article IV of the Treaty, as
described in document INPT/CONF.III/7, giving priority to activities directed more
specifically to countries which were just starting to use nuclear energy. He observed,
however, that the effectiveness of those activities was equally as important as the
amount of resources allocated to them, and considered that further efforts should be
made in that direction.
6. The rapid development of the peaceful uses of nuclear energy created a number of problems requiring international discussion. The International Nuclear Fuel Cycle Evaluation, in which many countries had participated, contributed to a better understanding of many questions concerning the nuclear fuel cycle, the proliferation risk and international exchanges. His delegation appreciated the readiness of the Agency to continue dealing with the problems that had been identified. It considers the Agency the competent forum for examining all questions relating to nuclear energy, including that of the assured supply of nuclear material, equipment and services, a question of considerable importance for all countries which used or wanted to use nuclear energy. In that connection, it welcomed the establishment by the Agency of a specialized committee to study the question of assured supply and his country would participate actively in its work.

7. The United Nations Conference for the Promotion of International Cooperation in the Field of the Peaceful Uses of Nuclear Energy, to be held in 1963, should provide a further occasion for worldwide discussion of nuclear energy problems. The Agency would have to play a decisive role at that conference also because of its competence, experience and expertise.

8. He reminded the Committee that both the first Review Conference and the Evaluation had stressed the advisability of setting up regional or multinational centres for the nuclear fuel cycle as a safe and economic means of responding to the needs of certain countries, and especially small countries which, like his own, wanted to solve their economic problems while satisfying the requisites of the non-proliferation system. Firm support should therefore be given to IAEA projects directed to that end.

9. In conclusion, he expressed the hope that the following considerations would be mentioned in the final declaration of the Conference with respect to article IV. The Conference should, in particular, reaffirm the rights and obligations of the parties to the Treaty, confirm that the Non-Proliferation Treaty had proved to be a favourable basis for the world-wide peaceful use of nuclear energy, express its appreciation of the enormous work done by the IAEA in fulfilling its promotional functions, especially through its technical assistance programme, recognize the value of the results of the International Nuclear Fuel Cycle Evaluation and the importance of setting up nuclear fuel cycle centres, and urge the Agency and Member States in a position to do so to accelerate relevant studies and projects.

10. Mr. McPhail (Canada) stressed that the States parties to the Treaty had done their best to implement the provisions of article IV, paragraphs 1 and 2 of the Non-Proliferation Treaty and, as an exporter of uranium, reactors and reactor technology, Canada had spared no effort to do so. That was confirmed by document NPT/CONF.II/7 outlining the activities of IAEA and by the information given by the United States representative at the 6th meeting. He expressed the hope that that record would be further improved in the years to come.

11. However, in efforts at co-operation, several basic considerations would have to be borne in mind. First, the increase in the number of countries turning to nuclear energy for electricity generation purposes in recent years had resulted in the introduction of nuclear technology into a variety of political climates. Secondly, technical advances had brought the international community to the brink of a new era in the peaceful uses of nuclear energy. Thirdly, nuclear co-operation between
countries was necessarily of a long-term nature, given the characteristics of nuclear energy itself, the energy needs of the countries concerned, and the substantial financial and commercial commitments involved in a nuclear energy programme. Lastly, whatever precautions were taken, the possibility of misuse of nuclear facilities and know-how for non-civil purposes could not be altogether discounted, as recognized by the International Nuclear Fuel Cycle Evaluation. Consideration of those factors led to the conclusion that assurances of supply and assurances of non-proliferation were complementary, as the representative of Japan had pointed out at the 6th meeting.

12. In his views, to have assurances of non-proliferation, it was necessary to persuade all non-nuclear-weapon States to accept the application of international safeguards to all their nuclear activities, current and future. That principle was embodied in the Treaty and was by no means discriminatory. It was justified on several grounds: first, since the transfer of technical know-how within a country obviously could not be prevented, it was necessary to ensure that all nuclear activities in that country were subject to a binding commitment verified by international safeguards. Secondly, the growing complexity of nuclear activities and the strain already placed on IAEA by its obligations meant that the safeguards should cover all nuclear material in a country rather than one element of its nuclear energy programme. Thirdly, it must be noted that a country supplying nuclear materials and technology must make provision for future safeguards if it did not want to become hostage to possible technical developments in the future. Lastly, the provision of assistance to a nuclear energy programme in a country which had not accepted such safeguards could complicate over time the political relations between that country and its neighbours. With those considerations in mind, his delegation strongly supported the proposals put forward by Sweden and Australia with regard to article III of the Treaty (3rd meeting).

13. As to the question of safeguard requirements established by supplier countries, he observed that such decisions had been arrived at only after thorough analysis. Particular account must be taken of the fact that nuclear co-operation was necessarily of a long-term nature and that the preceding 35 years had shown how quickly situations could change, so that supplier Governments had a special responsibility not to contribute to nuclear proliferation over time. The Canadian public had been made particularly aware of that problem, as already mentioned by his delegation in the plenary Conference (6th plenary meeting).

14. In addition, the fact could not be ignored that a number of countries for a variety of reasons had been unwilling or unable to make a binding commitment not to produce or acquire nuclear weapons or nuclear explosive devices. Those factors had necessarily resulted in responsible supplier Governments concluding agreements containing specific safeguard provisions. He gave several examples of such provisions, such as those requiring, in the event of withdrawal from the Treaty in accordance with article X, that the party concerned would not use the nuclear exports and any nuclear materials produced thereby for any nuclear explosive purpose. Other agreements provided for controls over re-transfer to ensure that nuclear exports were not passed along to other countries which did not satisfy the conditions of the non-proliferation regimes, or for controls over reprocessing and high enrichment and over materials produced thereby, since the use of those technologies would result in increasing quantities of special fissile materials becoming available.
15. In order that those provisions could be effectively implemented, the supplier country was then obliged to ensure that an accurate and up-to-date inventory of all the nuclear material subject to the agreement was maintained. Obviously, such provisions resulted in additional burdens being placed on both of the countries participating in a bilateral nuclear co-operation agreement, but such burdens were accepted because they were justified. Of course, they could be significantly decreased if all States became parties to the Non-Proliferation Treaty, but that objective was regrettably far from being attained.

16. Noting that a number of comments had been made in the Committee with regard to the Zangger List and to the Suppliers' Guidelines contained in IAEA document INFCIRC/254, he observed that those guidelines were designed to ensure conformity among suppliers as to the non-proliferation and safeguards conditions covering their nuclear exports, with a view to ruling out any harmful competition among supplier countries in that sector. Against that background, he stressed the interrelationship between articles III and IV of the Treaty, The Non-Proliferation Treaty obviously provided a favourable framework for broadening international co-operation in the peaceful uses of nuclear energy. It was important to extend and strengthen the benefits that States parties to the Treaty could gain from article IV if one wished to encourage further accessions. If non-parties could obtain the same privileges as the parties to the Treaty, or even greater benefits, they would have no discernible reason for acceding to the Treaty.

17. The prevention of nuclear proliferation and the promotion of nuclear co-operation were not mutually exclusive but rather mutually supportive and it was in the interest of all countries to do their utmost to implement that dual objective. He expressed the hope that the Committee on Assurances of Supply recently established by IAEA would make progress along that path.

18. In the light of those comments, he drew the Committee's attention to working paper IPI/CONF.II/C.II/19, which contained a suggested formulation for possible inclusion in the final declaration of the Conference.

19. Mr. BASSOY (Turkey) considered that the most important factor for the peaceful application of nuclear energy was the establishment of mutual confidence between the developed and developing countries parties to the Treaty. The developing countries had already demonstrated that they faithfully implemented all of the requirements called for by article III of the Treaty; it was now for the technologically advanced parties to fulfill their counterpart co-operation commitments under article IV of the Treaty. Account must also be taken of the constantly widening technological gap between developed and industrialized countries in the field of nuclear technology and of the fact that that undesirable situation might result in a decrease of trust between suppliers and their partners.

20. In view of the many formal proposals before the Conference, he would submit no new documents; however, he would like the Conference to include the following principles in its final document: (a) respect for the sovereign rights of co-operating parties and recognition of all the rights of parties at all stages of the peaceful application of nuclear energy, including research and development; (b) non-interference, either directly or indirectly, through unilateral or multilateral supply policies in the peaceful nuclear options of parties; (c) non-discrimination among parties with respect to the fuel cycle policies established in accordance with their peaceful nuclear programmes; (d) elaboration of a more effective and predictable system of nuclear supplies acceptable to all nations with peaceful nuclear activities. The Committee on Assurances of Supply, recently established by IAEA, constituted an appropriate mechanism for the achievement of the latter objective.
21. Mr. CROHAN (United Kingdom) said that he wished to comment on some of the criticism levelled against the Nuclear Suppliers' Group. The Group had been attacked on the grounds that it was a secret conclave; but the result of its work had been published in extenso in IAEA document INFCirc/254 and in related documents circulated to all member States, containing the understandings reached by the Group. The guidelines relating to exports fell into two distinct categories: one dealing with sensitive items and the other with non-sensitive items. With regard to the former, it must be realized that some nuclear materials, equipment and technology were particularly sensitive from a proliferation point of view, as had been recognized by the International Nuclear Fuel Cycle Evaluation. It would have been remiss of exporting parties to the Non-Proliferation Treaty not to be aware of their responsibilities to reduce the risk of proliferation as much as possible. It should also be remembered that the provisions of the guidelines did not exclude the possibility of transferring sensitive items under suitable arrangements. In that connection, the United Kingdom had recently published a report by an independent expert on the possible role of multinational arrangements for the nuclear fuel cycle.

22. However, account must also be taken of the fact that for a number of countries at an early stage of nuclear development, the question of sensitive materials had little economic sense in the short term; at present, as pointed out by the Evaluation, such countries were more interested in ensuring reprocessing and enrichment services than in building facilities for that purpose themselves, and the Evaluation had also suggested that plutonium recycling and the widespread use of breeder reactors would be of little economic value in the short term. What most countries needed, however, was assurance of supplies with respect to non-sensitive items, such as nuclear fuel and equipment and the fuel cycle services required for the operation of reactors.

23. With regard to those non-sensitive items, the guidelines only required the following from the recipient countries: (a) safeguards on the items transferred; (b) a no-explosive-use assurance; (c) a physical protection assurance; and (d) re-transfer assurances. Those requirements should cause no difficulties for the parties to the Treaty, who had already accepted the IAEA full-scope safeguards and given no-explosive-use assurances. The provisions relating to physical protection or to re-transfer assurances were surely unobjectionable, and it should be recognized that no existing contracts had been breached because of the requirements laid down in the guidelines.

24. As a country which was both a supplier and consumer of nuclear energy, the United Kingdom welcomed the establishment by IAEA of the Committee on Assurances of Supply, which should make it possible to ensure greater stability in international nuclear trade. That new effort indicated a recognition of the close relationship between the acceptance of non-proliferation conditions and the availability of nuclear material, equipment and technology. The new Committee should devote itself to building for the future a consensus on as wide a basis as possible on international trade and non-proliferation. It should tackle first the problems which were most urgent or more susceptible to solution and then proceed to deal with the more difficult questions.

25. With regard to the programme of the Committee on Assurances of Supply, his delegation supported the text proposed at the 6th meeting by the representative of the Netherlands; however, it would like to propose an additional paragraph which would "stress the importance of using the Committee on Assurances of Supply to develop as wide a consensus as possible on the closely linked issues of nuclear trade and non-proliferation, and urging all parties to the Treaty to make a full contribution to its work".
26. The Committee on Assurances of Supply would also be the most appropriate forum to examine the possibility of States not parties to the Treaty accepting the same obligations as States Parties. To that end, he proposed that the Conference should include the following text in its final declaration:

"The Conference urges all non-nuclear-weapon States not parties to the Treaty to submit all their nuclear activities to IAEA safeguards.

"The Conference urges all States parties to the Treaty, especially exporting States, to work resolutely for the extension of IAEA safeguards, as a matter of urgency, to all nuclear activities in all non-nuclear-weapon States which are not parties to the Treaty".

27. He wished also to support the proposal by Sweden (NPT/CONF.II/C.II/14) that the final document of the Conference should include a text commending the work of the International Nuclear Fuel Cycle Evaluation as well as the proposal by the Netherlands (NPT/CONF.II/C.II/6), which stressed the need to continue to improve the effectiveness of IAEA safeguards and to establish rapidly an effective regime for international plutonium storage.

28. In conclusion, he reiterated the hope that in considering the complex subjects in question, the countries participating in the Conference would look forward to the future, rather than backwards to the past, towards the creation of a new consensus which might subsume the more limited understandings of the past.

29. Mr. VAN DOOREN (United States of America) said that his delegation was looking forward to seeing the IAEA Committee on Assurances of Supply begin its deliberations and that his country would endeavour to make an active contribution to its work.

His delegation was in a position to support the proposal which the United Kingdom representative had just read out and the proposal submitted by another delegation on the International Nuclear Fuel Cycle Evaluation, which had the merit of enlisting all countries to develop an adequate data base for the adoption of future decisions. He considered, however, that the Conference should not leave it entirely to the Committee on Assurances of Supply to settle the question of safeguard requirements with respect to exports. It was a problem that should be resolved urgently, since, as the Director-General of IAEA had stated (1st plenary meeting), the countries which still had facilities not subject to safeguards were very few in number and moreover, all parties did not necessarily have the same interest in the final results. The Conference should therefore call on the States which wished to benefit from trade in the nuclear field and the non-proliferation régime to accept the obligations to non-nuclear-weapon States parties to the Treaty which the latter had themselves agreed to be bound by.

30. With regard to article IV, his delegation submitted a proposal (NPT/CONF.II/C.II/20) whereby the Conference would note the positive developments that had taken place during the past five years in the use of nuclear energy for peaceful purposes and also improve a very useful part of the 1975 Declaration by amending it to give preference to States parties to the Treaty in decisions relating to nuclear co-operation and its financing.

31. Mr. GONZALEZ DE LEON (Mexico) pointed out that the application of article IV of the Treaty, already a matter of urgency in 1975, was even more urgent today because of the energy crisis, particularly in view of the relative imminence of the exhaustion of hydrocarbon resources and the need to make no further use of hydrocarbons for fuel but rather for other industrial purposes. On the other hand, nuclear energy had emerged as the most practical solution for coping with the demand for industrial energy at all levels. In the developing countries, however, the implementation of nuclear-energy programmes was still limited by external factors of a political, financial and technological nature.
32. Thus, to prevent horizontal proliferation of nuclear weapons, the nuclear-weapon States were imposing considerable restrictions on the implementation of such programmes in the non-nuclear-weapon countries. However, his country, like many others just starting a nuclear-energy programme, had not accepted such restrictions, except where they actually helped to prevent the manufacture or purchase of nuclear armaments. As a result, it had had to overcome great difficulties in obtaining the necessary fuel for its programme, for it considered the imposition of controls over and above IAEA safeguards to be undue pressure on the importing countries, especially when the latter had categorically renounced the acquisition of nuclear weapons. If supplier countries continued to apply restrictions similar to those in the list communicated to the Director-General of IAEA in January 1978, countries such as Mexico would, as a matter of course, try to provide themselves with the necessary means for acquiring the nuclear elements needed to implement their development programmes in that field. Hence, the Group of countries which claimed to be strengthening international safeguards against proliferation was, in the end, paradoxically encouraging it. Moreover, it was an undeniable fact that if a country was politically determined to acquire a nuclear military potential, there were no technical means of preventing it from doing so, regardless of how much vigilance the nuclear-weapon States might exercise. Confidence between countries was indispensable for bringing about co-operation, which itself was an indispensable condition for world peace and security. The developing countries were justified in interpreting the application of increasingly restrictive measures as designed to maintain a situation of nuclear monopoly, not only in the military sphere but also in the commercial field. It was disturbing to find that, in spite of their commitments, the most advanced countries had not agreed to give the international organizations, and particularly IAEA, the necessary support to enable them to become instruments of co-operation in the nuclear field and to assume major non-proliferation responsibilities as representatives of the international community.

33. In limiting as much as they could the promotion of programmes of nuclear development for peaceful purposes, the exporting countries, and especially the nuclear-weapon countries, had sometimes obliged importing countries to conclude bilateral arrangements compelling them, in some cases, to submit to conditions unrelated to reality.

34. As to limitations of a financial nature, the restrictions imposed bilaterally, or through such multilateral organizations as the World Bank, or by financing tied to the purchase of particular types of equipment or technology had led to such competition between suppliers and rivals between the principal national enterprises in the market as to make the importing countries sceptical about the soundness of their choice. For that reason, Mexico, like many other countries, was demanding that greater support should be given through the World Bank to the nuclear-energy activities of the developing countries.

35. With reference to the dependence of developing countries in the matter of technology, he said that, owing to the often unnecessary restrictions imposed by the developed countries under the pretext of preventing proliferation, it would take a long time for the developing countries to surmount their present difficulties. It was practically impossible for them to obtain access to certain advanced technologies, and, to judge by the guidelines of the London Club, there was no reason to expect any relaxation of those restrictions, which were more of a political than a commercial nature. Certain countries and certain enterprises were, in fact, preserving their privileged position in that field. They were simply bent on limiting the spread of technologies related to certain stages of the fuel cycle. Whereas at the stage of mineral exploration, access to the most modern technology would only enable the developing countries to increase their efficiency, their state of dependency was much more pronounced at the subsequent stage of radioactive-ore dressing and of processing, whether involving the production of heavy water or uranium enrichment.
36. His delegation noted with concern that, in the field of the transfer of nuclear technology, no account was taken of trends in other bodies. As examples, one could cite the directives adopted by UNCTAD in 1976, or the document concerning international investments and transnational enterprises adopted by OECD, or again the decision taken by the Conference on International Economic Co-operation held in Paris in 1977.

37. Prevention of the proliferation of nuclear weapons must continue to be the object of the most determined efforts of the international community, since such weapons constituted the most serious threat facing mankind since the Second World War. It was therefore necessary to combat proliferation, both vertical and horizontal, and to aim at the elimination of existing arsenals, a goal which was questioned only by those who based their policy on the fallacy of military prestige; it was also necessary, however, to avoid using such occasions as the present Conference to prevent employment of nuclear technologies for the benefit of the majority of mankind. IAEA should continue to channel world efforts towards that end, in the light of the results already achieved in certain regions.

38. Mr. LENDVAI (Hungary) observed that in the review of article IV it should be born in mind that that article was designed to bring programmes for the peaceful development of nuclear energy into the context of non-proliferation. By way of introduction to the document which his delegation intended to submit on the question as a whole, he said that his country was among those which had decided to undertake a programme for the peaceful use of nuclear energy and that it too had encountered the financial, technological and other difficulties referred to by other delegations. It had found, however, that the IAEA safeguards system was the least difficult problem and even offered certain advantages. In that connection, it should be remembered that the IAEA model agreement provided that the safeguards should be applied with due regard for the principle of prudent management. As could be noted, the number of countries which had undertaken that kind of programme had greatly increased in recent years and the trend would probably continue.

39. With regard to international co-operation in the field of nuclear energy, he pointed out that, as the representative of the Federal Republic of Germany had already said, it was becoming increasingly difficult to distinguish between supplying countries and purchasing countries. By way of example, mention might be made of several countries of eastern Europe which alternately played both roles. His country, which was working on the next generation of nuclear reactors, received considerable nuclear equipment from Czechoslovakia under such international co-operation.

40. It would be fitting to mention in the final declaration of the Conference the important contribution made by IAEA to the international community in the peaceful uses of nuclear energy, with special reference to the International Nuclear Fuel Cycle Evaluation, which was particularly useful to the developing countries. IAEA was now working on several projects relating to internationalization of the fuel cycle as concerned, inter alia, plutonium storage and spent-fuel and waste management, which were important for countries encountering difficulties in those areas.

41. In addition, all States parties to the Treaty should be invited to take an active part of the activities of the Committee on Assurances of Supply by providing it with data on bilateral and multilateral co-operation in the peaceful uses of nuclear energy. It was to be hoped that, through such concerted efforts, the Committee would be able to establish an appropriate system of supply assurances, which was one of the prerequisites for long-term planning of the construction and operation of nuclear power stations. The Committee would also have the task of finding a common approach to the question of providing assurance and technical know-how, with a view to remedying the possible effects of commercial competition on the non-proliferation régime.
42. Lastly, his delegation considered that in all negotiations dealing with the supply of nuclear material, equipment, technology, assistance and technical know-how, preference should be given to States parties to the Treaty.

43. Mr. ZANGER (Switzerland) said that he wished first of all to make it clear that the guidelines drawn up by the Zanger Committee (INFCIRC/209) were fully in accord with the criteria laid down in the Non-Proliferation Treaty: their purpose was to clarify the substance of paragraph 2 of article III so as to ensure equality both in the conduct of suppliers and in the treatment of customers and to do so with a view to effective non-proliferation. The first Review Conference, in 1975, had discussed the matter in an atmosphere free from antagonism, and it was only later that measures taken by another group of exporters and bilateral actions had given rise to the confrontation which, today, was robbing the Treaty of all credibility.

44. He reiterated Switzerland's basic position on articles III and IV of the Treaty, namely, that universality - which implied the generalized application of safeguards - should remain the fundamental objective of the ITP; that the Treaty should be made more attractive by scrupulous observance of the rights and obligations set forth in article IV; and that it was essential to maintain the dialogue with States not parties to the Treaty, possibly through the IAEA Committee on Assurances of Supply.

45. In consequence, the Swiss delegation, on the basis of its country's experience, was proposing five measures for incorporation in the final document of the Conference with reference to article IV. The proposals were the following: (a) to streamline regulatory processes for authorizations related to nuclear fuel cycle activities in other States parties to the Treaty, particularly by avoiding any administrative obstacles or complications which unduly delayed the issuance of such licences - a provision that was in the interest of the planning of nuclear activities; (b) to select appropriate agreed criteria which rendered the issuance of such export and retransfer licences foreseeable and reliable and to issue pluri-annual licences in order to permit stable and long-term planning of nuclear activities - a provision based on the work of the International Nuclear Fuel Cycle Evaluation, Working Group 5 (Assurances of Long-Term Supply of Technology, Fuel, and Heavy Water, and Services in the Interest of National Needs and Consistent with Non-Proliferation); (c) to adopt national regulations in conformity with internationally agreed norms - the only solution which would ensure equal treatment of all parties to the Treaty by all parties to the Treaty, avoid competition among suppliers on the basis of export conditions, and avoid placing constraints upon consumers; (d) to help to create favourable conditions for the pursuit of an international dialogue with a view to establishing supply assurances and non-proliferation safeguards in an objective and balanced way for all operations of the nuclear fuel cycle - a provision that would allow the IAEA Committee on Assurances of Supply to give practical effect to the dialogue begun as a result of the Evaluation; (e) to refrain from preventing or hindering in any way the export of nuclear fuel, equipment, technology or material to parties to the Treaty which fulfilled their international obligations - a provision that would avoid a situation in which States which had ratified the Treaty were subjected to embargoes although they had not infringed their obligations towards the exporting countries. The Conference should also recognize the need to create a mechanism for verifying the manner in which States parties fulfilled their obligations under article IV; such a mechanism already existed for articles I and II, and it was needed for article IV because it would help to restore the confidence of States parties and enhance the credibility of the Treaty. The Swiss delegation considered that the Committee on Assurances of Supply might be made responsible for such verification and prepare an annual report.
46. Referring to the statement made by the United States representative at the 6th meeting, he said that he wished to comment on the United States Nuclear Non-Proliferation Act, 1978, which appeared to conflict with the provisions of the Treaty on a number of points. For example, the right of prior authorization which the United States exercised under that Act in respect of retransfer, reprocessing, etc., had, prior to the promulgation of the Act, been interpreted as the United States' intention to approve the country or the plant where the operation would be carried out; no one had imagined that it would be applied, as it now was to the reprocessing process itself. The Act was a source of perplexity and was fraught with consequences for the energy policies, first, of his country, where the recycling of plutonium in light-water reactors - an operation now prohibited - had been a possible means of fuel diversification and, secondly, of the world at large, since delaying or definitively preventing the introduction of breeder reactors meant that a part of the energy which might be produced in such reactors would necessarily have to be covered by oil. In future, therefore, national policies should take account of the general energy interest.

47. Mr. LODGARD (Norway) expressed the wish that in its final document Conference should take note of the scope of the institutional measures advocated by the International Nuclear Fuel Cycle Evaluation to promote national nuclear energy programmes while reducing proliferation risks, and he emphasized the need for non-proliferation arrangements covering sensitive parts of the nuclear fuel cycle. The Conference should also recommend that studies of arrangements for international co-operation in the management of spent fuel should be continued and call on all parties to give serious consideration to the possibility of international management of fuel cycle facilities, including multinational participation; such arrangements would assist in furthering the objectives of the Treaty by contributing to the stability of supplies, facilitating the application of safeguards and reducing the risks of diversion. The extent and nature of the international schemes to be considered would depend to some degree on the modes of nuclear energy production, a factor being any possible future use of plutonium fuels and the need for reprocessing, and also the magnitude of national nuclear power programmes. The relatively modest number of enrichment and reprocessing facilities in operation at present would facilitate the beginning of such internationalization.

48. With reference to international plutonium storage, his delegation supported the text proposed for inclusion in the final declaration of the Conference by the Netherlands delegation.

49. Mr. KOFHONEN (Finland) recognized the need for additional non-proliferation safeguards and arrangements with regard, in particular, to the most sensitive elements of the nuclear fuel cycle. The development of a network of bilateral agreements additional to those created by the Treaty and the safeguards agreements with IAEA was becoming much too complicated and bureaucratic. The Finnish delegation therefore proposed that in its final document the Conference should recommend that consideration should be given to measures and means necessary for the harmonization and unification of various non-proliferation and safeguards conditions attached to nuclear supplies, with a view to arriving at a non-proliferation regime that would, as far as possible, be universally applicable to nuclear transactions between the parties to the Treaty in accordance with articles III and IV, and would improve the assurances and predictability of nuclear supplies by achieving a preferred market among the parties to the Treaty, a step which was, furthermore, likely to increase the number of accessions to the Treaty.

50. The recent denial of access to United Nations potential non-proliferation facilities, etc., by the Islamic Republic of Iran, which is not a signatory of the Treaty, is a matter of serious concern.

51. The President (Sweden) recognized the need for additional non-proliferation safeguards and arrangements, particularly with regard to the most sensitive elements of the nuclear fuel cycle. The development of a network of bilateral agreements additional to those created by the Treaty and the safeguards agreements with IAEA was becoming much too complicated and bureaucratic. The Finnish delegation therefore proposed that in its final document the Conference should recommend that consideration should be given to measures and means necessary for the harmonization and unification of various non-proliferation and safeguards conditions attached to nuclear supplies, with a view to arriving at a non-proliferation regime that would, as far as possible, be universally applicable to nuclear transactions between the parties to the Treaty in accordance with articles III and IV, and would improve the assurances and predictability of nuclear supplies by achieving a preferred market among the parties to the Treaty, a step which was, furthermore, likely to increase the number of accessions to the Treaty.
50. **Mr. AHIR** (Malaysia) noted that the non-proliferation measures taken in recent years outside the framework of the Treaty were weakening it because they destabilized the delicate balance of the various articles of the Treaty. Paragraph 2 of article IV was most affected by those measures, which, in an unjustified and discriminatory manner, were making the exchange of nuclear material, equipment and scientific and technological information more difficult.

51. In its final document, the Conference should therefore urge all signatories to the Treaty to refrain from taking such measures.

The meeting rose at 12.50 p.m.
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REVIEW OF THE OPERATION OF THE TREATY AS PROVIDED FOR IN ITS ARTICLE VIII (3) (agenda item 13) (continued):

B. IMPLEMENTATION OF THE PROVISIONS OF THE TREATY RELATING TO PEACEFUL APPLICATIONS OF NUCLEAR ENERGY

Articles III and IV

1. Mr. SIASON (Philippines) said that in his opinion harmonious relations between countries, as between persons, could only exist in an atmosphere of mutual trust, which was difficult to establish and always precarious. The Non-Proliferation Treaty was essentially based on a compromise, whereby all non-nuclear States parties to the Treaty could have free access to nuclear equipment, material and scientific and technological information for peaceful uses if they undertook not to develop, manufacture or acquire nuclear weapons or nuclear explosive devices. The conditions of that compromise had, however, been unilaterally modified by certain supplier countries. It had to be recognized - and no criticism was intended - that though everyone was pleased with the implementation of article III of the Treaty, the same was not true for article IV, concerning which some representatives had shown a strong feeling of frustration. He welcomed the candour with which both supplier and consumer countries had expressed themselves, for a frank and candid exchange was absolutely necessary if recommendations were to be formulated for a better implementation of the Treaty. The Philippines, too, intended sincerely to express its views, hoping that certain parties to the Treaty would think over their past actions and their current policy in order better to understand the problems that were seriously threatening the successful application of the Treaty.

2. One of the most important problems was that of the new conditions unilaterally imposed on non-nuclear-weapon States parties to the Treaty by certain supplier countries in the matter of non-proliferation. Certain representatives, among them the representative of Canada (7th meeting), had referred to events sometimes long past to justify the irritation of their Governments, but there was no reason to penalize States parties to the Treaty because of events for which they were not responsible. The approach adopted by the supplier countries ran counter to normally accepted practice in international law for two reasons. First of all, conditions had been made retroactive. Several representatives of non-nuclear-weapon States, including Switzerland (7th meeting) and Yugoslavia (6th meeting), had reported stoppages of supplies although those supplies had been covered by valid and existing contracts. The basic principle of treaty law was pacta sunt servanda, meaning that treaty obligations must be performed in good faith. It was argued that certain agreements had a restrictive clause referring to the licensing, exporting and importing procedures of the States concerned. But it was not acceptable for parties to an international agreement to use such clauses to adopt internal legislation, subsequent to the agreement, which was contrary to the basic purposes of the agreement.
3. The second element contrary to international law was the threat of boycott used to force countries to renegotiate existing agreements. In its Final Act, the United Nations Conference on the Law of Treaties solemnly condemned the threat or use of pressure in any form, whether military, political or economic, by any State to coerce another to perform any act relating to the conclusion of a treaty. Some members of the London Club had given explanations on the matter. Though they had not imposed retroactive conditions, they were applying guidelines unilaterally interpreting the Non-Proliferation Treaty and limiting the rights of States parties under article IV, in particular with respect to transfer of technology. Many believed - perhaps wrongly - that their actions had motives other than a concern for non-proliferation, and the very existence of such suspicions disturbed the atmosphere of trust necessary for good relations between States and maintenance of the non-proliferation regime. The representative of Switzerland had criticized certain initiatives taken by the supplier countries, even though Switzerland had participated in the drafting of the guidelines which were now being used to restrain the development of nuclear energy for peaceful purposes in that country.

4. The policy followed by the United States in the area of nuclear supply had gone through three stages: generosity, then restriction and finally denial. The policy was all the more unpredictable since political bodies were involved in its formulation, with all the subjectivity which that entailed.

5. It was of course understandable for such a problem to arise in a country where participation of the people in decision-making was a vital element of the form of government, but it was also true that many countries were adversely affected by it. In the Nuclear Non-Proliferation Act, for example, it was difficult to see what was meant by the idea of common defence and security, which obviously took precedence over non-proliferation objectives. Furthermore, Congress constantly intervened in non-proliferation and civil co-operation activities, which caused great uncertainty, as had been stated by two eminent United States specialists on nuclear questions.

6. At the 7th meeting, the representative of the United States had briefly referred to the construction project of a nuclear power station in the Philippines, saying that if the export licence had been delayed, it was because the chosen site was near a volcano. Saying that this was a gross over-simplification of the facts, Mr. Siazon gave a full account of the history of the project, from the first feasibility study financed by UNDP in 1964-1965, through the missions organized by IAEA and the studies conducted by three United States companies whose advice the Philippines had sought, to the difficulties encountered even after the issuing of the licence in 1980. The construction of the power plant, supposed to be completed in 1993, would be delayed for two years, with enormous losses for the Philippines.

7. The reason why he was spending so much time on the case of the United States was that that country was the Philippines' major nuclear supplier. He had been hoping that the United States would propose to the Conference a clause concerning an international nuclear fuel authority, similar to the one in the Nuclear Non-Proliferation Act. That would have completely changed the atmosphere of the Conference. Perhaps it was not too late. Such a proposal, which would naturally have to be studied in detail by the Committee on Assurances of Supply, would in any case show the goodwill of the United States.

8. Referring next to the technical assistance programmes of IAEA under article IV, he observed that the figures in the Agency's report on that subject (NPT/CONF.II/7) were encouraging. Nevertheless, they did not give an exact picture of the situation, for though the target for 1981 reached 15 million dollars, it must be remembered that costs of experts, fellowships and equipment had gone up.
9. In 1979, the Agency had provided only 814 man-months of experts as opposed to 964 in 1974, but the total amount of expert expenditures for 1979 had been much higher than it had been in 1974. Perhaps an even more serious problem was the financing of "technically sound" projects. The 1975 Conference had made a recommendation concerning article IV (cf. NPT/CONF/ST.5/P1, annex I - Review of article IV - page 6, first paragraph), and the Agency had presented statistics concerning requests for financing of such projects. Though the delegation of the Philippines was glad to note that in 1977 all the requests had been financed, in 1978 only 23 per cent had been financed and in 1979, 54 per cent. In 1978, of the requests that had not been satisfied 55 per cent had come from states parties to the Treaty and in 1979, 74 per cent. Moreover, those were only the "technically sound" requests. That proved how inadequate the Agency's resources were for supplying technical assistance. It was to be hoped that all the States could commit themselves at the current Conference to financing all the "technically sound" projects of developing States parties to the Treaty. It would be a disgrace if, for lack of a million dollars per year, the provisions of part of article IV of the Treaty could not be put into effect.

10. The Philippines had also noted in a recent report of the World Bank that the developing countries would need increasing financial resources to implement their nuclear energy programmes. The Bank estimated that for the period 1981-1985 the developing countries would need 2.1 billion dollars per year and, for the period 1986-1990, as much as 3.5 billion dollars per year. Given the size of these sums, the States parties to the Treaty should make efforts to establish favourable conditions within the framework of national, regional and international financing institutions to ensure financing for nuclear power stations in the developing countries parties to the Treaty. The Philippine delegation would also like to see INRB, through its Director-General, to present an annual report on the promotion of peaceful uses of nuclear energy and international nuclear co-operation, and on the supply of equipment, material, services and information, with due regard for the provisions of article IV and the sixth and seventh paragraphs of the preamble to the Treaty. Such reports would be useful instruments for understanding and predicting the behaviour of the market. They would not address themselves to specific commercial transactions, but rather to the general framework and resources of the market, non-proliferation and related conditions, review of new developments, factors influencing the market, difficulties and problems, and the operation of formal and informal back-up arrangements. He also hoped that, should negotiations on a nuclear fuel authority or bank take much time, the United States would agree to establish, through the Agency, an interim stockpile of low-enriched uranium, natural uranium and heavy water which would be sufficient for at least one reload of a light-water reactor and a boiling-water reactor, to be made available to parties to the Treaty meeting the conditions to be stipulated by the supplying country. Of course, it would be even more preferable for the three Depository States to agree to establish that kind of stockpile, using the cost-sharing formula for calculating their share of the expenses involved. He hoped that proposal could be agreed upon at the current Conference. History was full of examples proving that no State could, through unilateral measures, force other sovereign States to follow a specific path against their will. It was worth remembering that.

11. Mr. VAN DOORN (United States of America) said that he strongly disagreed with the previous speaker's conclusions regarding the laws and procedures of the United States and urged the Committee to consider the actual record of his country's co-operation under article IV contained in his statement at the 6th meeting.
12. Mr. DEHOMBER (Italy) associated himself with those representatives who considered that only through consensus could the full range of the Treaty's goals be reached and its universal acceptance assured. The consensus rule must also apply to the formulation of the final document of the Conference. In a spirit of compromise and in the hope that consensus might be reached, bearing in mind the very close relationship between articles III and IV of the Treaty, his delegation proposed that the following text should be included in the part of the final document referring to article III:

"1. The Conference appeals to all non-nuclear-weapon States not Party to the Treaty to submit all source or special fissionable material in all their peaceful nuclear activities to IAEA safeguards. It welcomes steps taken by the United Kingdom and the United States of America to place source or special fissionable material in their peaceful nuclear activities under IAEA safeguards and appreciates a similar development in France. It expresses the hope that the other nuclear-weapon States will consider adopting such an attitude.

"2. The Conference appeals to all States, especially exporting States, to work for the extension of IAEA safeguards to all source or special fissionable material in all peaceful nuclear activities in importing States which are not party to the Treaty.

"3. In this connection the Conference welcomes the establishment within the IAEA of the Committee on Assurances of Supply (CAS). The Conference hopes that this Committee will consider, in accordance with its mandate, ways and means of giving effect to these appeals."

13. Mr. van ROUTTE (Belgium) said that his delegation adhered to the text which it had proposed for inclusion in the final document of the Conference, regarding controls on the entire fuel cycle, and which contained an appeal to all exporting countries to make full-scope guarantees a condition of supply. It continued to believe that that was the best way of combating the proliferation of nuclear weapons. Like all other delegations, however, it realized that the goal was to reach general consensus. The Italian text, while it did not go as far as the Belgian proposal, could provide the needed compromise. His delegation was therefore ready to give favourable consideration to that text provided that consensus could be reached on the question.

14. Mr. DAHLHOFF (Federal Republic of Germany) welcomed the United Kingdom statement which had stressed the importance of using the Committee on Assurances of Supply to develop as wide a consensus as possible on the issues with which the Committee was dealing, namely, the supply side and the non-proliferation side of peaceful nuclear trade. The International Fuel Cycle Evaluation, for whose creation Working Group 3 (Assurances of Long-Term Supply of Technology, Fuel, and Heavy Water, and Services in the Interest of National Needs and Consistent with Non-Proliferation) had been responsible, had done well to stress the complementarity which existed between supplies and non-proliferation conditions.

15. It was very important that consensus should be reached on the question of full-scope safeguards inasmuch as the Treaty was in essence discriminatory in that it differentiated between nuclear-weapon States and non-nuclear-weapon States. The Federal Republic of Germany accepted that discrimination, provided the Treaty was applied strictly and in good faith. In order to maintain the delicate balance...
The text is a diplomatic communication discussing the rights and duties of parties to the Treaty, the significance of safeguards in nuclear energy, and the role of the International Atomic Energy Agency (IAEA). It emphasizes the need for consensus and cooperation in the peaceful use of nuclear energy. The text highlights the importance of safeguards in preventing the misuse of nuclear material and the role of IAEA in monitoring and ensuring compliance.

Key points:

1. Between the rights and duties of parties to the Treaty, it was necessary for decisions to be taken by consensus. The delegation attached some importance to the suggestion made by the United Kingdom at the morning meeting, which was very similar to its own position in that it did not insist on the application of safeguards as a condition for all future nuclear material supply commitments. However, it feared that it would be difficult to reach consensus on the question. While the Federal Republic of Germany was ready to support that suggestion, it would like to see some drafting changes made in it. On the other hand, the Italian proposal caused no problem and his delegation was prepared to support it with a view to facilitating consensus.

2. His delegation intended to distribute to participants in the Conference, for inclusion in the final document, a text dealing in particular with the following questions: the fact that safeguards should not hinder the use of nuclear energy for peaceful purposes; the introduction of effective national systems of accounting and control; the improvement of safeguard techniques; assistance programmes (to which his country was making substantial contributions); control, safeguard agreements and physical protection of nuclear material.

3. Mr. MAHMOUD (Iraq) said, with reference to article III, that his delegation had noted with satisfaction that an increasing number of safeguards agreements had been concluded and expressed the hope that non-nuclear-weapon States parties to the Treaty that had not concluded such agreements would endeavour to do so. It considered that measures of control and supervision beyond the scope of IAEA safeguard systems were in contradiction with article III since they hindered the technological and economic development of the parties.

4. His delegation had noted the view of some States parties that the safeguards required under article III should extend to all the peaceful activities of importing countries. In that connection, his delegation called upon all nuclear-weapon States as well as non-nuclear-weapon States to cease all activities involving technical co-operation with Israel and South Africa in order to prevent contributing to their capability to acquire nuclear weapons, unless they submitted all their nuclear programmes to IAEA full-scope safeguards. He drew the attention of the Conference to the relevant resolutions adopted by the General Assembly regarding the nuclear armament of these two regions.

5. His delegation reaffirmed the inalienable right of all States to develop and apply their programmes for the peaceful uses of nuclear energy in accordance with their national priorities and interests. It stressed the right of all Parties to the Treaty to benefit from the fullest possible exchange of scientific and technological information needed for the development of their peaceful nuclear programmes.

6. His delegation was anxious to see the question of supply assurances resolved in a satisfactory manner and welcomed the work of the IAEA Committee established for that purpose; it hoped that the Committee would explore all imaginable solutions. Iraq had been deeply disappointed to note that, for the previous two years, IAEA had found itself to be unable to finance a number of technically sound projects for many developing countries. He reaffirmed the need to finance IAEA's technical assistance out of the regular budget. Voluntary contributions should only be used for support purposes.
21. Mr. SCHMIDT (Austria) said that his delegation was convinced that full-scope guarantees represented one of the key elements of the Treaty but considered nevertheless that the provisions of article IV were just as important as those of article III; the wording of that article was so general that it could not be seen in isolation from article III or indeed from articles I and II. As articles III and IV were so closely linked, both sides - suppliers and recipients - could find many arguments for their opposing positions. The recipient demanded unlimited access to all nuclear technology while the supplier claimed that such access could only be permitted in terms of the Non-Proliferation Treaty in order to prevent a diversion of such nuclear activities to non-peaceful purposes. The effectiveness of the provisions of article IV must therefore be strengthened on the understanding that the guarantees regarding non-proliferation should be coupled with predictable assurances of supply. Clearly, so long as imports of nuclear equipment and material were not subject to full-scope safeguards, supplying countries would apply such conditions as reflected their will to respect the obligations flowing from the Non-Proliferation Treaty. The only way in which that difficulty could be overcome would be through the introduction of a universal safeguards regime applied by the IAEA. The Committee on Assurances of Supply, which was to meet in September 1980 in Vienna, would work to that end. His delegation therefore believed that in its final document the Conference should provide some guidance for that Committee. It might, for example, as Switzerland had suggested at the 7th meeting, give the Committee the task of finding commonly acceptable criteria for all obstacles to nuclear development and adding to them all the positive elements necessary to allow a sound development of national programmes. His delegation found the idea of a monitoring system on compliance with obligations in the field of supply assurances to be attractive. It would be the responsibility of the Committee on Assurances of Supply to decide the body to whom that task should be entrusted. In the view of his delegation, IAEA would be the appropriate organization.

22. His delegation shared the views expressed by the delegation of Norway at the 7th meeting regarding the internationalization of fuel-cycle activities. The idea was certainly not new: IAEA had already studied it in 1975 and, in May 1977, had submitted a detailed report on the question. Regional nuclear fuel cycle centres could play a very important role, in particular, in the sensitive parts of the fuel cycle, namely, enrichment and re-processing techniques. The establishment of such centres could make a useful contribution to overcoming the doubts concerning sensitive technologies so often expressed by potential suppliers. Lastly, consideration of article IV would be incomplete if it did not take into account what had been done by the industrialised countries to meet the needs of developing countries and to help them to establish nuclear energy programmes. The record cited by the delegation of the United States in that field spoke for itself. Moreover, the annual reports of IAEA on technical assistance gave a much clearer picture than the discussion which had taken place so far in the Committee.

23. Mr. FOPOV (Bulgaria) said that non-proliferation was an indispensable prerequisite for international co-operation in the field of the peaceful use of nuclear energy. As a result of such collaboration, many countries, including Bulgaria, had, with the assistance of IAEA, implemented significant peaceful nuclear programmes. On the question of supply of nuclear material, equipment and technology, his delegation shared the view that such supply should be provided on the basis of long-term trade agreements. The newly established IAEA Committee on Assurances of Supply would undoubtedly be able to find positive solutions to that problem. His delegation wished to reaffirm its conviction that States parties to the Treaty should enjoy preferential treatment. Lastly, it considered that the setting up, under IAEA control, of regional centres for spent-fuel management and plutonium storage would be an extremely useful means of curtailing the danger of proliferation of nuclear weapons.
Subject to any problems that might arise in connection with the implementation of article V of the Treaty, the Bulgarian delegation considered that the present Review Conference should include in its final document the text appearing in the document adopted by the first Review Conference in 1975.

24. Mr. SY (Senegal) recalled that in the general debate (12th plenary meeting) his delegation had already drawn attention to the twofold objectives of the Treaty. On the one hand, the Treaty was an instrument for the prevention of vertical and horizontal proliferation of nuclear weapons, and, on the other, it was an instrument for the promotion of economic and technical co-operation in the peaceful uses of nuclear energy. On the same occasion, his delegation had expressed concern over the meagre results achieved in the field of exchange of information on peaceful uses. It now wished to emphasize the importance of preserving and strengthening the objective of non-proliferation and of prevailing upon all countries users of nuclear energy to accept IAEA safeguards for all their nuclear activities; failing that, certain countries such as South Africa, would be able to develop their capacity to develop nuclear weapons without hindrance. Senegal, which opposed the monopoly of nuclear technology held by a few developed countries, associated itself with the claims of numerous countries importers of nuclear technology in demanding that such technology should be available without restrictions once the countries concerned had accepted IAEA safeguards. In that connection, he deplored the fact that certain countries had adopted unilateral measures by introducing supplementary restrictions. Senegal was of the opinion that the question of supply of nuclear equipment and material should be settled through negotiations open to all and that the proliferation of exporters' or importers' clubs or cartels should be avoided. As a non-oil-producing country of the Sahel, Senegal was obliged to use other sources of energy, such as hydraulic, solar and nuclear energy, to solve the urgent problems of its agriculture relating to agricultural output and soil fertility and of its economic and social development, and it regretted that it had not always received the assistance it needed to deal with those problems. His delegation therefore hoped that the final document of the Conference would mention the need of increasing the resources which IAEA devoted to technical assistance to developing countries, and looked forward to implementation of the project of setting up regional nuclear fuel cycle centres. In conclusion, he called upon the industrialized countries to take account of the energy requirements of non-oil-producing countries and to help them to develop substitute energy sources.

25. Mr. Lind (Sweden) introduced a document prepared by his delegation in consultation with the delegations of Australia, Austria, Canada, Denmark, Finland, New Zealand and Norway. The text provided that the Conference would express its determination to strengthen assurances against the further spread of nuclear weapons and other nuclear explosive devices and its determination to enhance the positive content of the Treaty to States parties and thereby to promote wider adherence to it. Accordingly, the Conference would urge all parties to the Treaty in implementing the provisions of article III (2) to require as a condition of all future nuclear supply commitments the application of IAEA safeguards to all source or special fissionable material in all peaceful nuclear activities, then existing and subsequent, in States which were not parties to the Treaty. The Conference would call on all other States to attach the same requirement to their nuclear supply to other countries. It would call on all non-nuclear-weapon States which were not parties to the Treaty to accept IAEA safeguards on nuclear materials in all their present and future nuclear activities. In that connection, the Conference would note the model agreement for the application of such safeguards which had been drawn up by the IAEA. Lastly, it would urge parties participating in the Committee on Safeguards of Supply established by the IAEA to pursue its work with those goals in mind.
26. Mr. ZANGER (Switzerland) said that the Swiss delegation could certainly support the Italian proposal on one of the essential questions of the present meeting, that of full-scope safeguards, subject to some minor changes.

27. Mr. SHAHAB (Egypt) said that, as a signatory but not yet a party to the Treaty and a determined supporter of non-proliferation, his country was of the opinion that only a multiple approach could lead to that goal. Article IV proclaimed the inalienable right of co-operation to which all States could lay claim. Any other interpretation would be in conflict with the IAEA Statute, which applied to all IAEA members regardless of whether or not they were parties to a certain treaty. His delegation therefore disagreed with the notion of preferential treatment of States parties to the Treaty. Preferential treatment ran counter to the Agency's policy with regard to the allocation of technical assistance funds to its members without any discrimination. Those views were motivated by a desire to respect the letter and the spirit of the Treaty. He particularly welcomed the statement made by the representative of the United States (2nd plenary meeting) to the effect that article III (2) did not in fact require the application of full-scope guarantees to non-parties. That statement represented an effort to find a compromise between the opposing views which had been expressed in the Committee. Egypt could not do otherwise than support that interpretation, which explained the inclusion of the words "equipment or material especially designed or prepared for the processing, use or production of special fissionable material" in paragraph 2 of article III. No ban could be imposed on co-operation in the field of nuclear technology, where so-called sensitive equipment and material were subject to international safeguards. It was necessary, however, to guard against co-operation with non-party States which were known to have designs to develop a nuclear weapon capability and which refused to accept international safeguards. On the other hand, co-operation could take place with other non-party States that being the best way to contain future proliferation. The more relaxed such co-operation would be, the safer it would be; the more tense it was, the more unstable the world would become. Some of the States of the London Club had been importers in the past and some were still suppliers and importers at the same time. They were therefore well placed to understand the position of the developing countries and their need to have access to nuclear technology. Aware as it was of the importance of full-scope guarantees on all transfers carried out within the framework of nuclear activities, Egypt was nevertheless in favour of flexibility. In the case of some countries known for their nuclear-weapon designs, full-scope guarantees should be a rule. For others, the best way of gradually encouraging wider adherence to the international nuclear non-proliferation régime was to apply safeguards progressively and to envisage the application of full-scope safeguards only in the longer term.

The meeting rose at 6.35 p.m.
SUMMARY RECORD OF THE 9th MEETING
Wednesday, 27 August 1980, at 5.20 p.m.

Chairman: Mr. F. HARDEZ (Australia)

REVIEW OF THE OPERATION OF THE TREATY AS PROVIDED FOR IN ITS ARTICLE VIII(5)
(agenda item 19) (concluded)

B. IMPLEMENTATION OF THE PROVISIONS OF THE TREATY RELATING TO PEACEFUL APPLICATION OF NUCLEAR ENERGY:

Articles III and IV

1. Mr. KHOLOSTOV (Union of Soviet Socialist Republics) said that since the Treaty had come into operation, the provisions of article IV had never been interpreted as a restriction on the inalienable right of all States parties to implement and develop their programmes for the peaceful utilization of nuclear energy without discrimination and in accordance with non-proliferation obligations. Implementation of the Treaty encouraged international co-operation in the peaceful applications of nuclear energy in a climate of mutual trust, and opened new horizons for the utilization of nuclear energy for peaceful purposes in all States. By limiting the proliferation of nuclear weapons, the Treaty enabled non-nuclear-weapon States to use the enormous financial and human resources they would otherwise devote to nuclear armaments to better purpose. Consolidation of the Treaty could not but strengthen its favourable impact on the scope of the peaceful uses of nuclear energy in the economy, science and the health sector.

2. The obligation of the parties to co-operate as much as possible, individually or jointly with other States or international organizations, in the development of peaceful applications of nuclear energy should be reaffirmed, particularly in non-nuclear-weapon States parties to the Treaty, duly taking into account the needs of the developing countries. The USSR, for its part, played an active part in that type of co-operation, mainly on the basis of bilateral agreements with over 20 countries throughout the world. Obviously, the aim and level of that co-operation varied according to the country, but it was always carried out for exclusively peaceful purposes, based on the equality and sovereignty of the parties, taking into account the requirements of the non-proliferation regime and strictly respecting the agreements and contracts concluded. Such co-operation was largely in the nuclear power field, and the countries which had built nuclear power stations with the help of the USSR had also signed agreements which guaranteed them supplies of nuclear fuel during the operational life of the power station and provided for the return of irradiated fuel to the USSR.

3. The USSR followed closely the work of IAEA which directly concerned the implementation of the objectives of the provisions of article IV. In addition to its programmes on technical assistance and scientific and technical information, IAEA activities concerning safeguards facilitated the implementation of those provisions. In fact, the trust between States and mutual co-operation to promote the peaceful utilization of nuclear energy was based upon the correct application of those safeguards.
4. The Committee on Assurances of Supply established in IAEA by the Board of Governors would play an important role in solving the problem of supply assurance. As his delegation had stated during the general debate (1st plenary meeting), international nuclear fuel cycle centres and international arrangements for the protection of plutonium and spent fuel could be important factors in a future guaranteed supply system.

5. The implementation of article IV was facilitated by the results of the International Nuclear Fuel Cycle Evaluation. Based on the most recent data available, the Evaluation had enabled countries to draw up their plans for the creation and development of a national nuclear power industry on a sounder basis. His delegation considered it important that proven and potential reserves of nuclear fuel, as well as the existing or envisaged installations for the main phases in the fuel cycle, should meet the needs of existing nuclear power industry development programmes.

6. He reaffirmed that the objectives of the guidelines applicable to exports of nuclear material, equipment and technology were entirely in accordance with the provisions of the Treaty. As the majority of exporting countries, all of which were members of the London Club were also importers, the guidelines applied to them too and could not therefore be considered discriminatory. It should be emphasized that these guidelines did not oblige States parties to the Treaty to require safeguards over and above those already provided for in the Treaty and for whose implementation IAEA was responsible. Nor did they establish any restriction outside the framework of the Treaty for countries which envisaged using the materials imported for peaceful purposes and did not intend to transfer them to third countries. All countries participating in international nuclear trade should accept the guidelines, which, far from being contrary to the provisions of the Treaty, contributed to the achievement of its objectives.

7. He hoped that his comments would be reflected in the final document of the Conference.

3. Mr. KORHONEN (Finland), speaking on behalf of Australia, Austria, Canada, Denmark, Finland, the Netherlands, Norway and Sweden, introduced a working paper relating to articles III and IV of the Treaty designed to draw attention to a number of developments in the field of safeguards and the peaceful uses of nuclear energy which had taken place since the first Review Conference. The working paper superseded document NPT/CONF.II/0.II/23 submitted earlier by Finland alone. According to the new working paper, the Conference would bear in mind that the first Review Conference had noted that some States parties to the Treaty had adopted minimum standard requirements for IAEA safeguards for their exports of nuclear material and equipment to non-nuclear-weapon States not parties to the Treaty. Subsequently, a number of States had adopted further measures governing their exports in order to contribute to a general strengthening of the international non-proliferation regime.

A significant number of nuclear supplier States had agreed to a set of guidelines, listed in IAEA document INFCIRC/254, to govern nuclear transfers for peaceful purposes to non-nuclear-weapon States. Those guidelines were intended to achieve more uniform non-proliferation conditions and to allay the anxiety caused by the explosion of a nuclear device by a State which, under the terms of the Treaty, was a non-nuclear-weapon State. The States which subscribed to the guidelines of the Nuclear Suppliers' Group agreed to comply with those guidelines in nuclear transactions among themselves as well as between themselves and other States. The Conference could reaffirm its determination to assure the exchange of equipment, materials and scientific and technological information between States parties to the Treaty, in accordance with articles III and IV, to improve the predictability of supply and introduce preferential trading among the parties in order to promote the adherence of further States to the Treaty. Lastly, the Conference could note that it was important that all States should work together, in the interests of both suppliers and consumers, to establish a non-proliferation regime that would be universally applicable to all nuclear transactions.
9. Mr. DAEHMEN (Federal Republic of Germany) drew attention to press release NPT/42 which summarized statements he had made in meetings. That summary was misleading and he would like the Information Service to give a correct report of what he had said.

Article V and preambular paragraphs 6-7

10. Mr. YATABE (Japan) paid tribute to the work done since 1975 by the IAEA Ad Hoc Advisory Group on Nuclear Explosions for Peaceful Purposes which, by examining the legal, technical and economic aspects of the question of nuclear explosions for peaceful purposes, had greatly contributed to the development of the non-proliferation régime. In his Government's opinion, it was essential to ban all nuclear explosions for peaceful purposes as long as it was technically impossible to distinguish between devices intended for explosions for peaceful purposes and nuclear weapons. Therefore not only non-nuclear-weapon States parties to the Treaty but also nuclear-weapon States parties should refrain from carrying out nuclear explosions, even for peaceful purposes. In that connection, the Japanese delegation shared the view expressed by other delegations that an undertaking by importing countries not to use imported materials, equipment or facilities for peaceful nuclear explosions should constitute an important ingredient of nuclear export conditions.

11. Mr. CAMPBELL (Australia) noted that article V was another provision designed to protect the interests of non-nuclear-weapon States parties to the Treaty. As questions had been asked at the first Review Conference about the time it would take to realize the potential benefits of the technology of nuclear explosions for peaceful purposes, IAEA had undertaken to prepare a report covering various procedural, legal, safety and economic aspects of nuclear explosions for peaceful purposes. It was clear from the report that the procedures provided by the Agency were adequate for the time being to respond to requests for assistance in relation to the technology of nuclear explosions for peaceful purposes. Under article V, non-nuclear-weapon States parties were assured, if and when nuclear explosions for peaceful purposes assumed economic or technical importance of access to their benefits.

12. The question of the availability of peaceful nuclear explosives was complicated by the fact that it might contribute to the proliferation of nuclear weapons. It would therefore be appropriate for nuclear explosions for peaceful purposes to be an integral part of the proposed ban on nuclear testing.

13. In the meantime, the task of the Conference was to ensure that the speculative benefits of nuclear explosions for peaceful purposes did not delay agreement on a nuclear test ban or serve as a pretext for non-parties to develop nuclear explosive devices. The first Review Conference had noted that any potential benefits of nuclear explosions for peaceful purposes could be made available to non-nuclear-weapon States not party to the Treaty by way of services provided by nuclear-weapon States as defined by the Treaty. Accordingly, non-nuclear-weapon States not parties to the Treaty had no reason to be concerned that they might suffer some future economic disadvantage by not possessing the necessary technology. It was with that in mind that he submitted, on behalf of his country, Austria, Canada, Denmark, Finland, Norway and Sweden, a working paper (NPT/CONF.II/C.II/36) containing draft texts on article V of the Treaty for the final declaration.
14. Mr. HOPLAND (Netherlands) said that he agreed with the views expressed by the representative of Australia and endorsed the working paper which he had submitted. It could be concluded from the work of the Ad Hoc Advisory Group on Nuclear Explosions for Peaceful Purposes set up by IAEA that, at the current stage of knowledge, the application of nuclear explosions for peaceful purposes was surrounded by technical, economical and political uncertainties. From the technical viewpoint, the advantages of nuclear explosions for peaceful purposes had not been proved. From the economic point of view, the technology of nuclear explosions for peaceful purposes was still too little advanced for a valid assessment to be made. From the political standpoint, the dangers which peaceful nuclear explosions represented for the proliferation of nuclear weapons were clear. His delegation considered that that situation concerned equally parties to the Treaty and non-parties and proposed that the Conference should adopt a text in which it would state that at the present time there was no justification for non-nuclear-weapon States to undertake research and development programmes relating to peaceful nuclear explosions or programmes devoted to the eventual use of such explosions.

15. Mr. KLJUN (Yugoslavia) said that the potential benefits of the peaceful application to nuclear explosions available to non-nuclear-weapon States parties to the Treaty had not yet been demonstrated. IAEA had set up no machinery to transmit the available information to member States; nor was it known what the information communicated to the Agency by nuclear-weapon States included. However, it had been expressly stated at the first Review Conference that the Agency had an essential role to play in matters relating to the provision of services for the application of nuclear explosions for peaceful purposes. His Government had hoped that the IAEA paper on activities under article V of the Treaty (NPT/CONF.II/8) would provide more details on that subject. The Agency should report on the relevant information communicated to it and indicate the manner in which information was transmitted to States parties to the Treaty and the use made of it.

16. Furthermore, since 1977, IAEA had not provided information on nuclear explosions for peaceful purposes to the General Assembly of the United Nations, and it would have to furnish comprehensive information on what had occurred since that time or explain why the activities had been halted. The only information available on the fate of that programme had been given by the IAEA Board of Governors three years previously, when the Expert Group had discontinued its activities.

17. He noted that in the first version of the IAEA document (NPT/CONF.II/PC.II/9) issued on 25 July 1979, paragraph 21 contained the following sentence: "The final feasibility study report should be available in 1979". Unfortunately, that deadline had not been met and the sentence had disappeared in the latest version of the document (NPT/CONF.II/8), dated 28 May 1980. His delegation hoped that the Agency would fulfil its obligations and that the study in question would soon be available. As IAEA had been recognized at the first Review Conference as "the appropriate international body, referred to in article V of the Treaty, through which potential benefits from peaceful applications of nuclear explosions could be made available to any non-nuclear-weapon State" (NPT/CONF/35/I, Annex I, - Review of article V - p.7, third paragraph), he wondered why the Agency had not submitted an extensive report to the second Review Conference. The Agency should prepare all the reports mentioned during the forthcoming year in accordance with its obligations in the matter.

18. He hoped that his comments would be included in the final document of the Conference.
ADOP'TION OF THE COMMITTEE'S REPORT

1. The CHAIRMAN said that, following discussions with delegations, he had decided to recommend that paragraph 6 and the preceding heading "Recommendation of the Committee" in document NPT/CONF.II/C.II/40 should be deleted and that the following sentence should be added at the end of paragraph 5:

"They form an integral part of the report of the Committee and are forwarded to the Conference for its consideration as such."

2. Pursuant to that recommendation, he proposed that document NPT/CONF.II/C.II/40, together with the annex thereto, should be considered as withdrawn. What would remain would be essentially a procedural report in the terms which he had proposed. Such action, if adopted by the Committee, would follow the precedent set by Committee II at the first Review Conference in 1975.

3. Mr. DAHLHOFF (Federal Republic of Germany) asked whether it was the proposal of the Chairman that document NPT/CONF.II/C.II/40 should be withdrawn. He would like to see the paper withdrawn.

4. The CHAIRMAN said that the document in question had been circulated in good faith, but it was now his proposal that it should be withdrawn.

5. Mr. GONZALEZ DE LEON (Mexico) said that he agreed with the Chairman's proposal that paragraph 6 should be eliminated and that paragraph 5 should be amended by the text proposed by the Chairman. He supported the withdrawal of the annex.

6. Mr. STAIZON (Philippines) said that the Chairman's proposal was in line with the views of the group of 77.

7. In reply to a question from Mr. LENDVAI (Hungary), the CHAIRMAN said that his proposal was that document NPT/CONF.II/C.II/40 and the annex thereto should be withdrawn and that the text in NPT/CONF.II/C.II/40, as amended by his proposal, should be issued in a different form as the report of Committee II. If there were no objections, he would take it that the Committee wished to adopt that proposal.

It was so decided.

8. The CHAIRMAN announced that Committee II had concluded its work.

The meeting rose at 7.05 p.m.