



# INVENTORY OF INTERNATIONAL NONPROLIFERATION ORGANIZATIONS AND REGIMES

2000 EDITION

UPDATED BY  
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## ACRONYMS

ABACC	Argentine-Brazil Agency for Accounting and Control	NAA	North Atlantic Assembly
AG	Australia Group	NACC	North Atlantic Cooperation Council
ANWFZ	African Nuclear-Weapon-Free Zone	NEA	Nuclear Energy Agency
APL	Anti-Personnel Landmines	NPT	Treaty on the Non-Proliferation of Nuclear Weapons
ASEAN	Association of Southeast Asian Nations	NSG	Nuclear Suppliers Group
BW	Biological Weapons	NNWS	Non-Nuclear-Weapon State
BTWC	Biological and Toxin Weapons Convention	NWFZ	Nuclear Weapon-Free Zone
CAS	Committee on Assurances of Supply (IAEA)	NWS	Nuclear-Weapon State
CBW	Chemical and Biological Weapons	OAU	Organization of African Unity
CCW	Convention on Certain Conventional Weapons (also the IWC)	OECD	Organization for Economic Cooperation and Development
CD	Conference on Disarmament	OPANAL	Agency for the Prohibition of Nuclear Weapons in Latin America
CIS	Commonwealth of Independent States	OPCW	Organization for the Prohibition of Chemical Weapons
COCOM	Coordinating Committee for Multilateral Export Controls	OSCE	Organization for Security and Cooperation in Europe
CSO	Committee of Senior Officials (OSCE)	PTBT	Partial Test Ban Treaty - Treaty Banning Nuclear Tests in the Atmosphere, in Outer Space and Under Water
CTBT	Comprehensive Test Ban Treaty	PTS	Provisional Technical Secretariat (OPCW)
CW	Chemical Weapons	SAARC	South Asian Association for Regional Cooperation
CWC	Chemical Weapons Convention	SAGSI	Standing Advisory Group on Safeguards Implementation (IAEA)
EAPC	Euro-Atlantic Partnership Council	SEANWFZ	Southeast Asian Nuclear Weapon-Free Zone (ASEAN)
ENMOD	Environmental Modification Convention	SPNFZ	South Pacific Nuclear-Free Zone
ESARDA	European Safeguards Research and Development Association	STCU	Science and Technology Center in Ukraine
EU	European Union	UN	United Nations
EURATOM	European Atomic Energy Community	UNDC	United Nations Disarmament Commission
HLMs	High Level Meetings (COCOM)	UNGA	United Nations General Assembly
IAEA	International Atomic Energy Agency	UNIDIR	United Nations Institute for Disarmament Research
IAEL	International Atomic Energy List (COCOM)	UNSC	United Nations Security Council
IIL	International Industrial List (COCOM)	UNSCR	United Nations Security Council Resolution
IML	International Munitions List (COCOM)	UNSCOM	United Nations Special Commission on Iraq
ISTC	International Science and Technology Center, Moscow	VEREX	Ad Hoc Group of Government Experts (BTWC)
IWC	Inhumane Weapons Convention (also the CCW)	ZAC	Zangger Committee
KEDO	Korean Peninsula Energy Development Organization	ZOPFAN	Zone of Peace, Freedom and Neutrality (ASEAN)
MTCR	Missile Technology Control Regime		

## INTRODUCTION

Recent international developments following the end of the Cold War have focused global attention on the further spread of nuclear, chemical and biological weapons and their means of delivery. Consequently, both national governments and international organizations have accorded greater awareness and importance to strengthening international nonproliferation regimes. Evidence of this concern about proliferation is revealed in the more dynamic roles assumed by the UN Security Council and the IAEA; in the creation of new nonproliferation machinery such as the UNMOVIC on Iraq; in the establishment of the Provisional Technical Secretariat of the Comprehensive Nuclear-Test Ban Treaty Organization; in the creation of the Organization on the Prohibition of Chemical Weapons to oversee the implementation of the Chemical Weapons Convention; in the exercise at the Conference on Disarmament to negotiate a verification instrument to bolster the Biological and Toxin Weapons Convention; in the continuing expansion of adherence to the NPT and its indefinite extension, and other nonproliferation treaties; and in the further strengthening of international export control arrangements. These developments have led to a renewed need for in-depth analysis of the activities of such international organizations and regimes.

The increased interest in nonproliferation and international organizations on the part of policy makers and scholars, however, has yet to be matched by systematic data collection and analysis. There is still insufficient understanding and agreement about the roles that international organizations can and should play in containing proliferation in today's global environment. The *Inventory of International Nonproliferation Organizations and Regimes* seeks to fill this void by providing a comprehensive source of general information on the most active and important organizations with responsibilities for nonproliferation treaties and other arms control arrangements.

The *Inventory* seeks to cover the wide diversity of nonproliferation organizations, and therefore employs a broad definition of "international organizations", which includes formal organizations, non-charter regimes, multilateral groupings of states, treaties, and regional and bilateral arrangements. It is designed to identify the full range of international organizational nonproliferation actors and their existing institutional ties, interrelationships, and overlapping areas of responsibility. It is envisaged to be a useful tool for research, as well as a general reference source for policy makers, analysts and students.

We have included, as appendices, membership lists of the organizations and regimes. These lists reflect the various categories that are included in the *Inventory*: global organizations, international treaties, and regional organizations.

The first edition of the *Inventory* was published in June 1993. This is the fifth edition of the *Inventory*, and it can be accessed through the Internet web site of the Center for Nonproliferation Studies at: <http://cns.mii.edu>.

All entries were deemed correct as of 15 July 2000. Further updates will be reflected in the on-line version of the *Inventory*. A wide variety of official and other sources were utilized in compiling the information presented in this volume. While every effort has been made to ensure the accuracy of all the information included here, the International Organizations and Nonproliferation Program (IONP) cannot be held responsible for any errors of omission or commission.

The preparation of this volume has involved the tireless efforts of several IONP Interns, including Jason Evans and Vyacheslav Tourkine, and their contributions are gratefully acknowledged. Thanks are due also to David Mason and David Steiger, for layout and formatting; and to Jason Pate for the chart on NWFZs.

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## Global Organizations and Regimes:

### UNIVERSAL MEMBERSHIP

#### UNITED NATIONS (UN)

Established: 1945.

Membership: 188 states.

The principal organs dealing with international peace and security, arms control, disarmament, and nonproliferation are the General Assembly, the Security Council, and the Secretariat.

Secretary-General: Kofi Annan (1997- );

Deputy-Secretary General: Louise Frechette (1998- );

Under-Secretary-General for Disarmament: Jayantha Dhanapala (1998- ).

#### UN General Assembly

Consists of all 188 UN members.

Functions: Under Article 11 of the UN Charter, the General Assembly (UNGA) may consider the general principles of cooperation in the maintenance of international peace and security, including the principles governing disarmament and the regulation of armaments, and may make recommendations with regard to such principles to the members of the UN or to the Security Council.

Some major actions of the General Assembly in the field of arms control, nonproliferation, and disarmament include endorsement of the Treaty on the Non-Proliferation of Nuclear Weapons (1968), endorsement of the Convention on the Prohibition of Bacteriological and Toxin Weapons (1972), adoption of the Final Document of the First Special Session on Disarmament (1978), endorsement of the Convention on the Prohibition of Chemical Weapons (1992), and adoption of the Comprehensive Test Ban Treaty (1996).

The General Assembly has held three special sessions on disarmament - in 1978, 1982, and 1988. A fourth session is under consideration (49/75I, 50/70F, 51/45C, 52/38F, 53/77AA and 54/54U).

Under the Relationship Agreement between the UN and the International Atomic Energy Agency and under the IAEA Statute, the IAEA annually submits reports to the UN which are considered at the UNGA plenary meetings.

#### Subsidiary organs of the General Assembly:

*Disarmament and International Security Committee (First Committee)* — deals with all disarmament and nonproliferation questions.

The 1999 session of the UNGA adopted 48 draft resolutions and 4 draft decisions dealing with disarmament, arms control, and nonproliferation, submitted by its First Committee. The resolutions covered biological and chemical weapons, conventional weapons, nuclear disarmament and nonproliferation, nuclear testing, nuclear-weapon-free zones and other issues. The following is a summary of the major resolutions in each issue area:

#### Chemical and biological weapons:

- called on non-parties to become States parties to the CWC to make the treaty universal and stress the importance of full implementation and compliance with the treaty (54/54E);
- called on all States to sign and/or ratify the BTWC, and on the States Parties to accelerate and conclude the Ad Hoc Committee negotiations on a protocol to strengthen the regime (54/61);

#### Conventional weapons:

- invited non-parties to sign or, upon entry into force, accede to the Ottawa Convention (54/54B);
- called for the convening of the UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, to be held in June of 2001 (54/54V) to address the illicit trafficking of small arms (54/54J and 54/54R);
- called for inclusion of weapons of mass destruction in the UN Register on Conventional Arms to promote greater transparency (54/54I);

#### Nuclear disarmament and non-proliferation:

- called on Israel to accede to the NPT, not to acquire nuclear weapons, renounce the possession of them, and, as a confidence-building measure, to place its nuclear facilities under full-scope IAEA safeguards (54/57);
- called for a new agenda for a nuclear-weapon-free world (54/54G); and the total elimination of nuclear weapons through a step-by-step process and, as interim measures, de-alerting and

deactivation of weapons and the creation of a negative security assurance instrument (54/52 and 54/54P);

- requested the CD to start negotiations to prohibit the use or threat of use of nuclear weapons (54/55D);
- called again on nuclear-weapon-states to fulfill their obligation to pursue and bring to a conclusion nuclear disarmament negotiations under the advisory opinion of the International Court of Justice on the legality of the threat or use of nuclear weapons (54/54Q);
- noted the progress made in discussions between the Russian Federation and the United States on START III and urged its early completion and entry into force (54/54D, 54/54G, 54/54P);

**Nuclear testing:**

- endorsed the Final Declaration of the Conference on Facilitating the Entry into Force of the CTBT, called on states to sign and/or ratify the CTBT, and to cease nuclear testing until its entry into force (54/63);

**Nuclear-weapon-free zones:**

- there were five resolutions and one decision on nuclear-weapon-free zones including a call for ratification of amendments of the Treaty of Tlatelolco of Latin America and the Caribbean NWFZ (54/60); a call for the establishment of a Southern Hemisphere NWFZ (54/54L); a call for ratification of the Treaty of Pelindaba African NWFZ (54/48); a call for establishment of a Central Asian NWFZ (54/417) and for a Middle Eastern NWFZ (54/51 and 54/57);

**Other:**

- decided to convene the fourth special session of the General Assembly devoted to disarmament (SSOD IV), provided there emerges a consensus on the objective and agenda for the session (54/54U);
- called for the prevention of an arms race in outer space and the establishment of an ad hoc committee at the CD (54/53);
- welcomed the re-establishment of the ad hoc committee in the CD and continued negotiations to ban fissile material production for nuclear explosives (54/54P);
- called for the preservation of the ABM Treaty as a cornerstone in maintaining global strategic stability and promoting nuclear arms reductions (54/54A);
- requested the Secretary-General to seek the views of all Member States on the issue of missiles in all

its aspects, and to submit a report to the GA's 55th session (54/54F).

The 1998 session of the UNGA adopted 48 draft resolutions and one draft decision dealing with disarmament, arms control, and nonproliferation, submitted by its First Committee. The following is a summary of the major resolutions in each issue area:

**Chemical and biological weapons:**

- called on non-parties to ratify the CWC and stressed the importance of full implementation and compliance with the treaty (53/77R);
- called on all States to sign and/or ratify the BTWC, and the States Parties to accelerate and conclude the Ad Hoc Committee negotiations on a protocol to strengthen the regime (53/84);

**Conventional weapons:**

- invited non-parties to sign or, upon entry into force, accede to the Ottawa Convention (53/77N);
- called for a study on small arms and light weapons reduction and control (53/77E) to address illicit trafficking of small arms (53/77B and 53/77T);
- called for inclusion of weapons of mass destruction in the UN Register on Conventional Arms to promote greater transparency (53/77V);

**Nuclear disarmament and non-proliferation:**

- called on Israel to accede to the NPT, not to acquire nuclear weapons, renounce the possession of them, and, as a confidence-building measure, to place its nuclear facilities under full-scope IAEA safeguards (53/80);
- called for a new agenda for a nuclear-weapon-free world (53/77Y), the total elimination of nuclear weapons within a specified time frame and, as interim measures, de-alerting and deactivation of weapons and the creation of a negative security assurance instrument (53/77X);
- requested the CD to start negotiations to prohibit the use or threat of use of nuclear weapons (53/78D);
- called again on nuclear-weapon-states to fulfill their obligation to pursue and bring to a conclusion nuclear disarmament negotiations under the Advisory Opinion of the International Court of Justice on the legality of the threat or use of nuclear weapons (53/77W);
- urged the Russian Federation and the United States to begin START III negotiations immediately after the ratification of START II by the Russian Federation (53/77Z);

## Nuclear testing:

- condemned the nuclear tests by India and Pakistan and called on states to sign and/or ratify the CTBT (53/77G) and to cease nuclear testing until its entry into force (53/77U and 53/77Y);
- In addition, a draft resolution on the Comprehensive Nuclear Test Ban Treaty calling for signatures and ratifications as well as the establishment of a verification regime by the CTBTO was withdrawn and replaced by a draft resolution to include the item in the next session of the GA;

## Nuclear-weapon-free zones:

- there were five resolutions on nuclear-weapon-free zones including a call for ratification of amendments of the Treaty of Tlatelolco of Latin America and the Caribbean (53/83); a call for the establishment of a Southern Hemisphere NWFZ (53/77Q); support for the Mongolian NWFZ (53/77D); a call for the establishment of a Central Asian (53/77A) and for a Middle Eastern NWFZ (53/74 and 53/80);

## Other:

- decided to convene the Fourth Special Session of the General Assembly devoted to disarmament (SSOD IV), provided there emerges a consensus on the objective and agenda for the session (53/77AA);
- called for the prevention of an arms race in outer space and the establishment of an ad hoc committee at the CD (53/76);
- encouraged the re-establishment of the ad hoc committee in the CD and continued negotiations on a ban on fissile material production for nuclear explosives (53/77I).

In 1997, the First Committee submitted 43 draft resolutions and two draft decisions dealing with disarmament, arms control, and non-proliferation to the GA for adoption. The following is a summary of the major resolutions in each issue area:

## Conventional weapons:

- invited signatures and encouraged prompt ratification of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction (52/38A);
- called on the CD to engage in intensified efforts to address the land mines issue (52/38H);

- reaffirmed the importance of and called for further development of the UN Register of Conventional Arms (52/38R);
- reaffirmed the close relationship between transparency in conventional weapons and transparency in weapons of mass destruction (53/38B);
- endorsed the recommendations of the Panel of Government Experts on Small Arms and called on states to implement them in cooperation with regional and international organizations, the police, intelligence services, customs and border control, etc. (52/38J);

## Nuclear disarmament and non-proliferation:

- called for a step-by-step program of deep nuclear weapon reductions within a time-bound framework and a halt in the qualitative improvement, development, production and stockpiling of nuclear warheads and delivery systems, as well as the establishment of an ad hoc committee on nuclear disarmament in the Conference on Disarmament (52/38L);
- recalled the International Court of Justice's advisory opinion on the legality of nuclear weapons and called for multilateral negotiations to begin on a nuclear weapons convention (52/38O and 52/39C);
- called for an agreement at the CD to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons (52/36);
- called on Israel to accede to the NPT and to place all of its nuclear facilities under full-scope IAEA safeguards (52/41);
- urged the United States and the Russian Federation to begin negotiations on START III after the entry into force of START II (52/38M);

## Nuclear testing:

- decided in a draft decision to include an item on the Comprehensive Nuclear Test Ban Treaty in the 53rd session of the GA;

## Nuclear-weapon-free zones:

- called for support for the establishment of a NWFZ in Central Asia (52/38S), the Middle East (52/34), the Southern Hemisphere and adjacent areas (52/38N), and in South Asia, and called on all States to refrain from taking any action contrary to the objective of NWFZs (52/35);
- called for the ratification of the amendments to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of

Tlatelolco) (52/45) and the signature and ratification of the African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba) (52/46);

- called for the implementation of a Zone of Peace in the Indian Ocean (52/44);

Other:

- called for a Fourth Special Session of the General Assembly devoted to disarmament (SSOD IV) subject to a consensus on the objective and agenda (52/38F);
- called for an ad hoc committee in the CD on the prevention of an arms race in outer space (52/37);
- called for universally acceptable, non-discriminatory guidelines for international transfers of dual-use goods and technologies and high technology with military applications (52/33);
- urged states to implement and comply with arms limitation and disarmament and nonproliferation agreements and encouraged the development of additional cooperative measures to increase confidence in compliance (52/30).

**UN Disarmament Commission (UNDC)** — originally established in 1952, and later re-established and strengthened in 1978. It is a specialized deliberative body of universal membership mandated to submit concrete recommendations on specific disarmament issues and to follow up on the decisions of the GA's special sessions on disarmament.

The 2000 substantive session, held from 26 June to 7 July, was chaired by Iranian Deputy Foreign Minister, Javad Zarif. The Disarmament Commission adopted by consensus a draft report as well as the draft reports of its two working groups on nuclear disarmament and on practical confidence-building measures in the field of conventional arms. All three reports will be submitted to the General Assembly at its 55<sup>th</sup> session.

The 1999 substantive session of the UNDC was held from 12 to 30 April in New York, and was chaired by Maged Abdelaziz (Egypt). The Disarmament Commission concluded its deliberations in the three working groups, reaching agreement on guidelines for the establishment of nuclear-weapon-free zones and conventional arms control for the consolidation of peace in post-conflict situations. The Commission could not, however, reach consensus on the objectives and agenda for SSOD IV.

The guidelines for the establishment of NWFZ's stipulate that the initiative to establish a NWFZ must ema-

nate exclusively from States within the region concerned and be pursued by all the States in that region. The nuclear-weapon States and any other States responsible for territory within the zone should be consulted during negotiations.

The 1998 substantive session of the UNDC was held from 6 to 28 April in New York. The Commission, chaired by Sergey Martynov (Belarus), addressed and established three working groups for the following disarmament areas: the establishment of nuclear-weapon-free zones, the development of guidelines on conventional arms control, limitation and disarmament and the preparations for the GA's Fourth Special Session on Disarmament (SSOD IV).

The Commission concluded its third and last year's work on the SSOD IV having failed to reach an agreement on its objectives and agenda. However, a resolution (A/RES/53/77AA) was passed in the 53rd session of the GA that recommended that the item be included in the 1999 session of the Committee for an unprecedented fourth year in order to "promote agreement on the agenda and timing of the special session." Thus, work on all three items was to be continued in 1999.

**UN Institute for Disarmament Research (UNIDIR)** — is an autonomous institution within the framework of the United Nations. It was established by the General Assembly for the purpose of undertaking independent research on disarmament and related problems, particularly international security issues. UNIDIR was established in October 1980 on the basis of UNGA resolution 37/99 K. The Statute of UNIDIR was approved by the UNGA in 1984 (Resolution 39/148 H). The Director of UNIDIR reports annually to the UNGA on the activities of the Institute. The UN Secretary-General's Advisory Board on Disarmament Matters functions as UNIDIR's Board of Trustees.

The work of the Institute aims to:

- Provide the international community with more diversified and complete data on problems relating to international security, the armament race, and disarmament in all fields;
- Promote informed participation by all States in disarmament efforts;
- Assist ongoing negotiations on disarmament and continuing efforts to ensure greater international security at progressively lower levels of armaments by means of objective and factual studies and analyses; and

- Carry out more in-depth, forward-looking, and long-term research on disarmament so as to provide general insight into the problems involved and to stimulate new initiatives for new negotiations.

UNIDIR cooperates with and among research institutes; develops and maintains a computerized information and documentation database service; publishes research papers, reports and a quarterly journal, *Disarmament Forum*; and organizes regional conferences. It also has a fellowship program to enable scholars from both developed and developing countries to conduct research at the Institute.

The 1999 projects included research on biological warfare, commercial satellite technology use in the Middle East, peacekeeping, practical disarmament in West Africa and the South Asian nuclear tests.

The Institute's budget is financed mainly by voluntary contributions from governments and public or private organizations. A contribution to the costs of the Director and staff may be provided from the UN regular budget.

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**Advisory Board on Disarmament Matters** - established in 1978, it advises the UN Secretary-General on general and specific disarmament issues and on the implementation of the UN Disarmament Information Programme, and serves as the Board of Trustees of UNIDIR.

**UN Disarmament Information Programme** (prior to 1992 — World Disarmament Campaign) — instituted in 1979, it is a global program to inform, educate, and generate public understanding of UN activities in the field of disarmament.

**UN Disarmament Fellowship, Training and Advisory Services Programme** — established in 1979.

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**Regional Centers for Peace and Disarmament** — located in Asia (Kathmandu), Africa (Lome) and Latin America (Lima). The centers were established to promote regional cooperation in order to contribute to the implementation and coordination of regional activities under the UN Disarmament Information Program, and to facilitate the development of effective measures of confidence-building, arms limitation, and disarmament.

**UN Register of Conventional Arms** - established January 1, 1992, under UNGA resolution 46/36L, "Transparency in Armaments," of December 9, 1991.

The purpose of the UN Register of Conventional Arms is to serve as a universal and non-discriminatory confidence-building measure designed to give early warning and prevent the excessive and de-stabilizing accumulation of arms.

Procedures approved by the UNGA call for the voluntary submission by member states of data on all items exported or imported in seven major weapon categories. Background information is also requested on each country's military holdings, procurement through national production, and relevant policies. Submitted information is made available to the public.

All member states were invited to participate by providing information for each calendar year by 30 April of the following year. Seventy-four (33 nil, 41 substantive) states had done so for calendar year 1999, 81 (27 nil, 54 substantive) for 1998, and ninety-eight (44 nil, 54 substantive) states for 1997. Ninety states had submitted reports for 1996, 93 for 1995, 96 for 1994, 92 for 1993, and 93 for 1992 (including "nil" reports by those states which had no imports or exports in categories relevant to the register.) The UN Secretary-General released the seventh report on the UN Register of Conventional Arms, covering data for the year 1998, on 13 August 1999 (A/54/226). A number of addendums and corrections were subsequently published after this date.

**The Group of Governmental Experts on the UN Register of Conventional Arms** — The Group of Governmental Experts on the UN Register is to meet from 24 July to 4 August 2000. They held two other meetings

in the year 2000, from 6-10 March and from 22 May to 2 June. As a result of their previous meeting in 1997, the Group submitted its report to the Secretary General (A/52/316) on 29 August of that year. The following conclusions and recommendations were contained in the report:

- The record of participation in the Register showed a consistent level of participation, with over 90 States reporting in each of the first four years, but there were wide variations in the levels of reporting among regions;
- In order to move towards the goal of universal participation, more Member States should be encouraged to participate on a regular basis, and, in particular, through the provision of “nil” reports, where applicable;
- The goal of early expansion of the Register and recognition of the increasing number of States voluntarily reporting on military holdings and procurement through national production was reaffirmed;
- To assist States in the preparation of accurate reports to the Register, the Group concluded that the due date for reporting each year should be changed from 30 April to 31 May. The Group could not, however, reach agreement on expanding the register to include other categories of weapons.

In 1994, the group of governmental experts, with members from 25 countries, first met to review operation of the Register and consider its further development, including the addition of new categories of equipment and data on military holdings and procurement through national production. The group did not reach consensus on any substantial expansion or changes. The following year, the UNGA passed resolution 50/70 D which called for continued participation in the Register and requested the Secretary-General, with the assistance of a group of governmental experts to be convened in 1997, to prepare a report on the continuing operation of the register and its further development for submission to the UNGA with a view to a decision at its 1997 session.

The Department for Disarmament Affairs at the UN Secretariat is responsible for maintaining an electronic database for the import/export data submitted, and files on background information.

***Reduction of Military Budgets: Instrument for Standardized International Reporting of Military Expenditures*** — established by the General Assembly in 1980.

In 1985, the General Assembly reiterated its recommendation that all member states should annually report by April 30 to the Secretary-General their military expenditures for the latest fiscal year for which data are available, using the reporting instrument. The 1999 Report of the Secretary-General shows that 35 member states submitted information on their military expenditures (A/54/298). Information was submitted by 27 member states in 1998 (A/53/218).

### UN Security Council

Consists of 15 members, including five permanent members: China, France, Russia, the United Kingdom, and the United States; and ten non-permanent members for 1999-2000: Argentina, Bangladesh, Canada, Jamaica, Malaysia, Mali, Namibia, Netherlands, Tunisia and Ukraine. The membership of Argentina, Canada, Malaysia, Namibia and the Netherlands expires on 31 December 2000. The presidency of the Council rotates monthly, according to the English alphabetical listing of its member States.

Functions: Under Art. 26 of the UN Charter, in order to promote the establishment and maintenance of international peace and security with the least diversion for armaments of the world's human and economic resources, the Security Council shall be responsible for formulating, with the assistance of the Military Staff Committee, plans to be submitted to the UN members for the establishment of a system for the regulation of armaments.

On June 19, 1968, the Security Council adopted a resolution which recognized that aggression with nuclear weapons or the threat of such aggression against a NNWS would create a situation in which the Council, and above all its NWS permanent members, would have to act immediately in accordance with their obligations under the UN Charter; welcomed the intention expressed by certain states that they will provide or support immediate assistance, in accordance with the Charter, to any NNWS party to the NPT that is a victim of an act or an object of a threat of aggression in which nuclear weapons are used; and reaffirmed the inherent right, recognized under Article 51 of the Charter, of individual and collective self-defense if an armed attack occurs against a UN member, until the Council has taken measures necessary to maintain international peace and security (255/1968).

On April 11, 1995 the Security Council adopted by consensus resolution 984 which updated the security assurances announced by the nuclear-weapon States on April 5-6, 1995. It goes farther than resolution 255 (1968) in that it recognizes the interest of the non-nuclear-weapon States parties to the NPT that the Security Council, and more specifically the nuclear-weapon States, act quickly should such States be the victim of a nuclear act of aggression. The new resolution also urged all States to pursue in good faith effective measures relating to nuclear disarmament and on a treaty on general and complete disarmament under strict and effective international control.

According to the Summit Declaration adopted by the Security Council on January 31, 1992, the proliferation of all weapons of mass destruction constitutes a threat to international peace and security. The members of the Council committed themselves to working to prevent the spread of technology related to the research on or production of such weapons and to taking appropriate action to that end. They emphasized the integral role in the implementation of the NPT of fully effective IAEA safeguards, as well as the importance of effective export controls. They would take appropriate measures in the case of any violations brought to their attention by the IAEA. They recognized the importance of all states providing all the information called for in the General Assembly's resolution on the UN register of arms transfers.

The Security Council unanimously adopted Resolution S/1172 on 6 June 1998 in response to nuclear tests by India on 11 and 13 May and by Pakistan on 28 and 30 May. The resolution called on the two countries to refrain from further nuclear tests, to halt their nuclear weapon programs and to join both the NPT and the CTBT. The resolution also implicitly denied the countries their claimed nuclear-weapon-state status.

## Subsidiary organs of the Security Council:

**Military Staff Committee** — under Article 47 of the UN Charter, is to advise and assist the Security Council in the maintenance of international peace and security, and the regulation of armaments, and possible disarmament.

**Sanctions Committees** — charged with monitoring the implementation of Council-established sanctions. Some

of the committees, each consisting of all members of the Security Council, perform nonproliferation functions such as mandatory sanctions against Iraq, resolution 661 (1990); arms embargo against the former Yugoslavia, resolution 724 (1991); aerial, arms, and diplomatic sanctions against Libya, resolution 748 (1992); weapons and military embargo against Somalia, resolution 751 (1992); arms embargo against Angola, resolution 864 (1993); arms embargo against Rwanda, resolution 918 (1994); concerning Liberia, resolution 985 (1995); concerning Sierra Leone, resolution 1132 (1997); concerning Yugoslavia, resolution 1160 (1998); concerning Afghanistan, resolution 1267 (1999).

**Special Commission on Iraq (UNSCOM)** — established pursuant to paragraph 9(b)(I) of UNSC resolution 687 (3 April 1991), for the purpose of eliminating Iraq's capabilities vis-à-vis weapons of mass destruction and ballistic missiles with a range greater than 150 km, and ensuring that Iraq does not reacquire these capabilities. In the nuclear area, UNSCOM provided assistance and cooperation to the IAEA. Both UNSCOM and the IAEA had extensive rights that enabled them to fulfill the mandate, emanating from resolution 687 and elaborated upon in the exchange of letters between the UN Secretary-General and the Minister of Foreign Affairs of Iraq in May 1991, and from UNSC resolutions 707 and 715 (1991), which require the destruction, removal, and rendering harmless of Iraq's capabilities proscribed by the UNSC, and provide for the long-term monitoring and verification of Iraq's compliance with Security Council resolutions.

By the end of 1998, UNSCOM had fielded over 250 inspection missions. In its operations it had uncovered elements of Iraq's biological weapons program, advanced chemical weapons capabilities and missile production facilities. Among other things, it had destroyed: 48 operational long-range missiles, 14 conventional missile warheads, 30 chemical missile warheads, 690 tons of chemical weapons agent, the Al-Hakam biological weapons facility and other biological weapons production equipment and materials. A comprehensive list of UNSCOM's achievements can be found at:

<http://www.un.org/Depts/unscom/Achievements/achievements.html>.

On 2 March 1998, the Security Council issued a resolution (S/1154) stating it was determined to ensure immediate and full compliance by Iraq without conditions or restrictions with its obligations under resolution 687 (1991) and the other relevant resolutions. In

addition S/1154 endorsed the memorandum of understanding signed by the Deputy Prime Minister of Iraq and the Secretary-General on 23 February 1998 (S/1998/166), in which procedures for the inspection, in consultation with UNSCOM and the IAEA, of Presidential sites were outlined. On 9 September, the Security Council condemned Iraq's decision of 5 August 1998 to suspend cooperation with UNSCOM and the IAEA, a development it considered as a contravention of the memorandum signed in February. The resolution (S/1194) also demanded full cooperation and reiterated the Security Council's intention to ensure full compliance by Iraq with all the previous resolutions' obligations. On 5 November, another resolution (S/1205) condemned the 31 October decision by Iraq to cease cooperation with UNSCOM and demanded that Iraq rescind both its decisions of 5 August and 31 October. The Security Council demanded that Iraq cooperate with UNSCOM and the IAEA immediately, completely and unconditionally. However, following several more weeks of non-compliance, the Special Commission withdrew its staff from Iraq on 15 December 1998. The Security Council sought new ways to re-establish a cooperative relationship with Iraq, including plans for renewed monitoring and verification. Three panels were established in order to focus on main issues surrounding Iraq: disarmament and current and future ongoing monitoring and verification issues; humanitarian issues; and prisoners of war and Kuwaiti property. The semi-annual reports of the commission are available at:

<http://www.un.org/Depts/unscom/unscomdoc.htm>

The bulk of UNSCOM's expenses were met directly by supporting governments in the form of contributions in kind of personnel, supplies, and equipment. Operational expenses were met from cash contributions made from various countries and from unfrozen Iraqi assets made available to the UN. Security Council resolution 986 of 1995 allowed for some funds from the sale of Iraqi oil to be used to meet UNSCOM operating costs. The cash requirements of the Commission totaled approximately \$25-30 million per year.

The Special Commission consisted of 21 members: Australia, Austria, Belgium, Canada, China, Czech Republic, Finland, France, Germany, Indonesia, Italy, Japan, Netherlands, Nigeria, Norway, Poland, Russia, Sweden, UK, US, and Venezuela.

UNSCOM had offices in New York, Bahrain and Baghdad.

Richard Butler (Australia) completed his two-year tenure as Executive Chairman of the Commission on 30 June 1999. Deputy Executive Chairman Charles A. Duelfer (US) served as Officer-in-Charge until UNMOVIC was established.

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<http://www.un.org/Depts/unscom/index.html>

**Monitoring, Verification and Inspection Commission (UNMOVIC)** — was established pursuant to Security Council resolution 1284 (1999), to undertake the responsibilities of the former United Nations Special Commission (UNSCOM). UNMOVIC is mandated to establish a reinforced, ongoing monitoring and verification system, address unresolved disarmament issues and will assume UNSCOM's assets, liabilities and archives.

Resolution 1284 (1999) was adopted by a vote of 11 in favour to none against, with 4 abstentions (China, France, Malaysia and Russian Federation). The Resolution requires the suspension and lifting of sanctions against Iraq once certain conditions have been met. Once UNMOVIC and the International Atomic Energy Agency (IAEA) report that Iraq has been cooperating in all respects with the reinforced monitoring system for a period of 120 days, the sanctions would be suspended for 120 days, renewable by the Council. If at any time the Executive Chairman of UNMOVIC or the Director-General of the IAEA reported that Iraq was not cooperating, or if Iraq was in the process of acquiring any prohibited items, the economic sanctions would be reimposed. According to the resolution, the Government of Iraq will be liable for costs incurred by UNMOVIC and the IAEA for their work in Iraq.

On 27 January 2000, the Secretary-General appointed Hans Blix (Sweden) to be the Executive Chairman of UNMOVIC. The Executive Chairman is to report every three months on the work of UNMOVIC. The Secretary-General was also asked to appoint experts to a College of Commissioners for UNMOVIC, which



would meet regularly to review the implementation of relevant Council resolutions and advise the Executive Chairman. The Commissioners were named by the Secretary-General in March 2000, as follows: Abigun Ade Abiodun (Nigeria), Reinhard Bohm (Germany), Ronald Cleminson (Canada), Cong Guang (China), Therese Delpech (France), Robert Einhorn (United States), Yuriy V. Fedotov (Russian Federation), Kostyantyn Gryshchenko (Ukraine), Gunterio G. Heineken (Argentina), Hannelore Hoppe (United Nations-Department of Disarmament Affairs), Takanori Kazuhara (Japan), Roque Monteleone-Neto (Brazil), Annaswamy Narayana Prasad (India), Marjatta Rautio (Finland), Paul Schulte (United Kingdom), and Cheikh Sylla (Senegal).

### UN Secretariat

Consists of an international staff from member states. Headed by the Secretary-General, who is appointed by the General Assembly on the recommendation of the Security Council. The Secretary-General is the chief administrative officer of the organization.

Functions: Services the organs of the UN and administers the programs and policies laid down by them. Under Article 99 of the UN Charter, the Secretary-General may bring to the attention of the Security Council any matter which, in his opinion, may threaten the maintenance of international peace and security.

UN Department for Disarmament Affairs (prior to January 1998 the Center for Disarmament Affairs, and until 1993 the Office for Disarmament Affairs) administers UN activities in the field of nonproliferation.

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## INTERNATIONAL ATOMIC ENERGY AGENCY (IAEA)

Established: 1957

Membership: 130 States

Functions: to encourage and assist research, development and practical application of atomic energy for peaceful uses throughout the world; to establish and administer safeguards designed to ensure that such activity assisted by the Agency is not used in such a way as to further any military purpose; to apply safeguards to relevant activities at the request of member states; to apply, under the NPT and other international treaties, mandatory comprehensive safeguards in NNWS party to such treaties.

In carrying out its functions, the Agency conducts its activities in accordance with the purposes and principles of the UN to promote peace and international cooperation, and in conformity with policies of the UN for furthering the establishment of worldwide disarmament through safeguards.

The Agency's safeguards system is defined primarily in Art. XII of the IAEA Statute, and in documents INFCIRC/66 (designed to be applied in any state that concluded a safeguards agreement), INFCIRC/153 (used as a basis for agreements with states parties to the NPT; the Tlatelolco Treaty; the SEANWFZ Treaty, the Treaty of Pelindaba, the Treaty of Rarotonga; the ABACC.)

Principal organs: General Conference, Board of Governors, Secretariat.

### General Conference

Consists of all 130 IAEA member states.

Functions: The General Conference has a broad review and policy guidance function in regard to all IAEA programs, but no day-to-day safeguards role. It may discuss any questions or any matters within the scope of the IAEA Statute or relating to the powers and functions of any organs provided for in the Statute.

The General Conference endorsed the safeguards systems adopted by the Board of Governors, and approved the IAEA's safeguards role under the NPT.

The 1999 session of the General Conference, 27 September - 1 October, adopted resolutions regarding, *inter alia*:

- Implementation of the Agreement between the Agency and the Democratic People's Republic of Korea for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons (GC(43)/RES/3 adopted 1 October);
- Measures to Strengthen International Co-operation in Nuclear, Radiation and Waste Safety - The Safety of Radiation Sources and the Security of Radioactive Materials (GC(43)/RES/10 adopted 1 October);
- Measures to Strengthen International Co-operation in Nuclear, Radiation and Waste Safety - Safety of Transport and Radioactive Materials (GC(43)/RES/11 adopted October 1);
- Plan for Producing Potable Water Economically (GC(42)/RES/15 adopted 1 October);
- Extensive Use of Isotope Hydrology for Water Resources Management;
- Strengthening the Effectiveness and Improving the Efficiency of the Safeguards System and Application of the Model Protocol (GC(43)/RES/17 adopted 1 October);
- Measures Against Illicit Trafficking in Nuclear Materials and Other Radioactive Sources (GC(43)/RES/16 adopted 1 October).

The 1998 session of the General Conference, 21 - 25 September, adopted resolutions:

- expressing concern over continued non-compliance by North Korea and urging it to cooperate fully with the Agency regarding the Implementation of the Agreements Between the Agency and the Democratic People's Republic of Korea for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons (GC(42)/RES/2);
- condemning Iraq's decision on 5 August 1998 to suspend cooperation with the IAEA, demanding that it rescind its decision, resume dialogue and begin full cooperation with the Agency. It stressed that the Agency's Action Team should continue to further investigate any aspects of Iraq's nuclear program (GC(42)/RES/3);
- appealing to all states not parties to join the Convention on Nuclear Safety (GC(42)/RES/10);
- emphasizing that Member States make all necessary efforts to have contingency plans in place for nuclear power plants, fuel cycle and medical facilities which use radioactive materials well before 31 December 1999 in order to share information and handle potential problems which

may arise due to the Year 2000 problem (GC(42)/RES/11);

- encouraging all governments to join in international co-operative efforts to strengthen the safety of radiation sources and the security of radioactive materials (GC(42)/RES/12);
- expressing "grave concern" and strongly deploring the nuclear tests by India and Pakistan in May 1998; calling on them to conclude the additional protocols as called for by resolution GC(41)/RES/16;
- urging all States to become Parties to the NPT and the CTBT and to place all their nuclear material and facilities under comprehensive Agency safeguards without delay and conditions; urging all States to support negotiations for a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices and the five nuclear-weapon States to fulfill their commitments under Article VI of the NPT (GC(42)/RES/19);
- confirming the urgent need for all States in the Middle East to immediately accept the application of IAEA Safeguards in the region; calling upon "all parties directly concerned to consider seriously taking the practical and appropriate steps required for the implementation of the proposal to establish a mutually and effectively verifiable NWFZ in the region"; and inviting all countries to adhere to the international non-proliferation regime" (GC(42)/RES/21);

In addition, the General Conference decided to endorse a statement by the President on the inclusion of the agenda item "Israeli Nuclear Capabilities and Threat." The statement noted that the item had been discussed in the 42nd session and that certain Member States intended to include the item on the provisional agenda of the 43rd session of the General Conference (GC(42)/DEC/11).

The 1997 session of the General Conference, 29 September - 3 October, adopted resolutions:

- requesting all concerned States and other Parties to safeguards agreements to sign additional protocols on Strengthening the Effectiveness and Improving the Efficiency of the Safeguards System and Application of the Model Protocol (GC(41)/RES/16);
- urging North Korea to cooperate fully with the Agency regarding the Implementation of the Agreements Between the Agency and the Democratic People's Republic of Korea for the

Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons (GC(41)/RES/22);

- appealing to all states not parties to join the Convention on Nuclear Safety (GC(41)/RES/10);
- welcoming the adoption of the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management (GC(41)/RES/11);
- welcoming the Agency activities taken in regard to the Measures Against Illicit Trafficking in Nuclear Materials and Other Sources (GC(41)/RES/17);
- calling upon Iraq to cooperate fully with the Agency in the Implementation of the United Nations Security Council Resolutions Relating to Iraq (GC(41)/RES/23);
- confirming the urgent need for all parties in the region to immediately accept the application of IAEA Safeguards in the Middle East and “calling upon all parties directly concerned to consider seriously taking the practical and appropriate steps required for the implementation of the proposal to establish a mutually and effectively verifiable NWFZ in the region” (GC(41)/RES/25).

### Board of Governors

In accordance with the Statute and the existing practice, the Board is responsible for approving safeguards procedures and safeguards agreements, and for the general supervision of the Agency’s safeguards activities. In case of non-compliance with safeguards, the Board is to call upon the violator to remedy such non-compliance and to report the non-compliance to the UN Security Council and General Assembly. The Board generally meets five times a year— March, June, before and after the regular session of the General Conference in September, and immediately after the meeting of its Technical Assistance and Cooperation Committee in December.

The Board of Governors has 35 members, of which 13 are designated by the Board and 22 elected by the General Conference. At the 43<sup>rd</sup> General Conference Mr. Sergio de Queiroz Duarte of Brazil was elected chairman of the board for the 1999-2000 session. In addition, 11 states - Algeria, Austria, Belarus, Bolivia, Cuba, Finland, Indonesia, Nigeria, Poland, Republic of Korea, and the Syrian Arab Republic - were elected to the board. The other 24 Member States of the Board which have either been designated by the Board of

Governors or elected by the General Conference are: Argentina, Australia, Brazil, Canada, Chile, China, Egypt, France, Germany, Greece, India, Japan, Jordan, Norway, Russian Federation, Saudi Arabia, Singapore, Slovakia, South Africa, Sudan, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

The member states on the Board for 1998-1999 were: Argentina, Australia, Belgium, Brazil, Canada, China, Chile, Egypt, France, Germany, Ghana, Greece, Jordan, Hungary, India, Italy, Japan, Republic of Korea, Mexico, Morocco, Norway, Pakistan, Peru, Russian Federation, Saudi Arabia, Singapore, Slovakia, Slovenia, South Africa, Sudan, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, and Viet Nam.

Strengthening of safeguards: As of 15 July 2000, the Board of Governors had approved protocols for 54 states. 52 States are signatories, and the protocols of fourteen states have entered into force.

On May 16, 1997 the Board of Governors approved new strengthened measures for use by its inspectors who verify States’ compliance with their commitments not to produce nuclear weapons. The new measures are detailed in an agreed Protocol through which countries would accept stronger, more intrusive verification on their territory. The key objective of the new measures is to enhance the IAEA’s capability to detect possible clandestine nuclear activities in non-nuclear weapon states (NNWS) and thus to increase confidence that these States are abiding by their obligations. However, while the Protocol is part of a plan for strengthened and more efficient safeguards in NNWS, it also contains measures that could improve safeguards in other States, including nuclear-weapon States. These new measures provide enhanced access for inspectors - access to more information about States’ nuclear programs, current and planned, and access to more locations on their territory. Inspectors will have access not only to nuclear sites but also to other locations that could contribute to a nuclear program, such as research or manufacturing facilities. The new measures include use of state-of-the-art technologies to trace nuclear activity through samples taken from the environment and to remote operation surveillance and monitoring systems at key locations in the inspected state. States accepting the Protocol will also be required to simplify the designation of inspectors and visa requirements

for them, thus facilitating inspections at sites on short notice. Many of the new measures have undergone extensive field trials in cooperating Member States and build on reinforcing steps already implemented under the IAEA's existing legal authority.

At its March 1996 session the Board considered the proposed measures of Part 2 of "Program 93+2." The Board commended the Agency for responding positively to several concerns, which had been raised by some States, but emphasized the need to maintain the present momentum and encouraged States to cooperate in the interests of finalizing the Part 2 measures. The Director General informed the Board there had been considerable progress towards achieving consensus on Part 2 measures, and that the Agency was continuing to make progress on the implementation of Part 1 measures.

At its June 1994 session, the Board commended the Secretariat for the efforts made so far in the implementation of the program for a strengthened and more cost-effective safeguards system; reiterated the importance of an appropriate balance being maintained between strengthening and cost efficiency measures; reiterated the importance of the legal and financial implications of the proposals being examined at a sufficiently early stage; and expressed the hope that the Board would receive proposals in time for consideration at its March 1995 series of meeting at the latest (GOV/INF/737, 742, and Mod.1).

At its June 1993 session, the Board of Governors considered recommendations by the IAEA's Standing Advisory Group on Safeguards Implementation (SAGSI) for strengthening the effectiveness and improving the efficiency of the Agency's safeguards system. A program for the development, assessment, and testing of SAGSI's recommendations (known as "Program 93+2") was undertaken by the IAEA Secretariat.

**Safeguards in the DPRK:** On February 9, 1993, the IAEA Director General (DG) requested the DPRK to provide access, under Article 73b of the safeguards agreement (provision on special inspections), to additional information and locations in the DPRK, in order to clarify inconsistencies between Agency verification results and DPRK-declared data and materials. After the DPRK refused to give the requested access, the Board of Governors adopted a resolution on February 25, calling upon the government of the DPRK to ur-

gently extend full cooperation to the IAEA to enable the Agency fully to discharge its responsibilities under the Safeguards Agreement. Confronted with the continued refusal to give access to additional information and locations, on April 1, 1993, the Board of Governors decided to report the DPRK's non-compliance to the UNSC and to inform all members of the Agency.

On June 11, 1993, the Board welcomed the fact that Agency inspectors had carried out surveillance and maintenance activities in the DPRK in May, but expressed regrets that its earlier resolutions had not been fully implemented. The Board requested the Director General to intensify his efforts and continue consultations with the DPRK.

At its June 1994 session, the Board of Governors found that the DPRK continued in noncompliance with its safeguards agreement. It therefore decided in conformity with the provisions of Article XII.C of the Statute to suspend non-medical Agency assistance to the DPRK and requested the Director General to transmit that resolution to the all members of the Agency and to the UN Security Council (GOV/2742). On June 13, 1994, the DPRK officially withdrew its IAEA membership.

At the December 1994 session of the Board of Governors, the Agency's DG reported that the DPRK was cooperating fully with the IAEA over the freeze of the DPRK's graphite-moderated reactors and related facilities, as agreed upon in the US-DPRK Agreed Framework of October 21, 1994, and that the DPRK had indicated its willingness to consider the designation of additional inspectors and to facilitate the granting of visas for inspectors. During talks held in the DPRK from September 12-18, 1995, the DPRK agreed to measurements of irradiated fuel rods in storage at the 5 MWe experimental reactor which would verify whether the rods were all irradiated fuel, but did not agree to measures which would give information about the total amount of plutonium in the spent fuel. No agreement had been reached about installing additional Agency monitoring equipment at nuclear waste tanks in the DPRK's reprocessing plant, to enable the Agency to verify, on a continuous basis, the absence of any movement or operation involving those wastes.

On 12 December 1995, the Director General said that in September 1995 the Agency had asked the DPRK to undertake minor but essential modifications to the design of the storage racks for the cans to contain spent

fuel discharged from its experimental reactor. This was to allow the cans to be sealed effectively in the racks under water. The modifications requested would not cause delay in the canning operations, the timetable for which appeared to have slipped because of technical difficulties. The DG also said that, despite the agreement reached with the DPRK about photographing the new process line and other areas of the Radiochemical Laboratory, DPRK operators had raised fresh objections and the photographing had still not been possible.

A fourth round of technical discussions took place in Pyongyang from January 23-29, 1996, at which the DPRK said that the Agency could “resume ad hoc and routine inspections” (required by the Safeguards Agreement) but made clear that such inspections would be permitted only at facilities not subject to the freeze.

At the June 1996 meeting of the Board, the DG said that “because of unforeseen reasons”, the DPRK had postponed the fifth round of technical discussions from May until mid-June. The DG noted that canning of the spent fuel rods at the 5 MWe reactor had started at the end of April 1996.

The fifth round of technical discussions between the IAEA and DPRK took place from June 25-28, 1996. Discussions resulted in some progress in certain areas, but the meeting did not result in agreement about the long-standing issue of reports by the DPRK on facilities subject to the freeze, or on installing monitoring equipment to allow the monitoring of nuclear waste tanks. Neither was there agreement about measuring or taking samples at locations in the Radiochemical Laboratory selected by the IAEA. As for monitoring the graphite blocks and other nuclear related equipment and components for the 50 MWe and 200 MWe reactors under construction at the inception of the freeze, the DPRK reiterated that manufacturing such equipment and components had been discontinued in 1993.

The sixth round of technical discussions between the IAEA and DPRK was held from 23-27 September 1996 in Vienna, but no progress had been made on issues such as the preservation of information. The Director General informed the UN Security Council on 7 November 1996 that the Agency could not provide any assurance that the required information was actually being preserved.

At the meeting of the Board of Governors on 17 March 1997, the Director General reported that the seventh

round of technical discussions, which took place on 20-24 January 1997 in Pyongyang, also produced few results. No progress was made on the issues of the preservation of information or the reprocessing plant. The Director General informed the Board that the Agency inspectors had a continuous presence in the Yongbyon area to monitor the freeze. As of August 1997, the canning operation for the irradiated fuel rods from the 5 MWe reactor, which started in April 1996, was about 90% complete. The rods were placed in containers under Agency seals. In January 1997, the DPRK clarified that the nuclear graphite which was manufactured for use at the 50 MWe power reactor was subject to IAEA monitoring. In October 1997, at the eighth round of technical discussions, no progress was made on the outstanding issues.

As there was also no progress made during the ninth round of technical discussions in February 1998, the Director General emphasized to the Board of Governors in June that the Agency continued to be unable to verify the correctness and completeness of the DPRK’s initial report and could not verify that there had been no diversion of nuclear material. Furthermore, the canning operation of spent fuel rods had been suspended in April at the DPRK’s request. 97% of the irradiated discharged rods were canned and under Agency seal by that time.

Further technical rounds in June 1998, October 1998, March 1999 and December 1999 also yielded little to no progress. At the June 1999 meeting of the Board of Governors, the Director General noted again the Secretariat’s continued inability to verify the DPRK’s initial inventory declaration, and that the DPRK remained in non-compliance with its Safeguards Agreement. He further said that there remained a fundamental difference of view between the Agency and the DPRK regarding the status of the Safeguards Agreement. The Agency viewed the Safeguards Agreement as binding and in force, while the DPRK did not accept all the measures required under the Safeguards Agreement but in practice accepted ad hoc and routine inspections at facilities not subject to the freeze without major difficulties. The DPRK also continued to link progress with the IAEA to the implementation of the Agreed Framework.

In his Statement to the 2000 NPT Review Conference in New York on April 24, 2000, the Director-General noted that with regard to the DPRK, there was regret-

tably little to report since the 1995 NPT Conference. The Agency remains unable to verify the correctness and completeness of the DPRK's initial declaration of its nuclear material subject to safeguards and cannot, therefore, provide any assurance about non-diversion. The DPRK remains in non-compliance with its safeguards agreement, which remains valid and in force. The DPRK, however, continues to accept IAEA activities solely in the context of the "Agreed Framework" which it concluded in October 1994 with the United States of America. As requested by the Security Council, the Agency is monitoring a "freeze" of the DPRK's graphite moderated reactors and related facilities under that agreement.

**Safeguards in Iraq:** The IAEA Action Team for the implementation of UN Security Council resolution 687 on Iraq comprised three professionals and two support staff. At its March 1996 session, the Board received a report on Agency implementation of nuclear verification activities in Iraq. The current work relates to the assessment and follow-up of documentation supplied to the Agency by a high-ranking Iraqi official who had departed Iraq. Concurrently, work is continuing with monitoring and verification activities. On March 27, 1996, UN Security Council Resolution 1051 was adopted to bring into force a mechanism for monitoring sales and supplies to Iraq of certain items or technologies that could be used for the production or acquisition of banned biological, chemical and nuclear weapons. The mechanism will be operated by a joint unit of UNSCOM and IAEA. Under the resolution, the joint unit will receive transmissions from States on intended sales or supplies to Iraq, on any information States may have at their disposal on attempts to circumvent the mechanism or supply Iraq with prohibited items. Under the resolution, Iraq needs to notify the joint unit of imports beginning 60 days from the adoption of the resolution. The monitoring mechanism was not intended to be a regime for international licensing, but rather a mechanism for timely provision of information by States that locates companies that are contemplating sales or supplies to Iraq. Within 45 days of the resolution's adoption, UNSCOM and IAEA were required to provide all States with information necessary to make preparatory arrangements for implementing the mechanism's provisions.

The IAEA reported in October 1998 that no indication of prohibited equipment, material or activities had been

detected in its most recent inspections in Iraq. Earlier, in August of that year, Iraq suspended cooperation with both UNSCOM and the IAEA, but in November the IAEA resumed its activities in Iraq until just before the US-UK military action in mid-December.

Security Council resolution 1287 (1999), which established UNMOVIC as UNSCOM's successor, reaffirmed the provisions of the relevant resolutions with regard to the role of the IAEA in addressing compliance by Iraq with resolution 687 (1991) and other related resolutions, and requested the Director General of the IAEA to maintain this role with the assistance and cooperation of UNMOVIC. The Security Council also requested the Executive Chairman of UNMOVIC and the Director General of the IAEA to establish a unit, which would be responsible for the export/import mechanism established to ensure that Iraq did not reconstitute its weapons of mass destruction programmes.

In his Statement to the 2000 NPT Review Conference in New York on April 24, 2000, the Director-General of the IAEA, Mohamed ElBaradei, noted that with regard to Iraq, the Agency has not been in a position since December 1998 to implement its mandate under UN Security Council Resolution 687 and related resolutions. Furthermore, although the Agency was able recently [January 2000] to inspect the presence of the nuclear material subject to safeguards which is still in Iraq, this inspection had a limited objective and was in no way a substitute for the required activities under the relevant Security Council resolutions. The Agency could therefore not provide any assurance that Iraq was in compliance with its obligations under those resolutions.

**Safeguards Agreements:** At the end of 1999, 224 safeguards agreements were in force in 140 states (and in Taiwan). These included 128 NPT-related safeguards agreements. The IAEA performed 2,495 safeguards inspections that year. The 1999 safeguards costs amounted to \$79,752,000 in regular budget and \$9,945,387 in extra budgetary resources. As of 15 July 2000, the Additional Protocol agreements were approved with 54 states, 52 others have signed the Protocol, and 14 are contracting states.

**Convention on Nuclear Safety:** The Convention was adopted on June 17, 1994; was opened for signature on September 20, 1994; and entered into force on October 24, 1996. The Convention was written during a series of expert level meetings from 1992-1994 and

was the result of considerable work by Governments, national nuclear safety authorities and the IAEA's Secretariat. The objective of the Convention is to legally commit participating States operating land based nuclear power plants to maintain a high level of safety by setting international benchmarks to which States subscribe.

The Convention is not designed to ensure fulfillment of obligations by Parties through control and sanction but is an incentive instrument which bases adherence on Parties' common interest to achieve higher levels of safety which will be developed and promoted through regular meetings of the Parties. The Convention obliges Parties to submit reports on the implementation of their obligations for "peer review" at meetings to be held at the IAEA. This mechanism is the main innovative and dynamic element of the Convention.

The Parties' obligations cover, for example, design, construction, operation, the availability of adequate financial and human resources, the assessment and verification of safety, quality assurance and emergency preparedness of their nuclear installations. These obligations are primarily based on the principles contained in the IAEA Safety Fundamentals document "The Safety of Nuclear Installations".

As of 15 July 2000, 53 States were Parties to the Convention and 65 were Signatories. An Organizational Meeting was held from 29-30 September 1998, and the first Review Meeting was held at IAEA headquarters from 12-23 April 1999 in accordance with Article 20 of the Convention. The meeting was chaired by Mr. Lars Högberg, Director General of the Swedish Nuclear Power Inspectorate (SKI).

**Committee on Assurances of Supply (CAS)** — An ad hoc committee established by the Board of Governors in 1980, to seek agreement between supplier and recipient states on a regime that would assure the latter more dependable supplies, under adequate international nonproliferation safeguards. The CAS Bureau periodically holds informal consultations and has recommended the Secretariat's preparation of papers on the global supply and demand situation, the latest of such papers was prepared for the Board of Governors' consideration in September 1994.

## Secretariat

Headed by the Director General, who is the chief administrative officer of the Agency. The Director General is responsible for the appointment, organization, and functioning of the Agency's staff.

**Standing Advisory Group on Technical Assistance and Co-operation** — assesses and recommends policies, strategies and measures to enhance the scientific, technological and socio-economic benefits to IAEA Member States, especially developing countries, through the transit of nuclear and associated technology. The group was formed in 1995.

**Standing Advisory Group on Safeguards Implementation (SAGSI)** — advises the Director General on matters related to the improvement of safeguards procedures. The Director General annually submits Safeguards Implementation Reports (SIRs) to the Board of Governors. SIRs usually contain a statement saying that no event was detected which would indicate the diversion of a significant amount of nuclear material placed under Agency safeguards for the manufacture of any nuclear weapon, or for any other military purpose, or for the manufacture of any other nuclear explosive device, or for purposes unknown.

**Department of Safeguards** — The Secretariat's Department of Safeguards carries out practical safeguarding activities. It has a staff of approximately 200 inspectors and a support staff of 300.

In his Statement to the 2000 NPT Review Conference in New York on April 24, 2000, the Director-General of the IAEA, Mohamed ElBaradei, noted that regarding the conclusion of safeguards agreements, a further 28 Treaty Parties had brought comprehensive safeguards agreements into force since the beginning of 1995, raising the overall total to 128. Unfortunately, however, a large number of States Parties continued to be in non-compliance with this Treaty obligation. The Agency was making every effort to encourage the remaining 54 Parties to conclude the required agreements.

The International Advisory Committee was established by the IAEA Director General in order to implement an (approx.) 18-month radiological study of the Mururoa and Fangataufa atolls in French Polynesia. The IAEA managed and coordinated the project. The study, which covers and evaluates the current and long-term radiological situation at the atolls, was requested by the French authorities and was funded through a

voluntary contribution from France. The Committee was chaired by Dr. Gail de Planque and held its first meeting at the IAEA from April 13-14, 1996 to discuss action plans. A reconnaissance mission of the atolls was completed in March 1996 by a four-member IAEA team. Other members of the committee included experts from various member states Parties and ex officio experts selected from intergovernmental bodies. An International Conference on the Radiological Situation at the Atolls of Mururoa and Fangataufa was convened by the IAEA from 30 June to 3 July 1998 to examine the results of the investigation. The study concluded that there will be no radiation health effects attributable to the residual radioactive materials at the two atolls, that no remedial action at the atolls is needed on radiological protection grounds, and no further environmental monitoring at the atolls is needed for purposes of radiological protection. The IAEA General Conference agreed in September 1998 that these results should in no way justify the development of nuclear weapons.

In 1997, the Third Inter-agency Meeting on the Illicit Cross-border Movement of Nuclear Materials and Other Radioactive Sources was convened in Vienna with the aim of establishing a co-ordination mechanism for the participating organizations. A number of training courses were conducted on physical protection, illicit trafficking and the detection and response to illicit trafficking at borders. The IAEA maintains an Illicit Trafficking Database containing reports of incidents. By the end of 1998, 60 States were participating in this database, which contains confirmed reports of 217 incidents since 1993, covering both radioactive sources and nuclear materials. Reports on trafficking and periodic summaries of incidents continue to be shared by the participating countries.

IAEA financial resources come from the regular budget and voluntary contributions. The preliminary regular budget estimates for 1998 amount to \$230 060 000, of which \$224 568 000 are in respect of Agency programs. The 42nd General Conference appropriated \$224

247 000 for its regular budget for 1999 (GC(42)/RES/6). The budget for 2000 is \$226,327,000 (GC(43)/RES/5.)

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## **Global Organizations and Regimes:**

### **LIMITED MEMBERSHIP**

#### **CONFERENCE ON DISARMAMENT (CD)**

Established: 1979.

Membership: 66 states.

Observers: 33 states.

Formed in 1979 as the single multilateral disarmament negotiating forum of the international community after agreement was reached among member states during the first special session of the UNGA devoted to disarmament (1978). The CD is the successor to the Ten-Nation Committee on Disarmament (TNDC), Geneva, 1960; the Eighteen-Nation Committee on Disarmament (ENDC), Geneva, 1962-68; and the Conference of the Committee on Disarmament (CCD), Geneva, 1969-78.

As originally constituted, the CD had 40 members, however, following the unification of Germany and the break up of the former Yugoslavia, only 38 countries participated in the work of the Conference until 1995.

On 17 June 1995, the CD unanimously decided to admit 23 members: Algeria, Argentina, Australia, Austria, Bangladesh, Belarus, Belgium, Brazil, Bulgaria, Cameroon, Canada, Chile, China, Colombia, Cuba, Democratic People's Republic of Korea, Egypt, Ethiopia, Finland, France, Germany, Hungary, India, Indonesia, Iran, Iraq, Israel, Italy, Japan, Kenya, Mexico, Mongolia, Morocco, Myanmar, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Peru, Poland, Republic of Korea, Romania, Russian Federation, Senegal, Slovak Republic, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Syria, Turkey, Ukraine, UK, US, Venezuela, Viet Nam, Yugoslavia, Zaire, and Zimbabwe. (Yugoslavia, by agreement, does not occupy its seat or take part in deliberations, pending the resolution of conflict in the Balkans.)

The CD has a special relationship with the United Nations. It adopts its own rules of procedure and its own agenda, taking into account the recommendations made by the UNGA and the proposals presented by its members. It reports to the General Assembly annually or

more frequently, as appropriate. The budget of the CD is included in that of the United Nations, and the CD meets on UN premises and is serviced by UN personnel. The Conference conducts its work by consensus. The agenda of the CD covers all multilateral arms control and disarmament issues.

The CD and its predecessors have negotiated such multilateral arms control, nonproliferation, and disarmament agreements as the Non-Proliferation Treaty, Environmental Modification and Seabed treaties, the Biological and Toxic Weapons Convention, the Chemical Weapons Convention, and the Comprehensive Nuclear-Test Ban Treaty.

The Agenda of the CD includes:

- Cessation of the nuclear arms race and nuclear disarmament;
- Prevention of nuclear war, including all related matters;
- Prevention of an arms race in outer space;
- Effective international arrangements to assure non-nuclear-weapon states against the use or threat of use of nuclear weapons;
- New types of weapons of mass destruction and new systems of such weapons including radiological weapons;
- Comprehensive program of disarmament;
- Prohibition of the production of fissile material for nuclear weapons or other nuclear explosive devices;
- Transparency in armaments; and
- Consideration and adoption of the annual report and any other report, as appropriate, to the General Assembly of the United Nations.

#### **Work of the CD**

Dates for CD sessions in 2000:

17 January to 24 March; 22 May to 7 July; 07 August to 22 September.

The Conference on Disarmament entered its 2000 Session after having failed to agree on its Program of Work in 1999 or to engage in substantive work for three consecutive years. This situation caused a sense

of deep frustration among the CD members who questioned the very existence of the Conference due to its inability to address pressing matters of disarmament and nonproliferation. Several delegations even raised the issue of establishing an alternative body to deal with these matters. In March, Germany, on behalf of 22 countries, proposed that the CD should address in the first instance the issues on which agreement had already been reached while continuing to discuss the outstanding items in order to find compromise solutions. This position came into conflict with the position of certain countries, namely China, insisting on the comprehensive and balanced nature of the Program of Work. Germany also argued that the Program of Work should address the real problems of international security.

The CD Presidents, through informal presidential consultations and meetings of the regional groups, tried to lead the Conference out of the deadlock by crafting various compromise drafts of the Program of Work. In the beginning of the 2000 Session, the outgoing President, Ambassador Harald Kreid of Austria, declared the Dembri Package set forth during the 1999 Session as the “point of departure” for reaching an agreement on the Program of Work. The following presidential proposals reflected the ideas and spirit of the Dembri Proposal while containing “more acceptable language” for the Member States. Ambassador Kreid’s proposal contained three possible options for the Program of Work. Option 1 provided for appointment of Special Coordinators on PAROS and nuclear disarmament as well as the re-establishment of the subsidiary bodies and the Special Coordinators with their mandates on all other substantial items, including FMCT. Option 2 excluded FMCT from that list but contained a non-negotiated statement by the President with regard to this item. Option 3 – a minimum option – contained appointment of Special Coordinators on PAROS and nuclear disarmament with submission by the President, as an official CD document, of his proposal for a draft decision concerning the re-establishment of the subsidiary bodies and re-appointment of Special Coordinators with their mandates on all other substantial items. The proposal by the President, Ambassador Martynov of Belarus, contained priority and contingency actions. The former provided for the continuation of presidential consultations on setting up subsidiary bodies on outstanding issues, while the latter considered holding informal focused plenary meetings on all issues of sub-

stance on a rotation basis until the Program of Work was adopted. The proposal by the President, Ambassador Jean Lint of Belgium, included establishment of an Ad Hoc Committee to negotiate FMCT, An Ad Hoc Committee/Ad Hoc Working Group to deal with nuclear disarmament “through an exchange of information and views on practical steps for progressive and systematic efforts to attain this objective,” and an Ad Hoc Committee/Ad Hoc Working Group “to examine and identify specific topics or proposals that might be a basis for subsequent in-depth consideration” of the issue of PAROS. However, by the end of the second part of the 2000 Session (July 7) neither of the proposals enjoyed consensus.

The issues on which consensus was absent in 2000 remained PAROS and nuclear disarmament. Moreover, conditions outside the Conference, namely setbacks to the entry into force of the CTBT and the US plans to deploy NMD, worsened the prospect of attaining consensus on these items. Some countries proposed that an Ad Hoc Committee to start negotiations on a phased program of nuclear disarmament and eventual elimination of nuclear weapons should be established as soon as possible. Other Member States called on the CD to establish an Ad Hoc Committee to negotiate an international legally binding mechanism preventing the weaponization of outer space by prohibiting testing, deploying and using weapons and weapon systems there. All the aforementioned proposals did not reach consensus in the Conference. The problem became even more acute, when the issue of FMCT joined the group of unresolved issues following the change in position of China, who linked negotiation on FMCT with negotiation on PAROS and nuclear disarmament, thus blocking any possible progress to re-establish the Ad Hoc Committee on the negotiation of FMCT in particular and adoption of the Program of Work in general. On the other side, certain countries regarded issues of nuclear disarmament and PAROS as not equal in their status to the issue of FMCT thus refusing to include them in the package. The US stuck to the position that nuclear disarmament and PAROS were not ripe for treaty negotiations in the CD because there was no consensus on proposals for such negotiations, while such a consensus had been reached with respect to FMCT, which was reflected in the “Principle and Objectives” document of the 1995 NPT Review Conference. Following the successful outcome of the 2000 NPT Review Conference, there was an expectation of

a possible start of substantive work on these issues. However, by the end of the second part of the 2000 Session, this task was not accomplished.

The stalemate in the CD triggered a discussion on the rules of procedure of the Conference. Some Members States called for “procedural reform” of the CD. Certain delegations proposed that the rule of consensus should be abolished at least with respect to decisions on procedural matters, such as the Program of Work or appointment of Special Coordinators and establishment of subsidiary bodies. Some delegations also voiced a desire to change the procedure which necessitated the re-establishment of subsidiary bodies each session. However, many delegations are reluctant to do anything requiring a reform of the CD’s rules of procedure, particularly regarding the consensus rule. In the view of such a miserable state of affairs in the Conference on the turn of the new millennium, the CD raised the question of attracting more high-level attention to the work of the Conference in the capitals of Members States.

#### **Documents of the Conference on Disarmament (2000):**

<http://www.unog.ch/disarm/curdoc/curd00.htm>

CD/1601: Letter dated 13 December 1999 from the Permanent Representative of Peru: Transmitting a Text entitled, “Lima Calling”, adopted by the member States of OPANAL during the sixteenth regular session of the General Conference, held in Lima, Peru, on 30 November – 1 December 1999.

CD/1603 Agenda for the 2000 session (Adopted at the 837th plenary meeting, on 18 January 2000)

CD/1605: Letter dated 26 January 2000 from the Permanent Representatives of China and the Russian Federation Transmitting a Joint Statement made by President Jiang Zemin and President Boris Yeltsin, on 10 December 1999.

CD/1606: Letter dated 9 February 2000 from the Permanent Representative of China transmitting a Working Paper entitled, “China’s Position on and Suggestions for ways to address the issue of Prevention of an Arms Race in Outer Space at the Conference on Disarmament.”

CD/1609: New Zealand. Resolution on nuclear disarmament adopted by the New Zealand Parliament, 23 February 2000.

CD/1611: Letter dated 20 April 2000 from the Permanent Representative of the Russian Federation transmitting the text of a Statement made on 14 April 2000 by Mr. Vladimir V. Putin, Acting President of the Russian Federation, in connection with the ratification by the State Duma of the Federal Assembly of the Russian Federation of the START-II Treaty and of the package of 1997 Agreements on the Anti-Missile Defense.

CD/1612: Letter dated 25 April 2000 from the Permanent Representative of the Russian Federation transmitting the text of a Statement made on 21 April 2000 by the Ministry of Foreign Affairs in connection with the Ratification of the Comprehensive Nuclear-Test Ban Treaty by the State Duma of the Federal Assembly of the Russian Federation.

CD/1613: Letter dated 22 May 2000 from the Permanent Representative of the Russian Federation transmitting the text of a Statement made on 18 May 2000 by the Ministry of Foreign Affairs in connection with the Completion of the Process of Ratification of the Comprehensive Nuclear-Test Ban Treaty by the State Duma of the Federal Assembly of the Russian Federation.

**1999:** It was hoped that negotiations on a treaty to ban the production of fissile material for explosives (FMCT) would begin during the 1999 session of the CD. However, due to both internal and external factors, the Conference was unable to adopt a program of work for the year, thus preventing the re-establishment of an Ad Hoc Committee to resume the work begun in August of 1998. Despite successive efforts of the CD Presidents, CD members could not find consensus on how to treat two agenda items - Nuclear Disarmament and Prevention of an Arms Race in Outer Space - within the work program. Many of the non-aligned States pressed for an Ad Hoc Committee on Nuclear Disarmament, stating that the troika consultations of the preceding year were not a permanent solution. However, the nuclear weapons states were reluctant to agree to anything more involved than the troika arrangement. China led the effort to re-establish an Ad Hoc Committee on Prevention of an Arms Race in Outer Space. However, the United States was unwilling to address the issue multilaterally.

The ‘Dembri Proposals,’ named after Ambassador Mohamed-Salah Dembri (Algeria) who held the presidency during the second session of the 1999 Conference, called for both an Ad Hoc Working Group “with

a view to preventing the weaponization of outer space” and an Ad Hoc Working Group “to exchange information and views on endeavors towards nuclear disarmament.” However, these proposals were unable to achieve full consensus. During the third session of the conference, the CD admitted five new members: Ecuador, Ireland, Kazakhstan, Malaysia and Tunisia. These countries - representing diverse geo-political regions as well as distinct groups within the CD structure - were admitted after lingering reservations of member countries were finally dropped.

### **Documents of the Conference on Disarmament (1999)**

<http://www.unog.ch/disarm/curdoc/curd98.htm>

- CD/1560: Letter dated 6 January 1999 from the Permanent Representative of the Russian Federation transmitting a Statement made by a Representative of the Ministry of Foreign Affairs concerning the Adaptation of the Treaty on Conventional Armed Forces in Europe.
- CD/1562: Agenda for the 1999 session.
- CD/1563: Egypt - Draft mandate for an ad hoc committee on nuclear disarmament
- CD/1564: South Africa - Interpretation of the Rules of Procedure of the Conference on Disarmament.
- CD/1565: Belgium, Germany, Italy, Netherlands, Norway: Proposal on nuclear disarmament.
- CD/1566: Proposal by the President on the programme of work for the 1999 session of the CD.
- CD/1567: Proposal by the President on the Expansion of the Membership of the Conference on Disarmament.
- CD/1568: Canada - Proposal concerning CD action on nuclear disarmament.
- CD/1569: Canada - Proposal concerning CD action on outer space.
- CD/1570: Group of 77 - Proposal on the programme of work.
- CD/1571: Group of 21 - Draft decision and mandate on the establishment of an ad hoc committee on nuclear disarmament.
- CD/1574: Canada - Working Paper: Nuclear Disarmament: Substantive Discussion in the Conference on Disarmament.
- CD/1575: Proposal by the President on the programme of work for the 1999 session of the CD.

- CD/1576: China - Re-establishment of an ad hoc committee on the prevention of an arms race in outer space and its mandate: draft decision.
- CD/1577: Letter dated 17 March 1999 from the Permanent Representative of the Russian Federation transmitting a Statement made by the Ministry of Foreign Affairs of the Russian Federation on 12 March 1999 in connection with the official entry of Poland, Hungary and the Czech Republic in NATO.
- CD/1578: Canada - Working Paper. Elements of an Approach To Dealing With Stocks of Fissile Materials for Nuclear Weapons or Other Nuclear Explosive Devices.
- CD/1580: Letter dated 25 March 1999 from the Permanent Representative of the Russian Federation transmitting the text of an Official Statement made by the Representative of the Ministry of Foreign Affairs of the Russian Federation on 18 March 1999 in connection with the Adoption by the Senate of the United States of America of a Bill on Deployment of a National Missile Defense System.
- CD/1584: Letter dated 28 April 1999 from the Permanent Representative of the Russian Federation and the Acting Head of the Delegation of China transmitting a Joint Press Communiqué on Issues Related to the ABM Treaty.
- CD/1586: France, United Kingdom of Great Britain and Northern Ireland and the United States of America: Working paper on the programme of work of the Conference.
- CD/1588: Decision on the Expansion of the Membership of the Conference on Disarmament.
- CD/1595: Report of the Conference on Disarmament to the General Assembly of the United Nations.
- CD/1600: Letter dated 26 November 1999 from the Permanent Representative of the Russian Federation transmitting the Text of a Statement made by the Official Representative of the Ministry of Foreign Affairs of the Russian Federation on 23 November 1999, in connection with the Submission of the Comprehensive Nuclear-Test Ban Treaty, signed by Russia on 26 September 1996, to the State Duma of the Federal Assembly of the Russian Federation for Ratification.

**1998:** On 26 March 1998 the CD adopted its Program of Work, contained in document CD/1501. Based on this program, the CD decided to establish an Ad Hoc

Committee on negative security assurances (NSA). To address Nuclear Disarmament issues, the CD established a mechanism of consultations held under the auspices of the presidential 'troika' consisting of the past, present and incoming Presidents. The CD also appointed six Special Coordinators to address prevention of an arms race in outer space, a comprehensive program of disarmament, transparency in armaments, a review of the CD agenda, the expansion of its membership, and its improved and effective functioning. On 11 August, the CD established an Ad Hoc Committee to negotiate the Fissile Material Cut-Off Treaty (FMCT) to ban the production of fissile material for weapons purposes.

Nuclear disarmament was the most pervasive point of contention in the CD. Due to widespread differences of opinion on how to proceed, it was not possible to reach an agreement on the establishment of a mechanism to negotiate nuclear disarmament issues. The non-aligned states continued to stress the utmost importance of nuclear disarmament; a number of other delegations, including some from the Western group, supported the idea of establishing a consultative mechanism to facilitate cooperation, information sharing and accountability in nuclear disarmament matters. A considerable number of delegations considered the presidential 'troika' consultations useful in addressing the issue at this point in time. In his final report to the CD the outgoing President recommended that the Conference resume the troika consultations in its next session in 1999.

**Security Assurances:** Pertaining to the decision, contained in document CD/1501, the Conference on Disarmament agreed to establish an Ad Hoc Committee under agenda item 4 entitled "Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons." The Committee was established with a view to negotiate an international legally binding instrument that will assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. The discussions of the committee primarily focused on the issues of nature and scope of currently existing positive and negative security assurances, as expressed in NWS declarations and the protocols to the nuclear-weapon-free-zone Treaties; and addressed certain definitions that required clarification, in particular: aggression, attack, invasion, dependent territories, associations and alli-

ances, and security commitments. However, the committee was unable to reach any consensus on the ways and means of further dealing with this issue. The Chairman's final report (CD/1554) on the work of the committee noted that there was no consensus reached on the issue, provided a list of all the relevant documents, and in its annex a summary of all the views and national positions regarding this issue. The report also included a recommendation that the work of the committee be resumed in 1999.

***Prohibition of the production of fissile material for nuclear weapons or other nuclear explosive devices:***

In 1994, The CD appointed a Special Coordinator, Ambassador Gerald Shannon (Canada), to seek the views of its members on the most appropriate arrangement to negotiate a nondiscriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices (FMCT). After 14 months of consultations the CD agreed, on 23 March 1995, on a mandate for a FMCT negotiation based on UNGA resolution 48/75L (of 16 December 1993). The NPT Review and Extension Conference called for the "immediate commencement and early conclusion of negotiations" on a FMCT, as have subsequent NPT PrepComs. During the 1995, 1996, and 1997 sessions of the CD, while consultations continued no agreement was reached on establishing an ad committee on this item. On 11 August 1998, the CD adopted a decision contained in document CD/1547 on the establishment of an Ad Hoc Committee on the ban on production of fissile material under agenda item 1, on the basis of the 1995 Shannon report and the mandate contained therein (CD/1299). Following the adoption of that decision the President read out his statement in which he stressed that the decision was "without prejudice to any further decisions on the establishment of further subsidiary bodies under agenda item 1," and ensured the pursuance of intensive consultations to seek further ways and means to deal with the agenda item one on nuclear disarmament.

In view of the limited time available for the work of the committee before the closing of the 1998 session of the CD, it did not achieve any substantive progress and failed to resolve long-standing conflicts pertaining to the issue of stockpiles and ways in which this measure related to the issues of nonproliferation and/or nuclear disarmament. The Chairman's final report

on the work of the 'Agenda item 1 committee on banning fissile material production', (CD/1555) provided a list of CD documents relating to this issue.

**Preventing an Arms Race in Outer Space (PAROS):** Despite the fact that there was a widespread support for dealing with this issue, no consensus was achieved on how to proceed. The Special Coordinator introduced a draft mandate for negotiating measures of preventing an arms race in outer space, and suggested that its text serve as the basis for the renewed 1999 consultations on this issue, with an aim of reestablishing an ad hoc committee on agenda item 3.

**Anti-Personnel Land mines (APL):** The Conference was unable to reach consensus on the establishment of an ad hoc committee to negotiate a ban on the transfer of anti-personnel land mines.

**Transparency in Armaments (TIA):** In his final report on the outcome of discussions under agenda item 7 on TIA, the Special Coordinator concluded that there seemed to be widespread support in the CD for the establishment of an AHC on this issue with a view of negotiating an international instrument. According to the report, his consultations primarily dealt with the merits of TIA; the ways of dealing with TIA within the CD, and the scope of possible activity on the issue.

**Improved and Effective Functioning of the CD:** According to the Special Coordinator's final report, the consultations mainly focused on three main issues: the question of maintaining the continuity of the work of the CD from one session to the next; the question of a somewhat permanent establishment of 'standing committees' to deal with substantive and technical issues; and the possibility for the President to appoint 'friends of the President' to facilitate the discussion and communication among delegations on certain issues. There was also a proposal to formalize the mechanism of open-ended consultations. Despite the Special Coordinator's support for various proposals on these issues, there was no agreement on any of them.

**Review of the Agenda:** While no agreement was reached on how to proceed with this issue, the Special Coordinator noted that some delegations advocated keeping the current agenda (as recommended by the UNSSOD I) with nuclear disarmament as an item of high priority. Other delegations suggested placing all issues under three main headings of Nuclear Disarmament, Conventional Disarmament, and 'Other Items'.

In his final report, the Special Coordinator included a recommendation for pursuing this issue further in 1999.

**Expansion of the CD:** Despite being very close to reaching a consensus on the adoption of the proposal made by the Special Coordinator to admit five new members representatives of five regions (Ecuador from Latin America, Ireland from Western Europe, Kazakhstan from Eastern Europe, Malaysia from Asia, and Tunisia from Africa), the final decision was blocked by Iran and postponed until 1999.

The Conference on Disarmament closed its 1998 session by adopting its final report to the United Nations General Assembly on 9 September. In its report, the Conference provided a summary of the decisions and appointments, as well as the list of all documents and important statements, and recalled a number of relevant resolutions from the 52nd United Nations General Assembly. Despite the fact that most of the May 1998 CD plenary meetings were dominated by discussions on the Indian and Pakistan nuclear tests, the annual report did not address this issue.

#### ***Documents of the Conference on Disarmament (1998):***

<http://www.unog.ch/disarm/curdoc/cuold98.htm>

CD/1483: South Africa – Draft Decision and Mandate on the Establishment of an Ad Hoc Committee on Nuclear Disarmament.

CD/1484: Agenda for the 1998 Session.

CD/1485: Canada – Working Paper with regard to an Ad Hoc Committee on a Fissile Material Cut-Off Treaty.

CD/1486: Canada – Working Paper Concerning CD Action on Nuclear Disarmament.

CD/1487: Canada – Working Paper Concerning CD Action on Outer Space.

CD/1492: Austria – Draft Decision on the Reestablishment of an Ad Hoc Committee to Negotiate a Treaty Banning the Production of Fissile Material for Nuclear Weapons or Other Nuclear Explosive Devices.

CD/1494: The Netherlands – Draft Decision.

CD/1495: Argentina, Australia, Belarus, Belgium, Bulgaria, Chile, Finland, France, Germany, Greece, Hungary, Italy, Japan, Poland, Romania, Russian Federation, Slovakia, Spain, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America and Venezuela - Draft decision.

CD/1496: Belgium - Proposal on Nuclear Issues.

CD/1500: Presidential declaration.

CD/1501: Decision adopted by the conference.

CD/1502: Canada - Questions related to work in the CD on negative security assurances.

CD/1547: Decision on the establishment of an ad hoc committee under item 1 of the agenda entitled "Cessation of the nuclear arms race and nuclear disarmament."

CD/1548: Statement made by the President following the adoption of decision CD/1547 on the establishment of an ad hoc committee under agenda item 1 entitled "Cessation of the nuclear arms race and nuclear disarmament".

CD/1554: Report of the Ad Hoc Committee on Effective International Arrangements to Assure non-nuclear-weapon States Against the Use or Threat of Use of Nuclear Weapons.

CD/1555: Report of the Ad Hoc Committee Under Item 1 of the Agenda Entitled "Cessation of the Nuclear Arms Race and Nuclear Disarmament".

CD/1557: Report of the Conference on Disarmament to the General Assembly of the United Nations.

**1997:** At the end of the first session, the CD adopted a "Non-Paper by the President" with a proposal on the Program of Work. The President stated the agenda item "Cessation of the Nuclear Arms Race and Nuclear Disarmament" should be given "an extremely high priority".

During the first session, the CD also decided to establish an Ad Hoc Committee on negative security assurances with a view to eventually negotiating an internationally legally binding instrument. The CD also appointed Special Coordinators on prevention of an arms race in outer space, comprehensive program of disarmament, transparency in armaments, as well as on the review of the CD agenda, the expansion of its membership, and its improved and effective functioning.

While nuclear disarmament remains a point of contention, the issue of a fissile material cut-off treaty received significant support from many in the CD. The progress on this issue, however, is undermined by the continuing difficulties between the nuclear-weapon states and some states of the G-21 on setting up an Ad Hoc committee on nuclear disarmament.

In 1997, the CD failed to reach an agreement on reestablishing Ad Hoc committees on prevention of an arms race in outer space, security assurances for non-nuclear weapons States against the use or threat of such weap-

ons, and transparency in armaments. The General Assembly encouraged the CD to restore Ad Hoc committees on these issues during the 1998 session.

Secretary-General of the Conference and Personal Representative of the UN Secretary-General to the CD - Vladimir Petrovsky (Russia).

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## NUCLEAR SUPPLIERS GROUP (NSG)

First met in November 1975 in London. Popularly referred to as the "London Club" ("Club de Londres").

Membership: 38 supplier states - Argentina, Australia, Austria, Belarus, Belgium, Brazil, Bulgaria, Canada, Cyprus, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Republic of Korea, Latvia, Luxembourg, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Russian Federation, Slovak Republic, South Africa, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom, and the United States of America. Permanent Observer: European Commission.

**Membership criteria:** Factors taken into account for membership include the following:

- the ability to supply items (including items in transit) covered by the annexes to Parts 1 and 2 of the NSG guidelines;
- adherence to the Guidelines and action in accordance with them;
- enforcement of a legally based domestic export control system which gives effect to the commitment to act in accordance with the Guidelines;
- adherence to one or more of the NPT, the Treaties of Pelindaba, Rarotonga, Tlatelolco, Bangkok or an equivalent international nuclear nonproliferation agreement, full compliance with the obligations of such agreement(s); and

- support of international efforts towards nonproliferation of weapons of mass destruction and of their delivery vehicles.

The NSG is a group of nuclear supplier countries which seeks to contribute to the nonproliferation of nuclear weapons through the implementation of two sets of Guidelines for nuclear exports and nuclear related exports. The members pursue the aims of the NSG through adherence to the NSG Guidelines which are adopted by consensus, and through an exchange of information, notably on developments of nuclear proliferation concern. The first set of NSG Guidelines governs the export of items that are especially designed or prepared for nuclear use. These include: (i) nuclear material; (ii) nuclear reactors and equipment therefor; (iii) non-nuclear material for reactors; (iv) plant and equipment for the reprocessing, enrichment and conversion of nuclear material and for fuel fabrication and heavy water production; and (v) technology associated with each of the above items. The second set of NSG Guidelines governs the export of nuclear related dual-use items and technologies, that is, items that can make a major contribution to an unsafeguarded nuclear fuel cycle or nuclear explosive activity, but which have non-nuclear uses as well, for example in industry.

The NSG Guidelines are consistent with, and complement, the various international, legally binding instruments in the field of nuclear nonproliferation. These include the NPT, and the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco), the South Pacific Nuclear-Free-Zone Treaty (Treaty of Rarotonga), the African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba) and the Treaty on the Southeast Asia Nuclear-Weapon-Free Zone (Treaty of Bangkok).

The NSG Guidelines aim to ensure that nuclear trade for peaceful purposes does not contribute to the proliferation of nuclear weapons or other nuclear explosive devices, which would not hinder international trade and cooperation in the nuclear field. The NSG Guidelines facilitate the development of trade in this area by providing the means whereby obligations to facilitate peaceful nuclear cooperation can be implemented in a manner consistent with international nuclear nonproliferation norms. The NSG urges all States to adhere to the Guidelines.

The commitment of NSG members to rigorous conditions of supply, in the context of the further develop-

ment of the applications of nuclear energy for peaceful purposes, makes the NSG one of the elements of the international nuclear nonproliferation regime.

**Regime goal:** to ensure that nuclear exports are made only under appropriate safeguards, physical protection, and nonproliferation conditions, and other appropriate restraint. The NSG also seeks to restrict the export of sensitive items that can contribute to the proliferation of nuclear weapons.

The NSG, taking into account the work already done by the Zangger Committee, agreed on a set of guidelines incorporating a trigger list. These were published in 1978 as IAEA Document INFCIRC/254 (subsequently amended), to apply to nuclear transfers for peaceful purposes to help ensure that such transfers would not be diverted to unsafeguarded nuclear fuel cycle or nuclear explosive activities. There is a requirement for formal government assurances from recipients to this effect. The Guidelines also adopted a requirement for physical protection measures, agreement to exercise particular caution in the transfer of sensitive facilities, technology and weapons materials, and strengthened re-transfer provisions. In doing so, the Guidelines recognized the fact that there is a class of technologies and materials, which are particularly sensitive because they can lead directly to the creation of weapons usable material. The implementation of effective physical protection measures is also critical. This can help prevent the theft and illicit transfer of nuclear material.

At the 1990 NPT Review Conference, a number of recommendations were made by the committee reviewing the implementation of Article III, which had a significant impact on the NSG's activities in the 1990s. These included the following: that NPT parties consider further improvements in measures to prevent the diversion of nuclear technology for nuclear weapons; that states engage in consultations to ensure appropriate coordination of their controls on the exports of items, such as tritium, not identified in Article III.2 but still relevant to nuclear weapons proliferation and therefore to the NPT as a whole; that nuclear supplier states require, as a necessary condition for the transfer of relevant nuclear supplies to non-nuclear weapon states, the acceptance of IAEA Safeguards on all their current and future nuclear activities (i.e. fullscope safeguards, or comprehensive safeguards).



Shortly thereafter, it became apparent that export control provisions then in force had not prevented Iraq, a party to the NPT, from pursuing a clandestine nuclear weapons program, which later prompted UN Security Council action. A large part of Iraq's effort had been the acquisition of dual-use items not covered by the Guidelines and then building its own trigger list items. This gave major impetus to the NSG's development of its dual-use guidelines. In doing so, the NSG demonstrated its commitment to nuclear nonproliferation by ensuring that items like those used by Iraq would from now on be controlled to ensure their non-explosive use. These items would, however, continue to be available for peaceful nuclear activities subject to IAEA safeguards, as well as for other industrial activities where they would not contribute to nuclear proliferation.

Following these developments the NSG decided in 1992: to establish guidelines for transfers of nuclear-related dual-use equipment, material and technology (items which have both nuclear and non-nuclear applications), which could make a significant contribution to an unsafeguarded nuclear fuel cycle or nuclear explosive activity. These dual-use guidelines were published as part 2 of INFCIRC/254; to establish a framework for consultation on the dual-use guidelines, for the exchange of information on their implementation and on procurement activities of potential proliferation concern; to establish procedures for exchanging notifications which have been issued as a result of national decisions not to authorize transfers of dual-use equipment or technology, and to ensure that members do not approve transfers of such items without first consulting with the state that issued the notification; to make a fullscope safeguards agreement with the IAEA a condition for the future supply of trigger list items to any non-nuclear weapons state. This decision ensured that only NPT parties and other states with fullscope safeguards agreements could benefit from nuclear transfers.

The endorsement at the 1995 NPT Review and Extension Conference (NPTREC) of the fullscope safeguards policy already adopted by the NSG in 1992 clearly reflects the conviction of the international community that this nuclear supply policy is a vital element to promote shared nuclear nonproliferation commitments and obligations. Specifically, Paragraph 12 of the Decision on "Principles and Objectives for Nuclear Non-

proliferation and Disarmament" at the 1995 NPTREC states that fullscope safeguards and international legally binding commitments not to acquire nuclear weapons or other nuclear explosive devices should be a condition for granting licenses for trigger list items under new supply arrangements with non nuclear-weapon states.

The 2000 NPT Review Conference reaffirmed Paragraph 12 of the Decision on "Principles and Objectives for Nuclear Non-proliferation and Disarmament" and recognized the value of export restrictions to prevent the further proliferation of nuclear weapons.

**Regime procedures:** NSG requires IAEA safeguards as a condition of supply, with full-scope safeguards as the norm; national control laws and procedures; physical protection against theft for sensitive parts of the nuclear fuel cycle; restraint of enrichment and reprocessing plant assistance to countries of proliferation concern; common control list; export restraint to regions of conflict and instability; and information-sharing among members.

The Guidelines for Nuclear Transfers, initially agreed upon by supplier states in 1977 and transmitted to the IAEA Director General in January 1978, envisage additional export control restraints beyond those provided for in the NPT: use of exports should not result in any nuclear explosive device; restraint in the transfer of facilities and technologies used for reprocessing, uranium enrichment, and heavy water production; physical protection of nuclear materials and facilities; control of re-transfer of transferred items; and acceptance of the Zangger Committee Trigger List.

At its 1992 Warsaw meeting, the NSG agreed on the Guidelines for Transfers of Nuclear-Related Dual-Use Equipment, Material and Related Technology and the List of Nuclear-Related Dual-Use Equipment and Materials and Related Technology, which includes 67 categories of dual-use items.

The 1992 Warsaw NSG meeting also adopted the Statement on Full-Scope Safeguards, requiring the application of IAEA safeguards on all source and special fissionable materials in recipient states' current and future nuclear activities.

The 1993 Lucerne NSG meeting endorsed an amendment to the NSG Guidelines that requires IAEA safeguards on all current and future nuclear activities as a condition for any significant new supply commitments

to NNWS. Transfers to NNWS without a full-scope safeguards agreement shall be authorized only in exceptional cases when they are deemed essential for the safe operation of existing facilities, and only if safeguards are applied to those facilities. This policy does not apply to agreements or contracts drawn up on or prior to April 3, 1992. The updated NSG Guidelines were published as IAEA document INFCIRC/254/Rev 1, Parts 1 and 2 (<http://www.iaea.org/worldatom/infcircs/inf254.html>). The Group called on nuclear supplier countries, which have not yet adopted the full-scope safeguards policy to do so as soon as possible, and said it would try to ensure that indirect supply through third countries does not undermine this policy.

The meeting adopted a procedural arrangement, which established the procedure for joining the regime. The procedure calls for the NSG members to reach a consensus about the invitation of a new state and requires the new state to accept the NSG Guidelines in their entirety (i.e., both Parts 1 and 2 of INFCIRC/254/Rev 1).

Countries adhering only to Part 1 may be granted the right to attend the meetings, although they may not participate fully before their adherence to Part 2. The invitation of observers, whether they are countries or international organizations, requires the members' consensus.

On the basis of recommendations by the Working group on conditions of supply, the NSG reviewed the Guidelines for Nuclear Transfers (INFCIRC/254/Rev.1/Mod. 1, Part 1) and adopted several changes in order to respond to new concerns in the field of nuclear proliferation. The Group agreed to strengthen the retransfer provisions of the Guidelines and to incorporate a new provision underlining the importance of members' satisfying themselves that their transfers would not contribute to the proliferation of nuclear weapons or other nuclear explosive devices.

The Technical Working Group was mandated to continue reviewing the nuclear-related items included in the Annex to Part 1 of the Guidelines. A new Technical Working Group was created to review the Annex to Part 2 of the Guidelines.

The Group decided to restructure its arrangements for exchanging information on proliferation threats with the objective of further enhancing the members' ability to respond to these threats. The Group affirmed the principle of transparency and agreed that members

should continue their efforts to brief nonmembers on the aims and activities of the Group.

**Plenary:** The 2000 Plenary was held in June in Paris. The members endorsed the provisions of the IAEA's 1997 model Additional Protocol for more intrusive safeguards, as it would "strengthen the nuclear safeguards regime and facilitate the exchange of nuclear and nuclear-related material in peaceful nuclear cooperation." Belarus, Cyprus and Turkey were admitted as members at the 2000 meeting, and Slovenia attended as an observer. In an effort to open up the Group to new members, continued contacts with non-member states were mandated, particularly with Slovenia and Kazakhstan. The NSG also decided to establish a web site to ensure better public information and transparency. A proposal for reorganizing NSG activities will be presented at the next plenary in Aspen (Colo.) in May 2001.

The 1999 Plenary Meeting of the Nuclear Suppliers Group (NSG) was held in Florence, Italy, on 5-6 May. The NSG agreed to improve electronic information sharing among its members and to address issues of intangible technology transfer. Two working groups were established, one to clarify the appropriate control of components and the other to study ways to improve the effectiveness of the Dual-Use Regime. The Chair was mandated to contact Turkey, Belarus, Cyprus, Kazakhstan and Slovenia with a view to taking inter-sessional decisions on their membership.

The 1998 NSG Plenary was held in Edinburgh on 1-2 April. Latvia was admitted to the Group. NSG members again agreed to continue its efforts to promote greater transparency and openness in the activities of the NSG to non-members. The Group decided to follow the success of the 1997 International Seminar on the Role of Export Controls in Nuclear Non-Proliferation with an additional seminar in New York in the spring of 1999 before the NPT Preparatory Committee.

The 1997 NSG Plenary was held in Ottawa on May 8-9. At the meeting the Group reiterated its commitment to greater transparency and openness in its activities and agreed to host an International Seminar on the Role of Export Controls in Nuclear Nonproliferation to be held on October 6-7, 1997 in Vienna. Additional measures to facilitate the sharing of information among Member States were adopted. Matters relating to mem-

bership issues and expressions of interest by some non-member states in joining the NSG were discussed.

The 1996 Buenos Aires NSG Plenary noted the positive developments that had taken place: the decision on the indefinite extension of the NPT and on strengthening the review process for the Treaty; the signature by France, the UK, and the US to the Protocols to the Treaty of Rarotonga; and also the signature of the Pelindaba Treaty, which make a significant contribution to international peace and security, together with the Treaty of Tlatelolco. Responding to Decision 2 “Principles and Objectives for Nuclear Non-Proliferation and Disarmament”, adopted at the NPT Review and Extension Conference (NPTREC) on May 11, 1995, the NSG agreed to promote openness and transparency through further dialogue and cooperation with non-member countries by establishing a working group to advance this objective. The NSG welcomed the endorsement by the NPTREC of the requirement for IAEA full-scope safeguards as a precondition for new supply arrangements.

The plenary held in Helsinki from April 5–7, 1995, reviewed the Guidelines for Nuclear Transfers on the basis of recommendations by its working groups. It also considered options to update its Guidelines and Annexes. The NSG decided to continue its efforts to ensure that exports of nuclear or nuclear-related dual-use items for peaceful purposes were not diverted to nuclear explosive or unsafeguarded nuclear activities. The NSG affirmed the principle of openness and agreed that members should continue to brief other countries on the aims and activities of the NSG in order to increase transparency and to enlarge membership.

***The NSG, the Zangger Committee, and the NPT:*** The Zangger Committee’s provisions are closely tied to Article III.2 of the NPT. In contrast to the Zangger Committee, NSG members are not required to be parties to the NPT, but they all must adhere to instruments which contain equally binding commitments. The NSG guidelines are designed to strengthen implementation of the strong nonproliferation undertakings contained in those legal instruments.

The NSG and the Zangger Committee differ in the scope of their trigger lists of especially designed or prepared items (EDP) and in the export conditions for items on those lists. Concerning the scope of those lists, the Zangger list is restricted to items falling under Article III.2 of the NPT. On export conditions for

the items on the “Trigger Lists”, the NSG has a formal fullscope safeguards requirement as a condition of supply. However, all members of the NSG and of the Zangger Committee apply fullscope safeguards as a condition of supply for trigger list items to NNWS.

The NSG arrangement covering exports of dual-use items is a major difference between the NSG and the Zangger Committee. As dual-use items cannot be defined as EDP equipment, they fall outside the Zangger Committee’s mandate. As noted above, the control of Dual-Use items has been recognized as making an important contribution to nuclear nonproliferation.

The NSG guidelines apply to transfers to all NNWS. The Zangger Committee memoranda only apply to transfers to NNWS not party to the NPT, as compliance with NPT obligations fulfills the criteria of the Zangger Committee understandings. In 1994 the NSG also strengthened its retransfer provisions to require government-to-government assurances to support the stipulation that a supplier’s consent be obtained for the re-transfer of trigger list items from any state which does not require fullscope safeguards as a condition of supply. At the same time, the NSG also adopted the so-called nonproliferation principle whereby a supplier, notwithstanding other provisions in the Guidelines, should authorize a transfer only when satisfied that the transfer would not contribute to the proliferation of nuclear weapons. The nonproliferation principle seeks to cover the rare, but important cases where adherence to the NPT or to a Nuclear-Weapon-Free Zone Treaty may not by itself be a guarantee that a state will consistently share the objectives of the Treaty or that it will remain in compliance with its Treaty obligations.

Despite these differences between the two regimes it is important to keep in mind that they serve the same objective and are equally valid instruments of nuclear nonproliferation efforts. There is close cooperation between the NSG and the Zangger Committee on the review and amendment of the trigger lists.

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### ZANGGER COMMITTEE (ZAC)

*Membership:* 35 States - Argentina, Australia, Austria, Belgium, Bulgaria, Canada, China, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Republic of Korea, Latvia, Luxembourg, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, Slovakia, South Africa, Spain, Sweden, Switzerland, Turkey, Ukraine, UK and US.

Permanent Observer: European Community.

The Committee was formed in 1971, under the chairmanship of Claude Zangger (Switzerland), to draft a “trigger list” of (a) source or special fissionable materials, and (b) equipment or materials especially designed or prepared for the processing, use, or production of special fissionable materials, which under Art. III.2 of the NPT should be subject to IAEA safeguards if supplied by NPT parties to any NNWS. In 1974 the Zangger Committee published a “Trigger List”, that is, items which would “trigger” a requirement for safeguards and guidelines (“common understandings”) governing the export of those items to non-nuclear weapon states (NNWS) that are not party to the NPT. These Guidelines establish three conditions for the supply: a non-explosive use assurance, an IAEA safeguards requirement, and a re-transfer provision which required the receiving state to apply the same conditions when re-exporting these items. The “Trigger List” was first published in September 1974 as IAEA document INFCIRC/209 and has been amended several times since then. It can be accessed at:

<http://www.iaea.org/worldatom/infircs/inf209r1.html>

The Committee decided that its status was informal and that its decisions would not be legally binding upon its members. The decisions are put into legal effect by unilateral declarations of each member to the other members, with subsequent letters to the Director General of the IAEA requesting him to publish these

unilateral policy declarations in IAEA document INFCIRC/209.

By 1974, the Zangger Committee arrived at a consensus on the basic guidelines, which were set out in two separate memoranda dated August 14, 1974. The first defined the list of source and special fissionable material, and the second defined exports of equipment and non-nuclear material. These are commonly known as the Trigger List, and were published as IAEA document INFCIRC/209, of September 3, 1974. Attached to the original Trigger List was an annex clarifying the items described in the list in some detail. Since then, additional clarification exercises, conducted on the basis of consensus and then transmitted to the IAEA, have taken place. They contained new items on plants for the production of heavy water, technological development in the field of isotope separation by the gas centrifuge process, and fuel reprocessing plants. Other items on the list are currently under review. The latest revision of INFCIRC/209 took place on 9 March 2000: <http://www.iaea.org/cgi-bin/byteserver.pl/worldatom/infircs/infirc209r2.pdf>

Since 1974 the Zangger Committee has continuously reviewed and updated and amended its Trigger List. Six major revisions have taken place:

- November 1977 – heavy water production equipment added, and clarification on zirconium;
- February 1984 – isotope separation by gas centrifuge process;
- August 1985 – clarification on reprocessing plants;
- February 1990 – clarification on isotope separation plant equipment from the gaseous diffusion method;
- 1994 – further clarification to the enrichment section and a modification of the entry on “primary coolant pumps” (to include water pumps), and the same year an understanding was reached on the safeguards procedural management of bulk quantities of source material for non-nuclear use; and
- 1996 – further clarification of the less sensitive Trigger List items (sections 2 and 5).

The Committee has agreed to exchange information about actual exports or issue of licenses for exports to any non-nuclear-weapon state not party to the NPT through its system of “Annual Returns,” which are circulated on a confidential basis among its member states each year in April.

The Committee meets in Vienna twice a year, in May and in October. These meetings are informal and confidential. The members also exchange confidential annual reports in April detailing actual exports and the issuance of any export licenses to any NNWS not party to the NPT. At the Committee's May 1998 meeting, members issued a statement deploring the nuclear tests conducted by India and Pakistan, expressing regret at the damaging impact of these tests on global prevention of nuclear proliferation and calling on India and Pakistan to refrain from further testing and adhere to the NPT unconditionally.

China joined the Zangger Committee in the fall of 1998 and took part in the October 1998 meeting.

The term of office of the Chairman of the Committee is indefinite and is for the duration of the professional life (in the nuclear field) of the incumbent. Three chairmen have held the office thus far: Professor Claude Zangger of Switzerland from 1971 until 1989, Mr. Ilkka Makipentti of Finland from 1989 to 1993, and Dr. Fritz Schmidt of Austria since 1993.

Chairman of the Zangger Committee - Dr. Fritz W. Schmidt, Federal Chancellery, Hohenstaufengasse 3, A-1014 Vienna, AUSTRIA. Tel. (43-1) 53115-2924, FAX: (43-1) 53115-4120, Telex: 113689.

## MISSILE TECHNOLOGY CONTROL REGIME (MTCR)

Established: April 1987.

Membership: 32 states.

Formal discussions on controlling missile proliferation began in 1983 among France, Germany, Italy, UK, and US. They were later joined by Canada and Japan, and in 1985, an interim agreement to control the proliferation of nuclear capable ballistic missiles, including dual-use missile items, was reached. A nuclear capable missile was defined as one capable of delivering at least 500 kg to a range of 300 km or more. The G-7 states formally announced the MTCR on April 16, 1987.

Since then, membership has expanded to the present 32 states, the additional members being: Argentina, Australia, Austria, Belgium, Brazil, Czech Republic, Denmark, Finland, Greece, Hungary, Iceland, Ireland, Luxembourg, The Netherlands, New Zealand, Norway, Poland, Portugal, Russian Federation, South Africa, Spain, Sweden, Switzerland, Turkey and Ukraine. Some

other states, including China, Israel, Romania and Slovakia, have pledged to abide by the MTCR Guidelines.

The MTCR is an informal non-treaty association of governments sharing common interests in the nonproliferation of missiles, unmanned air vehicles, and related technologies. The regime consists of the Guidelines and an Equipment and Technology Annex.

**Regime goal:** to limit the risks of proliferation of weapons of mass destruction (i.e. nuclear, chemical and biological weapons), by controlling the transfers that could make a contribution to delivery systems (other than manned aircraft) for such weapons.

**Regime Guidelines:** national control laws and procedures; two-category common control list; information-sharing on any denied cases to ensure no commercial advantage; no impediment to national space programs; presumption of denial of any transfers in terms of nuclear weapons delivery systems development; and no retransfers without authorization.

**Equipment and Technology Annex: Category I** items of the Equipment and Technology Annex include complete rocket and unmanned-air-vehicle delivery systems and subsystems. The transfer of Category I items is subject to a strong presumption of denial. The transfer of production technology for Category I items is prohibited. **Category II** items include propulsion and propellant components, launch and ground support equipment, as well as materials. The transfer of Category II items is less restricted, but still requires end-use certification or verification where appropriate.

**Plenary:** The 15<sup>th</sup> Plenary is scheduled to take place in Finland in the fall of 2000 (September 11-12).

The 14<sup>th</sup> Plenary was held in Noordwijk, the Netherlands from 1-15 October 1999. MTCR members agreed on the need for continued vigilance in light of developments in South and North East Asia and in the Middle East, with particularly concern for the number of indigenous programs with increasingly longer-range delivery systems. Members renewed their commitment to combating missile proliferation and to the strict implementation of their export controls. Confidence and security building measures as well as increased outreach activities with non-members were discussed.

The 13<sup>th</sup> Plenary took place from 5-9 October 1998 in Budapest. Three new members, the Czech Republic, Poland and Ukraine, were in attendance. MTCR part-

ners agreed to make the regime more transparent. To that end, they supported the idea of establishing dialogues with non-Partner governments. Partners repeated their invitation to China to join, and issued a statement in which they expressed concern over the missile-related activities of North Korea. They also agreed to organize a seminar for border guards and customs experts in 1999.

The 12<sup>th</sup> Plenary was held in Tokyo from 4-6 November 1997. Members expressed their concern over missile developments in the Middle East and Asia, and stressed continuing restraint and vigilance in bilateral contacts with non-MTCR members. Members did agree, however, to encourage non-members to abide by MTCR guidelines, in addition to reaffirming the usefulness of dialogues with transshipment centers.

During the 11th Plenary Meeting, held in Edinburgh in October 1996, the partners supported US initiatives to follow up on the success of the June/July 1996 meetings. The partners agreed to “be proactive in encouraging” key non-MTCR transshippers to adhere to the MTCR Guidelines and Annex, and to give them “practical assistance” to implement transshipment controls on missile technology. The member states agreed on steps that could be taken to improve the regime’s effectiveness in restricting missile proliferation in South Asia and the Persian Gulf. In addition, the partners agreed to increase the transparency of the regime’s objectives and activities, and to pursue dialogues with non-MTCR countries to encourage their voluntary adherence to the regime’s guidelines.

In July 1996, the US hosted an MTCR Seminar on Transshipment Issues in Washington, DC. The seminar was attended by foreign policy makers and specialists from 12 MTCR member states and seven non-MTCR countries. During the seminar, a “productive exchange of ideas on how to impede proliferators’ misuse of transshipment” took place. The participants identified a number of issues for potential future deliberation, which the US addressed subsequently during the MTCR’s 1996 Plenary Meeting in Edinburgh, UK, on October 7-11, 1996.

In June 1996, the MTCR member states held the regime’s Reinforced Point of Contact Meeting on Regional Missile Proliferation Issues. Participants discussed actions that could be taken both collectively and individually to address specific concerns raised by missile proliferation in regions of tension.

The MTCR held its 10th plenary session in Bonn, Germany, on October 10-12, 1995. The meeting was attended by 27 member states, including Russia and South Africa for the first time. The partners agreed to expand the regime’s membership to include Brazil, and amended the Equipment and Technology Annex to reflect technical developments. The members also considered the impact of missile proliferation on regional security and reaffirmed their commitment to preventing the proliferation of delivery systems capable of carrying WMD through export controls. The members expressed a willingness to cooperate in space activities for peaceful purposes. The meeting was chaired by Adolf von Wagner, Deputy Director General of the German Foreign Office.

On October 4, 1994, the US and China issued a joint statement on “missile proliferation”. The US agreed to lift sanctions imposed on China (in August 1993) for missile exports to Pakistan. Once sanctions were lifted, China agreed not to export missiles “featuring the primary parameters of the MTCR”. This Chinese commitment, according to the statement, goes beyond the MTCR’s “strong presumption of denial” language. China also agreed to the US formulation on “inherent capability”, that is, any missile capable of generating “sufficient energy to deliver a 500 kg payload at least 300 km, regardless of its demonstrated or advertised combination of range and payload”.

At the plenary held in Stockholm in October 1994, partners pledged to intensify their contacts and cooperation with non-partners in order to foster understanding of the purposes and goals of the MTCR. They reacted favorably to Russia’s application for full membership.

The plenary held in Interlaken, Switzerland, in November-December 1993, was devoted to planning the future of the regime. It was agreed to redouble efforts to persuade potential exporters outside the regime to abide by MTCR guidelines. The third update to the Annex was agreed upon there and it became effective in July 1994.

At the plenary held in Canberra in March 1993, it was agreed that MTCR Guidelines for missile-related transfers remain an essential mechanism for the prevention of the proliferation of missiles capable of delivering weapons of mass destruction.

In July 1993, members implemented two new annex items: item 19 (complete rocket systems not covered

in item 1, capable of a range greater or equal to 300 km), and item 20 (complete subsystems usable in item 19, but not in item 1, and production facilities and equipment for individual rocket stages and solid/liquid propellant rocket engines).

This was the second update of the annex. The annex was first amended in November 1991, with the addition of items 17 (materials, devices, and specially-designed software for reduced observables) and 18 (devices to protect rocket systems against nuclear effects), new definitions, and supplementary terminology.

In January 1993, MTCR coverage was expanded to include missiles intended to deliver biological and chemical weapons, as well as nuclear weapons.

France is the permanent administrative point-of-contact for MTCR affairs.

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## AUSTRALIA GROUP (AG)

Established: 1985.

**Membership:** 30 states - Argentina, Australia, Austria, Belgium, Canada, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Romania, Slovakia, Spain, Sweden, Switzerland, UK, and US. The EU Commission participates in AG meetings.

AG is an informal association, which works on the basis of consensus.

**Regime goal:** to limit the spread of CBW through the control of chemical precursors, CBW equipment, and BW agents and organisms.

**Regime procedures:** national control laws and procedures; common control list (precursors, equipment, agents, and organisms); guidelines for the industry to assist in identifying potential chemical weapon equipment transactions; and information-sharing among members when suspicious inquiries are received, cases

are denied, or information suggests possible international procurement for untoward purposes.

In 1989, 50 dual-use chemicals appeared on the AG "warning list" with a suggestion that AG members place controls on them. In 1991, AG agreed on additional control lists of: (1) equipment related to the manufacture of chemical weapons precursors; and (2) biological organisms and equipment. AG members have agreed to control all 50 (currently 54) precursor chemicals on a worldwide basis. AG is considering imposing controls on BW-related dual-use equipment and microorganisms having BW applications. At the May 1991 meeting, Group members developed a dual-use CBW equipment list, which was adopted during the December 1991 meeting.

Since the conclusion of the CWC in 1992, meetings of the Group have focused closely on the interaction between Group controls and the non-proliferation and trade encouragement measures, which came into operation when the CWC entered into force.

At their 4-8 October 1999 meeting, the AG members reaffirmed that their national chemical and biological export licensing measures were directed at CBW non-proliferation, and were designed not to hamper legitimate trade. They also endorsed individual members' actions in hosting regional seminars aimed at encouraging countries not participating in the Group to consider implementing similar measures to prevent CBW proliferation.

In 1998, the AG met from 9-15 October. The members reaffirmed the importance of the implementation of national measures as a way to meet their obligations under the CWC and BTWC, and agreed to keep national legislation under review. They also emphasized the important role of seminars for countries not participating in the Group.

The AG's 1997 meeting was held from 6-9 October. Participants continued to review national exporting licensing policies, reaffirmed their commitments to the CWC, and welcomed the progress of efforts to strengthen the BTWC in the negotiations taking place in the Ad Hoc Group of BTWC States Parties in Geneva. Participants also agreed to continue contacts with countries not participating, and in this context, endorsed the importance of regional seminars as valuable means of widening contacts with other countries. They welcomed the Asian regional seminar on export controls held in Tokyo in January 1997 and the regional CBW

export control seminar for countries of central and eastern Europe and the Commonwealth of Independent States held in October 1996.

In 1996, the AG met on October 14-17 to discuss the continuing problem of chemical and biological weapons proliferation. The participants reiterated their strong belief that full adherence to the CWC and to the BTWC was the best way to eliminate these types of weapons. In this context, the maintenance of effective export controls will remain an essential practical means of fulfilling obligations under the CWC and the BTWC. South Korea took part for the first time in the AG consultations. Experts from participating countries discussed national export licensing systems aimed at preventing inadvertent assistance to the production of CBW. They agreed to continue working to focus these national measures efficiently and solely on preventing any contribution to CBW programs, and also agreed to continue a wide range of contacts as well as briefings for countries not participating in the Paris consultations of the AG. The statement noted that 24 of the 30 countries participating in the AG had already ratified the CWC, and reaffirmed participants' prior declarations of intent to become original parties.

At the October 16-19, 1995 meeting AG agreed to several amendments to the lists of biological weapons-relevant materials and equipment, taking into account developments since these lists were last reviewed including revelations concerning the Iraqi BW program. The participants also exchanged views on their national approaches to ensure that all relevant regulations promoted the object and purpose of the CWC and to ensure they would be fully consistent with it upon its entry into force. They expressed the view that the lessons derived from practical experience in export licensing would assist individual countries in their preparations for national implementation of their principle obligations under the CWC while ensuring that they would not restrict or impede trade and other exchanges not prohibited by the convention. Participants also considered how best to contribute to international dialogue on the need for and role of national measures focused on preventing assistance to CBW production in line with the international bans on these weapons. They agreed to continue with a wide range of contacts, including a further active program of briefings for countries not participating in the talks, and to promote regional consultations to further awareness and

understanding of national policies in this area. The meeting also discussed the terrorist use of CBW noting that recent developments had heightened concerns about such risks.

At the May 1994 meeting, the Group's discussions centered on their increased focus on activities in support of the entry into force of the CWC. A group of technical experts considered the interaction between the AG's list of chemicals, the export of which should be monitored, and the CWC chemical schedules. All AG members agreed to review their export licensing procedures to ensure consistency with the CWC. The AG finalized a common approach to licensing of chemical mixtures and agreed on the need for a more active dialogue with non-members on the role of export licensing measures in preventing the proliferation of chemical and biological weapons. At this session, the Czech Republic was admitted to the group.

At the meeting of the Group in Paris from November 29 to December 1, 1993, participating countries discussed national export licensing systems aimed at preventing any inadvertent assistance to the production of CBW. They agreed to continue working to focus national measures efficiently and exclusively on preventing association with CBW programs and agreed to continue with a wide range of contacts, including a further active program of detailed bilateral briefings for non-participating countries.

The June 1993 meeting, held at the Australian Embassy in Paris, focused primarily on technical aspects of the AG's work, as well as considered how to make this work better known and understood among countries not participating in the Group. Consolidation of the Group's common export control lists was achieved as a result of three subsidiary experts' meetings, which covered BW issues, CW dual-use equipment, and CW precursor chemicals. The consolidation of the Group's export control lists resulted in agreement on a comprehensive range of key materials (54 chemicals, agents and toxins, dual-use equipment), which could be used in CBW programs.

AG meets once a year in Paris with Australia as a chair. (Until 1994, AG averaged two meeting each year.)

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## THE WASSENAAR ARRANGEMENT ON EXPORT CONTROLS FOR CONVENTIONAL ARMS AND DUAL-USE GOODS AND TECHNOLOGIES (SUCCESSOR TO COCOM)

**Participating States:** 33 - Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Slovak Republic, Spain, Sweden, Switzerland, Turkey, Ukraine, the United Kingdom and the United States.

Membership in the Wassenaar Arrangement is universal and nondiscriminatory for countries meeting established criteria:

- Be a producer/exporter of arms or associated dual-use goods and technologies;
- Have national policies, which do not permit the sale of arms or sensitive dual-use items to countries whose behavior is a cause for concern;
- Adhere to international nonproliferation norms and guidelines; and
- Implement fully effective export controls.

**The purpose of the Arrangement**, reflected in the Initial Elements agreed to at a meeting held in Vienna on July 11-12, 1996, is to contribute to regional and international security by:

- promoting transparency and greater responsibility with regard to transfers of conventional arms and

dual-use goods and technologies, thus preventing destabilizing accumulations;

- seeking through national policies to ensure that transfers of these items do not contribute to the development or enhancement of military capabilities which undermine these goals, and are not diverted to support such capabilities;
- complementing and reinforcing, without duplication, the existing control regimes for weapons of mass destruction and their delivery systems, as well as other internationally recognized measures designed to promote transparency and greater responsibility, by focusing on the threats to international and regional peace and security which may arise from transfers of armaments and sensitive dual-use goods and technologies where risks are judged greatest; and,
- enhancing cooperation to prevent the acquisition of armaments and sensitive dual-use items for military end-uses, if the situation in a region or the behavior of a state is, or becomes, a cause for serious concern to the participating states.

**The Coordinating Committee for Multilateral Export Controls (COCOM)** which existed from 1950 to March 31, 1994, and consisted of 17 states (Australia, Belgium, Canada, Denmark, France, Germany, Greece, Italy, Japan, Luxembourg, Netherlands, Norway, Portugal, Spain, Turkey, UK, and US) was a non-treaty, non-chartered organization whose goal was to restrict the export of sensitive items that, if diverted, could contribute significantly to military potential and the proliferation of weapon systems, creating instability and international tension. Historically, targets of constraints were communist states.

In 1990, COCOM began helping East European states adopt controls to stem the proliferation of military technology. COCOM also played a role in coordinating efforts to prevent “brain-drain,” particularly in the review of projects supported by any member government.

The Secretariat was comprised of about 30 persons; headquartered in an annex of the US Embassy, Paris. The COCOM Cooperation Forum was established in 1992, with the goal of progressive relaxation and elimination of export restrictions, and had its first meeting in Paris in November 1992. Forty-two countries participated in the Forum.

At the US-Russian Summit in Vancouver on April 4, 1993, the Presidents of Russia and the US agreed that

it was necessary to achieve the earliest possible resolution of questions about cooperation in the nonproliferation of missiles and missile technology, in accordance with the principles of existing international agreements. They decided to work together to remove obstacles impeding Russia's access to the global market in high technology and related services.

In November 1993, negotiations among the 17 COCOM member states began on the structure and objectives of COCOM's successor organization. Its members agreed to continue implementing technology transfer restrictions pending agreement on the successor organization. The new organization, known as the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies was agreed upon on December 9, 1995.

COCOM's proscribed items lists has been altered, with the old Atomic Energy Control List transferred to the NSG for administration. In turn, the International Industrial List has been replaced by a narrowly focused dual-use technology "core list", itself subdivided into "basic", "intermediate", and "sensitive" categories. Unique information sharing (among group members), and end-use certification requirements will be required for each category of technology, with the most sensitive items subject to presumptive denial of transfer requests.

An additional difference between the Wassenaar Arrangement and COCOM is the absence of a veto over items' list revisions. Where under COCOM any member could veto the relaxation (or inclusion) of new technologies on the industrial or munitions control lists, under the new system national governments would enjoy discretion on whether to adhere to the consensus on transfer restrictions. This fact would create the potential for increasing variation in controls implementation throughout the group's members.

The COCOM International Munitions List has been transferred, albeit in slightly different form, to the Wassenaar Arrangement. In addition, a system of pre-delivery consultations has been implemented, through which weapons exporters would liaise with one another on the transfer of arms into regions of high tension or ongoing conflict. This consultative mechanism would be designed to increase the transparency of arms and dual-use trade among members, thus reducing suspicions among suppliers who are also trade competitors that restrictions are being used for protectionist reasons.

Members of the new organization are obligated to maintain rigorous national export control systems analogous to those of the old COCOM countries. In turn, participating states have to be members of or be acting in accordance with the NPT, MTCR, CWC, and the UN Arms Register.

The Wassenaar States meet regularly in Vienna, Austria, and make their decisions based on consensus.

The next WA Plenary regular meeting is to be held in Bratislava in November/December 2000. Ambassador Alojz Némethy (Slovakia) is its chairman as of 1 January 2000.

The fifth Plenary meeting of the Wassenaar Arrangement (WA) was held December 1-3, 1999 with Ambassador Staffan Sohlman (Sweden) serving as chair. Participants noted with concern continuing illicit arms flows to zones of conflict, including to states and parties subject to mandatory UNSC arms embargoes, and licit transfers to conflicts from states not participating in the Wassenaar Arrangement. The Plenary also concluded the first overall Assessment of the functioning of the Arrangement.

The fourth plenary meeting was chaired by Ambassador Staffan Sohlman (Sweden) from 2-3 December 1998. The plenary approved a paper entitled "Elements for Objective Analysis and Advice Concerning Potentially Destabilizing Accumulations of Conventional Weapons" and agreed to control list amendments that take into account recent technological developments.

The third plenary meeting was held from December 9-10, 1997 at which the plenary recognized that the Arrangement had become fully operational.

The first plenary meeting took place in Vienna from 2-3 April 1996 and the second from 12 and 13 December 1996.

The Secretariat of the Wassenaar Arrangement is based in Vienna, Austria.

Head of the Secretariat:  
Ambassador Luigi Lauriola (Italy).

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## Global Organizations and Regimes:

### INTERNATIONAL TREATIES

#### TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS (NPT)

Opened for signature: 1 July 1968.

Entered into force: 5 March 1970.

Duration: Indefinite. Twenty-years after the entry into force of the NPT, at the 1995 NPT Review and Extension Conference, held in New York at the United Nations, from 17 April to 12 May 1995, States Parties agreed without a vote “that the Treaty shall continue in force indefinitely”.

Number of Parties: 187 states.

Depositories: Russia, UK, and US.

##### **Obligations:**

- for NWS - not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices and not to assist, encourage, or induce any NNWS to manufacture or otherwise acquire them;
- for NNWS - not to receive nuclear weapons or other nuclear explosive devices from any transferor, and not to manufacture or acquire them;
- for NNWS to place all nuclear materials in all peaceful nuclear activities under IAEA safeguards;
- for all parties - to facilitate and participate in the exchange of equipment, materials, and scientific and technological information for the peaceful uses of nuclear energy; and
- for all parties - to pursue negotiations in good faith on effective measures relating to the cessation of the nuclear arms race and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control.

**Verification:** NNWS are to conclude agreements with the IAEA for safeguards to be applied on all source or special fissionable materials in all peaceful nuclear activities within the territory of such states. Such agreements are to be concluded with the IAEA, individually or together with other states, and enter into force within 18 months after their accession to the Treaty.

Other major provisions: the right of any group of states to conclude regional treaties to assure the absence of nuclear weapons in their respective territories; the convening of review conferences every five years (six review conferences have been held: in 1975, 1980, 1985, 1990, 1995, and 2000).

The NPT was accompanied by United Nations Security Council Resolution (UNSCR) 255 (19 June 1968) on security assurances to NPT NNWS. On 11 April 1995, the five nuclear-weapon states through UN Security Council Resolution 984 issued harmonized negative security assurances for non-nuclear-weapon states parties to the NPT.

##### **2000 Review Conference**

The 2000 NPT Review Conference was convened at United Nations Headquarters from 24 April to 19 May 2000, with 157 of 187 States Parties participating. One state not party, Cuba attended as an observer. Palestine was also granted observer status. 141 research institutes and non-governmental organizations attended as observers.

The bureau of the Review Conference comprised *inter alia*: President Abdallah Baali (Algeria) and Secretary-General Hannelore Hoppe (Chief, WMD Branch, UN Department for Disarmament Affairs).

The 33 Vice-Presidents were: Armenia, Australia, Azerbaijan, Belarus, Cameroon, Canada, China, Costa Rica, Côte d'Ivoire, Ecuador, France, Germany, Ghana, Iran (Islamic Republic of), Ireland, Italy, Japan, Kenya, Latvia, Lithuania, Mexico, Myanmar, Netherlands, New Zealand, Nigeria, Peru, Romania, Senegal, South Africa, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uzbekistan and Viet Nam.

Main Committee I: Chairman Camilo Reyes (Colombia), Vice-Chairmen: Jean Lint (Belgium) and Vadim Reznikov (Belarus); Subsidiary Body 1: Clive Pearson (New Zealand). Main Committee II: Chairman Adam Kobieracki (Poland), Vice-Chairmen: Suh Dae-won (Republic of Korea) and Yaw Odei Osei (Ghana); Subsidiary Body 2: Christopher Westdal (Canada). Main Committee III: Chairman Markku Reimaa (Finland), Vice-Chairmen: Igor Dzundev (The former Yugoslav

Republic of Macedonia) and Hamid Baidi Nejad (Islamic Republic of Iran). Drafting Committee: Chairman André Erdös (Hungary); Vice-Chairmen: Fayza Aboulnaga (Egypt) and Pedro Villagra-Delgado (Argentina); and Credentials Committee: Chairman Makmur Widodo (Indonesia); Vice-Chairmen: Ion Botnaru (Moldova) and Wernfried Köffler (Austria). The Conference appointed representatives from the following States parties as members of the Credentials Committee: Chile, Greece, Morocco, Slovakia, Slovenia and Switzerland.

The 2000 Review Conference held 16 plenary meetings together with several sessions of informal consultations. On 19 May – in real time, on 20 May – the Conference adopted a Final Document by consensus.

**Nuclear Disarmament:** The Conference agreed on the following practical steps for the systematic and progressive efforts to implement Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons and paragraphs 3 and 4(c) of the 1995 Decision on “Principles and Objectives for Nuclear Non-Proliferation and Disarmament”: (1) the importance and urgency of signatures and ratifications, without delay and without conditions and in accordance with constitutional processes, to achieve the early entry into force of the CTBT; (2) a moratorium on nuclear-weapon-test explosions or any other nuclear explosions pending entry into force of that Treaty.; (3) the necessity of negotiations in the CD on a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices in accordance with the statement of the Special Coordinator in 1995 and the mandate contained therein, taking into consideration both nuclear disarmament and nuclear non-proliferation objectives - the CD is urged to agree on a program of work which includes the immediate commencement of negotiations on such a treaty with a view to their conclusion within five years; (4) the necessity of establishing in the CD an appropriate subsidiary body with a mandate to deal with nuclear disarmament – the CD is urged to agree on a program of work which includes the immediate establishment of such a body; (5) the principle of irreversibility to apply to nuclear disarmament, nuclear and other related arms control and reduction measures; (6) an unequivocal undertaking by the nuclear-weapon states to accomplish the total elimination of their nuclear arsenals leading to

nuclear disarmament to which all States parties are committed under Article VI; (7) the reaffirmation that the ultimate objective of the efforts of States in the disarmament process is general and complete disarmament under effective international control; (8) regular reports, within the framework of the NPT strengthened review process, by all States parties on the implementation of Article VI and paragraph 4 (c) of the 1995 Decision on “Principles and Objectives for Nuclear Non-Proliferation and Disarmament”, and recalling the Advisory Opinion of the International Court of Justice of 8 July 1996; and (9) the further development of the verification capabilities that will be required to provide assurance of compliance with nuclear disarmament agreements for the achievement and maintenance of a nuclear-weapon-free world.

In the Conference’s review of *Article VI*, the nuclear-weapon states agreed to the following steps toward nuclear disarmament in a way that promotes international stability and the principle of undiminished security for all:

- Further efforts by the nuclear-weapon states to reduce their nuclear arsenals unilaterally;
- Increased transparency with regard to nuclear weapons capabilities and the implementation of agreements;
- The further reduction of non-strategic nuclear weapons, based on unilateral initiatives and as an integral part of the nuclear arms reduction and disarmament process;
- Concrete agreed measures to further reduce the operational status of nuclear weapons systems;
- A diminishing role for nuclear weapons in security policies; and
- The engagement as soon as appropriate of all the nuclear-weapon states in the process leading to the total elimination of their nuclear weapons.

**Safeguards:** The Conference reaffirmed the fundamental importance of full compliance with the provisions of the Treaty and the relevant safeguards agreements. The Conference reaffirmed that the IAEA is the competent authority responsible for verifying and assuring, in accordance with the Statute of the IAEA and the IAEA safeguards system, compliance with its safeguards agreements with States parties undertaken in fulfillment of their obligations under article III, paragraph 1, of the Treaty, with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices. The Con-

ference emphasized that nothing should be done to undermine the authority of IAEA in this regard. States parties that have concerns regarding non-compliance with the safeguards agreements of the Treaty by the States parties should direct such concerns, along with supporting evidence and information, to the IAEA to consider, investigate, draw conclusions and decide on necessary actions in accordance with its mandate.

The Conference considered that IAEA safeguards provide assurance that States are complying with their undertakings under relevant safeguards agreements and assist States to demonstrate this compliance. It stressed that the nonproliferation and safeguards commitments in the Treaty are also essential for peaceful nuclear commerce and cooperation and that IAEA safeguards make a vital contribution to the environment for peaceful nuclear development and international cooperation in the peaceful uses of nuclear energy. The Conference stressed that comprehensive safeguards and additional protocols should be universally applied once the complete elimination of nuclear weapons has been achieved. The Conference reiterated the call by previous conferences of the States parties for the application of IAEA safeguards to all source or special fissionable material in all peaceful nuclear activities in the States parties in accordance with the provisions of Article III of the Treaty. The Conference noted with satisfaction that, since 1995, 28 States have concluded safeguards agreements with IAEA in compliance with article III, paragraph 4, of the Treaty, 25 of which have brought the agreements into force.

The Conference reaffirmed that IAEA safeguards should regularly be assessed and evaluated. Decisions adopted by the IAEA Board of Governors aimed at further strengthening the effectiveness and improving the efficiency of IAEA safeguards should be supported and implemented. It also reaffirmed that the implementation of comprehensive safeguards agreements pursuant to article III, paragraph 1, of the Treaty should be designed to provide for verification by IAEA of the correctness and completeness of a State's declaration so that there is a credible assurance of the non-diversion of nuclear material from declared activities and of the absence of undeclared nuclear material and activities. The Conference also fully endorsed the measures contained in the Model Protocol Additional to the Agreement(s) between State(s) and the International Atomic Energy Agency for the Application of Safe-

guards (INFCIRC/540 (Corrected)), which was approved by the IAEA Board of Governors in May 1997. The safeguards-strengthening measures contained in the Model Additional Protocol will provide IAEA with, *inter alia*, enhanced information about a State's nuclear activities and complementary access to locations within a State.

The Conference recognized that comprehensive safeguards agreements based on document INFCIRC/153 have been successful in their main focus of providing assurance regarding declared nuclear material and have also provided a limited level of assurance regarding the absence of undeclared nuclear material and activities. The Conference noted that implementation of the measures specified in the Model Additional Protocol will provide, in an effective and efficient manner, increased confidence about the absence of undeclared nuclear material and activities in a State as a whole and that those measures are now being introduced as an integral part of the IAEA's safeguards system.

The Conference noted, in particular, the relationship between the additional protocol and the safeguards agreement between IAEA and a State party as set out in article I of the Model Additional Protocol. In this regard, it recalled the interpretation provided by the IAEA secretariat on 31 January 1997 and set out in document GOV/2914 of 10 April 1997 that, once concluded, the two agreements had to be read and interpreted as one agreement.

The Conference noted the high priority that the IAEA attaches, in the context of furthering the development of the strengthened safeguards system, to integrating traditional nuclear-material verification activities with the new strengthening measures and looks forward to an expeditious conclusion of this work. It recognized that the aim of these efforts is to optimize the combination of all safeguards measures available to the IAEA in order to meet the Agency's safeguards objectives with maximum effectiveness and efficiency within available resources.

Furthermore, the Conference noted that credible assurance of the absence of undeclared nuclear material and activities, notably those related to enrichment and reprocessing, in a State as a whole could permit corresponding reduction in the level of traditional verification efforts with respect to declared nuclear material in that State, which is less sensitive from the point of view of non-proliferation.

The Conference recognized that measures to strengthen the effectiveness and improve the efficiency of the safeguards system with a view to providing credible assurance of the non-diversion of nuclear material from declared activities and of the absence of undeclared nuclear material and activities must be implemented by all States parties to the NPT, including the nuclear-weapon States.

**Middle East:** The States Parties also reaffirmed the Resolution on the Middle East, adopted by the 1995 NPTREC, and in its review of its implementation:

- The parties called on Israel by name to accede to the treaty for the first time in the NPT's history, as it is the only state in the region not to have done so. The Conference recalled that operative paragraph 4 of the 1995 Resolution on the Middle East "calls upon all States in the Middle East that have not yet done so, without exception, to accede to the Treaty as soon as possible and to place their nuclear facilities under full-scope International Atomic Energy Agency safeguards." The Conference noted, in this connection, that the report of the United Nations Secretariat on the Implementation of the 1995 Resolution on the Middle East (NPT/CONF.2000/7) states that several States have acceded to the Treaty and that, "with these accessions, all States of the region of the Middle East, with the exception of Israel, are States parties to the Treaty on the Non-Proliferation of Nuclear Weapons. The Conference welcomed the accession of these States and reaffirms the importance of Israel's accession to the NPT and the placement of all its nuclear facilities under comprehensive IAEA safeguards, in realizing the goal of universal adherence to the Treaty in the Middle East."
- All States Parties, particularly the nuclear-weapon States and the States of the Middle East, are to report on the steps that they have taken to promote the achievement of "a Middle East zone free of nuclear weapons as well as other weapons of mass destruction" at the 2005 Review Conference.
- Bearing in mind the importance of full compliance with the NPT, the Conference noted the statement of 24 April 2000 by the IAEA Director-General that, since the cessation of IAEA inspections in Iraq on 16 December 1998, the Agency has not been in a position to provide any assurance of Iraq's compliance with its obligations under UN Security Council Resolution 687. The Conference further noted that the IAEA carried out an

inspection in January 2000 pursuant to Iraq's safeguards agreement with the IAEA during which the inspectors were able to verify the presence of the nuclear material subject to safeguards (low enriched, natural and depleted uranium). The Conference reaffirmed the importance of Iraq's full continuous cooperation with the IAEA and compliance with its obligations.

**South Asia:** The Conference deplored the nuclear test explosions carried out by India and then by Pakistan in 1998. The Conference declared that such actions do not in any way confer a nuclear-weapon state status or any special status whatsoever. It also called on India and Pakistan to abide by Resolution 1172 (1998) and to implement a series of confidence-building measures, including moratoria on further testing and fissile material production for weapons. Furthermore, the Conference called upon all states parties to refrain from any action that may contravene or undermine the objectives of UNSCR 1172. The Conference noted that India and Pakistan have declared moratoriums on further nuclear testing and their willingness to sign and ratify the CTBT, and it urged them to accede to the NPT as non-nuclear-weapon states, and to place all their nuclear facilities under comprehensive IAEA safeguards. The Conference urged both countries to observe a moratorium on the production of fissile material for nuclear weapons, pending the conclusion of a treaty banning the production of fissile material for nuclear explosives.

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

**Universality:** The Conference reaffirmed the long-held commitment of parties to the Treaty to universal membership and noted that this goal had been advanced by the accession to the Treaty of several new States since

the 1995 Review and Extension Conference, thereby bringing its membership to 187 States parties. The Conference reaffirmed the importance of the Treaty in establishing a norm of international behavior in the nuclear field. The Conference called on those remaining States not parties to the Treaty to accede to it, thereby accepting an international legally binding commitment not to acquire nuclear weapons or nuclear explosive devices and to accept IAEA safeguards on all their nuclear activities. These States are Cuba, India, Israel, and Pakistan. In this context, the Conference welcomed the signature by Cuba of the protocol additional to its safeguards agreements with the IAEA. The Conference particularly urged those non-parties to the Treaty that operate unsafeguarded nuclear facilities — India, Israel and Pakistan — to take similar action, and affirmed the important contribution this would make to regional and global security.

**Strengthened Review Process:** The States Parties also agreed to measures to improve the effectiveness of the strengthened review process as follows:

- Three sessions of the Preparatory Committee, normally for a duration of 10 working days each, should be held in the years prior to the review conference. A fourth session, would, if necessary, be held in the year of the review conference;
- Specific time should be allocated at sessions of the Preparatory Committee to address “specific relevant issues.” Subsidiary bodies for this purpose can also be established at Review Conferences;
- The first two sessions of the PrepCom would “consider principles, objectives and ways in order to promote the full implementation of the Treaty, as well as its universality”;
- Each session of the PrepCom should consider specific matters of substance relating to the implementation of the Treaty and NPTREC Decisions 1 and 2, as well as the Resolution on the Middle East adopted in 1995, and the outcomes of subsequent Review Conferences, including developments affecting the operation and purpose of the Treaty;
- The Chairpersons of the PrepComs will carry out consultations in preparation for the subsequent meeting;
- The PrepComs are to factually summarize their results and transmit them to the next meeting. The last PrepCom meeting before the Review Conference, should make every effort to produce a consensus report containing recommendations to

the Review Conference and should decide on its procedural arrangements; and

- A meeting should be allocated to non-governmental organizations to address each session of the Preparatory Committee and the Review Conference.

In addition, the final document contained well over 100 paragraphs dealing with other aspects of the treaty, such as strengthened safeguards, compliance, the authority of the IAEA in implementing safeguards and technical assistance cooperation, effective physical protection of all nuclear material, the highest possible standards of nuclear safety, efficacy of and transparency in export controls, the safe transport of radioactive materials, radiological protection and radioactive waste management, conversion of military nuclear materials to peaceful uses, nuclear-weapon-free zones, non-recognition of any new nuclear-weapon states, and universal adherence to the treaty.

Other significant developments at the 2000 Review Conference included:

**Joint NWS statement:** A joint statement was issued by the five NWS on May 1. The 23-paragraph document covered nuclear disarmament, non-proliferation, nuclear-weapon-free zones, nuclear energy, and safeguards. The statement referred to their “unequivocal commitment” to fulfilling their NPT obligations and to the ultimate goals of a complete elimination of nuclear weapons and general and complete disarmament. The statement also noted that none of the nuclear-weapon states targets nuclear weapons at any other state. It reiterated their view that, in accordance with the treaty, India and Pakistan do not have the status of nuclear-weapon states, and stressed that the two countries should implement UN Security Council Resolution 1172. The NWS statement also called for the preservation and strengthening of the ABM Treaty as a cornerstone of strategic stability and as a basis for further strategic offensive reductions. Furthermore, the statement referred to negotiation of a fissile material cutoff treaty (FMCT), but placed it in the context of an agreed work program for the CD.

**New Agenda Coalition:** Among the NNWS, the New Agenda Coalition (NAC)—a grouping of states that cuts across traditional regional associations and includes Brazil, Egypt, Ireland, Mexico, New Zealand, South Africa, and Sweden—played a dominant role in putting forth disarmament proposals and in directly

negotiating the text on disarmament with the nuclear-weapon states. The coalition proposed identifying “areas in which” and “means through which” future progress should be sought on nuclear disarmament. A key demand of the coalition was for the NWS to “make an unequivocal undertaking” to totally eliminate their nuclear arsenals and to “engage in an accelerated process of negotiations” during the upcoming 2000-2005 review period. In addition, the coalition called for early and interim steps: including, adaptation of nuclear postures to preclude the use of nuclear weapons; dealerting and removal of warheads from delivery vehicles; reductions in tactical nuclear weapons leading to their elimination; greater transparency with regard to nuclear arsenals and fissile material inventories; and irreversibility in removing excess fissile material from weapons programs and in all nuclear disarmament, nuclear arms reduction, and nuclear arms control measures. They also promoted an appropriate subsidiary body in the CD with a mandate to deal with nuclear disarmament and the rapid negotiation and conclusion of legally binding security assurances for NNWS party to the treaty.

The full text of the Final Document can be found at:  
<http://www.un.org/Depts/dda/WMD/finaldoc.html>

### **Preparatory Committee 1997-1999**

The 1999 PrepCom took place from 10-21 May in New York. It was chaired by Ambassador Camilo Reyes-Rodriguez of Columbia and was attended by 119 States Parties. Israel and Cuba attended as observers, as well as more than 60 NGOs. In addition to discussing the implementation of 1995 Principles and Objectives, the PrepCom also considered proposals concerning the expected outcome of the Review Conference. The Committee reached agreement on the provisional agenda for the Review Conference, the allocation of items to the three main committees, the office bearers of the Conference, the draft rules of procedure for the Conference, as well as the estimated costs of the Conference and the schedule of the division of costs.

The 1998 session of the PrepCom took place from 27 April - 8 May in Geneva and was chaired by Ambassador Eugeniusz Wyzner (Poland). The session was attended by 97 countries, 2 observers (Brazil and Israel) and 76 non-governmental organizations. The Committee continued the process of reviewing the op-

eration of the Treaty, taking into account the decisions and the Resolution on the Middle East adopted at the 1995 NPT Review and Extension Conference. Specific time was also allocated for discussions on three issues: security assurances for parties to the NPT; the resolution on the Middle East; and a non-discriminatory and universally applicable convention banning the production of fissile material for nuclear weapons or other nuclear explosive devices.

UNGA Resolution 51/45 A of 10 December 1996 took note of the decision of NPT parties to hold the first session of the Preparatory Committee (PrepCom) for the 2000 NPT Review Conference at UN headquarters in New York from 7-18 April 1997. The PrepCom was attended by 149 countries under the chairmanship of Ambassador Pasi Patokallio (Finland). Brazil, Cuba, Israel and Pakistan participated as observers. 113 non-governmental organizations also attended. The Chairman issued a statement recommending that time be allocated at the second session for discussion and consideration of proposals concerning security assurances, the resolution on the Middle East and a convention banning the production of fissile material for nuclear weapons or other nuclear explosive devices.

**The 1995 Review and Extension Conference (NPTREC)** was convened at United Nations Headquarters from 17 April to 12 May 1995, with 175 of the then 179 states parties taking part. Ten states not parties attended as observers, as did 195 NGOs. The bureau of the NPTREC comprised: President Jayantha Dhanapala (Sri Lanka); Secretary-General Prvoslav Davinic (Director of the UN Center for Disarmament Affairs); 33 Vice-Presidents (Algeria, Australia, Austria, Bangladesh, Belarus, Bulgaria, Cameroon, Canada, China, Congo, Czech Republic, Finland, France, Indonesia, Iran, Japan, Malaysia, Mali, Mexico, Norway, Peru, Romania, Russian Federation, Slovakia, South Africa, Sweden, Trinidad and Tobago, Uganda, Ukraine, United Kingdom, United Republic of Tanzania, United States, and Venezuela); Main Committee I: Chairman Isaac Ayewah (Nigeria), Vice-Chairmen: Richard Starr (Australia) and Anatoli Zlenko (Ukraine); Main Committee II: Chairman André Erdős (Hungary), Vice-Chairmen: Enrique de la Torre (Argentina), Rajab Sukayri (Jordan); Main Committee III: Chairman Jaap Ramaker (Netherlands), Vice-Chairmen: Yanko Yanes (Bulgaria), Gustavo Alvarez Goyoaga (Uruguay); Drafting Committee: Chairman Tadeusz Strulak (Poland);



Vice-Chairmen: Nabil Fahmy (Egypt) and Pasi Patokallio (Finland); and Credentials Committee: Chairman Andelfo Garcia (Colombia); Vice-Chairmen: Alyksandr Sychou (Belarus) and Mary Elizabeth Hoinkes (United States).

The 1995 NPTREC held 19 plenary meetings together with several sessions of the informal “President’s Consultations”. On 11 May, the Conference adopted without a vote a package of three decisions, comprising: Decision 1 (NPT/CONF.1995/L.4) on “Strengthening the review process for the Treaty”; Decision 2 (NPT/CONF.1995/L.5) on “Principles and objectives for nuclear non-proliferation and disarmament”; and Decision 3 (NPT/CONF.1995/L.6) on “Extension of the Treaty on the Non-Proliferation of Nuclear Weapons”. The Conference decided thereby “that, as a majority exists among States party to the Treaty for its indefinite extension, in accordance with article X, paragraph 2, the Treaty shall continue in force indefinitely”. The NPTREC also adopted draft resolution (NPT/CONF.1995/L.8) on the Middle East, as orally amended, without a vote, as resolution 1, sponsored by the three NPT depositary states.

**Decision 1** on a strengthened review process for the Treaty (largely based on Canadian and South African suggestions) specified that:

- review conferences should continue to be held every five years and that the next such conference should be held in the year 2000;
- beginning in 1997, the Preparatory Committee (PrepCom) should meet for 10 working days, in each of the three years prior to the review conference, and if necessary, a fourth PrepCom may be held in the year of the review conference;
- the purpose of the PrepCom would be to consider principles, objectives and ways in order to promote the full implementation of the Treaty, as well as its universality, including those identified in decision 2, and to make recommendations thereon to the review conference, as well as making procedural preparations;
- the present structure of the three Main Committees should continue and the question of overlap of issues being discussed in more than one Committee should be resolved in the General Committee;
- subsidiary bodies could be established within the respective Main Committees; and

- review conferences should look forward as well as back, identify areas for further progress in the strengthened implementation of the Treaty.

**Decision 2** on principles and objectives for nuclear nonproliferation and disarmament covered seven substantive areas to promote the full realization and effective implementation of the Treaty that included *inter alia*:

- furthering universal adherence to the Treaty;
- promoting nuclear nonproliferation without hampering the peaceful uses of nuclear energy;
- pursuing nuclear disarmament, in particular a “programme of action” on: (i) completion by the CD of a universal and internationally and effectively verifiable CTBT no later than 1996, and pending the entry into force of a CTBT the nuclear weapon states should exercise utmost restraint; (ii) immediate commencement and early conclusion of a non-discriminatory and universally applicable fissile material cut-off treaty; and (iii) determined pursuit by the NWS of systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goal of eliminating those weapons, and by all states of general and complete disarmament;
- endorsing the establishment of internationally recognized NWFZs, on the basis of arrangements freely arrived at, as enhancing global and regional security, especially in regions of conflict such as in the Middle East;
- noting the security assurances under UNSC Res. 984, and calling for an internationally and legally binding instrument on such assurances;
- requiring full-scope safeguards and internationally legally binding commitments not to acquire nuclear weapons or other nuclear explosive devices as a necessary precondition for new supply arrangements for nuclear materials and technology; and
- promoting peaceful uses of nuclear energy in conformity with Articles I, II, and III of the NPT, and promoting transparency in nuclear related export controls.

On the basis of a draft resolution on indefinite extension co-sponsored by Canada and 103 other cosponsors, as well as Decisions 1 and 2, the NPTREC in Decision 3 agreed without a vote that “as a majority exists among States party to the Treaty for its indefinite extension, in accordance with article X, paragraph the Treaty shall continue in force indefinitely”.

In the **Resolution on the Middle East**, cosponsored by the three NPT depositary states to secure the concurrence of the Arab states parties to indefinite extension, the Conference *inter alia*:

- endorsed the Middle East peace process and recognized its contribution to a Middle East zone free of nuclear weapons as well as other weapons of mass destruction;
- noted with concern the continued existence in the Middle East of unsafeguarded nuclear facilities and called upon all states with unsafeguarded facilities to place them under full-scope IAEA safeguards;
- called upon all States of the Middle East that have not yet done so to accede to the Treaty as soon as possible and to place their nuclear facilities under full-scope IAEA safeguards;
- called upon all States in the Middle East to take practical steps in appropriate forums aimed at making progress towards, *inter alia*, the establishment of an effectively verifiable Middle East zone free of weapons of mass destruction, nuclear, chemical and biological, and their delivery systems, and to refrain from taking any measures that preclude the achievement of this objective; and
- called upon all States party to the NPT, and in particular the nuclear-weapon States, to extend their cooperation and to exert their utmost efforts with a view to ensuring the early establishment by regional parties of a Middle East zone free of nuclear and all other weapons of mass destruction and their delivery systems.

The UN Department for Disarmament Affairs maintains a web-site with resources on the NPT meetings:

<http://www.un.org/Depts/dda/WMD/treaty/index.html>

## COMPREHENSIVE NUCLEAR TEST BAN TREATY (CTBT)

Opened for signature: 24 September 1996.

Duration: The Treaty is of unlimited duration. Each State Party has the right to withdraw from the CTBT if it decides that extraordinary events related to its subject matter have jeopardized its supreme national interests.

Number of signatories: 155.

Number of ratifications: 60.

Number of signatures of the 44 states noted in (Article XIV) Annex 2: 41.

Number of ratifications of the 44 states noted in (Article XIV) Annex 2: 30.

Depositary: UN Secretary-General.

**Structure:** The Treaty itself includes a Protocol in three parts: Part I detailing the International Monitoring System (IMS); Part II on On-Site Inspections (OSI); and Part III on Confidence Building Measures. There are also two Annexes to the Protocol: Annex 1 detailing the location of various treaty monitoring assets associated with the IMS; and Annex 2 detailing the parameters for screening events.

**Basic obligations:** The CTBT will ban any nuclear weapon test explosion or any other nuclear explosion (i.e. true zero yield).

**Organization:** The Treaty establishes a CTBT Organization (CTBTO), to be located in Vienna, to ensure the implementation of its provisions, including those for international verification measures.

**Verification and Inspections:** The Treaty's verification regime includes an international monitoring system (IMS) composed of seismological, radionuclide, hydroacoustic and infrasound monitoring; consultation and clarification; on-site inspections; and confidence building measures. The use of national technical means, vital for the Treaty's verification regime, is explicitly provided for. Requests for on-site inspections must be approved by at least 30 affirmative votes of members of the Treaty's 51-member Executive Council. The Executive Council must act within 96 hours of receiving a request for an inspection.

**Treaty compliance and sanctions:** The Treaty provides for measures to redress a situation and to ensure compliance, including sanctions, and for settlement of disputes. If the Conference or Executive Council determines that a case is of particular gravity, it can bring the issue to the attention of the United Nations.

**Amendments:** Any state party to the Treaty may propose an amendment to the Treaty, the Protocol, or the Annexes to the Protocol. Amendments shall be considered by an Amendment Conference and shall be adopted by a positive vote of a majority of the States parties with no State party casting a negative vote.

**Entry-into-force:** The Treaty will enter into force 180 days after the date of deposit of the instruments of ratification by all States listed in Annex 2 to this Treaty, but in no case earlier than two years after its opening for signature. Annex 2 includes 44 States

members of the Conference on Disarmament (CD) with nuclear power and/or research reactors. (Of these 44, all have signed except for the DPRK, India, and Pakistan.) If the Treaty has not entered into force three years after the date of the anniversary of its opening for signature, a conference of the States that have already deposited their instruments of ratification may convene annually to consider and decide by consensus what measures consistent with international law may be undertaken to accelerate the ratification process in order to facilitate the early entry into force of this Treaty.

The first Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test Ban Treaty was held in Vienna, from 6 to 8 October 1999. The conference reaffirmed the importance of a universal and internationally and effectively verifiable comprehensive nuclear-test-ban treaty and pledged to keep working for universal ratification of the Treaty, and its early entry into force as provided for in Article XIV. The full text of the report of the Conference, as well as press releases and statements made by delegates can be found at the CTBTO web site:

[http://www.ctbto.org/ctbto/article\\_xiv/contents.shtml](http://www.ctbto.org/ctbto/article_xiv/contents.shtml).

**Review:** Ten years after entry into force, a Conference of the States Parties will be held to review the operation and effectiveness of the Treaty.

**CTBTO:** The Eleventh Preparatory Session was held in Vienna from 2 to 5 May 2000. The Chairman for the second half of 1999 was Ambassador Mokhtar Reguieg (Algeria). The seventh session of the Preparatory Commission, largely devoted to the budget, was held in Vienna 9-13 November 1998. The Organization increased its budget from \$27.4 million to \$58.5 million from 1997 to 1998. The budget for 2000 is \$79.94 million. The CTBTO consists of two organs, the Preparatory Commission (a plenary body) and the Provisional Technical Secretariat (PTS). The Preparatory Commission's task is to establish the verification regime for the CTBT. The Preparatory Commission for the CTBTO has so far held eleven meetings. The Tenth Preparatory Session was held from 15 to 19 November 1999.

The PTS began its work on 17 March 1997 and has an international staff of approximately 200 members from 64 countries. The PTS cooperates with the host countries in the development and running of an international network of 321 monitoring stations. The stations send their data to the International Data Centre

(IDC) to be established in Vienna. As of December 1999, eight states had signed Facilities Agreements with the Preparatory Commission.

Ambassador Olga Pellicer, Permanent Representative of Mexico to the United Nations and Other International Organizations in Vienna, is the Chairperson of the Preparatory Commission for the second half of 2000. The main task of the Preparatory Commission is to establish the global verification regime foreseen in the Treaty so that it will be operational by the time the Treaty enters into force. A worldwide network of 321 monitoring stations will be built up and run by the host countries in cooperation with the Provisional Technical Secretariat. The stations will transmit data to the International Data Centre that is to be established in Vienna. Procedures for on-site inspections and confidence-building measures will be developed.

The Preparatory Commission has three subsidiary bodies: Working Group A on administrative and budgetary matters, and Working Group B on verification issues, as well as the Advisory Group on financial, budgetary and associated administrative issues. Both Working Groups make proposals and recommendations for consideration and adoption by the Preparatory Commission at its plenary sessions. Ambassador Tibor Toth of Hungary is Chairman of Working Group A and Dr. Ola Dahlman of Sweden is Chairman of Working Group B. The Advisory Group, with Andre Gue of France as its Chairperson, is composed of experts of international standing serving in a personal capacity.

In his statement on April 25, to the 2000 NPT Review Conference, Wolfgang Hoffmann, Executive Secretary of the Preparatory Commission for the CTBT, noted that a background paper NPT/CONF.2000/2 prepared by the United Nations Secretariat for this Review Conference, offered comprehensive information on the CTBT and its global verification system. It also referred to the Preparatory Commission, established on 19 November 1996 for the purpose of carrying out the necessary preparations for the effective implementation of the CTBTO and preparing for the first session of the Conference of States Parties to the Treaty. This background paper was coordinated with the Provisional Technical Secretariat. The key for the viability of the Treaty is its global verification system. It comprises an International Monitoring System; consultation and clarification; on-site inspections; and confidence-building measures – to ensure the reliable detection and

identification of any ambiguous event, and to provide a credible deterrent to clandestine nuclear testing. The CTBT is thus not only the expression of an intention of each State party not to carry out any nuclear explosion. It is, at the same time, also a commitment by each State signatory to ensure the Treaty's viability by establishing a regime to monitor adherence and to detect violations.

Hoffmann added that the Treaty provides that the global verification regime shall be capable of meeting its verification requirements at entry into force. Therefore one of the main tasks of the Preparatory Commission is to build up the worldwide network of stations that comprise the International Monitoring System (IMS). This cost-effective network of 170 seismological, 60 infrasound, 11 hydroacoustic and 80 radionuclide stations - supported by 16 radionuclide laboratories - will be capable of registering vibrations underground, in the sea and in the air as well as detecting traces of radionuclides released into the atmosphere by a nuclear explosion. The stations will transmit a steady stream of data generated by these four complementary technologies, in near real time, via a global satellite communications system to the International Data Center, at the seat of the PrepCom in Vienna, where all the data will be processed. All data, raw or processed, from the monitoring facilities will be made available to the States Signatories. There are provisions on consultation and clarification for dealing with ambiguous events. As a final verification measure, an on-site inspection may be requested.

Hoffmann noted that the CTBTO is building up the International Monitoring System according to a schedule determined by its annual program and budget. From the start of its operations in 1997 up to and including the 20FY budget year, the amount of money budgeted for capital investment in establishing or upgrading monitoring stations is US\$ 92.1 million. This sum represents about 43 per cent of the total capital investment required to complete the entire monitoring network.

In parallel, the CTBTO has also readied the International Data Centre, the nerve center of the verification regime, for the first analysis of data, transmitted from the IMS stations via the Global Communications Infrastructure. With the installation of the second of four releases of application software, in 1999, the IDC is capable to distribute IMS data and IDC bulletins and

additional information to States Signatories seven days a week, assisting them in verifying Treaty compliance.

Hoffmann briefly reviewed the CTBTO after three years of its work: ten facility agreements or arrangements have been signed, out of which five have entered into force. In addition, 57 States have completed interim exchanges of letters; 204 IMS site surveys have been completed, where required. Site surveys for 53 additional stations are either under way or pending contract; and 77 site surveys for the Global Communications Infrastructure have been completed. In many cases, these site surveys and subsequent civil work were performed by or in cooperation with IMS staff. 88 IMS stations have been installed or substantially meet specifications. The installation of 65 additional stations is either under way or pending contract. Global Communications Infrastructure (GCI) Very Small Aperture Terminals (VSATs) have been installed at 26 of the IMS, National Data Centers and developmental sites, with 41 more under way. Global satellite coverage was established with the commissioning of four GCI hubs and the frame relay infrastructure to link these hubs to the IDC in Vienna. GCI links to four independent sub networks were commissioned, and a VSAT link to the independent subnetworks is now undergoing acceptance testing. 25 IMS stations are sending data through the GCI and into the IDC on a test basis, with many more stations planned in 2000. The IDC established the capacity to receive and test data over the GCI.

Preparatory work was initiated this year to provide, for the first time, test IMS data and IDC products to States Signatories. The Commission is also preparing the groundwork for on-site inspections, provided for by the Treaty. The OSI Operational Manual is being developed as a priority task and the PTS has been supporting the Group of Friends of the OSI Programme Coordinator. Initial specifications for equipment related to the four IMS technologies have been adopted and a passive seismic system for aftershock detection will be received shortly for testing and training, plans for which are being developed. Upon invitation of the Kazakhstan Government, a field experiment simulating aspects of an on-site inspection was conducted in Kazakhstan in October 1999, on the basis of a 100-tonne chemical explosion for calibration purposes.

To help States signatories to benefit from the CTBT and from the work of the Commission, two Interna-

tional Cooperation Workshops were held in Vienna and Cairo and two more are scheduled for this year in Beijing and Lima. They explore the possible uses of verification technologies and IMS data for other peaceful applications, examine the potential for regional or international cooperation in collecting, analyzing and using data, they also highlight the fundamental importance of the CTBT for global peace and security, and they promote signature and ratification of the Treaty. The support of States signatories has also been reflected in the collection rate of the assessed contributions, which is 100 per cent for the 1996 budget, over 97 per cent for 1997, over 96 per cent for 1998, over 95 per cent for 1999 and already close to 80 percent for 2000. The budget for 1998 was US\$ 58.4 million and for 1999 it was US\$ 74.7 million.

The Agreement to Regulate the Relationship between the United Nations and the Preparatory Commission for the CTBTO was signed in New York on 26 May 2000 by the Secretary-General Kofi Annan and Executive Secretary Wolfgang Hoffmann. The Agreement will enter into force upon its approval by the UN General Assembly. The Preparatory Commission approved the Agreement during its eleventh session, held from 2 to 5 May 2000.

Executive Secretary: Ambassador Wolfgang Hoffmann (Germany)

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## **TREATY BANNING NUCLEAR WEAPON TESTS IN THE ATMOSPHERE, IN OUTER SPACE AND UNDER WATER (PARTIAL TEST BAN TREATY - PTBT)**

Opened for signature: 5 August 1963.

Entered into force: 10 October 1963.

The Treaty is of unlimited duration.

Number of Parties: 131 states.

Depositories: Russia, UK and US.

**Treaty obligations:** to prohibit, prevent, and abstain from carrying out nuclear weapons tests or any other nuclear explosions in the atmosphere, in outer space, under water, or in any other environment if such explosion causes radioactive debris to be present outside the territorial limits of the state which conducts an explosion; to refrain from causing, encouraging, or in any way participating in, the carrying out of any nuclear weapon test explosion, or any other nuclear explosion, anywhere which would take place in any of the above-described environments.

The PTBT does not provide for international verification; however, it is understood that each party may do so by its national technical means.

**Proposal to amend the PTBT:** At the request of a number of states party, an Amendment Conference was held in New York 7-18 January 1991, to consider an amendment that would convert the PTBT into a comprehensive test-ban treaty, but ended in deadlock.

On 10 August 1993 a special meeting of the states parties to the PTBT was held. Broad agreement was found for pursuing work on a CTBT in the Amendment Conference and the CD "in a mutually supportive and mutually complimentary manner" for holding another special meeting early in 1994; and for promoting universality of a CTBT, by having the President of the Amendment Conference liaise with the CD and the five NWS.

The 1994 regular session of the UNGA noted that the CD had initiated the multilateral negotiation of a universal and effectively verifiable CTBT. It took note of the intention of the President of the Amendment Conference to convene, after appropriate consultations, and in the light of the work carried out by the CD, another special meeting of the states party to the PTBT, to review developments and assess the situation regarding a CTBT and to examine the feasibility of resuming the work of the Amendment Conference.

During the 1995 session a resolution was passed which urged the conclusion of the comprehensive nuclear test-ban treaty and urged all states not already doing so to adhere to the PTBT (50/64).

With the signing of the CTBT in September 1996, the PTBT has become redundant. However, should a PTBT party withdraw from the CTBT, or not sign the CTBT, it would still be bound by the provisions of the PTBT.

## AGREEMENT GOVERNING THE ACTIVITIES OF STATES ON THE MOON AND OTHER CELESTIAL BODIES (MOON AGREEMENT)

Opened for signature:

18 December 1979.

Entered into force: 11 July 1984.

Number of Parties: 9 States – (including) Australia, Austria, Chile, Mexico, Netherlands, Pakistan, Philippines and Uruguay.

Number of Signatories: 6 – France, Guatemala, India, Morocco, Peru and Romania.

Depositary: UN Secretary General.

The Moon Agreement was signed in December 1979 following an initiative by the Soviet Union. The UN General Assembly adopted the Agreement in 1979 in resolution 34/68 on December 5, 1979.

**Treaty obligations:** The Moon Agreement supplements the Outer Space Treaty and confirmed the demilitarization of the Moon and other celestial bodies as provided for in that treaty. The Agreement also prohibits the use or threat of use of force, or any other hostile action or threat of hostile action on the Moon, which is reserved exclusively for peaceful activities. It is prohibited to use the Moon in order to commit any hostile act or to engage in any such threat in relation to the Earth, the Moon, spacecraft, the personnel of spacecraft or man-made space objects. States Parties shall not place in orbit around or other trajectory to or around the Moon objects carrying nuclear weapons or any other kinds of weapons of mass destruction or place or use such weapons on or in the Moon.

The establishment of military bases, installations and fortifications, the testing of any type of weapons and the conduct of military maneuvers on the Moon is forbidden. But the use of military personnel for scientific research or for any other peaceful purposes is not prohibited. The use of any equipment or facility necessary for peaceful exploration and use of the Moon is not prohibited.

States Parties are committed to inform the Secretary-General of the United Nations as well as the public and the international scientific community, to the greatest extent feasible and practicable, of their activities concerned with the exploration and use of the Moon. Information on the time, purposes, locations, orbital

parameters and duration is to be given in respect of each mission to the Moon as soon as possible after launching, while information on the results of each mission, including scientific results, shall be furnished upon completion of the mission. In the case of a mission lasting more than sixty days, information on conduct of the mission including any scientific results, is to be given periodically, at thirty-day intervals. For missions lasting more than six months, only significant additions to such information need be reported thereafter.

The Moon and its natural resources are the common heritage of mankind, which finds its expression in the provisions of this Agreement. The Moon is not subject to national appropriation by any claim of sovereignty, by means of use or occupation, or by any other means. Neither the surface nor the subsurface of the Moon, nor any part thereof or natural resources in place, can become the property of any State, international inter-governmental or non-governmental organization, national organization or non-governmental entity or of any natural person. The placement of personnel, space vehicles, equipment, facilities, stations and installations on or below the surface of the Moon, including structures connected with its surface or subsurface, shall not create a right of ownership over the surface or the subsurface of the Moon or any areas thereof.

**Verification:** Each State Party may assure itself that the activities of other States Parties in the exploration and use of the Moon are compatible with the provisions of this Agreement. To this end, all space vehicles, equipment, facilities, stations and installations on the Moon shall be open to other States Parties. Such States Parties shall give reasonable advance notice of a projected visit, in order that appropriate consultations may be held and that maximum precautions may be taken to assure safety and to avoid interference with normal operations in the facility to be visited. In pursuance of this Article, any State Party may act on its own behalf or with the full or partial assistance of any other State Party or through appropriate international procedures within the framework of the United Nations and in accordance with the Charter.

A State Party which has reason to believe that another State Party is not fulfilling the obligations incumbent upon it pursuant to this Agreement or that another State Party is interfering with the rights which the former State Party has under this Agreement may request con-

sultations with that State Party. A State Party receiving such a request shall enter into such consultations without delay. Any other State Party which requests to do so shall be entitled to take part in the consultations. Each State Party participating in such consultations shall seek a mutually acceptable resolution of any controversy and shall bear in mind the rights and interests of all States Parties. The Secretary-General of the United Nations shall be informed of the results of the consultations and shall transmit the information received to all States Parties concerned.

## CONVENTION ON THE REGISTRATION OF OBJECTS LAUNCHED INTO OUTER SPACE (LAUNCH REGISTRATION CONVENTION)

Opened for signature: 14 January 1975.

Entered into force: 15 September 1976.

**Number of Parties: 37 States** – (including) Antigua and Barbuda, Australia, Austria, Belarus, Belgium, Bulgaria, Canada, Chile, China, Cuba, Cyprus, Czech Republic, Denmark, France, Germany, Hungary, India, Japan, Mexico, Mongolia, Netherlands, Niger, Pakistan, Peru, Poland, Republic of Korea, Russia, Seychelles, Slovakia, Spain, Sweden, Switzerland, United Kingdom, Ukraine, United States, Uruguay and Yugoslavia.

Number of Signatories: 5 – Argentina, Burundi, Iran, Nicaragua and Singapore.

The Launch Registration Convention also supplements the Outer Space Treaty, as well as the 1972 Convention on International Liability for Damage Caused by Space Objects and the 1968 Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space, both of which address technical and legal issues relating to international cooperation in the use and exploration of outer space exclusively for peaceful purposes.

Under this Convention, all objects launched into Earth orbit or beyond into outer space must be recorded with an appropriate national space agency. Information on the object launched into space, including the date and territory or location of the launch, essential orbital parameters, and the function or role of the object in space is to be communicated to the UN Secretary-General as soon as practicable.

## TREATY ON PRINCIPLES GOVERNING THE ACTIVITIES OF STATES IN THE EXPLORATION AND USE OF OUTER SPACE, INCLUDING THE MOON AND OTHER CELESTIAL BODIES (OUTER SPACE TREATY)

Opened for signature: 27 January 1967.

Entered into force: 10 October 1967.

Number of Parties: 96 States. Number of Signatories: 27 States.

Depositories: Russia, UK, and US.

**Treaty obligations:** exploration and use of outer space shall be carried out for the benefit and in the interest of all countries, and it shall be the province of mankind; not to place in orbit around the Earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction; not to install such weapons on celestial bodies, or station them in outer space in any other manner; the moon and other celestial bodies are to be used exclusively for peaceful purposes; establishment of military bases, installations and fortifications, the testing of any type of weapons, and the conduct of military maneuvers on celestial bodies shall be forbidden.

**Verification:** all stations, installations, equipment, and space vehicles on the moon and other celestial bodies shall be open to representatives of other states parties on a basis of reciprocity; such representatives shall give reasonable advance notice of their projected visit, in order that appropriate consultations may be held, and that maximum precautions may be taken to assure safety and to avoid interference with normal operations of the facility to be visited.

Consideration by the UNGA of further measures for preventing an arms race in outer space: In 1993, a UN study on the application of confidence-building measures in outer space was concluded and submitted to the UNGA (48/305), pursuant to its resolution of December 1990. The group of governmental experts commissioned to prepare the study concluded that since the Outer Space Treaty was adopted in 1967, “legal norms may have to be developed further, whenever appropriate, to address new developments in space technology and increasing universal interest in its applica-

tion.” Thus, the need to formulate a framework for the enhancement of cooperation and confidence-building among states was identified. The 1993 regular session of the UNGA commended this study to the attention of all UN members (48/74B).

The 1994 regular session of the UNGA reaffirmed that there is a need to consolidate and reinforce the legal regime applicable to outer space; emphasized the necessity of further measures with appropriate and effective provisions for verification; and requested the CD to intensify its consideration of the question of the prevention of an arms race in outer space in all its aspects (49/74).

The 1995 and 1996 regular sessions of the UNGA again affirmed the need to consolidate the regime, and requested that the CD re-establish an ad hoc committee on the subject (50/69).

During the 1997 UNGA adopted a resolution aimed at the prevention of an arms race in Outer Space (52/37), which reaffirmed the importance and urgency of preventing an international arms race in outer space and the readiness of all States to contribute to that common objective. The 1998 resolution (53/76) reiterated the former and emphasized the need for further measures, with verification, to prevent an arms race. The resolution stated that the CD has the primary role in negotiating multilateral agreements, including on the prevention of an arms race in outer space. It also called for the re-establishment of the ad hoc committee of the CD. Furthermore, it urged States that conduct activities in outer space to keep the CD updated on any progress on bilateral or multilateral negotiations on the matter. The UNGA resolution of 1999 (54/53) reiterated the above objectives, while calling for the re-establishment of the ad hoc committee of the CD in 2000.

## **TREATY ON THE PROHIBITION OF THE EMPLACEMENT OF NUCLEAR WEAPONS AND OTHER WEAPONS OF MASS DESTRUCTION ON THE SEABED AND OCEAN FLOOR AND IN THE SUBSOIL THEREOF (SEABED TREATY)**

Opened for signature: 11 February 1971.

Entered into force: 18 May 1972.

Number of Parties: 95 States. Number of Signatories: 21 States.

Depositories: Russia, UK, and US.

**Treaty obligations:** not to implant or place on the seabed or ocean floor or in the subsoil thereof, beyond a 12 mile territorial zone, any nuclear weapons or any other types of weapons of mass destruction or structures, launching installations, or any other facilities specifically designed for storing, testing, or using such weapons.

**Verification:** through observation by the states parties of the activities of other states parties, provided that observation does not interfere with such activities. If after such observation reasonable doubts remain, further procedures for verification may be agreed upon, including inspections.

**Review conferences:** set forth in article VII, have been held every five years beginning in 1977, 1983, and 1989. In 1989, it was agreed that the next review conference would be held no sooner than 1996.



## CONVENTION ON THE PROHIBITION OF THE DEVELOPMENT, PRODUCTION AND STOCKPILING OF BACTERIOLOGICAL (BIOLOGICAL) AND TOXIN WEAPONS AND ON THEIR DESTRUCTION (BTWC)

Opened for signature: 10 April 1972

Entered into force: 26 March 1975

The treaty is of unlimited duration.

Number of Signatories: 162 states.

Number of Ratifications: 144 states.

Depositaries: Russia, the United Kingdom, and the United States.

**Treaty obligations:** not to develop, produce, stockpile, or otherwise acquire or obtain microbial or other biological agents or toxins of types and in quantities that have no justification for prophylactic, protective, or other peaceful purposes; not to develop, produce, stockpile, or otherwise acquire or obtain weapons, equipment, or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict; to destroy, or to divert to peaceful purposes (not later than nine months after the entry into force of the convention) all agents, toxins, weapons, equipment, and means of delivery; not to transfer to any recipient, and not in any way to assist, encourage, or induce to manufacture or otherwise acquire any of the agents, toxins, weapons, equipment, or means of delivery; to take necessary measures to prohibit the above within their own territories.

In 1992, an agreement was reached between Russia, UK, and US, giving parties access to their biological research facilities to check compliance with the BTWC. Under this agreement, reciprocal visits took place in 1993 and 1994.

At the third Review Conference, held in 1991, it was decided to establish an Ad Hoc Group of Governmental Experts (VEREX) to identify and examine potential verification measures from a scientific and technical standpoint.

VEREX held four sessions in 1992 and 1993, identified 21 potential verification measures, and concluded

in its report that some of the potential measures would contribute to strengthening the effectiveness and would improve the implementation of the Convention. As was decided by the third Review Conference, if a majority of states parties asked for the convening of a conference to examine the report, such a conference would be convened, and it would be preceded by a preparatory committee.

On September 23, 1994, the Special Conference to consider verification measures for the BTWC was held in Geneva. The Conference decided to establish an Ad Hoc group, open to all states party. The objective of the Ad Hoc Group was to consider appropriate measures, including possible verification measures, and draft proposals to strengthen the BTWC, to be included, as appropriate, in a legally binding instrument, to be submitted for the consideration of the states parties. Twenty-eight working papers on verification were considered at the fourth session of the Ad Hoc Group in July in 1996.

The Preparatory Committee (PrepCom) for the Fourth BTWC Review Conference met in Geneva, April 9-12, 1996. It decided on that the Conference would be held in Geneva, 25 November - 6 December 1996, and that Ambassador Michael Weston (UK) would be President of the Conference. The Conference elected Ambassador Michael Weston as Chairman, Sola Ogunbanwo (Nigeria) as Secretary-General, Ambassador Jorge Berguno (Chile) Chairman of the Committee of the Whole, and Ambassador Tibor Toth (Hungary) Chairman of the Drafting Committee.

The 1996 BTWC Conference was attended by 138 states and focused on the scope and speed of progress on concluding a verification regime. The Final Declaration (BWC/CONF.IV/L.1) called for such a regime to be in place no later than 2001. Negotiations on a Protocol to the BTWC which will entail verification and compliance measures, as well as provisions for technical cooperation and cooperation on outbreaks of disease are currently underway in Geneva. It is hoped that the protocol will be completed before the fifth BTWC Review Conference, which will be held in Geneva in 2001. The Ad Hoc Group (AHG) is now discussing a bracketed rolling text of the Protocol.

Four sessions of the AHG are scheduled for the year 2000: 17 January to 4 February, 3 to 13 March, 10 July to 4 August and 13 to 24 November.

## PROTOCOL FOR THE PROHIBITION OF THE USE IN WAR OF ASPHYXIATING, POISONOUS, OR OTHER GASES, AND OF BACTERIOLOGICAL METHODS OF WARFARE (GENEVA PROTOCOL)

Opened for signature: 17 June 1925.

Entered into force: for each signatory as from the date of deposit of its instrument of ratification or accession.

Number of Parties: 133 states.

Depositary: France.

**Protocol obligations:** prohibition of the use in war of asphyxiating, poisonous, or other gases, and of bacteriological methods of warfare.

Most of the parties in joining the Geneva Protocol made reservations to the effect that they would abide by the terms of the Protocol as long as other states did not resort to the use of CW.

## CONVENTION ON THE PROHIBITION OF THE DEVELOPMENT, PRODUCTION, STOCKPILING AND USE OF CHEMICAL WEAPONS AND ON THEIR DESTRUCTION (CWC)

Opened for signature: 13 January 1993

Entered into force: 29 April 1997

The Convention is of unlimited duration.

Signatories: 172 states.

Ratifications/Accessions: 135 states.

Depositary: UN Secretary-General

**Obligations:** not to develop, produce, otherwise acquire, stockpile or retain chemical weapons, or transfer, directly or indirectly, chemical weapons to anyone; not to use chemical weapons; not to engage in military preparations for use of chemical weapons; not to assist, encourage, or induce anyone to engage in any activity prohibited to a State Party under the Convention.

Each State Party is required to destroy all chemical weapons and chemical weapons production facilities it owns or possesses or that are located in any place under its jurisdiction or control, as well any chemical

weapons it abandoned on the territory of another State Party not later than 10 years after entry into force of the Convention. Each State Party also undertakes not to use riot control agents as a method of warfare. The Convention defines a chemical weapon as the following, together or separately:

“a) Toxic chemicals and their precursors, except where intended for purposes not prohibited under the Convention, as long as the types and quantities are consistent with such purposes; b) Munitions and devices, specifically designed to cause death or other harm through the toxic properties of those toxic chemicals specified in subparagraph (a), which would be released as a result of the employment of such munitions and devices; c) Any equipment specifically designed for use directly in connection with the employment of munitions and devices specified in subparagraph.”

The Convention identifies and categorizes toxic chemicals and precursors according to their potential for chemical weapons application and extent of industrial applications. Schedule 1 lists chemicals with high potential weapons utility and little or no industrial utility. Schedule 2 singles out chemicals with some degree of commercial application and significant potential for use in weapons. Schedule 3 chemicals are generally produced in large quantities for industrial purposes and have some potential for chemical weapons application. Declarations and verification requirements are the most stringent for Schedule 1 and the least so for Schedule 3.

**Verification:** is conducted through a combination of reporting and routine on-site inspections of declared sites. To ensure the implementation of the Convention’s provisions, including those on verification and compliance, the Organization for the Prohibition of Chemical Weapons (OPCW) was established upon the entry into force of the Convention (April 29, 1997). In addition to routine verification and recourse to a procedure for consultations, cooperation, and fact-finding, each State Party has the right to request an on-site challenge inspection of any facility or location in any other State Party for the purpose of clarifying and resolving questions concerning possible non-compliance. The challenge inspection team is designated by the Director General of the OPCW and dispatched as quickly as possible.

**Declarations:** Reportedly, eleven countries have declared possession of existing or former CW-produced

tion facilities, these include, among others: China, France, India, Iran, Japan, Republic of Korea, Russia, United Kingdom, and United States. Four countries have declared CW stocks: India, Republic of Korea, Russia and USA. Eight countries have declared old CW on their territory, including: Belgium, France, Germany, Italy, Japan and UK. Four countries have declared abandoned CW on their territory, including: China, Italy, and Panama.

**Other main provisions:** the Convention provides for the rendering to States Parties of protection against chemical weapons and assistance in the event of a chemical attack. States Parties undertake to facilitate the fullest possible exchange of chemicals, equipment, and scientific and technical information relating to the development and application of chemistry for purposes not prohibited under the Convention. States Parties are obliged to provide data on the import and export of scheduled chemicals, as well as data on facilities and chemical production. Restrictions on transfers of Schedule 1 and 2 chemicals to states not party to the Convention entered effect at entry into force and on April 29, 2000, respectively. Those on Schedule 3 transfers will be considered five years from entry into force. Each State Party is required to enact national implementing legislation to, *inter alia*, prohibit individuals under its jurisdiction or control from engaging in activities prohibited by the Convention. Each State Party is obligated to designate or establish a National Authority to serve as the focal point for liaison with the OPCW and with other States Parties.

At the Helsinki Summit, March 21, 1997, Presidents Clinton and Yeltsin signed a "Joint US-Russian Statement on Chemical Weapons". The statement noted that the two presidents discussed issues relating to the entry into force of the CWC. They stressed the commitment of the US and Russia to full and effective accomplishment of the tasks and objectives of the Convention. The Presidents reaffirmed their intention to take the steps necessary to expedite ratification in each of the two countries. President Clinton expressed his determination that the US be a party when the Convention entered into force in April 1997, and strongly urged prompt Senate action. President Yeltsin noted that the Convention had been submitted to the Duma with his strong recommendation for prompt ratification.

The Presidents noted that cooperation between the two countries in the prohibition of chemical weapons has enabled both countries to enhance openness regarding their military chemical potential and to gain experience with procedures and measures for verifying compliance with the CWC. They agreed to continue cooperation in chemical disarmament.

The United States undertook to seek appropriation of necessary funds to build a facility for the destruction of neuroparalytic toxins in Russia as previously agreed.

The US Senate voted to ratify the CWC on 24 April 1997 by a vote of 74 in favor and 26 against.

**Organization for the Prohibition of Chemical Weapons (OPCW):** The OPCW came into being at the entry into force of the CWC. The OPCW Technical Secretariat has a staff of approximately 500, some 200 of which are inspectors. The total budget for 1998 was 141 million Dutch guilders (\$70 million) with roughly 83 million guilders (\$41.5 million) allocated for verification. Total annual budgets for 1999 and 2000 were approximately 138 and 133 million guilders (\$72 and \$62 million), 77 and 69 million guilders (\$40.5 and \$32 million) of which were allocated for verification. The total budget for 2001 was set at approximately 60 million Euros (\$54 million), with 29.5 million Euros (\$26 million) of that earmarked for verification.

Headquarters: The Hague

#### Principal organs:

**Conference of the States Parties** - The OPCW's principal organ, composed of representative of all Member States. Regular session of the Conference is to be held annually unless otherwise decided, and special sessions convened when necessary. The Conference can take decisions on any matters brought to its attention by the Executive Council or any of the States Parties. It elects members of the Executive Council and appoints the Director-General. The Conference is responsible for taking measures necessary to ensure compliance, and for redressing situations of non-compliance. It has the power to suspend the rights and privileges of States Parties in non-compliance upon the recommendation of the Executive Council, and may recommend collective measures if a State Party engages in activities prohibited by the Convention. In cases of particular gravity, the Conference is to inform the UNSC and the UNGA.

The first session of the Conference of States Parties was held in The Hague, May 6-23, 1997, with the participation of 80 States Parties, 3 contracting states, and 34 signatory states. Pieter Cornelis Feith (The Netherlands) was the Chairman. The second session was held from December 1-5, 1997. It was attended by 82 States Parties, 2 contracting states, 18 signatory states and 2 observers, and chaired by Ambassador Simbarashe S. Mumbengegwi (Zimbabwe). The third Conference was held from November 16-20, 1998 and attended by 96 States Parties, 16 signatory states and 2 observers. It was chaired by Ambassador Young-shik Song (Republic of Korea). The fourth session was held from June 28-July 2, 1999. It was chaired by Ambassador István Gyarmati of Hungary and attended by 102 States Parties, 14 signatory states, and 1 observer. The fifth session took place May 15-19, 2000 and was attended by 109 States Parties, 2 contracting states, 7 signatory states, and 1 observer.

**Executive Council** - consists of 41 rotating members, representing five regional groupings: Africa, Asia, Eastern Europe, Latin America and the Caribbean, and Western European and Others Group. The members for 1999-2003 are as follows:

**Africa:** 1999-2001: Cameroon, Cote d'Ivoire, Ethiopia, Tunisia, Zimbabwe; 2000-2002: Algeria, Morocco, Namibia, South Africa; 2001-2003: Botswana, Cameroon, Nigeria, Sudan, Tunisia

**Asia:** 1999-2001: Bangladesh, China, India, Japan, Republic of Korea, and Saudi Arabia; 2000-2002: Indonesia, Iran, Pakistan, Sri Lanka; 2001-2003: China, India, Japan, Republic of Korea, Saudi Arabia.

**Eastern Europe:** 1999-2001: Romania, Ukraine; 2000-2002: Poland, Russian Federation, Slovenia; 2001-2003: Bulgaria, Croatia.

**Latin America and the Caribbean:** 1999-2001: Argentina, Brazil, Mexico; 2000-2002: Chile, Cuba, Peru, Panama; 2001-2003: Argentina, Brazil, Mexico, Uruguay.

**Western Europe and Other States:** 1999-2001: France, Germany, Italy, United Kingdom, United States; 2000-2002: Austria, Canada, Netherlands, Spain, Sweden; 2001-2003: France, Germany, Italy, United Kingdom, United States.

The Executive Council is the executive organ of the OPCW. Each member has one vote, and the Council decides on matters of substance by a two-thirds major-

ity. The significance of chemical industry and as political and security interests are among the factors that determine the composition of the Executive Council. The Council can request States Parties to take measures to redress situations of non-compliance. If the State Party concerned fails to take the requested action, the Council may inform the other States Parties and make recommendations to the Conference. In cases of particular gravity and urgency, the Council is to bring the matter directly to the attention of the UNGA and UNSC. The Council can decide by three-quarter majority to block challenge inspections.

**Technical Secretariat** - carries out the practical work of the OPCW, in particular in the area of verification. It comprises the Director-General, who is its head and chief administrative officer; an inspectorate responsible for verification activities; and scientific, technical, administrative, and other support personnel.

**Scientific Advisory Board:** composed of independent experts and established by the Director General in order to enable him to render specialized advice in areas of science and technology relevant to the Convention to the Conference, Executive Council, or States Parties.

#### **Confidentiality Commission**

#### **Advisory Body on Administrative and Financial Matters**

**Financing:** All States Parties are assessed contributions to the OPCW budget, based on the UN scale of assessment.

#### **OPCW Update**

The OPCW stated on January 25, 2000, that the world's declared stockpiles of 70,000 tonnes of chemical weapons and more than 8 million munitions and bulk containers had been inspected by OPCW inspectors, and were subject to a stringent international verification regime. Three of the four countries that had declared possession of chemical weapons were now actively destroying them under the continuous scrutiny of OPCW monitoring teams. All of the 60 declared chemical weapons production facilities around the world had been inspected and sealed. Of these, 20 had been certified as destroyed, and 5 had been approved for conversion for peaceful purposes. To prevent the proliferation of chemical weapons, a stringent industrial verification regime had been put in place, involving inspections of facilities that produce or consume "dual-

use” chemicals that could be used for both peaceful purposes and to create chemical weapons. By May 11, 2000, more than 4,000 tons of chemical agents had been destroyed. Over a million chemical bombs, shells and rockets had been destroyed. OPCW staff had made more than 700 inspections in 35 countries, including 460 visits to weapons storage and destruction sites and over 240 inspections of industrial chemical plants since the entry into force of the Convention. The Organization’s routine verification activities gave no indication that States Parties were not in full compliance with their fundamental obligations under the CWC, notwithstanding certain implementation-related inconsistencies and technicalities, which continued to occur. However, they were being addressed and corrected. To sum up, there was currently no evidence to suggest that the essence of the Treaty was not being upheld.

OPCW Senior Staff: Director-General José Bustani (Brazil); Deputy Director-General John Gee (Australia); Director, Verification Ron Manley (Australia); Jean-Louis Roland (France); Director, Inspectorate Ichiro Akiyama (Japan); and Director, External Relations Huang Yu (China).

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## CONVENTION ON PROHIBITIONS OR RESTRICTIONS ON THE USE OF CERTAIN CONVENTIONAL WEAPONS WHICH MAY BE DEEMED TO BE EXCESSIVELY INJURIOUS OR TO HAVE INDISCRIMINATE EFFECTS (INHUMANE WEAPONS CONVENTION/CONVENTION ON CERTAIN CONVENTIONAL WEAPONS) (IWC/CCW)

Opened for signature: April 10, 1981. Entered into force: December 2, 1983.

Number of Parties: 77 States.

**Convention obligations:** (Protocol I) not to use weapons that create non-detectable fragments. (Protocol II) not to use mines or bobby traps against civilians or the civilian population; not to use indiscriminately, i.e., to place on or direct at only military objectives, employ only those means of delivery which can be directed at a military objective, and avoid placement which may be expected to cause incidental loss of civilian life or damage to civilian objects which is excessive in relation to the concrete and direct military advantage anticipated; not to use in populated areas unless specific conditions are met; not to use booby-traps which are in the form of an apparently harmless, portable object or associated with specified categories of objects; to record their locations; to protect UN forces by providing information or escort; to cooperate in their removal after a conflict. (Protocol III) not to use incendiary weapons against civilian populations; not to use air-delivered incendiaries against military objectives located within concentrations of civilians.

**Verification:** The convention contains no verification provisions.

The first phase of the Review Conference, held in Vienna from September 25 to October 13, 1995, with Johan Molander (Sweden) as President, adopted by consensus the text of the Protocol on Blinding Laser Weapons (Protocol IV) (CCW/CONF.I/7) and considered three proposed articles dealing with verification. Resumed sessions of the Conference were held from January 15 to 19, 1996 and from April 22 to May 3,

1996, in Geneva. On May 3, 1996, the Conference adopted by consensus the amended Protocol II on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices, as well as a Final Declaration also by consensus.

**Global Ban on Landmines:** At the 1996 Review Conference, the CCW parties added a new revised landmine protocol which places new restrictions on the use, production, and transfer of anti-personnel landmines. (APL). The new protocol requires parties to convert the mines they produce to incorporate self-destruct and self-deactivation features within nine years. These restrictions apply to mines used outside of marked and monitored areas or those that are remotely delivered. Producing countries must also include materials or devices in all anti-personnel landmines manufactured after January 1, 1997 which make them more detectable. A global ban on anti-personnel mines was not pursued during the Conference due to the strong opposition by many countries to such a ban.

By May 1996, some 40 countries had declared various degrees of unilateral bans or moratoria on the production of APL, as well as use and transfer.

On October 3-5, 1996, Canada hosted a conference on “Towards a Global Ban on Anti-Personnel Mines”, held in Ottawa, attended by 71 countries (47 participating and 24 observer states). The “Ottawa Declaration”, issued on October 5, signed by 50 states urged a total APL ban to be concluded and signed by December 1997, and to enter into force in 2000. The Declaration also called for a follow-up conference to be hosted by Belgium in June 1997. In December 1996, 156 countries committed themselves to this goal at the United Nations General Assembly.

Austria took the lead in the development and circulation of a draft APL ban treaty text and hosted two expert meetings to discuss a possible treaty text. The first meeting was held on February 12-14 in Vienna and attended by 111 states, and the second in late May 1997. An experts meeting was held in Bonn, April 24-25. The “Fourth International Conference on the International Campaign to Ban Landmines” was held in Maputo (Mozambique), February 25-28, 1997, and was attended by 60 countries. The “Brussels International Conference for a Global Ban on Anti-Personnel Mines” was held in Brussels, June 24-27. Almost 100 States committed to the achievement of a total ban within a year. Norway then hosted a meeting in the fall of 1997

to continue negotiations on an APL treaty text. In Oslo, the participating States succeeded in adopting a draft treaty text without a vote. In December, the *Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction* was opened for signature in Ottawa. The Ottawa Convention entered into force on 1 March 1999.

In recognition of their contribution, the non-governmental organization, International Campaign to Ban Landmines (ICBL) – a coalition of 1,000 NGOs in over 60 countries – received the Nobel Peace Prize in 1997.

The First Meeting of States Parties was held from 3 to 7 May 1999, and was chaired by the Minister of Foreign Affairs and Cooperation of the Republic of Mozambique, Dr. Leonardo Santos Simao. The States Parties adopted the Maputo Declaration at the meeting, which reaffirmed their commitment to the obligations of the Convention and called on all states that had not yet done so to ratify the Convention. An intersessional work programme was agreed upon which included five categories – general status and operation of the Convention, mine clearance, victim assistance and mine awareness, stockpile destruction and technologies for mine action.

The States Parties to the Convention, as well as other interested states and non-governmental organizations, will meet for the Second Meeting of States Parties in Geneva from 11 to 15 September 2000. They will review progress in implementing the Convention and set new goals for increased cooperation.

As of 26 July 2000, 100 States had ratified the Convention.

The UN Department for Disarmament Affairs maintains a website on the Convention, which includes a list of Article 7 reports:

<http://domino.un.org/Ottawa.nsf>

## CONVENTION ON THE PHYSICAL PROTECTION OF NUCLEAR MATERIAL

Date of adoption: 3 March 1980.

Entered into force: 8 February 1987.

The Convention does not set any limits on its duration.

Number of Signatories: 45.

Number of Parties: 65 states and EURATOM.

Depositary: IAEA Director-General.

Provisions of the Convention oblige parties to ensure that during international transport across their territory or on ships or aircraft under their jurisdiction, nuclear materials for peaceful purposes (plutonium, uranium 235, uranium 233 and irradiated fuel) are protected at the agreed levels, as categorized in Annexes I and II and specified in IAEA INFCIRC/225. Under certain conditions, the Convention shall also apply to nuclear material used for peaceful purposes while in domestic use, storage, and transport.

Parties undertake not to export or import nuclear materials or to allow their transit through their territory unless they have received assurances that these materials will be protected during international transport in accordance with the levels of protection determined by the Convention. Parties agree to share information on missing nuclear materials to facilitate recovery operations.

Robbery, embezzlement, or extortion in relation to nuclear materials, and acts without lawful authority involving nuclear materials, which cause or are likely to cause death or serious injury to any person or substantial damage to property, are to be treated by states parties as punishable offenses. These offenses shall be deemed to be extraditable offenses in any extradition treaty existing between states parties. States parties undertake to include those offenses as extraditable offenses in every future extradition treaty to be concluded between them.

The Convention provides for its periodic review by states parties. The first Review Conference, attended by 35 states parties, was held from September 29 to October 1, 1992, in Vienna. The conference reaffirmed that the Convention provides a sound basis for the physical protection of the transport of nuclear material, the recovery and return of any stolen material, and the

application of sanctions against any person who may commit criminal acts involving nuclear material; and concluded that no changes were needed in the Convention.

## CONVENTION ON NUCLEAR SAFETY

Opened for signature: 20 September 1994.

Entered into force: 24 October 1996.

The Convention does not set any limits on its duration.

Number of Signatories: 65.

Number of Parties: 53 and EURATOM.

Depositary: IAEA.

**Convention obligations:** to take, within the framework of national laws, the legislative, regulatory, and administrative measures and other steps necessary for implementing obligations under the Convention; to take steps to ensure that a review of all of the safety of its existing nuclear facilities takes place as soon as possible after entry into force of the Convention; when necessary, to ensure that all reasonably practicable improvements are made as a matter of urgency to upgrade the installation's safety; if such upgrading cannot be achieved, plans should be implemented to shut down the installation as soon as practically possible; the timing of the shut-down may take into account the whole energy context and possible alternatives as well as the social, environmental and economic impact. Establish and maintain a legislative and regulatory framework to govern the safety of installations. Establish a regulatory body with adequate authority, competence and resources to implement the framework. Provide sufficient financial and human resources to support the safety of each installation throughout its life.

Parties are to ensure that comprehensive and systematic safety assessments are carried out before the construction and commissioning of the installation and throughout its life, including verification by testing and inspection to ensure the physical state and operation of the installation continue in accordance with requirements. Ensure radiation exposure by the installation is kept as low as reasonably achievable and within national dose limits for individuals. Establish and routinely test on-site and off site emergency plans for installations; provide its own population and the competent authorities of States close to the installation with

appropriate information for emergency planning and response.

Additional provisions detail obligations for siting, designing, construction and operation of nuclear installations. Parties shall hold review meetings for the purpose of reviewing the reports submitted by states party. The interval between meetings shall not exceed three years.

**First Review Meeting:** The First Review Meeting pursuant to Article 20 of the Convention was held in Vienna, 12-23 April 1999 at the headquarters of the IAEA—which serves as the Secretariat. The meeting was chaired by Lars Högberg, Director General of the Swedish Nuclear Power Inspectorate (SKI). Forty-five Contracting Parties participated, namely: Argentina, Armenia, Australia, Austria, Belarus, Belgium, Brazil, Bulgaria, Canada, Chile, China, Croatia, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Republic of Korea, Latvia, Lebanon, Lithuania, Luxembourg, Mexico, the Netherlands, Norway, Pakistan, Peru, Poland, Portugal, Romania, Russian Federation, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Turkey, Ukraine and the United Kingdom. The United States, which had ratified the Convention on April 9, 1999 and thus, pursuant to Article 31, could not participate as a full Contracting Party at this Review Meeting, was invited to attend the final plenary sessions.

Six months before the Review Meeting, Contracting Parties submitted National Reports on steps and measures taken to implement Convention obligations. In the following months the Contracting Parties reviewed each other's reports, and exchanged written questions and comments.

At the Review Meeting, Contracting Parties organized themselves into six country groups, each group including countries with nuclear power programmes of different sizes, as well as countries not having nuclear power reactors.

Three Contracting Parties, namely Bangladesh, Mali and the Republic of Moldova did not comply with the basic obligations of the Convention to submit a National Report and attend the Review Meeting. Singapore submitted a National Report but did not attend the meeting.

The Contracting Parties noted that this Convention entails two basic commitments by each Contracting Party:

- To prepare and make available a National Report including a self-assessment of steps and measures already taken and in progress to implement the Convention obligations; and
- To subject its National Report, and the nuclear safety programme it describes, to a peer review by the other Contracting Parties, and to take an active part in that review and in the review of the reports of other Contracting Parties.



## Regional Organizations:

### EUROPE

#### ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE (OSCE)

The Conference on Security and Cooperation in Europe (CSCE) convened on 3 July 1973 in Helsinki.

The Helsinki Final Act was signed by 35 states on 1 August 1975. It was renamed the Organization for Security and Cooperation in Europe (OSCE) in 1994.

**Participating states:** 55 (Participation of Yugoslavia - Serbia and Montenegro - is suspended.)

Major agreements and documents in an OSCE context: "Treaty on Conventional Armed Forces in Europe" (CFE), 19 November 1990; "Charter of Paris for a New Europe", adopted 21 November 1990; "Vienna Document on Confidence- and Security- building Measures", 4 March 1992; "Declaration on the Treaty on Open Skies", 24 March 1992; Helsinki Summit Document "The Challenges of Change", 10 July 1992; Budapest Summit Document "Towards a Genuine Partnership in a New Era", 6 December 1994; Lisbon Summit Declaration "A Common and Comprehensive Model for Europe for the Twentieth Century", adopted 3 December 1996; Istanbul Summit Document, "Charter for European Security", adopted 19 November 1999.

Major objectives with respect to arms control and non-proliferation as spelled out in the Helsinki Summit Document of 1992: to give impetus to the process of arms control, disarmament and confidence- and security- building, to the enhancement of consultation and cooperation on security matters and to the furtherance of the process of reducing the risk of conflict; to take further steps to stop the proliferation of weapons; to ensure the nonproliferation of nuclear weapons and relevant technology and expertise; and to intensify co-operation in the field of effective export controls applicable to nuclear materials, conventional weapons, and other sensitive goods and technologies.

The Budapest Summit Document of 1994 stated that, in view of the new threats posed by the proliferation of weapons of mass destruction the Heads of State or

Government agreed on basic principles to guide their national policies in support of common non-proliferation objectives and stated that they are strongly committed to the full implementation and indefinite and unconditional extension of the NPT. The participants stated that the Organization would be a primary instrument for early warning, conflict prevention, and crisis management in the region. They may, in exceptional circumstances, jointly decide that a dispute will be referred to the UN Security Council on behalf of the OSCE.

The Lisbon Summit Document (1996) stated that arms control constitutes an important element of common security and that the CFE will remain key to security and stability. The Forum for Security Cooperation (FSC) adopted two decisions defining new directions for further work, "A Framework for Arms Control" and "Development of the Agenda of the Forum for Security Cooperation". It recalled the Budapest Decision of 1994 on the significance, entry into force, and implementation of the Open Skies Treaty. In addition, it called for ending illegal arms supplies, in particular to zones of conflict, as a major contribution not only to regional, but also, global security.

The Istanbul Summit Document (1999) welcomed the successful adaptation of the Treaty on Conventional Armed Forces in Europe, which will provide for a stricter system of limitations, increased transparency and lower levels of conventional armed forces and the adoption of the Vienna Document 1999 on confidence- and security- building measures. The Vienna Document improves current CSBMs and emphasizes the importance of regional co-operation. The participants also welcomed the decision of the Forum for Security Cooperation (FSC) to launch a broad and comprehensive discussion on all aspects of the problem of the spread of small arms and light weapons and to study concrete measures to deal with this issue, in order to respond to the challenge to peace and stability stemming from the excessive and destabilizing accumulation and uncontrolled spread of these weapons. A special meeting on children in armed conflict was held from 23 to 26 May 2000.

The Open Skies Treaty was further endorsed and its early entry-into-force was urged. In addition, the document reaffirmed support for international co-operation in promoting global humanitarian action against anti-personnel mines, including promoting mine clearance activities, mine awareness programs, and the care, rehabilitation and social and economic reintegration of mine victims.

### **Structure and Institutions:**

**Summits of Heads of States or Governments:** take place, as a rule, every two years and set priorities and provide orientation for OSCE work at the highest level. The most recent summit took place in Istanbul from 18-19 November 1999.

**Ministerial Council:** (formerly the CSCE Council) - members are the Foreign Ministers of the OSCE member States. It is the central decision-making and governing body of the OSCE. It holds meetings at least once a year. The 1997 meeting took place in Copenhagen and the last meeting was held in Oslo 2-3 December 1998.

**Senior Council:** (which replaced the Committee of Senior Officials) - is responsible for overview, management, and coordination of OSCE activities. It is the central body for consultation on current political issues, and OSCE members are encouraged to be represented at the level of political directors. It meets twice a year in Prague and once a year as the Economic Forum. Chairman - István Gyarmati, Ministry of Foreign Affairs, Bem rkp. 47. 1027, Budapest II, HUNGARY.

**Permanent Council:** (formerly the Permanent Committee) - is responsible for the day-to-day operational tasks of the OSCE. Its members are permanent representatives of OSCE member states. The Permanent Council takes decisions on all issues pertinent to the OSCE. It holds weekly meetings and is based in Vienna.

**Forum for Security Cooperation (FSC):** meets weekly in Vienna and negotiates and consults on concrete measures aimed at strengthening security and stability throughout Europe. Its main objectives are:

- a) negotiations on arms control, disarmament and confidence- and security- building;
- b) regular consultations and intensive cooperation on matters related to security;
- c) the further reduction of the risks of conflict.

It is also responsible for the implementation of CSBMs, the preparation of seminars on military doctrine, the holding of annual implementation assessment meetings, and for the provision of a forum for discussion and clarification of information exchanged under agreed CSBMs.

**Chairman-in-Office (CiO):** is responsible for executive action. This function is performed by the Foreign Minister of the State that hosted the last meeting of the Ministerial Council. The current CIO is Federal Chancellor Wolfgang Schuessel of Austria. In the year 2001, the Chairmanship will be held by Romania. The CIO is assisted by:

**Troika:** comprised of preceding, present, and succeeding Chairmen (currently Romania, Norway and Austria); Ad Hoc Steering Groups may be established as needed to assist the CIO, particularly in the field of conflict prevention and crisis management; Personal Representatives are designated by the CIO, with clear mandates for assisting the CIO in dealing with a crisis or conflict.

**Secretary-General:** acts as the representative of the Chairman-in-Office and supports the Chairman's activities. The Secretary-General is the OSCE's chief administrative officer, appointed by the Council for a period of three years. The current Secretary-General is Ambassador Ján Kubiš (Slovakia),

**Secretariat:** is under the direction of the Secretary-General. In addition to the Office of the Secretary General, it consists of the Conflict Prevention Centre (CPC), the Department for Administration and Operations, and the Co-ordinator of OSCE Economic and Environmental Activities, as well as the Prague Office of the Secretariat.

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Rytirska 31,  
11000 Prague 1,  
Czech Republic.  
Tel: (42 2) 216 10 217,  
FAX: (42 2) 24 22 38 83.  
Website: <http://www.osce.org>

## EUROPEAN UNION (EU)

**Membership: 15 states** - Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, Sweden, and the United Kingdom.

The Central and Eastern European countries associated with the European Union are: Bulgaria, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia, Slovenia; and the associated countries are: Cyprus, Malta and Turkey; and the EFTA countries members of the European Economic Area are: Iceland, Liechtenstein, and Norway.

The European Union (EU) is the result of a process of cooperation and integration, which began in 1951 between six countries (Belgium, Germany, France, Italy, Luxembourg and the Netherlands). After nearly fifty years, with four waves of accessions (1973: Denmark, Ireland and the United Kingdom; 1981: Greece; 1986: Spain and Portugal; 1995: Austria, Finland and Sweden), the EU today has fifteen Member States and is preparing for its fifth enlargement, this time towards Eastern and Southern Europe.

**Objectives:** The European Union's mission is to organize relations between the Member States and between their peoples in a coherent manner and on the basis of solidarity. The main objectives are: to promote economic and social progress (the single market was established in 1993; the single currency was launched in 1999); to assert the identity of the European Union on the international scene (through European humanitarian aid to non-EU countries, common foreign and security policy, action in international crises; common positions within international organizations); to introduce European citizenship (which does not replace national citizenship but complements it and confers a number of civil and political rights on European citizens); to develop an area of freedom, security and justice (linked to the operation of the internal market and more particularly the freedom of movement of persons); to maintain and build on established EU law

(all the legislation adopted by the European institutions, together with the founding treaties).

There are five institutions involved in running the European Union: the European Parliament (elected by the peoples of the Member States), the Council (representing the governments of the Member States), the Commission (the executive and the body having the right to initiate legislation), the Court of Justice (ensuring compliance with the law), the Court of Auditors (responsible for auditing the accounts). These institutions are supported by other bodies: the Economic and Social Committee and the Committee of the Regions (advisory bodies which help to ensure that the positions of the EU's various economic and social categories and regions respectively are taken into account), the European Ombudsman (dealing with complaints from citizens concerning maladministration at European level), the European Investment Bank (EU financial institution) and the European Central Bank (responsible for monetary policy in the euro-area.)

Since 1969 and until the entry into force of the Maastricht Treaty on November 1, 1993, coordination of foreign policy initiatives of the European Community member states had been conducted by the European Political Cooperation (EPC).

Under the Maastricht Treaty, the EPC was transformed into the "Common Foreign and Security Policy." The objectives of the Common Foreign and Security Policy (CFSP) are to preserve peace and strengthen international security, in accordance with the principles of the UN Charter as well as the principles of the Helsinki Final Act and the objectives of the Paris Charter.

The European Council is to unanimously define the principles and general guidelines for the Common Foreign and Security Policy. A Political Committee consisting of Political Directors monitors the international situation in the areas covered by Common Foreign and Security Policy and contribute to the definition of policies by delivering opinions to the Council at the request of the Council or on its own initiative. It also monitors the implementation of agreed policies, without prejudice to the responsibility of the Presidency and the Commission.

The Amsterdam Treaty was signed on 2 October 1997 and entered into force on 1 May 1999. It defines the beginnings of a CFSP by increasing EU responsibilities for peacekeeping and humanitarian work, and sets out institutional reforms to precede EU enlargement.

The Council is assisted by the Political, Economic and Security Cooperation (PESC) and by the Cooperation Politique (COPO).

From January to June 2000, the President of the EU was held by Portugal, followed by France for the second half of 2000.

At the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, the EU statement was delivered by Jaime Gama (State Minister and Minister for Foreign Affairs of Portugal), on 24 April 2000.

The EU "Common Position" noted its intention to help build consensus on substantive issues in the 2000 NPT Review Conference, taking into account the substantive preparations in the three sessions of the Preparatory Committee and bearing in mind the fundamental importance of the decisions and resolution adopted by the 1995 Review and Extension Conference.

The EU strongly supported the early entry into force of the CTBT through ratification without delay and without conditions, in particular by the 44 states whose ratification is required for the Treaty to enter into force. Members of the EU have already signed and ratified the Treaty, and the EU was actively involved in promoting universal adherence to it and the EU would continue its efforts until the mechanisms established by the Treaty become fully operational. It welcomed the announcement by the Russian Federation that the State Duma had approved the treaty for ratification.

The EU particularly called upon those NWS that had not done so, to expedite their CTBT ratification process so as to stimulate others to follow the same path.

The EU deeply regretted, in this connection, the upset to the ratification process in the US. The EU also underlined its full support for the efforts to establish the Treaty's verification regime in a timely and effective manner and underlined the need for the provision of adequate financial support to enable the CTBT international monitoring system to be established according to the Treaty.

The EU called for the immediate commencement and early conclusion of negotiations in the CD in Geneva on a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices is central for strengthening nuclear non-proliferation and nuclear disarmament. It supported the efforts being undertaken at the Conference on Disarma-

ment in Geneva to restart negotiations without delay on a non-discriminatory, multilateral and internationally and effectively verifiable treaty, on the basis of the Shannon report and the mandate contained therein. The EU called on all states, which had not yet done so, to stop the production of fissile material for nuclear weapons or other nuclear explosive devices.

The EU would continue to encourage the determined pursuit by the NWS of systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goal of eliminating those weapons and by all States of general and complete disarmament under strict and effective international control. The EU also wished to see non-strategic nuclear weapons included in the framework of arms reduction efforts. The EU reaffirmed the importance of the ABM Treaty, as one of the pillars of strategic stability.

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## EUROPEAN ATOMIC ENERGY COMMUNITY (EURATOM)

Established by the Treaty of Rome.

Signed: March 25, 1957.

Effective: January 1, 1958.

**Membership:** 15 member states of the European Union - Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, Sweden, and UK. The process of enlargement of the European Union was launched on 30 March 1998. Negotiations are currently being held with the following twelve applicants: Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, Slovakia and Slovenia. The basic principle of the negotiations is that all the applicant countries must accept existing EU law.

**Mandate:** to contribute to raising the standard of living in member states, and to the development of interchange with other countries by creating the conditions necessary for the speedy establishment and growth of nuclear industries; "to ensure that ores, sources materials, and special fissile materials

are not diverted to purposes other than those for which they are intended and to ensure compliance with supply and safeguarding obligations assured by EURATOM under an agreement concluded with a third state or an international organization.”

In 1957 Belgium, France, Germany, Italy, Luxembourg and the Netherlands, “realizing that nuclear energy constitutes the essential resource for ensuring the expansion and invigoration of production and for effecting progress in peaceful achievements”, signed a treaty establishing the European Atomic Energy Community (EURATOM). This treaty, which covers all civil nuclear activities in the European Union, is designed to provide a common market in nuclear materials, to guarantee a supply of nuclear fuels and to ensure that nuclear materials are not diverted from their intended purpose. It also allows EURATOM to establish contacts with other countries to promote progress in the peaceful uses of nuclear energy. Within the European Union, IAEA safeguards are implemented under a number of specific agreements: INFCIRC/193 (non-nuclear weapons states), INFCIRC/263 (United Kingdom) and INFCIRC/290 (France). The IAEA carries out inspections in close cooperation with inspection teams from EURATOM. This branch of the European Union, which provides a framework for nuclear energy development in the member states, has developed an independent and comprehensive regional nuclear safeguards system, which was established under the Treaty of Rome and became effective in 1958.

## Principal organs:

### European Parliament

**European Council of Ministers:** endeavors to take decisions by consensus; otherwise, it takes votes by qualified majority, unless one country considers the matter under consideration to be one of national interest, in which case it can apply a veto.

**Commission of the European Communities:** consists of 17 Commissioners, each appointed by national governments. France, Germany, Italy, Spain, and UK each appoint two Commission members, and the remaining member states each appoint one. The Commission takes decisions by a simple majority vote. However, the objective is to try to take decisions by consensus.

**Directorate General for Energy:** Director General for Energy, C.S. Maniopoulos, 200 Rue de la Loi, B-

1049 Brussels, BELGIUM. Tel: (32 2) 235 1111, FAX: (32 2) 235 0150, Telex: COMEU B 21877.

**EURATOM Safeguards Directorate:** safeguards all material in EURATOM NNWS and all civil-use nuclear material in EURATOM NWS. Director, Wilhelm Gemelin, Bâtiment Cube L-2920 LUXEMBOURG. Tel: (35 2) 4301 2211, FAX: (35 2) 4301 3545, Telex: 3715 EURAT LU.

**EURATOM Supply Agency:** The EURATOM Supply Agency’s mission is to ensure a regular and equitable supply of nuclear fuels for Community users. The EURATOM Supply Agency acts under the supervision of the European Commission which shall issue directives to it, possesses a right of veto over its decisions and appoints the Director-General. Two fundamental objectives of the European Atomic Energy Community (EURATOM) Treaty are to ensure the establishment of the basic installations necessary for the development of nuclear energy in the Community, and to ensure that all users in the Community receive a regular and equitable supply of ores and nuclear fuels. The EURATOM Supply Agency, operative since 1960, is the body established by the EURATOM Treaty to ensure this supply by means of a common supply policy based on the principle of equal access to sources of supply. It has legal personality and financial autonomy.

The EURATOM Treaty gives the Supply Agency the right of option to acquire ores, source materials and special fissile materials produced in the Community and an exclusive right to conclude contracts for the supply of such materials from inside the Community or from outside. In order to be valid under Community law, supply contracts must be submitted to the Supply Agency for conclusion. The Supply Agency and the Commission pursue the objective of long term security of supply through a reasonable diversification of supply sources and the avoidance of excessive dependency on any one supply source, and ensure that in a context of fair trade, the viability of the nuclear fuel cycle industry is maintained. The broad lines of the policy were published in the Agency’s Annual Report for 1997. The EURATOM Supply Agency’s website: [http://www.europa.eu.int/comm/EURATOM/index\\_en.html](http://www.europa.eu.int/comm/EURATOM/index_en.html).

**Joint Research Centers:** operate at Ispra (Italy); Karlsruhe (Germany); Geel (Belgium); and Petten (The Netherlands). Ispra acts as the permanent secretariat

of the European Safeguards Research and Development Association (ESARDA).

EURATOM and the IAEA signed an agreement on April 28, 1992, on the initiation of the “partnership approach,” an implementing accord between the IAEA Director General and EU Commissioner for Energy. The agreement is intended to streamline the implementation of certain parts of the basic agreement concluded in 1973 (INFCIRC/193), under which IAEA safeguards are applied, together with those of EURATOM, in non-nuclear-weapon states of the EU. (INFCIRC/193 is an agreement between the IAEA, the NNWS of the EU, and EURATOM.) Under the partnership agreement, inspection activities are to be performed on the basis of “one job, one man” supplemented by quality control measures to enable both organizations to reach their own independent conclusions and required assurances. These arrangements are to be designed and performed in such a manner that they do not result in unnecessary duplication of effort. Implementation of the partnership agreement was progressively introduced at different facility types. The savings in person-days of inspection achieved were due mainly to the discontinuation of the observation and joint team regimes. Implementation was initiated at three LWRs without MOX and could be expanded to cover other such LWRs.

Two other agreements among the IAEA, EURATOM and each of the two NWS of the EU for the application of safeguards in those states are INFCIRC/263 (UK) and INFCIRC/290 (France). They are modeled on INFCIRC/193, but there is no partnership arrangement. The states supply the IAEA with a list of facilities in which it may apply safeguards, and the IAEA makes a selection from the list.

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## NUCLEAR ENERGY AGENCY (NEA)

Membership: 27 states - Australia, Austria, Belgium, Canada, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Luxembourg, Mexico, Netherlands, Norway, Portugal, Republic of Korea, Spain, Sweden, Switzerland, Turkey, UK, and US.

A semi-autonomous body of the Organization for Economic Cooperation and Development (OECD).

The Nuclear Energy Agency (NEA) is a semi-autonomous body within the Organization for Economic Cooperation and Development (OECD), located in the Paris area in France. The objective of the Agency is to contribute to the development of nuclear energy as a safe, environmentally acceptable and economical energy source through co-operation among its participating countries.

The NEA membership currently consists of 27 countries across Europe, America and Australasia. It represents 85% of the world installed nuclear capacity and includes a large majority of the more advanced countries in the nuclear field. It was established on February 1, 1958 under the name of the European Nuclear Energy Agency (ENEA) but was renamed the Nuclear Energy Agency on April 20, 1972, to reflect its broader membership (including the US, Canada, and other non-European nations).

**Aims:** to promote cooperation between the member governments on the safety and regulatory aspects of nuclear power, and on the development of nuclear energy as a contributor to economic progress. The Statute of the NEA contains reference to the objective of preventing the proliferation of nuclear explosive devices, however, the Agency does not have direct non-proliferation responsibilities.

In its 1999 annual report, the Nuclear Energy Agency notes that the future of nuclear energy will depend on a number of technical, environmental, economic, social and political factors. A total of 348 nuclear power units were in operation in OECD countries in 1999, providing almost one quarter of total electricity production. However, nuclear energy continued to be a subject of controversy and public debate. In two Member countries, political decisions have been taken to begin phasing out nuclear energy production.

**Organs:**

**Steering Committee** - composed of representatives from all member governments and from the European Union.

Director General – Luis Echavarri.

OECD NEA,

Le Seine-Saint Germain,

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## **EURO-ATLANTIC PARTNERSHIP COUNCIL (EAPC)**

Created in 1997, the Euro-Atlantic Partnership Council (EAPC) succeeded the North Atlantic Cooperation Council, and brings together the 19 NATO Allies and 25 Partners in a forum providing for regular consultation and cooperation. It meets periodically at the level of Ambassadors and Foreign and Defense Ministers.

Heads of State and Government of the 44 members can also meet, when appropriate, as they did in Washington in April 1999. The EAPC Summit in Washington was an opportunity for open discussions among the leaders of the member countries on security-related cooperation within the EAPC in the 21st century. The leaders concentrated on key-security challenges in the EAPC area, in particular the situation in Kosovo.

**Membership: 44 states** - Albania, Armenia, Austria, Azerbaijan, Belarus, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Italy, Kazakhstan, Kyrgyz Republic, Latvia, Lithuania, Luxembourg, Moldova, Netherlands, Norway, Poland, Portugal, Romania, Russia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, the former Yugoslav Republic of Macedonia, Turkey, Turkmenistan, Ukraine, United Kingdom, United States, and Uzbekistan.

Heads of State and Government endorsed two documents relating to further development of the Partnership for Peace. The first of these, the "Political-Military Framework for NATO-led PfP Operations", addresses the involvement of Partner countries in politi-

cal consultations and decision-making, in operational planning and in command arrangements for future NATO-led operations in which they participate. The second document is entitled "Towards a Partnership for the 21st Century - the Enhanced and More Operational Partnership". This outlines the main elements designed to make the Partnership for Peace (PfP) more operational.

The EAPC has played a valuable role as a forum for consultation on the crisis in Kosovo. A series of extraordinary meetings was held to keep Partners informed of the status of NATO planning and preparations for possible military options in Kosovo and to exchange views with Partners on developments.

**Background**

EAPC activities are based on a two-year action plan which focuses on consultation and cooperation on a range of political and security-related matters, including regional issues, arms control, international terrorism, peacekeeping, defence economic issues, civil emergency planning, and scientific and environmental issues. Almost all of the non-NATO EAPC members have established diplomatic missions accredited to NATO, expanding contacts between NATO and Partners and increasing the efficiency and effectiveness of cooperation.

The EAPC also helps to foster practical regional security cooperation through topical seminars which form part of the EAPC action plan. The first such regional cooperation seminar was hosted by Georgia in October 1998. Since then similar events have been held in Lithuania and Slovakia, with two additional seminars in Bulgaria and Uzbekistan in 1999.

Many ideas for further practical initiatives are being explored, including ways in which the EAPC might support global humanitarian action against mines and ways of controlling transfers of small arms.

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## NORTH ATLANTIC COOPERATION COUNCIL (NACC)

Created in 1991 as an organization for discussion and coordination on mutual security issues and replaced by the Euro-Atlantic Partnership Council in 1997.

**Membership:** 40 states, including 16 NATO states, and Albania, Armenia, Azerbaijan, Belarus, Bulgaria, Czech Republic, Estonia, Georgia, Hungary, Kazakhstan, Kyrgyz Republic, Latvia, Lithuania, Moldova, Poland, Romania, Russian Federation, Slovakia, Slovenia, Tajikistan, the former Yugoslav Republic of Macedonia, Turkmenistan, Ukraine and Uzbekistan. Austria, Finland, Sweden and Switzerland had observer status as Partnership for Peace participants. Since March 1992, the CIS members have been participants in the NACC process.

Many of NACC's original activities such as cooperation on defence-related issues, in military and peace-keeping fields, including exercises, have been subsumed into Partnership for Peace activities. The subsequent framework focused on consultation and cooperation in political and security related matters, economic issues related to defence budgets and conversion, information activities, and scientific and environmental issues. Most of these activities are now being pursued in the Euro-Atlantic Partnership Council (EAPC) forum.

The NACC was replaced by the EAPC. The concluding meeting of the North Atlantic Cooperation Council took place in Sintra, Portugal on 30 May 1997, followed by the inaugural meeting of the EAPC. All current NACC members and participating countries could automatically become members of the EAPC if they wish.

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<http://www.nato.int/docu/facts/2000/dev-eapc.htm>

## NATO PARLIAMENTARY ASSEMBLY (NORTH ATLANTIC ASSEMBLY)

Established: 1955.

**Membership:** 214 Representatives of the 19 Alliance Members and 65 Representatives of 15 Associate Member States (Central and Eastern European countries as well as Switzerland and Finland.)

The NATO Parliamentary Assembly, supersedes the North Atlantic Assembly (NAA), operates separately from NATO and has no formal link to it. It acts as a forum for legislators to consider issues of common interest and concern to the Alliance. The Assembly operates through five Committees (Civilian Affairs, Defense and Security, Economic, Political, and Science and Technology) which meet in the spring and fall Assembly sessions, coordinated by the Secretariat. The Committees report on issues affecting the Alliance, make policy recommendations and receive briefings from government officials, international organizations leaders and other experts. Assembly meetings are intended to inform parliamentarians about key issues mainly in security-related areas, thereby creating "cadres" in national parliaments that are well versed in international security matters. The Assembly produces informative reports and non-binding policy recommendations, which are circulated to national governments, parliaments, and NATO authorities. In addition, Sub-Committees meet several times a year to gather facts and explore specific issues in more detail. Recent study topics have included NATO enlargement and the new democracies, Baltic security, security problems in southeastern Europe, East-West economic cooperation, weapons proliferation, and the future of the armed forces. The Standing Committee is the governing organ coordinating the Committee work, preparing the Assembly sessions agenda and overseeing the finances and appointing the Secretary General.

Both the Defense and Security Committee and the Science and Technology Committee follow issues of weapons proliferation. In 1993, the Science and Technology Committee created a Sub-Committee on the Proliferation of Military Technology. Three Sub-Committees operate under the Defense and Security Committee: Sub-Committee on Defence and Security Cooperation between Europe and North America, Sub-Com-



mittee on the Future of the Armed Forces and Sub-Committee on Northern Security Issues.

President - Mr. Javier Ruperez (Spain). Chairman of the Defense and Security Committee - Mr. Rafael Estrella (Spain). Chairman of the Science and Technical Committee - Mr. Sherwood L. Boehlert (United States).

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## COMMONWEALTH OF INDEPENDENT STATES (CIS)

Established: 1991.

**Membership: 12 states**— Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan.

The CIS was founded in 1991 after the dissolution of the Soviet Union. Meetings are held periodically on a rotating basis at the CIS countries' capitals. Recent Summits were held in June and January 2000, April 1999, April 1998, March and October 1997. Forums include the Council of Heads of State, the Council of Prime Ministers, and the Council of Foreign Ministers.

At the latest summit in June 2000, the presidents of the CIS' 12 countries issued a joint statement saying that the ABM Treaty must remain the "foundation of global strategic stability, international security and peace around the world", and that any abrogation would undermine "steps toward the further reduction of strategic nuclear armaments". They also established a joint anti-terrorism center to be based Moscow, which will be jointly run by Russia and the Ukraine. Only Turkmenistan will not participate.

Discussions at CIS summits have been dominated by issues of economic integration, and cooperation in fighting transnational crime. In this vein, on 31 May 1995, security chiefs from the CIS signed an agreement on combating organized crime, which included protocols

on nuclear smuggling, terrorism, drug trafficking, and "illegal armed formations."

**Export Controls:** On June 26, 1992 in Minsk, eight countries of the CIS (Armenia, Belarus, Kazakhstan, Kyrgyzstan, Russia, Tajikistan, Ukraine, and Uzbekistan) signed the Agreement on coordination of work related to the issues of export control over raw materials, materials, equipment, technologies, and services used or capable of being used for the manufacture of weapons of mass destruction and missiles as their means of delivery. The states parties agreed to pursue coordinated export control policies, including the application of sanctions against all economic entities that violate the export control requirements.

The CIS Free-Trade Zone Treaty, signed in 1994 is still under discussion. However on 21 June 2000, the CIS summit adopted a document outlining the implementation of the free trade zone in the CIS and calling for the completion of export/import procedures.

**CIS Customs Union:** The CIS Customs Union was created in March 1996 and includes five of the CIS countries (Belarus, Kazakhstan, Kyrgyzstan, Russian Federation, and Tajikistan).

**CIS Collective Security Council:** The Collective Security Treaty was concluded 15 May 1992 in Tashkent by Armenia, Kazakhstan, Kyrgyzstan, Russia, Tajikistan, and Uzbekistan. Azerbaijan, Belarus, and Georgia acceded to the treaty later. Upon completion of the ratification process the Collective Security Treaty entered into force 20 April 1994 for a period of five years. Under the rubric of this treaty, other documents such as the Collective Security Concept, the Declaration by the Collective Security Treaty States, Basic Guidelines for Deepening Military Cooperation Among the Collective Security Treaty States were adopted. At a meeting of the Collective Security Council on 2 April 1999, the Treaty was extended for another five years by a Protocol to the Treaty, which also created an automatic five-year extension mechanism for the future. Uzbekistan withdrew from the Treaty shortly before its extension. At the May 2000 Collective Security Council meeting, the parties adopted a memorandum on enhancing the effectiveness of the Treaty. National contingents will be organized into three sectors (Western, Transcaucasus, and Central Asia) and will engage in joint exercises within their sector.

Current Chairman of the CIS Executive Committee:  
Yuri Yarov

Deputy Chairman: Dzmitryy Pyatrovich Bulakhaw

## INTERNATIONAL SCIENCE AND TECHNOLOGY CENTER (ISTC)

The ISTC Agreement was signed in Moscow in 1992 and provisionally entered into force on March 2, 1994, pending ratification by the Duma. The signatories included the European Union, Japan, the Russian Federation, and the United States. CIS parties were Armenia, Belarus, Georgia, Kazakhstan, and Kyrgyzstan. Turkmenistan has also acceded to the ISTC agreement. Other parties to the agreement include Norway and the Republic of Korea.

The operating bodies of the ISTC are the Governing Board, Coordination Committee, Science Advisory Committee, and Secretariat (the executive body located in Moscow). ISTC branch offices have been set up in Minsk and Almaty, with a coordination office in Tbilisi.

The ISTC serves as a clearinghouse for developing, approving, financing, and monitoring projects aimed at engaging weapons scientists, technicians, and engineers from the CIS in peaceful, civilian science and technology activities - non-weapons scientists are not excluded. Through its projects, the ISTC contributes to ongoing efforts to stem the proliferation of weapons of mass destruction. Its larger goal includes reinforcing the CIS transition to a market-based economy responsive to civilian needs, and supporting basic and applied research and technology development.

**ISTC (Moscow) Activity and Objectives:** The Agreement Establishing the International Science and Technology Center (ISTC) stipulates that the Center's principal activity is to develop, approve, finance, and monitor science and technology projects for peaceful purposes, which are to be carried out primarily at institutions and facilities located in the Russian Federation and, if requested, in other states of the New Independent States (NIS). The primary objectives of the Center are: 1) to give weapons scientists and engineers, particularly those in the NIS who possess knowledge and skills related to weapons of mass destruction or missile delivery systems, opportunities to redirect their talents to peaceful activities; and 2) to contribute to the solution of national or international technical problems in relation to the transition to market-based economies by supporting basic and applied research and technology development in the fields of environmental pro-

tection, energy production, and nuclear safety; and promoting the further integration of scientists of the NIS into the international scientific community.

The ISTC began operations on March 3, 1994. A total of \$75 million was raised for the Moscow center: \$25 million from the US, 20 million ECU from the European Commission, \$17 million from Japan. Russia is to provide in-kind support to include a facility for the Center, as well as its maintenance, utilities, security, and related support.

At a meeting of the Board of Governors in Moscow, on December 8-9, 1994, the representatives of the four initial parties (European Union, Japan, Russia, and US) were joined at the Board meeting by representatives of new funding parties, Finland and Sweden, and of new CIS member states, Armenia, Belarus and Georgia. The projects approved at the meeting brought the total number to 94, representing a total funding commitment of \$48.5 million. These projects sponsored more than 5,000 scientists and engineers, the majority of whom were involved in weapons activities, for periods of up to three years. On 5-6 November 1997, the Governing Board of the ISTC held its 14th meeting in Moscow, Russia. The Board welcomed the Republic of Korea as the newest funding party, which will contribute one full-time scientific expert to the ISTC Secretariat. Georgia, Belarus, Armenia, Kazakhstan and the Kyrgyz Republic also pledged to contribute their facilities and technical expertise. The projects approved at this meeting brought the total number of projects funded by the ISTC to 496 with a dollar value of approximately \$155 million.

At its 20<sup>th</sup> meeting on 27 October 1999 at headquarters in Moscow, the ISTC Governing Board approved funding for 33 new projects, representing \$8.8 million in new funding for scientists. Current projects include: non-pathogenic bio-insecticides; radioactive waste handling and disposal; pollution monitoring; nuclear materials control and accounting; medical diagnostics for cancer, ulcers, and infectious diseases; lower limb prosthetics; laser cleaning of fragile works of art; new nanomaterials and composites; and pipeline safety measuring equipment. Some projects have direct application to verification of a CTBT and of the destruction of WMD. As of 27 October 1999, cumulative funding for the ISTC surpassed \$231 million for 835 projects. It provided grants to over 24,000 former Soviet scientists, engineers, and technicians.

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## SCIENCE AND TECHNOLOGY CENTER IN UKRAINE (STCU)

Science and Technology Center in Kiev (SCTU) - The substance of the SCTU founding agreement is identical to that of the ISTC and was signed by Canada, Sweden, Ukraine and the US on October 25, 1993 and entered into force on July 16, 1994. The Center's projects are funded by Canada (US\$ 2 million), Sweden (US\$ 1.5 million), and the US (\$15 million). Uzbekistan and Georgia signed a formal accession to the STCU Agreement on December 29, 1997 and March 18, 1998, respectively.

The Center's mission is "to support research and development activities for peaceful application by Ukrainian, Georgian and Uzbek scientists and engineers, formerly involved with the development of WMD and their means of delivery, as part of the general process of conversion from a military to a civilian, market oriented environment."

Since its establishment, STCU has approved approximately \$28 million in funding for a total of 246 projects at 9 Governing Board Meetings. During the first Board of Directors' Meeting, which took place on 14-15 December 1995 in Kiev, the Board considered the first set of 30 projects. The Board approved 12 projects for a total of about \$1,600,000. Among the approved projects was a special "Canadian Collaboration Grant Project" for \$100,000.

The ninth meeting of the Board was convened in Kiev on 15 December 1999 and approved \$4.35 million in new STCU projects to be funded by Canada, the European Union, and the United States. The 30 new projects will fund the work of 545 scientists, the majority of whom have special weapons expertise. The research projects are focused in the technical areas of materials science, X-ray detection, solar-cells, cancer research, radioactive waste disposal, research on industrial steel production and welding, and high energy physics. The STCU staff also facilitated over US \$2.1 million in specially funded projects intended to help Ukraine's nuclear power plants address Y2K-related issues.

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## Regional Organizations:

### ASIA

#### ASSOCIATION OF SOUTHEAST ASIAN NATIONS (ASEAN) / ASEAN REGIONAL FORUM (ARF)

ASEAN Established: 1967.

ARF Established: 1992.

ASEAN Membership: 10 states - Brunei Darussalam, Cambodia, Indonesia, Laos, Malaysia, Myanmar, Philippines, Singapore, Thailand, and Viet Nam.

ARF Membership: Australia, Brunei Darussalam, Cambodia, Canada, China, European Union, India, Indonesia, Japan, Republic of Korea, Laos, Malaysia, Myanmar, Mongolia, New Zealand, Papua New Guinea, Philippines, the Russian Federation, Singapore, Thailand, the United States, Vietnam.

#### The Association of Southeast Asian Nations (ASEAN)

ASEAN was established on 8 August 1967 in Bangkok by the five original Member Countries: Indonesia, Malaysia, Philippines, Singapore, and Thailand. Brunei Darussalam joined on 8 January 1984, Vietnam on 28 July 1995, Laos and Myanmar on 23 July 1997, and Cambodia on 30 April 1999.

**Objectives:** The ASEAN Declaration states that the aims and purposes of the Association are: (i) to accelerate the economic growth, social progress and cultural development in the region through joint endeavors in the spirit of equality and partnership in order to strengthen the foundation for a prosperous and peaceful community of Southeast Asian nations, and (ii) to promote regional peace and stability through abiding respect for justice and the rule of law in the relationship among countries in the region and adherence to the principles of the United Nations Charter. In 1995, the ASEAN Heads of States and Government re-affirmed that “Cooperative peace and shared prosperity shall be the fundamental goals of ASEAN.”

**Fundamental Principles:** The Treaty of Amity and Cooperation (TAC) in Southeast Asia, signed at the First ASEAN Summit on 24 February 1976, declared that in their relations with one another, the High Con-

tracting Parties should be guided by the following fundamental principles:

- Mutual respect for the independence, sovereignty, equality, territorial integrity, and national identity of all nations;
- The right of every State to lead its national existence free from external interference, subversion or coercion;
- Non-interference in the internal affairs of one another;
- Settlement of differences or disputes by peaceful manner;
- Renunciation of the threat or use of force; and
- Effective cooperation among themselves.

**Political Cooperation:** The TAC stated that ASEAN political and security dialogue and cooperation should aim to promote regional peace and stability by enhancing regional resilience. Regional resilience shall be achieved by cooperating in all fields based on the principles of self-confidence, self-reliance, mutual respect, cooperation, and solidarity, which shall constitute the foundation for a strong and viable community of nations in Southeast Asia.

Some of the major political accords of ASEAN are as follows:

- ASEAN Declaration, Bangkok, 8 August 1967;
- Zone of Peace, Freedom and Neutrality Declaration, Kuala Lumpur, 27 November 1971;
- Declaration of ASEAN Concord, Bali, 24 February 1976;
- Treaty of Amity and Cooperation in Southeast Asia, Bali, 24 February 1976;
- ASEAN Declaration on the South China Sea, Manila, 22 July 1992;
- Treaty on the Southeast Asia Nuclear-Weapon-Free Zone, Bangkok, 15 December 1997; and
- ASEAN Vision 2020, Kuala Lumpur, 15 December 1997.

Although ASEAN states cooperate mainly on economic and social issues, the organization has a security function, with a long-discussed program for confidence-building measures and for establishing a nuclear-

weapon-free zone in Southeast Asia, with the objective of implementing ASEAN's 1971 Declaration on a Zone of Peace, Freedom and Neutrality (ZOPFAN), and a Southeast Asia Nuclear Weapon-Free Zone (SEANWFZ), which would be a component of ZOPFAN.

***Joint Communiqué of the 33rd ASEAN Ministerial Meeting:*** The Foreign Ministers of the Association of Southeast Asian Nations convened at the 33rd ASEAN Ministerial Meeting in Bangkok on 24-25 July 2000 under the chairmanship of Dr. Surin Pitsuwan, Foreign Minister of Thailand. The Meeting was attended by all the Foreign Ministers of the ten ASEAN Member Countries and Papua New Guinea. The Secretary-General of ASEAN was also in attendance. The representatives of the Southern African Development Community and the United Nations Transitional Administration in East Timor were also invited as guests of the host country.

At the Fifth ASEAN Summit in Bangkok, on 15 December 1995, ASEAN leaders signed the South East Asia Nuclear Weapon Free Zone (SEANWFZ) Treaty. The parties to SEANWFZ comprise the current ten ASEAN members. The notion of a SEANWFZ dates back to 27 November 1971, when the original five members of ASEAN meeting in Kuala Lumpur signed a Declaration on a [ASEAN] Zone of Peace, Freedom, and Neutrality (ZOPFAN). None of the nuclear-weapon states has yet signed the Protocols, largely due to US and French objections regarding the unequivocal nature of security assurances and over the definitions of territory (including exclusive economic zones).

The 29th Annual ASEAN Ministerial Meeting, involving foreign ministers, issued a communiqué in Jakarta on July 21, 1996. It called for the expeditious ratification of the SEANWFZ Treaty, and for an end to nuclear testing and the conclusion of a CTBT.

The "ASEAN Vision 2020" adopted in Kuala Lumpur on 15 December 1997, by the Heads of State/Government of ASEAN, envisioned a "Concert of Southeast Asian Nations" to be, in 2020, in full reality, a Zone of Peace, Freedom and Neutrality, as envisaged in the Kuala Lumpur Declaration of 1971. It envisioned a Southeast Asia free from nuclear weapons, with all the nuclear-weapon states committed to the purposes of the Southeast Asia Nuclear Weapons Free Zone Treaty through their adherence to its Protocol. It also envisioned the region to be free from all other weapons of

mass destruction, and the ASEAN Regional Forum as an established means for confidence-building and preventive diplomacy and for promoting conflict-resolution.

The Sixth ASEAN Summit was held in Hanoi, Viet Nam from 15 to 16 December 1998. Participants issued the Hanoi Declaration in which States pledged to intensify their efforts to address arms smuggling, and to intensify consultations with nuclear-weapon states with a view to their accession to the Protocol to the SEANWFZ Treaty. The Hanoi Plan of Action, also adopted at the Summit, also called for the convening of the Commission for the SEANWFZ to oversee implementation and ensure compliance with the Treaty. The ASEAN countries reaffirmed their support for and active participation in all efforts to achieve the objective of general and complete disarmament, especially the non-proliferation of nuclear weapons and of other weapons of mass destruction.

At the Fifth Ministerial Meeting in Manila from 24 to 25 July 1998, the foreign ministers of ASEAN issued a Joint Communiqué in which they reiterated that signature of the SEANWFZ Protocol by the nuclear-weapon States would equal a pledge of support for nuclear disarmament and nuclear-weapon-free zones. The Communiqué also addressed the nuclear tests by India and Pakistan, by expressing the view that the recent tests in South Asia were not conducive to the full realization of the Treaty.

At their Sixth Meeting in Singapore from 23 to 24 July 1999, the ASEAN Foreign Ministers convened the Commission of the SEANWFZ Treaty for the first time. The Commission ordered the preparation of the draft rules of procedure and initiation of all necessary actions in compliance with the Treaty, including consultations with the Nuclear Weapon States, the International Atomic Energy Agency and other related bodies.

### **ASEAN Regional Forum (ARF):**

In 1992, the ASEAN Heads of State and Government declared that ASEAN should intensify its external dialogues in political and security matters as a means of building cooperative ties with states in the Asia-Pacific region. Two years later, the ASEAN Regional Forum or ARF was established. The ARF aims to promote confidence-building, preventive diplomacy and conflict resolution in the region. The present partici-

pants in the ARF include: Australia, Brunei Darussalam, Cambodia, Canada, China, European Union, India, Indonesia, Japan, Republic of Korea, Laos, Malaysia, Myanmar, Mongolia, New Zealand, Papua New Guinea, Philippines, the Russian Federation, Singapore, Thailand, the United States, Vietnam. Through political dialogue and confidence building, no tension has escalated into armed confrontation among ASEAN members since its establishment more than three decades ago.

During the 27th ASEAN Ministerial Meeting in Bangkok in July 1994, the first meeting of the ASEAN Regional Forum (ARF) was held on 25 July. This was ASEAN's initiative which brought together the six foreign ministers of ASEAN Member Countries and their counterparts from ASEAN's seven "Dialogue Partners" (Australia, Canada, the EU, Japan, South Korea, New Zealand, and the US), two "Consultative Partners" (China and Russia), two observers (Laos and Vietnam) and one Special Observer (Papua New Guinea) to discuss regional security issues in an informal setting. The participants agreed to convene the ARF on an annual basis.

The ASEAN Regional Forum adopted in July 1996 the following criteria for participation: (1) Commitment - All new participants, which must be sovereign states, must subscribe to, and work cooperatively to help achieve the ARF key goals. Prior to their admission, all new participants should agree to abide by and respect fully the decision and statements already made by the ARF. All ASEAN members are automatically participants of ARF; (2) Relevance - A state should be admitted only if it can be demonstrated that it has an impact on the peace and security of the "geographical footprint" of key ARF activities (i.e., Northeast and Southeast Asia as well as Oceania); (3) Gradual expansion - Efforts must be made to control the number of participants to a manageable level to ensure the effectiveness of the ARF; and (4) Consultations - All applications for participation should be submitted to the Chairman of the ARF, who will consult all the other ARF participants at the Senior Official Meeting (SOM) and ascertain whether a consensus exists for the admission of the new participant. Actual decisions on participation will be approved by the Ministers.

The second ARF was held in Bandar Seri Begawan (Brunei) on August 1, 1995, and it identified the following areas for further study: confidence and secu-

rity building, nuclear nonproliferation, cooperation in peacekeeping, exchanges of unclassified military information, maritime security issues, and preventive diplomacy. It discussed regional security issues such as the South China Sea, the situation on the Korean Peninsula, and resumed French and Chinese nuclear weapons testing.

On May 8-10, 1995, the ARF sponsored the third "Preventive Diplomacy Seminar", which was held in Seoul.

The Seventh Meeting of the ASEAN Regional Forum (ARF) was held in Bangkok on 27 July 2000. The Meeting was chaired by Dr. Surin Pitsuwan, Minister of Foreign Affairs of the Kingdom of Thailand. The Ministers welcomed the participation for the first time of the Democratic People's Republic of Korea (DPRK) at the Seventh ARF Ministerial Meeting in Bangkok. With regard to the issue of membership, the Ministers reaffirmed the decision taken at the Fifth ARF and agreed that with the current 23 participants, the focus should now be on consolidating the process of dialogue and cooperation among the present participants of the ARF.

The Ministers noted with satisfaction the significant progress that the ARF had made in terms of enhancing political and security dialogue and cooperation within the Asia-Pacific region. In the context of the circumstances prevailing in the region, they noted that the ARF participants were able not only to engage in a free-flowing and productive exchange of views with a greater comfort level, but also to address, in a constructive manner, key political and security issues with bearing on regional peace and stability, including new issues that have emerged as a result of globalization.

The Ministers emphasized the importance of confidence-building measures (CBMs) to the overall ARF process and agreed that such efforts be intensified. They also welcomed the progress in the implementation of the proposals in the overlap between CBMs and Preventive Diplomacy (PD) as well as the continued efforts to develop concept and principles of PD as to be applicable to the ARF context. In this regard, the Ministers agreed that these developments had enhanced the continuity and relevancy of the ARF process. (Full text available at: <http://www.aseansec.org/>).

ASEAN Secretary-General - Rodolfo Severino (Philippines) was elected by the ASEAN Foreign Ministers to a five-year term, beginning on 1 January 1998.

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## SOUTHEAST ASIAN NUCLEAR-WEAPON-FREE ZONE TREATY (TREATY OF BANGKOK)

Opened for signature: December 15, 1995.

Entered into force: March 28, 1997.

Number of Parties: 10 full members - Brunei Darussalam, Cambodia, Indonesia, Laos, Malaysia, Myanmar, Philippines, Singapore, Thailand, and Viet Nam.

None of the nuclear-weapon states has yet signed the Protocols, largely due to US and French objections regarding the unequivocal nature of security assurances and over the definitions of territory (including exclusive economic zones).

**Duration:** Treaty is of a permanent nature and shall remain in force indefinitely.

**Organs:** Commission for the Southeast Asia Nuclear Weapon-Free Zone, Executive Committee.

**Obligations:** not to develop, manufacture or otherwise acquire, possess or have control over nuclear weapons; station nuclear weapons; or test or use nuclear weapons anywhere inside or outside the treaty zone; not to seek or receive any assistance in this; not to take any action to assist or encourage the manufacture or acquisition of any nuclear explosive device by any state; not to provide source or special fissionable materials or equipment to any NNWS, or any NWS unless subject to safeguards agreements with the IAEA; to prevent in the territory of states parties the stationing of any nuclear explosive device; to prevent testing of any nuclear explosive device; not to dump radioactive wastes and other radioactive matter at sea anywhere within the zone, and to prevent the dumping of radioactive wastes and other radioactive matter by anyone in the territorial sea of the states parties.

**Treaty zone:** the territories, continental shelves, and EEZ of the States Parties within the Zone.

**Verification:** by providing reports and exchanging information, and by the application of IAEA safeguards.

Visits by foreign ships and aircraft to ports and airfields, transit of airspace by foreign aircraft and navigation by foreign ships carrying nuclear weapons are left to the discretion of states parties.

The Protocol is open for signature by China, France, Russia, United Kingdom and United States. They would undertake to respect the Treaty and not to contribute to any act which constitutes a violation of the Treaty or its Protocol by States Parties to them. They would also undertake not to use or threaten to use nuclear weapons against any State Party to the Treaty and not to use or threaten to use nuclear weapons within the Southeast Asia Nuclear Weapon-Free Zone.

**SEANWFZ Commission:** From 23 to 24 July 1999, the ASEAN Foreign Ministers convened the Commission of the SEANWFZ Treaty for the first time. The Commission ordered the preparation of the draft rules of procedure and initiation of all necessary actions in compliance with the Treaty, including consultations with the nuclear-weapon states, the International Atomic Energy Agency and other related bodies.

The Commission meeting was held in conjunction with the ASEAN Regional Forum (ARF) meeting in Singapore. Reportedly, at this meeting, China agreed to sign the Protocol, as did India. (Since India does not fall within the definition of an NWS as stipulated in the NPT, if the contracting parties accept an Indian signature to the Protocol they might be in technical violation of both the NPT and the Bangkok treaties.)

**Background:** The notion of a SEANWFZ dates back to 27 November 1971, when the original five members of ASEAN meeting in Kuala Lumpur signed a Declaration on a [ASEAN] Zone of Peace, Freedom, and Neutrality (ZOPFAN). This treaty constitutes a major step forward in achieving a Zone of Peace, Freedom and Neutrality in Southeast Asia (ZOPFAN), as elaborated in the Kuala Lumpur Declaration of November 1971.

The SEANWFZ Treaty includes two elements that go beyond other existing NWFZ agreements: (1) the zone of application also includes the continental shelves and exclusive economic zones of the contracting parties; and (2) the negative security assurance implies a commitment by the NWS not to use nuclear weapons against any state contracting or protocol party within the zone of application. In other aspects, the SEANWFZ contains all the standard obligations, prohibitions, and

verification and control measures found in previous zonal treaties.

Thus far the NWS have not signed the Protocol to the SEANWFZ Treaty due to their objections over the inclusion of continental shelves and exclusive economic zones, and to the restriction not to use nuclear weapons within the zone or from within the zone against targets outside the zone.

The Bangkok Treaty does not have any designated Secretariat, given the informal style of ASEAN, but the Commission at the level of foreign ministers and the working group of Senior Officials will work to promote the full implementation of the zone.

No specific target date has been identified for the implementation of the SEANWFZ, though an ASEAN Vision 2020 adopted in December 1997 envisioned that by that year all of the NWS would have adhered to the protocol, and that the region could be free of all mass destruction weapons.

## **SOUTH ASIAN ASSOCIATION FOR REGIONAL COOPERATION (SAARC)**

Established: 1985.

**Membership:** seven states - Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan, and Sri Lanka.

**Purposes:** to promote the welfare of the peoples of South Asia, to strengthen collective self-reliance, to promote active collaboration and mutual assistance in various fields, and to cooperate with international and regional organizations.

The idea of regional cooperation in South Asia was first mooted in November 1980. After consultations, the Foreign Secretaries of the seven countries met for the first time in Colombo in April 1981. This was followed up, a few months later, by a meeting of the Committee of the Whole, which identified five broad areas for regional cooperation. The Foreign Ministers, at their first meeting in New Delhi in August 1983, adopted the Declaration on South Asian Regional Cooperation (SARC) and formally launched the Integrated Programme of Action (IPA) in the five agreed areas of cooperation: Agriculture; Rural Development; Telecommunications; Meteorology, and Health and Population Activities. Later, Transport; Postal Services; Sci-

entific and Technological Cooperation; Sports, Arts and Culture were added to the IPA.

The Heads of State or Government at their First SAARC Summit held in Dhaka on December 7-8, 1985, adopted the Charter formally establishing the South Asian Association for Regional Cooperation (SAARC).

At SAARC's summit in 1987 there was disagreement over a proposal by Pakistan for a South Asian treaty banning nuclear weapons; the final declaration simply noted SAARC's resolve to "contribute" to nuclear disarmament.

### **Principal organs:**

**Meetings of Heads of States or Governments:** once a year. To date, ten Meetings of the Heads of State or Government have been held: Dhaka (1985), Bangalore (1986), Kathmandu (1987), Islamabad (1988), Malé (1990), Colombo (1991), Dhaka (1993), New Delhi (1995), Malé (1997), Colombo (1998), Kathmandu (1999), Pakistan (2000). The Heads of State or Government during the Ninth SAARC Summit agreed that a process of informal political consultations would prove useful in promoting peace, stability and amity and accelerated socio-economic cooperation in the region.

**Council of Ministers:** comprised of Foreign Ministers of member states, meets twice a year. The Council meets twice a year and may also meet in extraordinary session by agreement of Member States. Twenty regular sessions had been held by December 1998. The Twenty-first Session of the Council was held in Colombo in March 1999.

**Standing Committee of Foreign Secretaries:** provides overall monitoring and coordination, determines priorities, mobilizes resources, and approves projects and financing. It may meet as often as deemed necessary but in practice normally meets twice a year and submits its reports to the Council of Ministers. The Committee had held twenty-six regular sessions and two special sessions by March 1999. The Standing Committee may also set up Action Committees comprising of Member States concerned with implementation of projects as per Article VII of the Charter. The Standing Committee is assisted by a Programming Committee, an ad hoc body, comprising senior officials, to scrutinize the Secretariat Budget, finalize the Calendar of Activities and take up any other matter assigned



to it by the Standing Committee. The Programming Committee has also been entrusted to consider the Reports of the Technical Committees and the SAARC Regional Centers and submit its comments to the Standing Committee. The Programming Committee had held twenty sessions by December 1998.

**Secretariat:** comprised of Secretary-General, who is appointed by the Council of Ministers for a two-year term, and is rotated among member states, six Directors, and a General Services Staff.

Secretary-General - Nihal Rodrigo (Sri Lanka). The following have served as SAARC Secretaries-General: Abul Ahsan from Bangladesh (16 Jan 1987 - 15 Oct 1989); Kant Kishore Bhargava from India (17 Oct 1989 - 31 Dec 1991); Ibrahim Hussain Zaki from Maldives (1 Jan 1992-31 Dec 1993); Yadab Kant Silwal from Nepal (1 Jan 1994 - 31 Dec 1995); Naeem Ul Hasan from Pakistan (1 Jan 1996 - 31 Dec 1998). The present Secretary-General assumed office on January 1, 1999.

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## PERMANENT-5 EFFORTS FOR MID-EAST ARMS TRANSFER RESTRAINT

On May 29, 1991, US President Bush proposed an initiative among the five leading arms exporting countries to the Middle East region (China, France, UK, US, and USSR/Russia) to seek effective guidelines for restraint in supplying the countries of the region with conventional weapons.

In response to this initiative, and also to proposals from other countries, representatives of the Permanent-5 (P-5) held three rounds of senior-level meetings in 1991 and 1992. At the October 17-18, 1991 meeting in London, the five agreed to common guidelines, with global applications, for the export of conventional weapons. At a later meeting in May 1992, further progress was made with a set of guidelines relating to weapons of mass destruction. However, no agreement was reached on a more ambitious proposal to exchange

information on exports of conventional weapons to countries in the Middle East prior to their delivery. The proposal was stalled, not only on the principle of prior notification, but also on the issue of which countries are to be covered by the information exchange. The decision of the United States to sell F-16 aircraft to Taiwan in October 1992 led China to announce that it would not participate in the subsequent round of the Permanent-5 arms transfer talks. It was reported that China had long had reservations about the proposal for prior notification of arms transfers. China's decision raised questions about the continued viability of this forum.

## ARMS CONTROL AND REGIONAL SECURITY IN THE MIDDLE EAST (ARCS)

One outcome of the multilateral discussions on the peaceful settlement in the Middle East that took place in Madrid in 1991 was the formation of a working group on arms control and regional security. The UN and the IAEA are participants at its meetings.

Within these discussions, the most promising area for progress thus far has been in the area of confidence and security building measures, including establishment of direct links for both routine and crisis communications; mutual exchange of notifications of major military exercises and of data on military holdings in certain categories of equipment; high-level military and political visits to military facilities; arrangements on the prevention of incidents at sea and on cooperative search and rescue operations; and issuance of declaratory statements on various basic tenets of neighborly and peaceful relations among states in the region.

The working group held periodic meetings from 1994 to 1996 but was then stalled due to a number of regional and security issues. During a February 2000 meeting in Moscow, the Madrid process was reopened, with the renewal of four out of the five working groups. The working group on arms control and regional security was not re-established.

## KOREAN PENINSULA ENERGY DEVELOPMENT ORGANIZATION (KEDO)

Established: March 9, 1995.

Members - KEDO currently has nine members: Australia, Canada, Chile, Finland, Indonesia, Japan, New Zealand, South Korea, and the United States. In addition, Argentina, France, and Malaysia have indicated their intention to join.

KEDO was established to implement most of the 1994 US-DPRK Agreed Framework. KEDO's primary responsibilities are to provide for the financing and supply of the light water reactor (LWR) project, to provide heavy fuel oil to the DPRK to meet its interim heating and electricity production needs (the HFO project), and to provide for the implementation of other measures required to meet the objectives of the Agreed Framework.

Japan, South Korea, and the United States cover most of KEDO's costs, including all administrative costs. Japan and South Korea will finance a major portion of the LWR project, while the United States will contribute to the cost of heavy fuel oil shipments and the safe storage of the DPRK's spent fuel. Financial contributions are also made by a number of other countries.

Financial contributors to KEDO include: Argentina, Australia, Brunei, Canada, the European Union (EU), Finland, France, Germany, Greece, Indonesia, Italy, Japan, Malaysia, Netherlands, New Zealand, Norway, Philippines, Singapore, South Korea, Thailand, the United Kingdom, and the United States.

**Executive Board:** consists of KEDO's original members, the United States, Japan, and South Korea. The KEDO Secretariat is located in New York and has a staff of over 30 professionals, support staff, and expert consultants from primarily the United States, Japan, and South Korea.

**General Conferences:** held at the discretion of the Executive Board, but at least once per year. All KEDO members play an active role in the General Conferences.

**Advisory Committees:** chaired by members other than the three founding members. Currently, there are Advisory Committees for the LWR project, the safe storage and disposition of the DPRK's spent fuel, and the supply of heavy fuel oil to the DPRK.

**Update:** KEDO concluded a loan agreement with Japan Bank for International Cooperation (JBIC, formerly the Export-Import Bank of Japan) on January 31, 2000 at JBIC's headquarters in Tokyo. The agreement was signed between KEDO Executive Director Desaix Anderson and Mr. Kyosuke Shinozawa, JBIC Deputy Governor and Managing Director.

Under the agreement, JBIC will provide a loan in the amount of up to 116.5 billion yen. The loan agreement was concluded in accordance with the "Agreement between KEDO and the Government of Japan on the Provision of Financing for the Implementation of the Light-Water Project" approved by the Japanese Diet in 1999. The loan from JBIC will be used for KEDO's Light-Water Reactor (LWR) Project to be supplied to the DPRK, along with a loan from the Export-Import Bank of Korea, with which KEDO concluded an agreement for Republic of Korea's (ROK) provision of 70% of the actual cost of the LWR Project on December 15, 1999. The LWR Project, with a budget estimate of \$4.6 billion, proceeds under a turn-key contract with KEDO's prime contractor, the Korea Electric Power Corporation (KEPCO), signed on December 15, 1999.

On 15 December 1999, the "Turnkey Contract" was signed between KEDO and the Korea Electric Power Company (KEPCO). KEPCO is the prime contractor for construction of the two modern, proliferation-resistant 1000 megawatt light-water nuclear reactors (LWRs) to be built in Kumho, on the northeast coast of the DPRK, at a cost of about US\$ 4.6 billion. The reactors are targeted for completion by the year 2003.

On 18 August 1997, KEDO began breaking ground for construction of the first of two light water reactors. However, major construction has been delayed due to regional tensions such as North Korea's 31 August 1998 missile test and to financial restrictions. Other challenges to the implementation of the Agreed Framework include delays in heavy-fuel oil shipments and procurement of power grids to convey energy from the light water reactors. Power grids were not part of the light water reactor deal, and KEDO does not intend to provide any assistance for them.

On December 15, 1995, KEDO and the DPRK signed the Supply Agreement for the provision of LWRs to the DPRK, and KEDO has since made efforts to complete the technical and legal preparations necessary for the LWR project.

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## THE CENTRAL ASIAN NWFZ INITIATIVE

Status: Under negotiation

At the April 1997 session of the NPT Preparatory Committee, the five states of the region (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan) agreed to form a working group of foreign ministry officials to coordinate activities related to creating a Central Asian NWFZ. The group has held meetings in Almaty, Bishkek, Geneva, New York, Sapporo and Tashkent. As a result of these meetings, a draft treaty for a NWFZ in Central Asia is nearly complete.

**Almaty Declaration:** As demonstrated by the February 1997 Almaty Declaration of the presidents of the five states of the region reached consensus on the establishment of such a zone, “To call on all States concerned, on the eve of the fiftieth anniversary of the Semipalatinsk test site, to support the idea of proclaiming central Asia a nuclear-free zone open to accession by other States of the region”. The declaration placed the establishment of the NWFZ in the context of the environmental challenges faced by all five Central Asian states and a working group of diplomats from the five countries has already begun preliminary work to draft a treaty which would formally create it.

**Tashkent Statement:** The five Central Asian states also held an international conference on “Central Asia—A Nuclear Weapon Free Zone” in Tashkent, Uzbekistan, from 14-16 September 1997. At the Tashkent conference, experts from the four existing NWFZs discussed lessons learned during the creation of their zones which might be of use to the Central Asians as they undertake the drafting of their own regional NWFZ treaty. Following the meeting, the foreign ministers of the five Central Asian states issued the Tashkent Statement, reaffirmed their commitment to establish a

NWFZ and requested that the specialized agencies of the United Nations establish a United Nations group of experts, with the participation of experts from the region, to elaborate the forms and elements of preparation and implementation of an agreement on the establishment of a nuclear-weapon-free zone in Central Asia.

**Bishkek Communiqué:** From 9-10 July 1998, the working group held a meeting of experts from the five Central Asian States, the five nuclear weapons states, the United Nations, and the International Atomic Energy Agency in Bishkek. At the meeting, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan submitted document, entitled “Basic elements [draft] of the Treaty on a Nuclear-Weapon-Free Zone in Central Asia”. The participants exchanged opinions on the document and considered further steps towards establishing a nuclear-weapon-free zone in Central Asia. The Communiqué recognized that the Central Asian States had made some progress in drafting of the legal document on a nuclear-weapon-free zone in Central Asia and that working consultations on basic elements of the future Nuclear-Weapon-Free Zone in Central Asia were necessary. The Central Asian States also acknowledged that continued consultations of experts from the nuclear-weapon States on the establishment of a nuclear-weapon-free zone in Central Asia would be very useful.

**Sapporo Meetings:** From 5-8 October 1999 and from 3-6 April 2000, the UN Regional Centre for Peace and Disarmament in Asia and the Pacific sponsored expert group meetings to further discuss and negotiate the draft text of the Central Asian Nuclear-Weapon-Free Zone Treaty in Sapporo, Japan. The meetings were chaired by Tsutomu Ishiguri, Director of the Regional Centre for Peace and Disarmament in Asia and the Pacific.

The UN General Assembly has adopted resolutions in 1997 and 1998 in support of the zone by consensus (53/77A; 52/38S). The CANWFZ was again endorsed in the Final Document of the 2000 NPT Review Conference.

## **NUCLEAR-WEAPON-FREE STATUS OF MONGOLIA**

Adopted: 1992

UN General Assembly Resolution (53/77D entitled Mongolia's international security and non-nuclear-weapon-status, was adopted without a vote on 4 December 1998.

The Mongolian government declared itself a single-state-nuclear-weapon-free zone in 1992. Its nuclear-weapon-free policy includes non-deployment and a ban on transit through its territory of foreign troops as well as nuclear and other weapons of mass destruction. Since then, Mongolia has worked to have its status internationally guaranteed. The UN General Assembly adopted resolution (53/77D) without a vote in 1998, showing the international community's unanimous support for the policy. Each of the five NWS has also declared its support bilaterally.

Mongolia proposed to create a single-state NWFZ, as recognized and accepted in the Comprehensive Study that was endorsed by the General Assembly in 1975. As a further step, in April 1997, Mongolia tabled a working paper on the principles of establishment of a single-state NWFZ (SS-NWFZ) in the Working Group I of the Disarmament Commission (UNDC). This working paper enumerated six principles for establishing single-state NWFZs: (1) total absence of nuclear weapons or parts thereof on the territory of the zonal State; (2) adoption of a legally binding document; (3) general agreement freely arrived at with neighboring and nuclear-weapon states; (4) absence of territorial or border disputes with neighboring states; (5) effective verification and control arrangement; and (6) recognition of the zone as such by the General Assembly. Bearing in mind specifics of the single-State zone, the Mongolian delegation proposed that the guidelines for establishing single-state NWFZs be considered in parallel with guidelines for traditional zones, while the actual drafting of a SS-NWFZ could be undertaken separately.

In the Working Group the Mongolian delegation argued that creation of single-State zones could not be ruled out in the future, especially bearing in mind that

more than one-third of the entire membership of the United Nations was not covered by existing or emerging zones. It was pointed out that compared to existing zones, the single-state zone had its obvious advantages. The geographical scope of the zone was well-developed. There was also no need for intra-zonal negotiations or coordination. The Mongolian delegation expressed its belief that an essential requirement was for the zonal state not to have any territorial or border problems with its neighbors and that the zone required the support of immediate neighbors and of the nuclear-weapon states.

The nuclear-weapon states seemed reluctant to accept single-state NWFZ as a concept, since they believed that this might set a precedent for other states to declare themselves as single-state NWFZs with all the attendant international consequences. At the same time, the NWS recognized the legitimacy of Mongolia's situation and that it could not simply be ignored or brushed aside.

Earlier, the Russian Federation, through a bilateral friendship treaty concluded with Mongolia on 20 January 1993, pledged respect for Mongolia's policy of non-deployment and a ban on transit through its territory of foreign troops as well as nuclear and other weapons of mass destruction.

On 22 October 1993, China welcomed and supported Mongolia's status as a nuclear-weapon-free state.

Also in the fall of 1993, the United States commended Mongolia's continued adherence to the NPT as well as its decision to declare Mongolia a nuclear-weapon-free zone, and said that NPT-related security assurances would apply to Mongolia.

In November 1993 and in January 1994, respectively, the UK and France both expressed their support for Mongolia's nuclear-weapon-free status and reiterated their NPT-related security assurances.

## **Regional Organizations:**

### **AFRICA**

#### **ORGANIZATION OF AFRICAN UNITY (OAU)**

#### **AFRICAN NUCLEAR-WEAPON FREE ZONE (ANWFZ)**

OAU Established: 1963.

Membership: 53 states.

ANWFZ: 52 States Parties.

ANWFZ: Signed – 11 April 1996.

The ANWFZ Treaty -the Treaty of Pelindaba - was signed in Cairo on April 11, 1996 by 43 of the continent's 53 states. The protocols were signed at the same time by the nuclear-weapon states except for Russia, which sought clarification on the status of the Indian Ocean island of Diego Garcia (controlled by the UK and formerly used as a base for nuclear weapons by the US). The UN Security Council issued a statement on April 12 commending the ANWFZ.

In 1961, the UNGA first adopted a resolution which called upon member states to consider and respect the continent of Africa as a de-nuclearized zone. In 1964, the OAU issued the Declaration on the De-nuclearization of Africa, which was subsequently endorsed by the UNGA.

The OAU and the UN established a joint Group of Experts to draft a treaty creating a NWFZ in Africa, which first met in Addis Ababa in April, 1991. There-

after the Group met several times at various African venues: Lome, 1992; Harare, 1993; Windhoek and Addis Ababa, 1994. At its meetings in Windhoek (March 1994) and in Addis Ababa (May 1994), the Experts were able to adopt the first complete draft text of an ANWFZ Treaty. The final treaty text was completed at a joint meeting of experts in Johannesburg and Pelindaba in May and June 1995, and was approved by African heads of state on June 23, 1995. The 1995 regular session of the UNGA approved the treaty on November 6 (A/C.1/50/L.23).

During the 52nd session of the UNGA, Kenya introduced resolution 52/46, which was subsequently adopted by the UNGA without a vote, calling on all states that have not done so to sign and ratify the Treaty of Pelindaba as soon as possible. 52/46 expressed appreciation to nuclear-weapon States that have signed the Protocols that concern them and called upon those that have not yet ratified the Protocols to do so as soon as possible. The resolution also called upon those African States parties to the NPT that have not yet concluded comprehensive safeguard agreements with the IAEA to do so as soon as possible. A similar resolution was adopted during the 54<sup>th</sup> UNGA, as Resolution 54/48, introduced by Burkina Faso.

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## Regional Organizations:

### LATIN AMERICA AND THE CARIBBEAN

#### TREATY FOR THE PROHIBITION OF NUCLEAR WEAPONS IN LATIN AMERICA AND THE CARIBBEAN (TREATY OF TLATELOLCO)

#### AGENCY FOR THE PROHIBITION OF NUCLEAR WEAPONS IN LATIN AMERICA AND THE CARIBBEAN (OPANAL)

Opened for signature: February 14, 1967.

Number of signatories: 33 states.

Number of ratifications: 32 states.

All 33 States in the region of Latin America and the Caribbean have signed the Treaty. Of those 33 States, 32 have ratified it and have waived Article 28. Antigua and Barbuda, Argentina, Bahamas, Barbados, Belize, Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominica, Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Peru, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Trinidad and Tobago, Uruguay, and Venezuela have all signed are all full Parties to the Treaty.

Cuba signed the Treaty in March 1995 and signed its amendments in December 1995. However, it has yet to ratify the Treaty.

**Entered into force:** April 25, 1969, after 11 states of the region ratified it and exercised the right to waive requirements laid down in Article 28. Subsequently, it becomes effective for each additional state, individually, after it ratifies the Treaty and exercises its right of waiver.

The Treaty shall come into full force throughout the region after Cuba, which signed the Treaty on March 25, 1995, fully accedes to it and waives the Article 28 requirements.

**Treaty obligations:** to prohibit and prevent in the region: (a) testing, use, manufacture, production, or acquisition by any means whatsoever of any nuclear weapons, by the parties themselves, directly or indirectly, on behalf of anyone else, or in any other way, and (b) receipt, storage, installation, deployment, and any form of possession of any nuclear weapons, directly or indirectly, by the parties themselves, by anyone on their behalf, or in any other way. The parties also undertake to refrain from engaging in encouraging or authorizing, directly or indirectly, or in any way participating in the testing, use, manufacture, production, possession, or control of any nuclear weapons.

**Zone of application:** the region and large sectors of the Pacific and Atlantic Oceans.

**Verification:** by concluding multilateral or bilateral agreements with the IAEA for the application of its safeguards to nuclear activities of states parties to the Treaty.

**Duration:** Treaty is of a permanent nature and shall remain in force indefinitely.

**Additional Protocol I** provides for the application of the status of de-nuclearization in territories for which, de jure or de facto, France, Netherlands, UK, and US are internationally responsible, and which lie within the limits of the geographic zone established by the Treaty. All four states have acceded to Protocol I.

**Additional Protocol II** obliges all NWS to respect the status of de-nuclearization of the respective geographic zone and commits them not to use or threaten to use nuclear weapons against parties to the Treaty. All five NWS acceded to the Protocol.

**General Conference:** holds regular sessions every two years. The sixteenth regular session of the General Conference of OPANAL met on 30 November and 1 December 1999 in Lima, Peru.

**Council** - consists of five members, elected for four years.

**Secretariat:** consists of the Secretary-General, who is the chief administrative officer of the Agency, and the staff. The Secretary-General is appointed for four years

and may be re-elected to serve a single additional term. The SG may not be a national of the host country (Mexico).

**Background:** Costa Rica was the first regional state to propose a Latin American nuclear arms control arrangement at an OAS Council meeting in 1958, which sought to prevent the manufacture of nuclear arms or their acquisition from the NWS. Other proposals were unsuccessfully floated within the OAS context during 1958-1960.

French nuclear weapon testing in the Sahara in 1960 together with the apartheid regime in South Africa's interest in nuclear arms, led the African states to issue a call for an African NWFZ, which was endorsed by the UNGA in 1961. Alone among Latin American states, Brazil supported the African NWFZ resolution and to propose a similar zone in this region. The efforts of Alfonso Garcia Robles as Mexican ambassador to Brazil, eventually in March 1963 led to Bolivia, Brazil, Chile, and Ecuador joining Mexico in supporting a LANWFZ. It took the Tlatelolco Treaty almost 30 years to secure universality of membership in the region. Argentina and Brazil did not join until 1994, and Cuba until December 1995. The Tlatelolco Treaty served as a model for all future NWFZ agreements.

NWFZs have come to be recognized by the international community as a part of a step-by-step approach to the process of nuclear arms control and disarmament. In this regard, the four existing NWFZ arrangements have a number of common characteristics, i.e.: 1) a legal obligation to place all nuclear material and installations under full-scope IAEA safeguards; 2) to clearly demarcate the geographic limits of the zone of application of the territories of member states; 3) to specify the obligations, rights and responsibilities of contracting and protocol parties; 4) to promote international cooperation in the peaceful applications of nuclear energy under safeguards; and 5) to give indefinite duration to the NWFZ treaties.

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## RIO GROUP

Established: December 1986.

**Membership:** 12 states - Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, Mexico, Panama, Paraguay, Peru, Uruguay, and Venezuela.

On July 23, 1991, the Peruvian government launched a comprehensive initiative for Latin America concerning weapons of mass destruction, arms transfers, dual use technology control, and confidence-building measures. The initiative seeks the gradual adoption of three sets of measures: the establishment of a weapons-of-mass-destruction-free zone in Latin America and the Caribbean; the prohibition of future purchase, transfer, and manufacture of new generations of special conventional weapons systems (to include a ban on all transfers of medium- and short- range ballistic missiles, including components and technologies); and the implementation of a set of security and confidence-building measures to promote trust in the region (including the establishment of a regional center for the registration of arms transfers, national production of armaments, and control of dual use technology transfers).

The initiative has achieved its first aim, the establishment of a weapons-of-mass-destruction-free zone, with the adoption of the Cartagena Declaration by the five Andean states. It was signed on December 4, 1991, by the heads of state of Bolivia, Colombia, Ecuador, Peru, and Venezuela.

Main objectives of the Group: prevention of the introduction of weapons of mass destruction in Latin America and the Caribbean; and enhancement of security and cooperation among the states of the region.

## ORGANIZATION OF AMERICAN STATES (OAS)

Signed: April 30, 1948, 21 countries signed in Bogotá, Colombia, the Charter of the Organization of American States (OAS), which affirmed their commitment to common goals and respect for each nation's sovereignty. Since then, the OAS has expanded to include the nations of the Caribbean, as well as Canada.

21 Original OAS Members (1948): Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador,

Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, United States, Uruguay, Venezuela

14 Subsequent Members: Barbados, Trinidad and Tobago (1967); Jamaica (1969); Grenada (1975); Suriname (1977); Dominica, Saint Lucia (1979); Antigua and Barbuda, Saint Vincent and the Grenadines (1981); The Bahamas (1982); St. Kitts and Nevis (1984); Canada (1990); Belize, Guyana (1991).

The principles that embody the OAS grew out of a history of regional cooperation dating back to the 19th century. In 1826, the liberator Simón Bolívar convened the Congress of Panama with the idea of creating an association of states in the hemisphere.

### Key Dates:

In 1890, the First International Conference of American States, held in Washington, D.C., established the International Union of American Republics and its secretariat, the Commercial Bureau of the American Republics – the forerunner of the OAS.

In 1910, this organization became the Pan American Union.

In 1948, at the Ninth International American Conference, participants signed the OAS Charter and the American Declaration of the Rights and Duties of Man, the first international expression of human rights principles. The Director General of the Pan American Union, Alberto Lleras Camargo, became the first Secretary General of the OAS.

1959 - Creation of the Inter-American Commission on Human Rights, which went on to become a key player in the struggle against the hemisphere's repressive regimes, and today continues to provide recourse to citizens who have suffered human rights violations.

1961 - Signing of the Charter of Punta del Este, which launched the Alliance for Progress, an ambitious cooperative program designed to strengthen democracy and achieve economic progress and greater social justice in the hemisphere. OAS technical cooperation programs were expanded to meet new responsibilities.

1962 - Exclusion of the Cuban government from participation in the inter-American system. Cuba remains a member of the OAS, but its government still may not vote or participate in Organization activities.

1969 - Signing of the American Convention on Human Rights. This took effect in 1978, establishing the Inter-American Court of Human Rights, headquartered in Costa Rica.

1970 - Establishment of the General Assembly as the highest decision-making body of the OAS.

1977 - Signing of the Panama Canal Treaties at the OAS by US President Jimmy Carter and Panamanian leader Omar Torrijos.

1986 - Creation of the Inter-American Drug Abuse Control Commission (known by its Spanish acronym, CICAD) to confront the growing problem of the consumption, production and trafficking of illegal drugs.

1991 - Adoption of Resolution 1080, which set up procedures to react to threats to democracy in the hemisphere. A key factor in helping to manage crises, Resolution 1080 has been invoked four times: in Haiti (1991), Peru (1992), Guatemala (1993) and Paraguay (1996).

1994 - Summit of the Americas in Miami: The hemisphere's heads of state and government reaffirmed the role of the OAS in strengthening democratic values and institutions, and established a range of new roles and priorities for the Organization.

1996 - Establishment of the Inter-American Council for Integral Development, designed to promote cooperation among countries in fostering development and combating poverty.

1996 - Adoption of a landmark anti-corruption treaty, the first international agreement of its kind.

1997 - Reform of the OAS Charter through the ratification of the Protocol of Washington. The agreement strengthens representative democracy by giving the OAS the right to suspend a member state whose democratically elected government is overthrown by force.

1997 - Signing of an inter-American treaty to combat illegal arms trafficking and production. Presidents Bill Clinton of the United States and Ernesto Zedillo of Mexico attended the signing ceremony.

1998 - Second Summit of the Americas in Santiago, Chile. The presidents and prime ministers of the hemisphere assigned to the OAS new mandates in areas including human rights, trade, education, anti-drug cooperation and summit follow-up.

1999 - Within CICAD, development of the basic framework for a Multilateral Evaluation Mechanism, which



will measure progress in regional and national efforts against drugs.

**Cooperation for Hemispheric Security:** In Article 2 of the Charter of the Organization of American States the member states proclaim that one of the essential purposes of the Organization is “to strengthen the peace and security of the continent.” Since 1991, the OAS General Assembly has adopted a series of resolutions on cooperation for hemispheric security, covering its various aspects. In resolution AG/RES. 1123 of that year, the General Assembly established the framework for cooperation in the Hemisphere, in stating that “the ... international situation would seem to dictate the adoption of measures to ensure hemispheric security, strengthen democratic processes in all of the member states and devote maximum resources in those countries to economic and social development” and that “such measures call for mechanisms for mutual consultation and an exchange of regional information to promote a climate of institutional international stability, progress, and confidence ...”.

The Organization has recognized that “peace is not merely the absence of war but also includes interdependence and cooperation in promoting economic and social development. Moreover, disarmament, arms control and limitation, human rights, the strengthening of democratic institutions, environmental protection, and improvement of the quality of life for all are indispensable elements for the establishment of democratic, peaceful, and more secure societies.”

In this framework, the Organization has emphasized regional contributions to global security and the need for enhanced dialogue on cooperation in peace, confidence, and security issues among the nations of the Hemisphere, and has recommended that a consultation process be initiated at the earliest possible date as a step towards the limitation and control of conventional weapons.

The OAS General Assembly has considered the Treaty of Tlatelolco to be a cooperation security measure, as

it represents one of the most momentous contributions to international law and to the ceaseless efforts to prevent the proliferation of nuclear weapons and guarantee international peace and security. This Treaty has become the model for the establishment of other nuclear-weapon-free zones in various regions of the world, such as the South Pacific (Treaty of Rarotonga), Southeast Asia (Treaty of Bangkok), and Africa (Treaty of Pelindaba), which, when they enter into force, will cover more than half the countries of the world and all of the Southern Hemisphere.

Thus, through resolution AG/RES. 1500 (XXVII-O/97), “Mutual Confidence in the Americas,” the General Assembly instructed the Permanent Council to consider the desirability of approving a legal framework on the issue of advance notification of major arms acquisitions covered by the United Nations Register of Conventional Arms.

As a consequence, in 1999, the General Assembly adopted the Inter-American Convention on Transparency in Conventional Weapons Acquisitions.

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## MENDOZA COMMITMENT

Signed: September 5, 1991, by Argentina, Brazil and Chile, with the objective of keeping their territories free of chemical and biological weapons.

**Obligations:** not to develop, produce, acquire in any way, stockpile or retain, transfer directly or indirectly, or use chemical or biological weapons. Until such time as the Chemical Weapons Convention enters into force, and in conformity with international law, the parties intend to establish in their respective countries the appropriate inspection mechanisms for those substances defined as precursors or chemical warfare agents.

## Regional Organizations:

### PACIFIC AND OTHER REGIONS

#### **SOUTH PACIFIC NUCLEAR-FREE ZONE TREATY (TREATY OF RAROTONGA)**

Opened for signature: August 6, 1985.

Entered into force: December 11, 1986.

Number of Parties: 13 full members - Australia, Cook Islands, Fiji, Kiribati, Nauru, New Zealand, Niue, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu, Vanuatu. The five nuclear-weapon states, China, France, the Russian Federation, the United Kingdom and the United States have all adhered to the Treaty's relevant Protocols.

Duration: Treaty is of a permanent nature and shall remain in force indefinitely.

Organs: Consultative Committee, Director.

**Seven dialogue partners:** Canada, China, the EU, Japan, South Korea, United Kingdom, and United States EU. (France was one of the dialogue partners, its dialogue partner status was suspended in 1995 in protest of its nuclear tests in Mururoa but restored in 1996.)

**Obligations:** not to manufacture or otherwise acquire, possess, or have control over any nuclear explosive device anywhere inside or outside the treaty zone; not to seek or receive any assistance in this; not to take any action to assist or encourage the manufacture or acquisition of any nuclear explosive device by any state; not to provide source or special fissionable materials or equipment to any NNWS, or any NWS unless subject to safeguards agreements with the IAEA; to prevent in the territory of states parties the stationing of any nuclear explosive device; to prevent testing of any nuclear explosive device; not to dump radioactive wastes and other radioactive matter at sea, anywhere within the South Pacific Nuclear-Free Zone (SPNFZ), and to prevent the dumping of radioactive wastes and other radioactive matter by anyone in the territorial sea of the states parties.

**Treaty zone:** under Annex I, it covers an extensive part of the South Pacific.

**Verification:** by providing reports and exchanging information, and by the application of IAEA safeguards.

Visits by foreign ships and aircraft to ports and airfields, transit of airspace by foreign aircraft and navigation by foreign ships carrying nuclear weapons are left to the discretion of states parties.

**Protocol I** calls on each party in respect of the territories for which it is internationally responsible situated within the South Pacific Nuclear Free Zone, to apply the prohibitions of the Treaty. France, United Kingdom, and United States have signed the Protocol and the Treaty therefore applies to American Samoa and Jarvis Island, as well as to the dependent territories of France and the UK. However, since the US has not yet ratified the SPNFZ protocols, these are not yet in force for the US.

**Protocol II** calls on the nuclear weapon states not to use or threaten to use nuclear explosive devices against any party to the Treaty or against each other's territories located within the zone. China signed this protocol in 1967, the Soviet Union in 1986, whereas the remaining three nuclear weapon states signed it in 1996 (after France ceased nuclear weapon testing in the zone).

**Protocol III** calls on the nuclear weapon states not to test nuclear explosive devices within the zone established by the Treaty. China signed this protocol in 1967, the Soviet Union in 1986, whereas the remaining three nuclear weapon states signed it in 1996 (after France ceased nuclear weapon testing in the zone). US ratification of the Rarotonga protocols is still pending.]

#### **Background:**

Asia-Pacific region was concerned about nuclear weapon issues since the dawn of the nuclear age in 1945. Following the nuclear detonations over Hiroshima and Nagasaki, the region became a testing ground for such weapons. Between 1946-1958, the US conducted some 66 atmospheric and under-water tests in the Marshall Islands in the northern Pacific region, which lies outside the SPNFZ zone of application. The UK conducted atmospheric tests between 1952-1957 on Australian territory at Maralinga, Emu Field and Monte Bello Island, and then both the UK and the US conducted atmospheric nuclear tests on Christmas Is-

land until the signing of the PTBT in 1963, banning further atmospheric nuclear detonations. That same year, France established a nuclear test site in French Polynesian atolls and proceeded to carry out some 190 nuclear detonations (including more than 40 above ground) between 2 July 1966 and early 1996 at the Mururoa and Fangataufa sites.

South Pacific states besides being concerned about nuclear testing in their region and its vicinity, were also worried about dumping of nuclear wastes at sea, fearing radioactive contamination of the marine environment. The South Pacific Forum took up the issue in 1975 in response to a New Zealand proposal calling for the setting up of a NWFZ in the region. This goal was also endorsed by the UNGA that same year. In 1979, the South Pacific forum in response to reports of nuclear dumping on land in the region, strongly condemned the use of the Pacific as a dumping ground for nuclear wastes. Japan also opposed nuclear dumping in the Pacific.

In 1983, Australia revived the concept of a SPNFZ at a SPF meeting held in Canberra. The following year, meeting in Tuvalu, the Forum endorsed a set of principles proposed by Australia as a basis for establishing a zone and appointed a Working Group to draft a treaty text. These principles were aimed at preventing the region from becoming a theater for superpower rivalry, preserving peace and security, and protecting natural resources as well as the well-being and livelihood of the South Pacific peoples.

The Working group used the Treaties of Tlatelolco, Antarctic, Sea-Bed, Partial Test-Ban and the NPT to guide its work. The Treaty of Rarotonga was signed in Rarotonga (Cook Islands) on 6 August 1985, and entered into force on 11 December 1986 with the deposit of the eighth instrument of ratification. The Treaty has 13 signatories, and 12 have ratified: Australia, Cook Islands, Fiji, Kiribati, Nauru, New Zealand, Niue, Papua New Guinea, Solomon Islands, Tonga, Tuvalu, Vanuatu, and Western Samoa (Tonga has yet to ratify). Three dependent territories not located within the zone Marshall Islands Republic, Federated States of Micronesia, and Palau are not parties to the Treaty but are eligible to do so; if they elect to join the SPNFZ treaty, then the SPNFZ area would be enlarged to incorporate the territory of each new party.

The SPNFZ contributes to limiting the threat posed by nuclear weapons and serves to strengthen the NPT regime and nuclear non-proliferation.

## ANTARCTIC TREATY

Opened for signature: December 1, 1959.

Entered into force: June 23, 1961.

**Number of Parties:** 44 States of which 12 are original members and Consultative Parties, 14 Consultative Parties with voting status at Antarctic Treaty Consultative Meetings, and 17 Non-Consultative Parties with observer status.

Depositary: US.

**History:** The Antarctic Treaty originated in an extraordinary moment of Cold War-era cooperation. In the mid-1950s, a group of scientists convinced the UN to institute an event to promote cooperation in the sciences. To this end, the UN designated July 1, 1957, to December 31, 1958, the “International Geophysical Year (IGY).” During the eighteen-month IGY, scientists from twelve nations worked together in Antarctica, where they all agreed that the idea had been a complete success. The momentum of this symbolic event carried into the writing of the Antarctic Treaty in Washington in 1959.

The Treaty’s framers intended to guarantee that “... Antarctica shall continue for ever to be used exclusively for peaceful purposes and shall not become the scene or object of international discord.” The treaty covers everything south of sixty degrees south latitude, now known as the Antarctic Treaty Area (ATA). Among other things, the treaty prohibits nuclear explosions, radioactive waste disposal, and military deployments in the ATA. (However, using military personnel to support scientists is specifically allowed.) The Treaty’s other most significant goal is the encouragement of continued international cooperation in scientific research.

By the time of the IGY, seven of the twelve original signatory countries (Australia, New Zealand, UK, France, Norway, Chile, and Argentina) had already laid territorial claims in Antarctica; several of these claims overlapped. These overlapping claims were a potential cause of the very “international discord” the Treaty sought to avoid. For this reason, the framers devised a plan to “freeze” these claims for the duration of the Treaty. Article IV clarifies that the Treaty

does not repudiate any existing claim, but it prohibits their assertion as well as the establishment of new claims. To date, none of these seven has renounced its claim, and the US and Russia maintain the “right” to lay claims. Still, none has directly challenged Antarctica’s international status.

Currently, forty-four nations have agreed to the Antarctic Treaty, but only twenty-seven control the decision making process. These twenty-seven are the “Consultative Parties” mentioned above, and they include the original twelve signatories. Only the Consultative Parties have votes at the Antarctic Treaty Consultative Meetings (ATCM), and every decision requires a consensus. However, nations who conduct scientific research on the continent can apply to become Consultative Parties.

In 1998, the twenty-seven Consultative Parties were: Argentina, Australia, Belgium, Brazil, Bulgaria, Chile, China, Ecuador, Finland, France, Germany, India, Italy, Japan, the Republic of Korea, Netherlands, New Zealand, Norway, Peru, Poland, Russia, South Africa, Spain, Sweden, United Kingdom, Uruguay, and United States.

The seventeen Non-consultative Parties were: Austria, Canada, Colombia, Cuba, the Czech Republic, Denmark, Greece, Guatemala, Hungary, the Democratic Republic of Korea, Papua New Guinea, Romania, the Slovak Republic, Switzerland, Turkey, Ukraine, and Venezuela.

**Treaty obligations:** to use Antarctica for peaceful purposes only; any measures of a military nature, including testing of any type of weapons, are prohibited; any nuclear explosions in Antarctica and the disposal there of radioactive waste material are prohibited.

The 14 Articles of the Treaty may be summarized as follows:

1. Antarctica shall be used for peaceful purposes only; any military measures are prohibited.
2. Freedom of scientific investigation in Antarctica and co-operation as applied during IGY shall continue.
3. Plans for scientific programs and the observations and results thereof shall be freely exchanged; scientists may be exchanged between expeditions.
4. All national claims are held static from the date of signature. No future activity of any country during the life of the treaty can affect the status

quo on any rights or claims to territorial sovereignty.

5. Nuclear explosions and disposal of radioactive waste are prohibited in Antarctica.
6. The provision of the Treaty applies to the area south of 60°S.
- 7/8. Any contracting party may appoint observers. They shall have complete freedom of access at any time to any area of Antarctica, with the right to inspect any other nation’s buildings, installations, equipment, ships or aircraft or to carry out aerial observations.
9. Regular consultative meetings of the active signatory nations shall be held.
10. Contracting parties shall ensure that no activity contrary to the Treaty is carried out.
11. Any disputes between contracting parties shall be resolved by peaceful negotiation, in the last resort by the International Court of Justice.
12. The Treaty shall remain in force for a minimum of 30 years.
- 13/14. These articles provide the legal details of ratification and deposit.

**Verification:** all areas of Antarctica, including all stations, installations, and equipment within those areas, and all ships and aircraft at points of discharging or embarking cargos or personnel in Antarctica are open at all times to inspection by observers designated by contracting parties. Over 100 inspections have taken place between 1961 and the present, the majority since 1980. Argentina, Australia, Chile, France, Germany, New Zealand, Russia, UK and US have conducted these inspections.

## **Ministerial on Ice (Antarctica), 24-29 January 1999:**

In May 1997 the New Zealand Prime Minister, Rt Hon Jim Bolger, announced at the XXIst Antarctic Treaty Consultative Meeting in Christchurch that New Zealand would offer Ministers from Antarctic Treaty countries an opportunity to visit Antarctica. The aim of the visit would be to see at first hand the extraordinary importance of the continent and the success of the Antarctic Treaty System. The so-called “Ministerial-on-Ice”, at Scott Base and McMurdo Station involved representatives from the twenty-seven Consultative Parties. The overall aim of the program on the ice was to give participants an understanding of the global importance of Antarctica and of the significance of the achievements of the Antarctic Treaty System on the eve of the new millennium. This was achieved through site visits and

through specialist briefings and presentations. One of three focus areas of the visit was: “Peace and security - the success of the Antarctic Treaty over the past forty years”.

The XXIIInd annual Antarctic Treaty Consultative Meeting (ATCM) was held from 25 May to 7 June 1998, at Tromsø, Norway. It was attended by the delegates of the 27 Antarctic Treaty Consultative Parties, 17 Antarctic Treaty Non-Consultative Parties, and non-governmental organizations. This meeting provided the forum for formal discussions and negotiations in relation to the Antarctic Treaty.

The XXIIIrd Antarctic Treaty Consultative Meeting (ATCM) was held 24 May - 4 June 1999, in Lima,

Peru. Poland - expected to host ATCM XXIV in 2000 - announced that for budgetary reasons it would be unable to. It offered to host an ATCM in 2001. With no alternative resolved at meeting’s end, the United States, as Depositary Government for the 1959 Antarctic Treaty, undertook to investigate alternatives through diplomatic channels. Apparently, Australia, Chile and The Netherlands had each indicated that they could host a simplified ATCM in 2000. A representative of the US Department of State verified in April that an official diplomatic invitation had been issued by the Netherlands to hold the annual Antarctic Treaty meeting during the week of September 11, 2000.

## Bilateral Arrangements

### BRAZIL-ARGENTINE AGENCY FOR ACCOUNTING AND CONTROL OF NUCLEAR MATERIALS (ABACC)

#### AGENCIA BRASILEIRO-ARGENTINA DE CONTABILIDADE E CONTROLE DE MATERIAIS NUCLEARES (ABACC)

Established under the Agreement between Argentina and Brazil for the exclusively peaceful use of nuclear energy, signed at Guadalajara, Mexico on July 18, 1991. The ABACC is responsible for the administration and application of the Common System of Accounting and Control - SCCC, which is a full scope safeguards system applied to all nuclear materials in all nuclear activities in both countries.

##### **Background:**

- 1980: Agreement between Brazil and Argentina on the peaceful uses of nuclear energy.
- 1985: Declaration of Foz de Iguassu on peaceful purposes of Argentine and Brazilian nuclear programs.
- 1986: Declaration of Brasilia.
- 1987: Declaration of Viedma: Brazilian delegation visits Pilcaniyeu gas diffusion enrichment plant in Argentina.
- 1988: Declaration of Ipero: Argentine delegation visits Aramar ultra-centrifuge enrichment plant in Brazil.
- 1990: Declaration of Buenos Aires.
- 1990: 2nd Declaration of Foz do Iguassu: basis for bilateral control.
- 1991: Signature of Bilateral Agreement (July).
- 1991: Entry into effect of Bilateral Agreement and the signature of Quadripartite Agreement (December).
- 1994: Signature by Argentina (January) and Brazil (May) of the Treaty of Tlatelolco.
- 1994: Entry into effect of the Quadripartite Agreement (March).

Under the Guadalajara Agreement, Argentina and Brazil undertake to use the nuclear material and facilities under their jurisdiction or control exclusively for peaceful purposes; to prohibit and prevent in their territories, and to abstain from carrying out, promoting or authorizing, directly or indirectly, or from participating in any way in the testing, manufacture, production, or acquisition by any means of any nuclear weapon; and to prohibit the receipt, storage, installation, deployment or any other form of possession of any nuclear weapon.

The two nations have established the Common System of Accounting and Control of Nuclear Materials (SCCC) in order to verify that the nuclear materials in all nuclear activities of the parties are not diverted to the purposes prohibited by the Agreement.

The objective of ABACC is to administer and implement the SCCC: to carry out inspections, to designate inspectors, to evaluate inspections, to engage the necessary services to ensure fulfillment of the SCCC objectives, to represent the parties before third parties in connection with the implementation of the SCCC, and to take legal action.

The Quadripartite Agreement between Argentina, Brazil, ABACC, and the IAEA is a full scope agreement on the application of safeguards. It was signed on December 13, 1991 and entered into force on March 4, 1994.

The Quadripartite Agreement establishes the following basic undertakings:

- The States Parties undertake, pursuant to the terms of the agreement, to accept application of safeguards on all nuclear activities carried out within their territories or anywhere under their jurisdiction or control, for the sole purpose of verifying that such materials are not diverted to nuclear weapons or other nuclear explosive devices;
- The IAEA shall be entitled to ensure that safeguards are applied in accordance with the terms of the agreement, to all nuclear activities in any place under the States Parties' jurisdiction or control, for the sole purpose of ensuring that these materials are not diverted into unauthorized purposes;

- ABACC undertakes to apply its safeguards to nuclear materials in all nuclear activities carried out in the territories or the States Parties and to cooperate with the IAEA, pursuant to the terms of the agreement;
- The IAEA applies its safeguards in such a manner as to permit it to verify the results of the SCCC and thus ensure that no diversion of nuclear materials has occurred.
- Verification by the IAEA includes independent measurements and observations in accordance with the procedures specified in the agreement. In its verification, the IAEA duly considers the technical effectiveness of the Common System of Accounting and Control of Nuclear Materials (SCCC) used by ABACC; and
- The States Parties, the IAEA and ABACC cooperate so as to facilitate application of the safeguards provided for under the agreement. The IAEA and ABACC work to avoid unnecessary duplication of safeguards activities.

The principles regulating the implementation of the Quadripartite Agreement are:

- ABACC and the IAEA should draw independent conclusions;
- ABACC and the IAEA should coordinate their activities in order to avoid unnecessary duplication of safeguards efforts; and
- ABACC and the IAEA should, as far as possible, work together, according to compatible safeguards criteria issued by both agencies, bearing in mind the requirement of preserving technological secrecy.

Procedures for the implementation of safeguards include:

- Nuclear material accounting (vitaly important measure);
- Based on the principle of data conservation;
- Applied in Materials Balance Areas (MBA); and
- Measurements made in Key Points (KMP).

Containment and Surveillance (supplementary measures):

- Provide information on the movements of nuclear material, integrity of items verified, equipment, etc.

The verification process has in three distinct stages:

(1) Examination of information supplied by the country on:

- Information on the design of facilities under safeguards;
- Accounting reports detailing movements and inventories of nuclear material;
- Documents covering facility operations providing data for preparation of the reports; and
- Advance notifications of international transfers.

(2) Collection of information by ABACC as the outcome of:

- Inspections to verify design information;
- Inspections to verify records and reports, and to verify nuclear material; and
- Special inspections in case of any serious discrepancy.

(3) Assessment of information supplied by the country and collected by the inspectors, in order to determine if the information supplied by the country is complete, correct and valid.

Brazil and Argentina forward the following reports to ABACC:

- Inventory Change Report - ICR, listing all inventory changes taking place over a specified period (for instance, monthly);
- Material Balance Report - MBR, consolidating the material balance over a period (for instance, one year) based on the physical inventory of nuclear material found in a material balance area; and
- Physical Inventory Listing - PIL, carried out regularly (for instance, annually), listing the physical inventory of nuclear material on a specific date.

ABACC inspections are vital to implement safeguards measures. Their objective is to verify the validity of the information received by ABACC. The safeguards system used by ABACC relies on the following types of inspections:

(1) Visits:

- Verify information on the facility design.

(2) Routine inspections:

- Verify conformity between reports and records;
- Verify location, identification, quantity and composition of nuclear materials; and
- Verify information on possible causes of material un-accounted for (MUF) differences between

shipper-receiver, and discrepancies against book inventory.

(3) Ad-Hoc Inspections:

- Verify the information contained in the initial report;
- Identify and verify variations in the situation between the date of the initial report and the date of entry into effect of the Application Manuals; and
- Identify and, if possible, verify the quantity and composition of nuclear materials before transfer to, from, or between the Member States.

(4) Special Inspections:

- Verify the information contained in the special reports; or
- Should ABACC feel that the information supplied by a Member State and the information obtained during the routine inspections are not adequate to fulfill its responsibilities; and
- An inspection is considered as special when it is additional to routine inspection activities or implies access to additional information or places.

During the inspections, the ABACC inspectors:

- Audit documents;
- Count and identify items;
- Carry out non-destructive; measurements of nuclear material or part thereof;
- Apply and verify surveillance equipment and seals; and
- Obtain samples of nuclear materials for destructive analysis.

At the end of each inspection mission, the inspectors return to the ABACC Headquarters to prepare the inspection report. On the basis of this report, ABACC prepares its inspection assessment which is forwarded to the National Authority of the country, corresponding to the notification of the results thereof.

ABACC is presently safeguarding the following nuclear facilities:

**Argentina:**

Conversion/Fabrication Plants - 11  
 Enrichment Plants - 1  
 Power reactors - 2  
 Research Reactors - 6  
 R & D Facilities - 1  
 Critical/Sub-critical units - 0  
 Deposits - 3

Locations outside Facilities - 15

Total facilities - 39

**Brazil:**

Conversion/Fabrication Plants - 1

Enrichment Plants: - 2

Power reactors - 2

Research Reactors - 3

R & D Facilities - 9

Critical/Sub-critical units - 3

Deposits - 2

Locations outside Facilities - 9

Total facilities - 31

During 1999, ABACC inspection efforts added up to 408 inspectors days; 899 inspector days in 1998; and 1096 in 1997. In 1999, 387 containment seals were applied, and 646 in 1998.

**Organs:**

**Commission:** consists of four members (with two members from each country). Among the Commission's duties are monitoring the functioning of the SCCC, procuring necessary resources to establish the Secretariat, supervising the functioning of the Secretariat, preparing a list of qualified inspectors to carry out inspection tasks, and reporting to the parties every year on the implementation of the SCCC. In 1999, the Commission held three meetings.

**Secretariat:** consists of a Secretary and a Deputy Secretary, whose nationalities are alternated each year; a staff of nine technical officers (including the Secretary and Deputy Secretary), two administrative officers and four support staff; and sixty inspectors (thirty from each nation).

Among the duties of the Secretariat are: implementing directives and instructions issued by the Commission, performing necessary activities for the implementation and administration of the SCCC, and informing the Commission immediately of any discrepancy in the records of either of the parties which emerges from the evaluation of the inspection results.

2000 Budget: US\$ 3,050,000.

Secretary: Elías Palacios; Deputy Secretary: Carlos Feu Alvim.

Headquarters: Av. Rio Branco 123 – G/515

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## JOINT DECLARATION OF SOUTH AND NORTH KOREA ON THE DENUCLEARIZATION OF THE KOREAN PENINSULA

Signed: January 20, 1992.

Entered into force: February 17 (19), 1992.

Under the Joint Declaration, the Democratic People's Republic of Korea (DPRK) and the Republic of Korea (RoK) agree: not to test, manufacture, produce, receive, possess, store, deploy, or use nuclear weapons; to use nuclear energy solely for peaceful purposes; and not to possess facilities for nuclear reprocessing and uranium enrichment.

According to the Joint Declaration, the two sides will conduct inspections of objects chosen by the other side and mutually agreed upon by both sides.

The two Koreas will also establish and operate a South-North Joint Nuclear Control Commission within one month of the entry into force of the Joint Declaration.

## US-DPRK AGREED FRAMEWORK

Signed: October 21, 1994.

Under the Agreed Framework, the DPRK agreed to halt the operations and infrastructure development of its nuclear program in return for a package of nuclear, energy, economic, and diplomatic benefits from the United States.

According to the Agreed Framework the DPRK agreed to:

- freeze and eventually dismantle its graphite moderated reactors; seal, cease activities at, and eventually dismantle its reprocessing facilities; cooperate in finding a safe method to store existing spent fuel from its 5 MW experimental reactor and to dispose of such fuel in a safe manner that does not involve reprocessing in the DPRK;
- allow the IAEA to monitor the freeze of its reactors; allow the implementation of its safeguards agreement under the NPT; allow the

IAEA to resume ad hoc and routine inspections of facilities not subject to the freeze upon conclusion of a Supply Agreement for the light water reactor (LWR) project;

- come into full compliance with its safeguards agreement with the IAEA upon conclusion of a significant portion of the LWR project; remain a party to the NPT; and
- take consistent steps to implement the North-South Joint Declaration on the Denuclearization of the Korean Peninsula; and engage in North-South dialogue.

In return for its obligations above, the DPRK will receive:

- two light water reactors (LWRs) with a total generating capacity of approximately 2,000 MW(e), financed and supplied by an international consortium, by 2003;
- 150,000 tons of heavy fuel oil by October 1995 for heating and electricity production foregone due to the freeze of its graphite-moderated reactors, and 500,000 tons annually thereafter until the completion of the first LWR; and
- formal assurances from the United States against the threat or use of nuclear weapons.

In addition, the Agreed Framework requires the United States and the DPRK to:

- reduce barriers to trade and investment, including restrictions on telecommunications services and financial services and transactions; open liaison offices in each other's capitals; and
- upgrade bilateral relations to Ambassadorial level as progress is made on issues of concern to each side.

The Korean Peninsula Energy Development Organization (KEDO) was created in 1995 to facilitate implementation of the Agreed Framework.

In his Statement to the 2000 NPT Review Conference in New York on April 24, 2000, the Director-General of the IAEA, Mohamed ElBaradei, noted that with regard to the DPRK, there is regrettably little to report since the 1995 NPT Conference. The Agency remains unable to verify the correctness and completeness of the DPRK's initial declaration of its nuclear material subject to safeguards and cannot, therefore, provide any assurance about non-diversion. The DPRK remains in non-compliance with its safeguards agreement, which remains valid and in force. The DPRK, however, continues to accept IAEA activities solely in the context

of the “Agreed Framework” which it concluded in October 1994 with the United States of America. As requested by the Security Council, the Agency is monitoring a “freeze” of the DPRK’s graphite moderated reactors and related facilities under that agreement. The degree of co-operation the IAEA receives from the DPRK continues to be limited and is linked by the DPRK to its perception of progress in implementing the Agreed Framework.

## INDIA-PAKISTAN NON-ATTACK AGREEMENT

Signed: 1988.

Entered into force: January, 1991.

Provides for refraining from undertaking, encouraging or participating in, directly or indirectly, any action aimed at causing destruction or damage to any nuclear installation or facility in each country; description of a nuclear installation or facility; and for each party to inform the other of the precise locations (latitude and longitude) of installations and facilities by January 1, of each calendar year and whenever there is any change. The Agreement does not provide for detailed disclosures of nuclear-related activities.

Starting in January 1992, India and Pakistan have exchanged lists of their respective civilian nuclear-related facilities. However, each side has questioned the completeness of the other’s list.

On May 11, 1998, India carried out three nuclear-weapon tests, and another two tests were carried out on May 13, 1998. Pakistan responded by conducting five nuclear-weapon tests on May 28, 1998, and a sixth test on May 30, 1998.

## INDIA-PAKISTAN AGREEMENT ON CHEMICAL WEAPONS

Signed in 1992, the Agreement provided for “the complete prohibition of chemical weapons”. It also included a commitment for not developing, possessing or using chemical weapons. Furthermore, the agreement committed both governments to become regional signatories of the Chemical Weapons Convention. However, it did not commit India and Pakistan to ratify the CWC.

India signed the CWC on 14 January 1993 and subsequently ratified on 3 September 1996. Pakistan signed

the CWC on 13 January 1993 and ratified the treaty on 28 October 1997. As part of its accession to the CWC, India declared a quantity of chemical munitions produced by its Defense Research and Development Organization (DRDO), that caused controversy with Pakistan in terms of India’s commitment to and compliance with the bilateral agreement on chemical weapons.

## LAHORE DECLARATION

Signed: 21 February 1999

The Lahore Declaration reaffirms India and Pakistan’s commitment to find a peaceful resolution to the issue of Jammu and Kashmir. Each side pledges to “take immediate steps for reducing the risk of accidental or unauthorized use of nuclear weapons and discuss concepts and doctrines with a view to elaborating measures for confidence building in the nuclear and conventional fields, aimed at prevention of conflict.”

The Prime Minister of Pakistan, Muhammad Nawaz Sharif, met with the Prime Minister of India, Shri Atal Behari Vajpayee, in Lahore (Pakistan) on February 20-21, 1999. The two leaders discussed the entire range of bilateral relations, regional cooperation within SAARC, and other issues of international concern. In a joint statement they decided that:

- their Foreign Ministers will meet periodically to discuss all issues of mutual concern,
- including nuclear related issues;
- the two sides shall undertake consultations on WTO related issues with a view to coordinating their respective positions;
- the two sides shall determine areas of cooperation in Information Technology, in particular for tackling the problems of Y2K;
- the two sides will hold consultations with a view to further liberalizing the visa and travel regime; and
- the two sides shall appoint a two-member committee at the ministerial level to examine humanitarian issues relating to civilian detainees and missing POWs.

Pursuant to the directive given by the two Prime Ministers, the Foreign Secretaries of Pakistan (Shamshad Ahmad) and India (K. Raghunath) signed a Memorandum of Understanding on 21 February 1999, identifying measures aimed at promoting an environment of peace and security between the two countries. The

Memorandum of Understanding reaffirmed the continued commitment of their respective governments to the principles and purposes of the UN Charter; reiterated the determination of both countries to implementing the Simla Agreement in letter and spirit; guided by the agreement between their Prime Ministers of 23rd September 1998 that an environment of peace and security is in the supreme national interest of both sides and that resolution of all outstanding issues, including Jammu and Kashmir, is essential for this purpose; and adopted measures pursuant to the directive given by their respective Prime Ministers in Lahore, for promoting a stable environment of peace, and security between the two countries. The Foreign Secretaries agreed that the two sides:

- shall engage in bilateral consultations on security concepts, and nuclear doctrines, with a view to developing measures for confidence building in the nuclear and conventional fields, aimed at avoidance of conflict;
- undertake to provide each other with advance notification in respect of ballistic missile flight tests, and shall conclude a bilateral agreement in this regard;
- are fully committed to undertaking national measures to reducing the risks of accidental or unauthorized use of nuclear weapons under their respective control;
- further undertake to notify each, other immediately in the event of any accidental, unauthorized or unexplained incident that could create the risk of a fallout with adverse consequences for both sides, or an outbreak of a nuclear war between the two countries; adopt measures aimed at diminishing the possibility of such actions, or such incidents being misinterpreted by the other;
- shall identify/establish the appropriate communication mechanism for this purpose;
- shall continue to abide by their respective unilateral moratorium on conducting further nuclear test explosions unless either side, in exercise of its national sovereignty decides that extraordinary events have jeopardized its supreme interests;
- shall conclude an agreement on prevention of incidents at sea in order to ensure safety of navigation by naval vessels, and aircraft belonging to the two sides;
- shall periodically review the implementation of existing Confidence-Building Measures (CBMs)

and where necessary, set up appropriate consultative mechanisms to monitor and ensure effective implementation of these CBMs;

- shall undertake a review of the existing communication links (e.g. between the respective Directors-General, Military Operations) with a view to upgrading and improving these links, and to provide for fail-safe and secure communications; and
- shall engage in bilateral consultations on security, disarmament and nonproliferation issues within the context of negotiations on these issues in multilateral fora.

Where required, the technical details of the above measures would be worked out by experts of the two sides in meetings to be held on mutually agreed dates, before mid-1999, with a view to reaching bilateral agreements. Due to the outbreak of hostilities in the summer of 1999 between the two countries in the Kargil area, in the disputed territory of Jammu and Kashmir, the “Lahore Process” stalled and no further discussions took place between the two countries, on promoting the dialogue and CBMs initiated at Lahore in February 1999.

The Lahore Declaration signed by the Prime Ministers of India and Pakistan on February 21, 1999, *inter alia*:

- recognized that the nuclear dimension of the security environment of the two countries added to their responsibility for avoidance of conflict between them;
- committed both to the principles and purposes of the Charter of the United Nations, and the universally accepted principles of peaceful co-existence;
- reiterated the determination of both countries to implementing the Simla Agreement in letter and spirit;
- committed both countries to the objectives of universal nuclear disarmament and nonproliferation;
- recognized the importance of mutually agreed confidence building measures for improving the security environment; and
- recalled their agreement of 23 September 1998, that an environment of peace and security is in the supreme national interest of both sides and that the resolution of all outstanding issues, including Jammu and Kashmir, is essential for this purpose.

The Prime Ministers agreed that their respective Governments:

- shall intensify their efforts to resolve all issues, including the issue of Jammu and Kashmir;
- shall refrain for intervention and interference in each other's internal affairs;
- shall intensify their compositior and integrated dialogue process for an early and positive outcome of the agreed bilateral agenda; and
- shall take immediate steps for reducing the risk of accidental or unauthorized use of nuclear weapons and discuss concepts and doctrines with a view to elaborating measures for confidence building in the nuclear and conventional fields, aimed at prevention of conflict.

Earlier, the Foreign Secretaries of Pakistan and India, Shamshad Ahmad and Salman Haider, met in Islamabad (Pakistan) on June 19-23, 1997, to continue their wide-ranging and comprehensive dialogue on all outstanding issues between the two countries with each side elaborating its respective position. It was also agreed that both sides would take all possible steps to prevent hostile propaganda and provocative actions against each other. They issued a Joint Statement reflecting agreement in which they agreed to:

(1) to address all outstanding issues of concern to both sides including, *inter alia*:

- peace and security, including CBMs;
- Jammu and Kashmir;
- Siachen Glacier;
- Wullar Barrage Project / Tulbul Navigation Project;
- Sir Creek;
- terrorism and drug-trafficking;
- economic and commercial cooperation; and
- promotion of friendly exchanges in various fields.

(2) to set up a mechanism, including working groups at appropriate levels, to address all these issues in an integrated manner. The issues at (a) and (b) above will be dealt with at the level of Foreign Secretaries who will also coordinate and monitor the progress of work of all the working groups.

## US-FORMER SOVIET UNION VERIFICATION ARRANGEMENTS UNDER INF AND START TREATIES

The Intermediate Range Nuclear Forces (INF) Treaty of December 8, 1987 between the US and USSR established the Special Verification Commission (SVC), and the Treaty between the US and USSR on the Reduction and Limitation of Strategic Offensive Arms (START I) of July 31, 1991 established the Joint Compliance and Inspection Commission (JCIC). As a result of the breakup of the former USSR, both the START and INF Treaties are now implemented on a multilateral basis. Under the Lisbon Protocol to the START I Treaty, signed by Belarus, Kazakhstan, Russia, Ukraine and the US on May 23, 1992, representatives of Belarus, Kazakhstan, Russia, and Ukraine participate in the JCIC, and each country conducts START Treaty implementation activities as Treaty implementing successor states to the former USSR. By separate agreement under INF, Belarus, Kazakhstan, Russia, and Ukraine are also successor states to the USSR for the INF Treaty in terms of implementation activities. Following the May 1995 Moscow summit, US President Bill Clinton and Russian President Boris Yeltsin issued a "Joint Summit Statement", in which they affirmed their desire to "exchange detailed information on aggregate stockpiles of nuclear warheads [and] stocks of fissile materials ... on a regular basis" and to negotiate "a cooperative arrangement for reciprocal monitoring of storage facilities of fissile materials removed from nuclear warheads and declared to be excess to national security requirements". The two Presidents also agreed on the principles of irreversibility of stockpiles reductions.

The initiative on irreversibility of stockpiles reductions was also addressed at the April 1996 summit of the Group of Seven Industrialized Nations in Moscow. The United States, Russia, Britain, and France pledged to verify such irreversibility by "placing of fissile material designated as not intended for defense purposes under IAEA safeguards... as soon as practicable to do so."

During the March 1997 Helsinki summit, President Clinton and President Yeltsin initiated a discussion on transparency measures in strategic nuclear warheads inventories and the destruction of nuclear weapons as part of the START III process, including technical and

organizational measures to promote the irreversibility of deep reductions and the prevention of rapid increases in the number of warheads.

During the June 1999 Summit in Cologne, Presidents Clinton and Yeltsin reaffirmed their readiness to conduct new negotiations on strategic arms reductions and to elaborate measures of transparency concerning existing strategic nuclear warheads and their elimination, as well as other agreed technical and organizational measures in order to contribute to the irreversibility of deep reductions.

On-site inspection/escort activities under both treaties are currently implemented by the US On-Site Inspection Agency (OSIA), the Russian Nuclear Risk Reduction Center (NRRC), the Belarussian National Verification Agency (NAKI), the Ukrainian National Verification Agency, and the Republic of Kazakhstan Administration for Treaty Inspections and External Communications. The OSIA, in addition to the INF and START Treaties, is also responsible for the Threshold Test Ban Treaty (TTBT) of 1974, the Peaceful Nuclear Explosions Treaty (PNET) of 1976, the Conventional Armed Forces in Europe (CFE) Treaty of 1990, confidence- and security- building measures contained in

the Vienna Document Agreements of 1990, 1992, and 1994 and the Open Skies Treaty of 1992, as well as the US-USSR Memorandum of Understanding (MOU) regarding a bilateral verification experiment and data exchange related to the prohibition of chemical weapons (CW) (Wyoming MOU) of September 23, 1989, the US-USSR Agreement on destruction and non-production of CW and on measures to facilitate the multilateral convention on banning chemical weapons of June 1, 1990.

OSIA:

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Dulles International Airport,  
Washington, DC 20041-0498  
USA.

Office of Public Affairs,  
US Tel: (703) 742-4326,  
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Russian Nuclear Risk Reduction Center (NRCC)  
Zhamenka 11-12  
109180 Moscow  
RUSSIA

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## SELECTED NONPROLIFERATION TREATIES AND TEXTS

### THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS ( NPT )

The States concluding this Treaty, hereinafter referred to as the Parties to the Treaty,

Considering the devastation that would be visited upon all mankind by a nuclear war and the consequent need to make every effort to avert the danger of such a war and to take measures to safeguard the security of peoples,

Believing that the proliferation of nuclear weapons would seriously enhance the danger of nuclear war,

In conformity with resolutions of the United Nations General Assembly calling for the conclusion of an agreement on the prevention of wider dissemination of nuclear weapons,

Undertaking to co-operate in facilitating the application of International Atomic Energy Agency safeguards on peaceful nuclear activities,

Expressing their support for research, development and other efforts to further the application, within the framework of the International Atomic Energy Agency safeguards system, of the principle of safeguarding effectively the flow of source and special fissionable materials by use of instruments and other techniques at certain strategic points,

Affirming the principle that the benefits of peaceful applications of nuclear technology, including any technological by-products which may be derived by nuclear-weapon States from the development of nuclear explosive devices, should be available for peaceful purposes to all Parties to the Treaty, whether nuclear-weapon or non-nuclear-weapon States,

Convinced that, in furtherance of this principle, all Parties to the Treaty are entitled to participate in the fullest possible exchange of scientific information for, and to contribute alone or in co-operation with other States to, the further development of the applications of atomic energy for peaceful purposes,

Declaring their intention to achieve at the earliest possible date the cessation of the nuclear arms race and to

undertake effective measures in the direction of nuclear disarmament,

Urging the co-operation of all States in the attainment of this objective,

Recalling the determination expressed by the Parties to the 1963 Treaty banning nuclear weapons tests in the atmosphere, in outer space and under water in its Preamble to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to this end,

Desiring to further the easing of international tension and the strengthening of trust between States in order to facilitate the cessation of the manufacture of nuclear weapons, the liquidation of all their existing stock-piles, and the elimination from national arsenals of nuclear weapons and the means of their delivery pursuant to a Treaty on general and complete disarmament under strict and effective international control,

Recalling that, in accordance with the Charter of the United Nations, States must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the Purposes of the United Nations, and that the establishment and maintenance of international peace and security are to be promoted with the least diversion for armaments of the world's human and economic resources,

Have agreed as follows:

#### Article I

Each nuclear-weapon State Party to the Treaty undertakes not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly, or indirectly; and not in any way to 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.

## Article II

Each non-nuclear-weapon State Party to the Treaty undertakes not to receive the transfer from any transferee whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices directly, or indirectly; not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices; and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices.

## Article III

1. Each non-nuclear-weapon State Party to the Treaty undertakes to accept safeguards, as set forth in an agreement to be negotiated and concluded with the International Atomic Energy Agency in accordance with the Statute of the International Atomic Energy Agency and the Agency's safeguards system, for the exclusive purpose of verification of the fulfillment of its obligations assumed under this Treaty with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices. Procedures for the safeguards required by this Article shall be followed with respect to source or special fissionable material whether it is being produced, processed or used in any principal nuclear facility or is outside any such facility. The safeguards required by this Article shall be applied on all source or special fissionable material in all peaceful nuclear activities within the territory of such State, under its jurisdiction, or carried out under its control anywhere.
2. Each State Party to the Treaty undertakes not to provide: (a) source or special fissionable material, or (b) equipment or material especially designed or prepared for the processing, use or production of special fissionable material, to any non-nuclear-weapon State for peaceful purposes, unless the source or special fissionable material shall be subject to the safeguards required by this Article.
3. The safeguards required by this Article shall be implemented in a manner designed to comply with Article IV of this Treaty, and to avoid hampering the economic or technological development of the Parties or international co-operation in the field of peaceful nuclear activities, including the international exchange of nuclear material and equipment for the

processing, use or production of nuclear material for peaceful purposes in accordance with the provisions of this Article and the principle of safeguarding set forth in the Preamble of the Treaty.

4. Non-nuclear-weapon States Party to the Treaty shall conclude agreements with the International Atomic Energy Agency to meet the requirements of this Article either individually or together with other States in accordance with the Statute of the International Atomic Energy Agency. Negotiation of such agreements shall commence within 180 days from the original entry into force of this Treaty. For States depositing their instruments of ratification or accession after the 180-day period, negotiation of such agreements shall commence not later than the date of such deposit. Such agreements shall enter into force not later than eighteen months after the date of initiation of negotiations.

## Article IV

1. Nothing in this Treaty shall be interpreted as affecting the inalienable right of all the Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with Articles I and II of this Treaty.
2. 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 for the peaceful uses of nuclear energy. Parties to the Treaty in a position to do so shall also co-operate in contributing alone or together with other States or international organizations to the further development of the applications of nuclear energy for peaceful purposes, especially in the territories of non-nuclear-weapon States Party to the Treaty, with due consideration for the needs of the developing areas of the world.

## Article V

Each Party to the Treaty undertakes to take appropriate measures to ensure that, in accordance with this Treaty, under appropriate international observation and through appropriate international procedures, potential benefits from any peaceful applications of nuclear explosions will be made available to non-nuclear-weapon States Party to the Treaty on a non-discriminatory basis and that the charge to such Parties for the

explosive devices used will be as low as possible and exclude any charge for research and development. Non-nuclear-weapon States Party to the Treaty shall be able to obtain such benefits, pursuant to a special international agreement or agreements, through an appropriate international body with adequate representation of non-nuclear-weapon States. Negotiations on this subject shall commence as soon as possible after the Treaty enters into force. Non-nuclear-weapon States Party to the Treaty so desiring may also obtain such benefits pursuant to bilateral agreements.

#### Article VI

Each of the Parties to the Treaty undertakes 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, and on a treaty on general and complete disarmament under strict and effective international control.

#### Article VII

Nothing in this Treaty affects 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.

#### Article VIII

1. Any Party to the Treaty may propose amendments to this Treaty. The text of any proposed amendment shall be submitted to the Depositary Governments which shall circulate it to all Parties to the Treaty. Thereupon, if requested to do so by one-third or more of the Parties to the Treaty, the Depositary Governments shall convene a conference, to which they shall invite all the Parties to the Treaty, to consider such an amendment.
2. Any amendment to this Treaty must be approved by a majority of the votes of all the Parties to the Treaty, including the votes of all nuclear-weapon States Party to the Treaty and all other Parties which, on the date the amendment is circulated, are members of the Board of Governors of the International Atomic Energy Agency. The amendment shall enter into force for each Party that deposits its instrument of ratification of the amendment upon the deposit of such instruments of ratification by a majority of all the Parties, including the instruments of ratification of all nuclear-weapon States Party to the Treaty and all

other Parties which, on the date the amendment is circulated, are members of the Board of Governors of the International Atomic Energy Agency. Thereafter, it shall enter into force for any other Party upon the deposit of its instrument of ratification of the amendment.

3. Five years after the entry into force of this Treaty, a conference of Parties to the Treaty shall be held in Geneva, Switzerland, in order to review the operation of this Treaty with a view to assuring that the purposes of the Preamble and the provisions of the Treaty are being realised. At intervals of five years thereafter, a majority of the Parties to the Treaty may obtain, by submitting a proposal to this effect to the Depositary Governments, the convening of further conferences with the same objective of reviewing the operation of the Treaty.

#### Article IX

1. This Treaty shall be open to all States for signature. Any State which does not sign the Treaty before its entry into force in accordance with paragraph 3 of this Article may accede to it at any time.
2. This Treaty shall be subject to ratification by signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of the United Kingdom of Great Britain and Northern Ireland, the Union of Soviet Socialist Republics and the United States of America, which are hereby designated the Depositary Governments.
3. This Treaty shall enter into force after its ratification by the States, the Governments of which are designated Depositaries of the Treaty, and forty other States signatory to this Treaty and the deposit of their instruments of ratification. For the purposes of this Treaty, a nuclear-weapon State is one which has manufactured and exploded a nuclear weapon or other nuclear explosive device prior to 1 January 1967.
4. For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Treaty, it shall enter into force on the date of the deposit of their instruments of ratification or accession.
5. The Depositary Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or of accession, the date of the entry into force of this Treaty, and



the date of receipt of any requests for convening a conference or other notices.

6. This Treaty shall be registered by the Depositary Governments pursuant to Article 102 of the Charter of the United Nations.

#### **Article X**

1. Each Party shall in exercising its national sovereignty have the right to withdraw from the Treaty if it decides that extraordinary events, related to the subject matter of this Treaty, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other Parties to the Treaty and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.
2. Twenty-five years after the entry into force of the Treaty, a conference shall be convened to decide whether the Treaty shall continue in force indefinitely, or shall be extended for an additional fixed period or periods. This decision shall be taken by a majority of the Parties to the Treaty.

#### **Article XI**

This Treaty, the English, Russian, French, Spanish and Chinese texts of which are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of this Treaty shall be transmitted by the Depositary Governments to the Governments of the signatory and acceding States.

IN WITNESS WHEREOF the undersigned, duly authorized, have signed this Treaty.

DONE in triplicate, at the cities of London, Moscow and Washington, the first day of July, one thousand nine hundred and sixty-eight.

## **2000 REVIEW CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS**

### **FINAL DOCUMENT**

**New York, 19 May 2000**

#### **(Volume I, Part I)**

**Part I:** Review of the operation of the Treaty, taking into account the decisions and the resolution adopted by the 1995 NPT Review and Conference - Improving the effectiveness of the strengthened review process for the NPT.

#### **Article I and II and preambular paragraphs 1 to 3 - Nonproliferation**

1. The Conference reaffirms that the full and effective implementation of the Treaty and the regime of non-proliferation in all its aspects has a vital role in promoting international peace and security. The Conference reaffirms that every effort should be made to implement the Treaty in all its aspects and to prevent the proliferation of nuclear weapons and other nuclear explosive devices, without hampering the peaceful uses of nuclear energy by States Parties to the Treaty. The Conference remains convinced that universal adherence to the Treaty and full compliance of all Parties with its provisions are the best way to prevent the spread of nuclear weapons and other nuclear explosive devices.
2. The Conference recalls that the overwhelming majority of States entered into legally binding commitments not to receive, manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices in the context, inter alia, of the corresponding legally binding commitments by the nuclear-weapon States to nuclear disarmament in accordance with the Treaty.
3. The Conference notes that the nuclear-weapon States reaffirmed their commitment not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices directly, or indirectly, and not in any way to 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.

4. The Conference notes that the non-nuclear-weapon States Parties to the Treaty reaffirmed their commitment not to receive the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices directly, or indirectly, not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices.
5. The Conference reaffirms that the strict observance of the provisions of the Treaty remains central to achieving the shared objectives of preventing, under any circumstances, the further proliferation of nuclear weapons and preserving the Treaty's vital contribution to peace and security.
6. The Conference expresses its concern with cases of non-compliance of the Treaty by States Parties, and calls on those States non-compliant to move promptly to full compliance with their obligations.
7. The Conference welcomes the accessions of Andorra, Angola, Brazil, Chile, Comoros, Djibouti, Oman, United Arab Emirates and Vanuatu to the Treaty since 1995, bringing the number of States parties to 187, and reaffirms the urgency and importance of achieving the universality of the Treaty.
8. The Conference urges all States not yet party to the Treaty, namely Cuba, India, Israel and Pakistan, to accede to the Treaty as non-nuclear-weapon States, promptly and without condition, particularly those States that operate unsafeguarded nuclear facilities.
9. The Conference deplores the nuclear test explosions carried out by India and then by Pakistan in 1998. The Conference declares that such actions do not in any way confer a nuclear-weapon State status or any special status whatsoever. The Conference calls upon both States to undertake the measures set out in the United Nations Security Council resolution 1172 (1998).
10. The Conference also calls upon all State Parties to refrain from any action that may contravene or undermine the objectives of the Treaty as well as

of the United Nations Security Council resolution 1172 (1998).

11. The Conference notes that the two States concerned have declared moratoriums on further testing and their willingness to enter into legal commitments not to conduct any further nuclear tests by signing and ratifying the Comprehensive Nuclear-Test-Ban Treaty. The Conference regrets that the signing and ratifying has not yet taken place despite their pledges to do so.
12. The Conference reiterates the call on those States that operate unsafeguarded nuclear facilities and that have not yet acceded to the Treaty on the Non-Proliferation of Nuclear Weapons to reverse clearly and urgently any policies to pursue any nuclear-weapon development or deployment and to refrain from any action which could undermine regional and international peace and security and the efforts of the international community towards nuclear disarmament and the prevention of nuclear weapons proliferation.

#### **Article III and preambular paragraphs 4 and 5, especially in their relationship to article IV and preambular paragraphs 6 and 7 - Safeguards**

1. The Conference recalls and reaffirms the decision of the 1995 Review and Extension Conference entitled "Principles and objectives for nuclear non-proliferation and disarmament", noting paragraph 1 of the principles and objectives and the elements relevant to article III of the Treaty, in particular paragraphs 9-13 and 17-19, and to article VII of the Treaty, in particular paragraphs 5-7. It also recalls and reaffirms the Resolution on the Middle East adopted by that Conference.
2. The Conference notes that recommendations made at previous Conferences for the future implementation of article III provide a helpful basis for States parties to the Treaty on the Non-Proliferation of Nuclear Weapons and the International Atomic Energy Agency (IAEA) to strengthen the non-proliferation regime and provide assurance of compliance with non-proliferation undertakings.
3. The States parties urge the international community to enhance cooperation in the field of non-proliferation issues and to seek solutions to all concerns or issues related to non-proliferation in accordance with the obligations, procedures

- and mechanisms established by the relevant international legal instruments.
4. The Conference reaffirms that the Treaty on the Non-Proliferation of Nuclear Weapons is vital in preventing the proliferation of nuclear weapons and in providing significant security benefits. The Conference remains convinced that universal adherence to the Treaty can achieve this goal, and they urge all four States not parties to the Treaty, Cuba, India, Israel and Pakistan, to accede to it without delay and without conditions, and to bring into force the required comprehensive safeguards agreements, together with Additional Protocols consistent with the Model contained in INFCIRC/540 (Corrected).
  5. The Conference reaffirms the fundamental importance of full compliance with the provisions of the Treaty and the relevant safeguards agreements.
  6. The Conference recognizes that IAEA safeguards are a fundamental pillar of the nuclear non-proliferation regime, play an indispensable role in the implementation of the Treaty and help to create an environment conducive to nuclear disarmament and to nuclear cooperation.
  7. The Conference reaffirms that IAEA is the competent authority responsible for verifying and assuring, in accordance with the Statute of the IAEA and the IAEA safeguards system, compliance with its safeguards agreements with States parties undertaken in fulfilment of their obligations under article III, paragraph 1, of the Treaty, with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices. It is the conviction of the Conference that nothing should be done to undermine the authority of IAEA in this regard. States parties that have concerns regarding non-compliance with the safeguards agreements of the Treaty by the States parties should direct such concerns, along with supporting evidence and information, to IAEA to consider, investigate, draw conclusions and decide on necessary actions in accordance with its mandate.
  8. The Conference emphasizes that measures should be taken to ensure that the rights of all States Parties under the provisions of the preamble and the articles of the Treaty are fully protected and that no State Party is limited in the exercise of these rights in accordance with the Treaty.
  9. The Conference emphasizes the importance of access to the Security Council and General Assembly by IAEA, including its Director General, in accordance with article XII.C. of the Statute of IAEA and paragraph 19 of INFCIRC/153 (Corr.), and the role of the Security Council and the General Assembly, in accordance with the Charter of the United Nations, in upholding compliance with IAEA safeguards agreements and ensuring compliance with safeguards obligations by taking appropriate measures in the case of any violations notified to it by the IAEA.
  10. The Conference considers that IAEA safeguards provide assurance that States are complying with their undertakings under relevant safeguards agreements and assist States to demonstrate this compliance.
  11. The Conference stresses that the non-proliferation and safeguards commitments in the Treaty are also essential for peaceful nuclear commerce and cooperation and that IAEA safeguards make a vital contribution to the environment for peaceful nuclear development and international cooperation in the peaceful uses of nuclear energy.
  12. The Conference stresses that comprehensive safeguards and additional protocols should be universally applied once the complete elimination of nuclear weapons has been achieved. In the meantime, the Conference calls for the wider application of safeguards to peaceful nuclear facilities in the nuclear-weapon States under the relevant voluntary-offer safeguards agreements in the most economic and practical way possible, taking into account the availability of IAEA resources.
  13. The Conference reiterates the call by previous conferences of the States parties for the application of IAEA safeguards to all source or special fissionable material in all peaceful nuclear activities in the States parties in accordance with the provisions of Article III of the Treaty. The Conference notes with satisfaction that, since 1995, 28 States have concluded safeguards agreements with IAEA in compliance with article III, paragraph 4, of the Treaty, 25 of which have brought the agreements into force.[1]
  14. The Conference notes with concern that IAEA continues to be unable to verify the correctness and completeness of the initial declaration of nuclear material made by the Democratic

- People's Republic of Korea (DPRK), and is therefore unable to conclude that there has been no diversion of nuclear material in that country.
15. The Conference looks forward to the Democratic People's Republic of Korea (DPRK) fulfilling its stated intention to come into full compliance with its Treaty safeguards agreement with IAEA, which remains binding and in force. The Conference emphasizes the importance of the Democratic People's Republic of Korea preserving and making available to IAEA all information needed to verify its initial declaration.
  16. The Conference reaffirms that IAEA safeguards should regularly be assessed and evaluated. Decisions adopted by the IAEA Board of Governors aimed at further strengthening the effectiveness and improving the efficiency of IAEA safeguards should be supported and implemented.
  17. The Conference reaffirms that the implementation of comprehensive safeguards agreements pursuant to article III, paragraph 1, of the Treaty should be designed to provide for verification by IAEA of the correctness and completeness of a State's declaration so that there is a credible assurance of the non-diversion of nuclear material from declared activities and of the absence of undeclared nuclear material and activities.
  18. The Conference notes the measures endorsed by the IAEA Board of Governors in June 1995 for strengthening and making more efficient the safeguards system and that these measures are being implemented pursuant to the existing legal authority conferred upon IAEA by comprehensive safeguards agreements.
  19. The Conference also fully endorses the measures contained in the Model Protocol Additional to the Agreement(s) between State(s) and the International Atomic Energy Agency for the Application of Safeguards (INFCIRC/540 (Corrected)), which was approved by the IAEA Board of Governors in May 1997. The safeguards-strengthening measures contained in the Model Additional Protocol will provide IAEA with, inter alia, enhanced information about a State's nuclear activities and complementary access to locations within a State.
  20. The Conference recognizes that comprehensive safeguards agreements based on document INFCIRC/153 have been successful in its main focus of providing assurance regarding declared nuclear material and has also provided a limited level of assurance regarding the absence of undeclared nuclear material and activities. The Conference notes that implementation of the measures specified in the Model Additional Protocol will provide, in an effective and efficient manner, increased confidence about the absence of undeclared nuclear material and activities in a State as a whole and that those measures are now being introduced as an integral part of the IAEA's safeguards system. The Conference notes, in particular, the relationship between the additional protocol and the safeguards agreement between IAEA and a State party as set out in article 1 of the Model Additional Protocol. In this regard, it recalls the interpretation provided by IAEA secretariat on 31 January 1997 and set out in document GOV/2914 of 10 April 1997 that, once concluded, the two agreements had to be read and interpreted as one agreement.
  21. The Conference notes the high priority that IAEA attaches, in the context of furthering the development of the strengthened safeguards system, to integrating traditional nuclear-material verification activities with the new strengthening measures and looks forward to an expeditious conclusion of this work. It recognizes that the aim of these efforts is to optimize the combination of all safeguards measures available to IAEA in order to meet the Agency's safeguards objectives with maximum effectiveness and efficiency within available resources. Furthermore, the Conference notes that credible assurance of the absence of undeclared nuclear material and activities, notably those related to enrichment and reprocessing, in a State as a whole could permit corresponding reduction in the level of traditional verification efforts with respect to declared nuclear material in that State, which is less sensitive from the point of view of non-proliferation. The Conference notes the important work being undertaken by IAEA in the conceptualization and development of integrated safeguards approaches, and encourages continuing work by IAEA in further developing and implementing these approaches on a high-priority basis.
  22. The Conference recognizes that measures to strengthen the effectiveness and improve the efficiency of the safeguards system with a view

- to providing credible assurance of the non-diversion of nuclear material from declared activities and of the absence of undeclared nuclear material and activities must be implemented by all States parties to the NPT, including the nuclear-weapon States. The Conference also recognizes that the interests of nuclear non-proliferation will be effectively served by the acceptance of IAEA safeguards strengthening measures by States with item-specific safeguards agreements. The Conference welcomes the additional protocol concluded by Cuba and urges it also to bring the protocol into force as soon as possible.
23. The Conference notes that bilateral and regional safeguards play a key role in the promotion of transparency and mutual confidence between neighboring States, and that they also provide assurances concerning nuclear non-proliferation. The Conference considers that bilateral or regional safeguards could be useful in regions interested in building confidence among its member States and in contributing effectively to the non-proliferation regime.
  24. The Conference stresses the need to respect the letter and the spirit of the Treaty with respect to technical cooperation with States not party to the Treaty.
  25. The Conference recognizes that nuclear material supplied to the nuclear-weapon States for peaceful purposes should not be diverted for the production of nuclear weapons or other nuclear explosive devices, and should be, as appropriate, subject to IAEA safeguards agreements.
  26. The Conference notes that all nuclear-weapon States have now concluded additional protocols to their voluntary-offer safeguards agreements incorporating those measures provided for in the Model Additional Protocol that each nuclear-weapon State has identified as capable of contributing to the non-proliferation and efficiency aims of the Protocol, when implemented with regard to that State, and is consistent with that State's obligations under article I of the Treaty. The Conference invites such States to keep the scope of those additional protocols under review.
  27. The Conference commends the IAEA for making its experience in the verification of nuclear non-proliferation available to the Conference on Disarmament in connection with the negotiation of a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices.
  28. The Conference takes note of the Declaration of the Moscow Nuclear Safety and Security Summit of April 1996, including in relation to the safe and effective management of weapons fissile material designated as no longer required for defence purposes, and the initiatives stemming from it.
  29. The Conference underlines the importance of international verification of nuclear material designated by each nuclear-weapon State as no longer required for military purposes that has been irreversibly transferred to peaceful purposes. The Conference supports recent unilateral offers and mutual initiatives to place excess material under appropriate IAEA verification arrangements. Nuclear materials designated by each of the nuclear-weapon States as no longer required for military purposes should as soon as practicable be placed under IAEA or other relevant verification.
  30. The Conference notes the considerable increase in the Agency's safeguards responsibilities since 1995. It further notes the financial constraints under which the IAEA safeguards system is functioning and calls upon all States parties, noting their common but differentiated responsibilities, to continue their political, technical, and financial support of IAEA in order to ensure that the Agency is able to meet its safeguards responsibilities.
  31. The Conference welcomes the significant contributions by States parties through their support programmes to the development of technology and techniques that facilitate and assist the application of safeguards.
  32. The Conference considers that the strengthening of IAEA safeguards should not adversely impact the resources available for technical assistance and cooperation. The allocation of resources should take into account all of the Agency's statutory functions, including that of encouraging and assisting the development and practical application of atomic energy for peaceful uses with adequate technology transfer.
  33. The Conference recognizes that the transfer of nuclear-related equipment, information, material and facilities, resources or devices should be

consistent with States' obligations under the Treaty.

34. The Conference, recalling the obligations of all States parties under articles I, II and III of the Treaty, calls upon all States parties not to cooperate or give assistance in the nuclear or nuclear-related field to States not party to the Treaty in a manner which assists them to manufacture nuclear weapons or other nuclear explosive devices.
35. The Conference reaffirms that each State party to the Treaty has undertaken not to provide source or special fissionable material or equipment or material especially designed or prepared for the processing, use, or production of special fissionable material, to any non-nuclear-weapon State for peaceful purposes, unless the source or special fissionable material shall be subject to the safeguards required by article III of the Treaty.
36. The Conference reaffirms paragraph 12 of decision 2 (Principles and objectives for nuclear non-proliferation and disarmament), adopted on 11 May 1995 by the NPT Review and Extension Conference.
37. The Conference recognizes that there are nuclear-related dual-use items of equipment, technology, and materials not identified in article III, paragraph 2, of the Treaty that are relevant to the proliferation of nuclear weapons and therefore to the Treaty as a whole. The Conference calls on all States parties to ensure that their exports of nuclear-related dual-use items to States not party to the Treaty do not assist any nuclear-weapons programme. The Conference reiterates that each State Party should also ensure that any transfer of such items is in full conformity with the Treaty.
38. The Conference recognizes the particular requirement for safeguards on unirradiated direct-use nuclear material, and notes the projections by IAEA that the use of separated plutonium for peaceful purposes is expected to increase over the next several years. The Conference recognizes the non-proliferation benefits of the conversion of civilian research reactors to low-enriched uranium fuel. The Conference notes with appreciation that many research reactors are discontinuing the use of highly enriched uranium fuel in favour of low-enriched uranium fuel as a result of the Reduced Enrichment for Research and Test Reactors Programme. The Conference expresses satisfaction at the considerable work undertaken to ensure the continuing effectiveness of IAEA safeguards in relation to reprocessing, to the storage of separated plutonium and to uranium enrichment.
39. The Conference welcomes the additional transparency on matters pertaining to the management of plutonium resulting from the establishment, in 1997, of Guidelines for the Management of Plutonium (INFCIRC/549), setting out the policies that several States, including the nuclear-weapon States, have decided to adopt.
40. The Conference welcomes the announcement made by some nuclear-weapon States that they have ceased the production of fissile material for use in nuclear weapons or other nuclear explosive devices.
41. The Conference notes the conclusion drawn by the Board of Governors of IAEA that the proliferation risk with regard to neptunium is considerably lower than that with regard to uranium or plutonium and that at present there is practically no proliferation risk with regard to americium. The Conference expresses satisfaction at the recent decisions of the IAEA Board of Governors, which enabled IAEA to enter into exchanges of letters with States, on a voluntary basis, to ensure the regular and timely receipt of information as well as the application of measures required for efficient implementation of certain monitoring tasks regarding the production and transfer of separated neptunium, and which requested the Director General of IAEA to report to the Board when appropriate with respect to the availability of separated americium, using relevant information available through the conduct of regular IAEA activities and any additional information provided by States on a voluntary basis.
42. The Conference notes the paramount importance of effective physical protection of all nuclear material and calls on all States to maintain the highest possible standards of security and physical protection of nuclear materials. The Conference notes the need for strengthened international cooperation in physical protection. In this regard, the Conference notes that 63 States have become party to the Convention on the Physical Protection of Nuclear Material.
43. Expressing concern about the illicit trafficking of nuclear and other radioactive materials, the

Conference urges all States to introduce and enforce appropriate measures and legislation to protect and ensure the security of such material. The Conference welcomes the activities in the fields of prevention, detection and response being undertaken by IAEA in support of efforts against illicit trafficking. The Conference acknowledges the Agency's efforts to assist member States in strengthening their regulatory control on the applications of radioactive materials, including its ongoing work on a registry of sealed sources. It also welcomes the Agency's activities undertaken to provide for the enhanced exchange of information among its Member States, including the continued maintenance of the illicit trafficking database. The Conference recognizes the importance of enhancing cooperation and coordination among States and among international organizations in preventing, detecting and responding to the illegal use of nuclear and other radioactive material.

44. The Conference notes that 51 States parties to the Treaty have yet to bring into force comprehensive safeguards agreements,[2] and urges them to do so as soon as possible. This includes States parties without substantial nuclear activities. The Conference notes that in the case of States without substantial nuclear activities, the conclusion of safeguards agreements involves simplified procedures. The Conference recommends that the Director General of IAEA continue his efforts to further facilitate and assist these States parties in the conclusion and the entry into force of such agreements.
45. The Conference welcomes the fact that since May 1997, the IAEA Board of Governors has approved additional protocols to comprehensive safeguards agreements with 43 States and that 12 of those additional protocols are currently being implemented. The Conference encourages all States parties, in particular those States parties with substantial nuclear programmes, to conclude additional protocols as soon as possible and to bring them into force or provisionally apply them as soon as possible.
46. The Conference urges IAEA to continue implementing strengthened safeguards measures as broadly as possible, and further urges all States with safeguards agreements to cooperate fully with IAEA in the implementation of these measures.
47. The Conference recommends that the Director General of IAEA and the IAEA member States consider ways and means, which could include a possible plan of action, to promote and facilitate the conclusion and entry into force of such safeguards agreements and additional protocols, including, for example, specific measures to assist States with less experience in nuclear activities to implement legal requirements.
48. The Conference calls on all States parties to give their full and continuing support to the IAEA safeguards system.
49. The Conference notes the agreement between the Russian Federation and the United States to convert in Russia 500 tonnes of high enriched uranium (HEU) from Russia's nuclear weapons to low enriched uranium for use in commercial reactors. It welcomes the conversion to date of over 80 tonnes of HEU in the framework of this agreement. The Conference also recognizes the affirmation by Presidents of the Russian Federation and the United States of the intention of each country to remove by stages approximately 50 tonnes of plutonium from their nuclear weapons programmes and convert it so that it can never be used in nuclear weapons.
50. The Conference requests that IAEA continue to identify the financial and human resources needed to meet effectively and efficiently all of its responsibilities, including its safeguards verification responsibilities. It strongly urges all States to ensure that IAEA is provided with these resources.
51. The Conference recognizes that national rules and regulations of States parties are necessary to ensure that the States parties are able to give effect to their commitments with respect to the transfer of nuclear and nuclear-related dual use items to all States taking into account articles I, II and III of the Treaty, and, for States parties, also fully respecting article IV. In this context, the Conference urges States parties that have not yet done so to establish and implement appropriate national rules and regulations.
52. The Conference recommends that the list of items triggering IAEA safeguards and the procedures for implementation, in accordance with article III.2, be reviewed from time to time to take into account advances in technology, the

proliferation sensitivity, and changes in procurement practices.

53. The Conference requests that any supplier arrangement should be transparent and should continue to take appropriate measures to ensure that the export guidelines formulated by them do not hamper the development of nuclear energy for peaceful uses by States parties, in conformity with articles I, II, III, and IV of the Treaty.
54. The Conference recommends that transparency in export controls should continue to be promoted within a framework of dialogue and cooperation among all interested States parties to the Treaty.
55. The Conference encourages all other states that separate, hold, process or use separated plutonium in their civil nuclear activities to adopt policies similar to those which have been adopted by the participants in the Plutonium Management Guidelines (INFCIRC/549). Furthermore, the Conference encourages the States concerned to consider similar policies for the management of highly enriched uranium used for peaceful purposes.
56. The Conference urges all States that have not yet done so to adhere to the Convention on the Physical Protection of Nuclear Material on the earliest possible date and to apply, as appropriate, the recommendations on the physical protection of nuclear material and facilities contained in IAEA document INFCIRC/225/Rev.4(Corrected) and in other relevant guidelines. It welcomes the ongoing informal discussions among legal and technical experts, under the aegis of IAEA, to discuss whether there is a need to revise the Convention on the Physical Protection of Nuclear Material.

#### **Article IV and preambular paragraph 6 and 7- The peaceful uses of nuclear energy**

1. The Conference affirms that the Treaty fosters the development of the peaceful uses of nuclear energy by providing a framework of confidence and cooperation within which those uses can take place.
2. The Conference reaffirms that nothing in the Treaty shall be interpreted as affecting the inalienable right of all the parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I, II and III of the Treaty. The Conference

recognizes that this right constitutes one of the fundamental objectives of the Treaty. In this connection, the Conference confirms that each country's choices and decisions in the field of peaceful uses of nuclear energy should be respected without jeopardizing its policies or international cooperation agreements and arrangements for peaceful uses of nuclear energy and its fuel-cycle policies.

3. The Conference also reaffirms the undertaking by all parties to the Treaty to facilitate and have the right to participate in, the fullest possible exchange of equipment, material and scientific and technological information for the peaceful uses of nuclear energy among States parties to the Treaty. The Conference notes the contribution that such uses can make to progress in general and to help to overcome the technological and economic disparities between developed and developing countries.
4. The Conference urges that in all activities designed to promote the peaceful uses of nuclear energy, preferential treatment be given to the non-nuclear-weapon States parties to the Treaty, taking the needs of developing countries, in particular, into account.
5. Referring to paragraphs 14 to 20 of the Principles and Objectives decision of 1995, the Conference reasserts the need to continue to enhance the peaceful uses of nuclear energy by all States parties and cooperation among them.
6. The Conference underlines the role of IAEA in assisting developing countries in the peaceful use of nuclear energy through the development of effective programmes aimed at improving their scientific, technological, and regulatory capabilities. In this context, the Conference takes note of the medium-term strategy of IAEA.
7. The Conference affirms that every effort should be made to ensure that IAEA has the financial and human resources necessary to effectively meet its responsibilities as foreseen in article III.A of the Statute of IAEA.
8. The Conference recognizes the importance of the concept of sustainable development as a guiding principle for the peaceful use of nuclear energy. The Conference endorses the role of IAEA in assisting Member States, upon request, in formulating projects that meet the objective of protecting the global environment by applying sustainable development approaches. The Conference recommends that IAEA continue



taking this objective into account when planning its future activities. It further notes that IAEA regularly reports to the General Assembly on progress made in these fields.

9. The Conference recognizes the importance of safety and non-proliferation features, as well as aspects related to radioactive waste management being addressed in nuclear power development as well as other nuclear activities related to the nuclear fuel cycle at the technological level. The Conference recalls the role of IAEA in the assessment of prospective nuclear power technologies in this respect.
10. The Conference commends IAEA for its efforts to enhance the effectiveness and efficiency of the Agency's Technical Cooperation Programme and to ensure the continuing relevance of the programme to the changing circumstances and needs of recipient Member States. In this context, the Conference welcomes the new strategy for technical cooperation, which seeks to promote socio-economic impact within its core competencies, by integrating its assistance into the national development programme of each country with a view to ensure sustainability through expanding partnerships in development, model project standards and use of country programme frameworks and thematic plans. The Conference recommends that IAEA continue taking this objective and the needs of developing countries, notably least-developed countries, into account when planning its future activities.
11. The Conference acknowledges the need for the parties to the Treaty to discuss regularly and take specific steps towards the implementation of article IV of the Treaty.

**Nuclear and radiation safety, safe transport of radioactive materials, radioactive waste and liability- Nuclear and Radiation Safety**

1. The Conference affirms that the Treaty on the Non-Proliferation of Nuclear Weapons can help to ensure that international cooperation in nuclear and radiation safety will take place within an appropriate non-proliferation framework. The Conference acknowledges the primary responsibility of individual States for maintaining the safety of nuclear installations within their territories, or under their jurisdiction, and the crucial importance of an adequate national technical, human and regulatory infrastructure in nuclear safety, radiological protection and radioactive waste management.
2. The Conference notes that a demonstrated global record of safety is a key element for the peaceful uses of nuclear energy and that continuous efforts are required to ensure that the technical and human requirements of safety are maintained at the optimal level. Although safety is a national responsibility, international cooperation on all safety-related matters is indispensable. The Conference encourages the efforts of IAEA in the promotion of safety in all its aspects, and encourages all States parties to take the appropriate national, regional and international steps to enhance and foster a safety culture. The Conference welcomes and underlines the intensification of national measures and international cooperation in order to strengthen nuclear safety, radiation protection, the safe transport of radioactive materials and radioactive waste management, including activities conducted in this area by IAEA. In this regard, the Conference recalls that special efforts should be made and sustained to increase the awareness in these fields, through appropriate training.
4. The Conference welcomes the entry into force of the Convention on Nuclear Safety, and encourages all States, in particular those operating, constructing or planning nuclear power reactors that have not yet taken the necessary steps to become party to the Convention, to do so. It would also welcome a voluntary application of the related provisions of the Convention to other relevant nuclear installations dedicated to the peaceful uses of nuclear energy. The Conference also expresses its satisfaction with the outcome of the first review meeting under the Convention on Nuclear Safety, and looks forward to the report from the next review meeting, in particular with respect to those areas where the first review meeting found that there was room for safety improvements.
5. The Conference encourages all States that have not yet done so to become parties to the Convention on Early Notification of a Nuclear Accident, the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency and the Convention on Physical Protection of Nuclear Material.
6. The Conference notes the bilateral and multilateral activities that have enhanced the capabilities of the international community to

study, minimize and mitigate the consequences of the accident at the Chernobyl nuclear power plant in support of the actions taken by the Governments concerned.

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

#### **Safe Transport of Radioactive Materials**

9. The Conference endorses the IAEA regulations for the safe transport of radioactive materials and urges States to ensure that these standards are maintained. The Conference notes the decision in 1997 by the International Maritime Organization (IMO) to incorporate the Code for the Safe Carriage of Irradiated Nuclear Fuel, Plutonium and High-Level Radioactive Wastes in Flasks on Board Ships (INF Code) into the International Convention for the Safety of Life at Sea.
10. The Conference underlines the importance of effective national and international regulations and standards for the protection of States concerned, from the risks of transportation of radioactive materials. The Conference affirms that it is in the interests of all States that any transportation of radioactive materials be conducted in compliance with the relevant international standards of nuclear safety and security and environmental protection, without prejudice to the freedoms, rights and obligations of navigation provided for in international law. The Conference takes note of the concerns of small island developing States and other coastal States with regard to the transportation of radioactive materials by sea.
11. Recalling resolution GC(43)/Res/11 of the General Conference of IAEA, adopted by consensus in 1999, the Conference invites States shipping radioactive materials to provide, as appropriate, assurances to concerned States, upon their request, that the national regulations of the shipping State take IAEA transport regulations into account and to provide them

with relevant information relating to shipments of such materials. The information provided should in no case be contradictory to the measures of physical security and safety.

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

#### **Spent Fuel and Radioactive Waste**

13. The Conference notes that a major issue in the debate over the use of nuclear technologies is the safety of the management of spent fuel and of radioactive waste. The Conference notes the conclusion of the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management and encourages States that have not yet taken the necessary steps to become party to the Convention, to do so. The Conference expresses the hope that this Convention will enter into force at the earliest date possible. The Conference underlines the importance that spent fuel and radioactive waste excluded from this Convention because they are within military or defence programmes in accordance with the objectives stated in this Convention.
14. The Conference commends the efforts of IAEA in radioactive waste management, and calls upon the Agency, in view of the increasing importance of all aspects of radioactive waste management, to strengthen its efforts in this field as resources permit. The Conference recognizes the activities of IAEA in the search for new approaches on radioactive waste management solutions that are both safe and publicly acceptable. It endorses IAEA programmes to assist member States in spent fuel and radioactive waste management through, inter alia, safety standards, peer reviews and Technical Cooperation activities.
15. The Conference also notes that the contracting parties to the Convention on the Prevention of Maritime Pollution by Dumping of Wastes and Other Matter (London Convention) have urged all States that have not done so, to accept the

1993 amendment of annex I of the London Convention, which prohibits contracting parties from dumping radioactive wastes or other radioactive matter at sea.

### **Liability**

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

### **Technical cooperation**

1. The Conference reaffirms the undertaking of those parties to the Treaty in a position to do so to cooperate in contributing alone, or together with other States or international organizations, to the further development of the applications of nuclear energy for peaceful purposes, especially in the territories of non-nuclear-weapon States parties to the Treaty, with due consideration for the needs of the developing areas of the world.
2. The Conference recognizes the benefits of the peaceful applications of nuclear energy and nuclear techniques in the fields referred to in articles II and III of the Statute of the IAEA, and their contribution to achieving sustainable development in developing countries and for generally improving the well-being and the quality of life of the peoples of the world.
3. The Conference acknowledges the importance of the work of IAEA as the principal agent for technology transfer among the international organizations referred to in article IV, paragraph 2, of the Treaty, and affirms the importance of the Technical Cooperation activities of IAEA, as well as bilateral and other multilateral cooperation, in fulfilling the obligations set forth in article IV of the Treaty.
4. The Conference recognizes that voluntary resources provided to and received from States parties to the Treaty under the IAEA Technical Cooperation Fund represent the most important contribution to the implementation of its Technical Cooperation Programme, the major instrument for its cooperation with developing countries. The Conference expresses its appreciation to all IAEA member States party to the Treaty, which respect their commitments to the Technical Cooperation Fund by pledging and paying in full their contributions.
5. The Conference notes, however, that there has been a growing gap between the approved target figures for the Technical Cooperation Fund and the actual payments.
6. The Conference stresses that every effort should be made to ensure that the IAEA's financial and human resources necessary for Technical Cooperation activities are assured, predictable and sufficient to meet the objectives mandated in article IV, paragraph 2, of the Treaty and article II of the IAEA Statute. The Conference notes the Resolutions of the General Conference of the IAEA GC(43)/RES/6 and GC(43)/RES/14, and urges member States of IAEA to make every effort to pay in full and on time their voluntary contributions to the Technical Cooperation Fund and reminds them of their obligation to pay their Assessed Programme Costs. It also encourages IAEA to continue to manage its Technical Cooperation activities in an effective and cost-efficient manner, and in accordance with article III.C of the IAEA Statute.
7. The Conference notes the consultation among member States of the IAEA on the target for the Technical Cooperation Fund for the coming years and encourages member States to reach agreement on the Indicative Planning Figures (IPF).
8. The Conference notes that the special needs and priorities of the least developed countries parties to the Treaty should be taken into account in bilateral and multilateral nuclear technical assistance and cooperation programmes. The Conference recommends that the IAEA continue, through its Technical Cooperation Programme, to give special attention to the needs and priorities of least developed countries.
9. The Conference recognizes that regional cooperative arrangements for the promotion of the peaceful use of nuclear energy can be an effective means of providing assistance and facilitating technology transfer, complementing the Technical Cooperation activities of IAEA in individual countries. It notes the contributions of the African Regional Cooperative Agreement for Research, Development and Training (AFRA), the Regional Cooperative Agreements for the Promotion of Nuclear Science and Technology in Latin America (ARCAL), the Regional

Cooperative Agreement for Asia and the Pacific (RCA), as well as the regional Technical Cooperation Programme in Central and Eastern Europe.

10. The Conference notes the significant level of bilateral cooperation between States parties in the worldwide peaceful uses of nuclear energy and welcomes the reports thereon. The Conference recognizes that it is the responsibility of States parties to create the conditions to enable this cooperation, in which commercial entities play an important role in a manner that conforms with the States parties' obligations under Articles I and II of the Treaty. The Conference urges States in a position to do so to continue and where possible increase their cooperation in this field, particularly to developing countries and parties to the Treaty with economies in transition.
11. The Conference calls upon all States parties, in acting in pursuance of the objectives of the Treaty, to observe the legitimate right of all States parties, in particular developing States, to full access to nuclear material, equipment and technological information for peaceful purposes. Transfers of nuclear technology and international cooperation in conformity with articles I, II and III of the Treaty are to be encouraged. They would be facilitated by eliminating undue constraints that might impede such cooperation.

#### **Conversion of nuclear materials to peaceful uses**

1. The Conference notes steps taken by nuclear-weapon States to reduce their nuclear weapons arsenals and underlines the importance of international verification, as soon as practicable, of nuclear weapons material designated by each nuclear-weapon State as no longer required for military programmes and that has been irreversibly transferred to peaceful purposes. This process requires strict procedures for the safe handling, storage and disposal of sensitive nuclear materials, as well as the safe management of radioactive contaminants in strict compliance with highest possible standards of environmental protection and nuclear and radiation safety.
2. The Conference takes note of the Declaration of the Moscow Nuclear Safety and Security Summit of April 1996, including the measures in relation to the safe and effective management of weapons

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

3. The Conference also notes that there have been exceptional instances in which serious environmental consequences have resulted from uranium mining and associated nuclear fuel-cycle activities in the production of nuclear weapons.
4. The Conference calls upon all Governments and international organizations that have expertise in the field of cleanup and disposal of radioactive contaminants to consider giving appropriate assistance, as may be requested, for radiological assessment and remedial purposes in these affected areas, while noting the efforts that have been made to date in this regard.

#### **Article V**

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

#### **Article VI and preambular paragraphs 8 to 12 - Nuclear Disarmament**

1. The Conference notes the reaffirmation by the States Parties of their commitment to article VI and preambular paragraphs 8 to 12 of the Treaty.
2. The Conference notes that, despite the achievements in bilateral and unilateral arms reduction, the total number of nuclear weapons deployed and in stockpile still amounts to many thousands. The Conference expresses its deep concern at the continued risk for humanity represented by the possibility that these nuclear weapons could be used.
3. The Conference takes note of the proposal made by the United Nations Secretary-General that the convening of a major international conference that would help to identify ways of eliminating nuclear dangers be considered at the Millennium Summit.
4. The Conference reaffirms that the cessation of all nuclear weapon test explosions or any other nuclear explosions will contribute to the non-proliferation of nuclear weapons in all its aspects, to the process of nuclear disarmament leading to the complete elimination of nuclear weapons and, therefore, to the further enhancement of international peace and security.

5. The Conference welcomes the adoption by the General Assembly and subsequent opening for signature of the Comprehensive Nuclear-Test-Ban Treaty in New York on 24 September 1996, and notes that 155 States have signed it and that 56 of them, including 28 whose ratification is necessary for its entry into force, have deposited their instruments of ratification. The Conference welcomes the ratifications by France and the United Kingdom of Great Britain and Northern Ireland and the recent decision by the Duma of the Russian Federation to ratify the Treaty. The Conference calls upon all States, in particular on those 16 States whose ratification is a prerequisite for the entry into force of the Comprehensive Nuclear-Test-Ban Treaty, to continue their efforts to ensure the early entry into force of the Treaty.
6. The Conference welcomes the final declaration adopted at the Conference on facilitating the entry into force of the Comprehensive Nuclear-Test-Ban Treaty, convened in Vienna in October 1999, in accordance with Article XIV of the Convention.
7. The Conference notes the International Court of Justice advisory opinion on the "Legality of the threat or use of nuclear weapons" issued at The Hague on 8 July 1996.
8. The Conference notes the establishment, in August 1998, by the Conference on Disarmament, of the Ad Hoc Committee under item 1 of its agenda entitled "Cessation of the nuclear arms race and nuclear disarmament" to negotiate, on the basis of the report of the Special Coordinator (CD/1299) and the mandate contained therein, a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices. The Conference regrets that negotiations have not been pursued on this issue as recommended in paragraph 4 (b) of the 1995 decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament".
9. The Conference welcomes the significant progress achieved in nuclear weapons reductions made unilaterally or bilaterally under the Strategic Arms Reduction Treaty (START) process, as steps towards nuclear disarmament. Ratification of START II by the Russian Federation is an important step in the efforts to reduce strategic offensive weapons and is welcomed. Completion of ratification of START II by the United States remains a priority.
10. The Conference also welcomes the significant unilateral reduction measures taken by other nuclear-weapon States, including the close-down and dismantling of nuclear weapon related facilities.
11. The Conference welcomes the efforts of several States to cooperate in making nuclear disarmament measures irreversible, in particular, through initiatives on the verification, management and disposition of fissile material declared excess to military purposes.
12. The Conference reiterates the important contribution made by Belarus, Kazakhstan and Ukraine to the implementation of article VI of the Treaty through their voluntary withdrawal of all tactical and strategic nuclear weapons from their territories.
13. The Conference welcomes the signing, in September 1997, by Belarus, Kazakhstan, the Russian Federation, Ukraine and the United States of America, of significant agreements relating to the Anti-Ballistic Missile Treaty, including a Memorandum of Understanding. The Conference welcomes the ratification of these documents by the Russian Federation. Ratification of these documents by the other countries remains a priority.
14. The Conference notes the nuclear-weapon States declaration that none of their nuclear weapons are targeted at any State.
15. The Conference agrees on the following practical steps for the systematic and progressive efforts to implement Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons and paragraphs 3 and 4(c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament":
  1. The importance and urgency of signatures and ratifications, without delay and without conditions and in accordance with constitutional processes, to achieve the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty.
  2. A moratorium on nuclear-weapon-test explosions or any other nuclear explosions pending entry into force of that Treaty.
  3. The necessity of negotiations in the Conference on Disarmament on a non-discriminatory, multilateral and international-

ally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices in accordance with the statement of the Special Coordinator in 1995 and the mandate contained therein, taking into consideration both nuclear disarmament and nuclear non-proliferation objectives. The Conference on Disarmament is urged to agree on a programme of work which includes the immediate commencement of negotiations on such a treaty with a view to their conclusion within five years.

4. The necessity of establishing in the Conference on Disarmament an appropriate subsidiary body with a mandate to deal with nuclear disarmament. The Conference on Disarmament is urged to agree on a programme of work which includes the immediate establishment of such a body.
5. The principle of irreversibility to apply to nuclear disarmament, nuclear and other related arms control and reduction measures.
6. An unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament to which all States parties are committed under Article VI.
7. The early entry into force and full implementation of START II and the conclusion of START III as soon as possible while preserving and strengthening the ABM Treaty as a cornerstone of strategic stability and as a basis for further reductions of strategic offensive weapons, in accordance with its provisions.
8. The completion and implementation of the Trilateral Initiative between the United States of America, the Russian Federation and the International Atomic Energy Agency.
9. Steps by all the nuclear-weapon States leading to nuclear disarmament in a way that promotes international stability, and based on the principle of undiminished security for all:
  - a. Further efforts by the nuclear-weapon States to reduce their nuclear arsenals unilaterally.
  - b. Increased transparency by the nuclear-weapon States with regard to the nuclear weapons capabilities and the implementation of agreements pursuant to Article VI and as a voluntary confidence-building measure to support further progress on nuclear disarmament.
- c. The further reduction of non-strategic nuclear weapons, based on unilateral initiatives and as an integral part of the nuclear arms reduction and disarmament process.
- d. Concrete agreed measures to further reduce the operational status of nuclear weapons systems.
- e. A diminishing role for nuclear weapons in security policies to minimize the risk that these weapons ever be used and to facilitate the process of their total elimination.
- f. The engagement as soon as appropriate of all the nuclear-weapon States in the process leading to the total elimination of their nuclear weapons.
10. Arrangements by all nuclear-weapon States to place, as soon as practicable, fissile material designated by each of them as no longer required for military purposes under IAEA or other relevant international verification and arrangements for the disposition of such material for peaceful purposes, to ensure that such material remains permanently outside of military programmes.
11. Reaffirmation that the ultimate objective of the efforts of States in the disarmament process is general and complete disarmament under effective international control.
12. Regular reports, within the framework of the NPT strengthened review process, by all States parties on the implementation of Article VI and paragraph 4 (c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament", and recalling the Advisory Opinion of the International Court of Justice of 8 July 1996.
13. The further development of the verification capabilities that will be required to provide assurance of compliance with nuclear disarmament agreements for the achievement and maintenance of a nuclear-weapon-free world.

## Article VII and the security of non-nuclear-weapon States - Nuclear-Weapon-Free Zones

1. The Conference reaffirms that, in accordance with the Charter of the United Nations, States must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State or in any other manner inconsistent with the purposes of the United Nations.
2. The Conference reaffirms that the total elimination of nuclear weapons is the only absolute guarantee against the use or threat of use of nuclear weapons. The Conference agrees that legally binding security assurances by the five nuclear-weapon States to the non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) strengthen the nuclear non-proliferation regime. The Conference calls on the Preparatory Committee to make recommendations to the 2005 Review Conference on this issue.
3. The Conference notes the reaffirmation by the nuclear-weapon States of their commitment to the United Nations Security Council resolution 984 (1995) on security assurances for non-nuclear-weapon States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.
4. The Conference notes the establishment in March 1998 by the Conference on Disarmament of the Ad Hoc Committee on effective international arrangements to assure non-nuclear-weapon States against the use, or threat of use of nuclear weapons.
5. The Conference recognizes the important role which the establishment of new nuclear-weapon-free zones and the signature to the protocols of new and previously existing zones by the nuclear-weapon States has played in extending negative security assurances to non-nuclear-weapon States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons in the zones concerned. The Conference underlines the importance of concerned States taking steps to bring into effect the assurances provided by nuclear-weapon-free zone treaties and their protocols.
6. The Conference welcomes and supports the steps taken to conclude further nuclear-weapon-free zone treaties since 1995, and reaffirms the conviction that the establishment of internationally recognized nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned, enhances global and regional peace and security, strengthens the nuclear non-proliferation regime and contributes towards realizing the objectives of nuclear disarmament.
7. The Conference supports proposals for the establishment of nuclear-weapon-free zones where they do not yet exist, such as in the Middle East and South Asia.
8. The Conference welcomes and supports the declaration by Mongolia of its nuclear-weapon-free status, and takes note of the recent adoption by the Mongolian parliament of legislation defining that status as a unilateral measure to ensure the total absence of nuclear weapons on its territory, bearing in mind its unique conditions as a concrete contribution to promoting the aims of nuclear non-proliferation and a practical contribution to promoting political stability and predictability in the region.
9. The Conference further welcomes the Joint Declaration on the denuclearization of the Korean Peninsula between the Republic of Korea and the Democratic People's Republic of Korea and urges its rapid implementation.
10. The Conference recognizes the continuing contributions that the Antarctic Treaty and the treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba are making towards the achievement of nuclear non-proliferation and disarmament objectives, particularly in the southern hemisphere and adjacent areas, and towards keeping the areas covered by these treaties free of nuclear weapons, in accordance with international law. In this context, the Conference welcomes the vigorous efforts being made among States parties and signatories to those treaties in order to promote their common objectives.
11. The Conference stresses the importance of signature and ratification of the treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba by all regional States, as well as the signature and ratification by the nuclear-weapon States that have not yet done so of the relevant protocols to those treaties, recognizing that security assurances are available to States parties to those Treaties. In this context, the Conference takes note of the statement of the five nuclear-weapon States that the internal processes are under way to secure the few lacking ratifications to the treaties of Rarotonga and Pelindaba, and that

consultations with the States parties to the Treaty of Bangkok have been accelerated, paving the way for adherence by the five nuclear-weapon States to the protocol to that Treaty.

12. The Conference welcomes the consensus reached in the General Assembly since its thirty-fifth session that the establishment of a nuclear-weapon-free zone in the Middle East would greatly enhance international peace and security. The Conference urges all parties directly concerned to consider seriously taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East in accordance with the relevant resolutions of the General Assembly, and as a means of promoting this objective, invites the countries concerned to adhere to the Treaty on the Non-Proliferation of Nuclear Weapons, and pending the establishment of the zone, to agree to place all their nuclear activities under IAEA safeguards.
13. The Conference further welcomes the report on the establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned, adopted by consensus by the Disarmament Commission on 30 April 1999.
14. The Conference regards the establishment of additional nuclear-weapon-free zones as a matter of priority, and in this respect supports the intention and commitment of the five Central Asian States to establish a nuclear-weapon-free zone in their region, welcomes the practical steps they have taken towards implementation of their initiative and notes with satisfaction the substantial progress they have made in drawing up and agreeing on a draft treaty on the establishment of a nuclear-weapon-free zone in Central Asia.
15. The Conference, taking note of all initiatives by States parties, believes that the international community should continue to promote the establishment of new nuclear-weapon-free zones in accordance with the relevant UNDC guidelines and in that spirit welcomes the efforts and proposals that have been advanced by the States parties since 1995 in various regions of the world.

#### 16. Regional issues

The Middle East, particularly implementation of the 1995 Resolution on the Middle East:

1. The Conference reaffirms the importance of the Resolution on the Middle East adopted by the 1995 Review and Extension Conference and recognizes that the resolution remains valid until the goals and objectives are achieved. The resolution, which was co-sponsored by the depositary States (the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America), is an essential element of the outcome of the 1995 Conference and of the basis on which the Treaty on the Non-Proliferation of Nuclear Weapons was indefinitely extended without a vote in 1995.
2. The Conference reaffirms its endorsement of the aims and objectives of the Middle East peace process and recognizes that efforts in this regard, as well as other efforts, contribute to, inter alia, a Middle East zone free of nuclear weapons as well as other weapons of mass destruction.
3. The Conference recalls that operative paragraph 4 of the 1995 Resolution on the Middle East “calls upon all States in the Middle East that have not yet done so, without exception, to accede to the Treaty as soon as possible and to place their nuclear facilities under full-scope International Atomic Energy Agency safeguards.” The Conference notes, in this connection, that the report of the United Nations Secretariat on the Implementation of the 1995 Resolution on the Middle East (NPT/CONF.2000/7) states that several States have acceded to the Treaty and that, with these accessions, all States of the region of the Middle East, with the exception of Israel, are States parties to the Treaty on the Non-Proliferation of Nuclear Weapons. The Conference welcomes the accession of these States and reaffirms the importance of Israel’s accession to the NPT and the placement of all its nuclear facilities under comprehensive IAEA safeguards, in realizing the goal of universal adherence to the Treaty in the Middle East.
4. The Conference notes the requirement under article III of the Non-Proliferation Treaty for non-nuclear-weapon States parties to conclude agreements with the IAEA to meet the requirements of the Statute of the IAEA. In this regard, the Conference notes paragraph 44 of the review of article III that nine States parties in the region have yet to conclude comprehensive safeguards agreements with the IAEA and invites those States to negotiate such agreements and



bring them into force as soon as possible. The Conference welcomes the conclusion of an Additional Protocol by Jordan and invites all other States in the Middle East, whether or not party to the Treaty, to participate in the IAEA's strengthened safeguards system.

5. The Conference notes the unanimous adoption by the United Nations Disarmament Commission, at its 1999 session, of guidelines on the establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned (A/54/42). The Conference notes that, at that session, the Disarmament Commission encouraged the establishment of a nuclear-weapon-free zone in the Middle East, as well as the development of zones free from all weapons of mass destruction. The Conference notes the adoption without a vote by the General Assembly, for the twentieth consecutive year, of a resolution proposing the establishment of a nuclear-weapon-free zone in the region of the Middle East.
6. The Conference invites all States, especially States of the Middle East, to reaffirm or declare their support for the objective of establishing an effectively verifiable Middle East zone free of nuclear weapons as well as other weapons of mass destruction, to transmit their declarations of support to the Secretary-General of the United Nations, and to take practical steps towards that objective.
7. The Conference requests all States Parties, particularly the nuclear-weapon States, the States of the Middle East and other interested States, to report through the United Nations Secretariat to the President of the 2005 NPT Review Conference, as well as to the Chairperson of the Preparatory Committee meetings to be held in advance of that Conference, on the steps that they have taken to promote the achievement of such a zone and the realization of the goals and objectives of the 1995 Resolution on the Middle East. It requests that the Secretariat prepare a compilation of these reports in preparation for consideration of these matters at the Preparatory Committee meetings and the 2005 Review Conference.
8. The Conference requests the President of the 2000 NPT Review Conference to convey the Final Document of the Conference, including its conclusions and recommendations, to the Governments of all States, including those States

Parties unable to attend the Conference and to States that are not party to the Treaty.

9. Recalling paragraph 6 of the 1995 Resolution on the Middle East, the Conference reiterates the appeal to all States parties to the Treaty on the Non-Proliferation of Nuclear Weapons to extend their cooperation and to exert their utmost efforts with a view to ensuring the early establishment by regional parties of a Middle East zone free of nuclear and all other weapons of mass destruction and their delivery systems. The Conference notes the statement by the five nuclear-weapon States reaffirming their commitment to the 1995 Resolution on the Middle East.
10. Bearing in mind the importance of full compliance with the NPT, the Conference notes the statement of 24 April 2000 by the IAEA Director-General that, since the cessation of IAEA inspections in Iraq on 16 December 1998, the Agency has not been in a position to provide any assurance of Iraq's compliance with its obligations under UN Security Council Resolution 687. The Conference further notes that the IAEA carried out an inspection in January 2000 pursuant to Iraq's safeguards agreement with the IAEA during which the inspectors were able to verify the presence of the nuclear material subject to safeguards (low enriched, natural and depleted uranium). The Conference reaffirms the importance of Iraq's full continuous cooperation with the IAEA and compliance with its obligations.

South Asia and other regional issues:

11. The Conference emphasizes that nuclear disarmament and nuclear non-proliferation are mutually reinforcing.
12. With respect to the nuclear explosions carried out by India and then by Pakistan in May 1998, the Conference recalls Security Council Resolution 1172 (1998), adopted unanimously on 6 June 1998, and calls upon both States to take all of the measures set out therein. Notwithstanding their nuclear tests, India and Pakistan do not have the status of nuclear-weapon States.
13. The Conference urges India and Pakistan to accede to the Non-Proliferation Treaty as non-nuclear-weapon States and to place all their nuclear facilities under comprehensive Agency safeguards. The Conference further urges both States to strengthen their non-proliferation export control measures over technologies, material and

equipment that can be used for the production of nuclear weapons and their delivery systems.

14. The Conference notes that India and Pakistan have declared moratoriums on further testing and their willingness to enter into legal commitments not to conduct any further nuclear testing by signing and ratifying the Comprehensive Nuclear-Test-Ban Treaty. The Conference urges both States to sign the Treaty, in accordance with their pledges to do so.
15. The Conference notes the willingness expressed by India and Pakistan to participate in the negotiation in the Conference on Disarmament of a treaty banning the production of fissile material for nuclear weapons and other nuclear explosive devices. Pending the conclusion of a legal instrument, the Conference urges both countries to observe a moratorium on the production of such material. The Conference also urges both States to join other countries in actively seeking an early commencement of negotiations on this issue, in a positive spirit and on the basis of the agreed mandate, with a view to reaching early agreement.
16. The Conference notes with concern that, while the Democratic People's Republic of Korea remains a party to the Non-Proliferation Treaty, IAEA continues to be unable to verify the correctness and completeness of the initial declaration of nuclear material made by the Democratic People's Republic of Korea and is therefore unable to conclude that there has been no diversion of nuclear material in the Democratic People's Republic of Korea. The Conference looks forward to the fulfillment by the Democratic People's Republic of Korea of its stated intention to come into full compliance with its safeguards agreement with IAEA, which remains binding and in force. The Conference emphasizes the importance of action by the Democratic People's Republic of Korea to preserve and make available to IAEA all information needed to verify its initial inventory.

#### Article IX

1. The Conference reaffirms its conviction that the preservation of the integrity of the Treaty and its strict implementation is essential to international peace and security.

2. The Conference recognizes the crucial role of the Treaty in nuclear non-proliferation, nuclear

disarmament and the peaceful uses of nuclear energy.

3. The Conference reaffirms that in accordance with article IX, States not currently States parties may accede to the Treaty only as non-nuclear-weapon States.
4. The Conference undertakes to make determined efforts towards the achievement of the goal of universality of the Treaty. These efforts should include the enhancement of regional security, particularly in areas of tension such as the Middle East and South Asia.
5. The Conference reaffirms the long-held commitment of parties to the Treaty to universal membership and notes that this goal has been advanced by the accession to the Treaty of several new States since the 1995 Review and Extension Conference, thereby bringing its membership to 187 States parties. The Conference reaffirms the importance of the Treaty in establishing a norm of international behaviour in the nuclear field.
6. The Conference therefore calls on those remaining States not parties to the Treaty to accede to it, thereby accepting an international legally binding commitment not to acquire nuclear weapons or nuclear explosive devices and to accept IAEA safeguards on all their nuclear activities. These States are Cuba, India, Israel, and Pakistan. In this context, the Conference welcomes the signature by Cuba of the protocol additional to its safeguards agreements with IAEA.
7. The Conference particularly urges those non-parties to the Treaty that operate unsafeguarded nuclear facilities - India, Israel and Pakistan - to take similar action, and affirms the important contribution this would make to regional and global security.
8. The Conference also takes note that the widening of the entry into force of protocols additional to safeguards agreements with IAEA will strengthen the nuclear safeguards regime and facilitate the exchange of nuclear and nuclear-related material in peaceful nuclear cooperation.
9. In this connection, the Conference underlines the necessity of universal adherence to the Treaty and of strict compliance by all existing parties with their obligations under the Treaty.
10. The Conference requests the President of the Conference to convey formally the views of States parties on this issue to all non-parties and

to report their responses to the parties. Such efforts should contribute to enhancing the universality of the Treaty and the adherence of non-parties to it.

### **Improving the effectiveness of the strengthened review process for the NPT**

1. The States parties reaffirmed the provisions in the Decision on Strengthening the Review Process for the Treaty” adopted at the 1995 Review and Extension Conference.
2. The States parties stressed that three sessions of the Preparatory Committee, normally for a duration of 10 working days each, should be held in the years prior to the review conference. A fourth session, would, if necessary, be held in the year of the review conference.
3. The States parties recommended that specific time be allocated at sessions of the Preparatory Committee to address specific relevant issues.
4. Recalling the Decision on subsidiary bodies of the 2000 Review Conference (NPT/CONF.2000/DEC.1), subsidiary bodies can be established at the Review Conference to address specific relevant issues.
5. The States parties, recalling paragraph 4 of Decision 1 of the 1995 NPT Review and Extension Conference, agreed that the purpose of the first two sessions of the Preparatory Committee would be to “consider principles, objectives and ways in order to promote the full implementation of the Treaty, as well as its universality”. To this end, each session of the Preparatory Committee should consider specific matters of substance relating to the implementation of the Treaty and Decisions 1 and 2, as well as the Resolution on the Middle East adopted in 1995, and the outcomes of subsequent Review Conferences, including developments affecting the operation and purpose of the Treaty.
6. The States parties also agreed that the Chairpersons of the sessions of the Preparatory Committee should carry out consultations with the States parties to prepare the ground for the outcome of the sessions as well as their agenda.
7. The consideration of the issues at each session of the Preparatory Committee should be factually summarized and its results transmitted in a report to the next session for further discussion. At its third and, as appropriate, fourth session, the Preparatory Committee, taking into account the deliberations and results of its previous sessions, should make every effort to produce a consensus report containing recommendations to the Review Conference.
8. The States parties agreed that the procedural arrangements for the Review Conference should be finalized at the last session of the Preparatory Committee.
9. The States parties also agreed that a meeting be allocated to non-governmental organizations to address each session of the Preparatory Committee and the Review Conference.

## **DECISIONS AND RESOLUTION ADOPTED AT THE 1995 NPT REVIEW AND EXTENSION CONFERENCE**

### **Decision 1**

#### **STRENGTHENING THE REVIEW PROCESS FOR THE TREATY**

1. The Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons examined the implementation of article VIII, paragraph 3, of the Treaty and agreed to strengthen the review process for the operation of the Treaty with a view to assuring that the purposes of the Preamble and the provisions of the Treaty are being realized.
2. The States party to the Treaty participating in the Conference decided, in accordance with article VIII, paragraph 3, that Review Conferences should continue to be held every five years and that, accordingly, the next Review Conference should be held in the year 2000.
3. The Conference decided that, beginning in 1997, the Preparatory Committee should hold, normally for a duration of 10 working days, a meeting in each of the three years prior to the Review Conference. If necessary, a fourth preparatory meeting may be held in the year of the Conference.
4. The purpose of the Preparatory Committee meetings would be to consider principles, objectives and ways in order to promote the full implementation of the Treaty, as well as its universality, and to make recommendations thereon to the Review Conference. These include those identified in the decision on principles and objectives for nuclear non-proliferation and

disarmament, adopted on 11 May 1995. These meetings should also make the procedural preparations for the next Review Conference.

5. The Conference also concluded that the present structure of three Main Committees should continue and the question of an overlap of issues being discussed in more than one Committee should be resolved in the General Committee, which would coordinate the work of the Committees so that the substantive responsibility for the preparation of the report with respect to each specific issue is undertaken in only one Committee.
6. It was also agreed that subsidiary bodies could be established within the respective Main Committees for specific issues relevant to the Treaty, so as to provide for a focused consideration of such issues. The establishment of such subsidiary bodies would be recommended by the Preparatory Committee for each Review Conference in relation to the specific objectives of the Review Conference.
7. The Conference further agreed that Review Conferences should look forward as well as back. They should evaluate the results of the period they are reviewing, including the implementation of undertakings of the States parties under the Treaty, and identify the areas in which, and the means through which, further progress should be sought in the future. Review Conferences should also address specifically what might be done to strengthen the implementation of the Treaty and to achieve its universality.

## Decision 2

### PRINCIPLES AND OBJECTIVES FOR NUCLEAR NON-PROLIFERATION AND DISARMAMENT

The Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,

Reaffirming the preamble and articles of the Treaty on the Non-Proliferation of Nuclear Weapons,

Welcoming the end of the cold war, the ensuing easing of international tension and the strengthening of trust between States,

Desiring a set of principles and objectives in accordance with which nuclear nonproliferation, nuclear disarmament and international cooperation in the peaceful uses of nuclear energy should be vigorously pur-

sued and progress, achievements and shortcomings evaluated periodically within the review process provided for in article VIII, paragraph 3, of the Treaty, the enhancement and strengthening of which is welcomed,

Reiterating the ultimate goals of the complete elimination of nuclear weapons and a treaty on general and complete disarmament under strict and effective international control,

The Conference affirms the need to continue to move with determination towards the full realization and effective implementation of the provisions of the Treaty, and accordingly adopts the following principles and objectives:

#### Universality

1. Universal adherence to the Treaty on the Non-Proliferation of Nuclear Weapons is an urgent priority. All States not yet party to the Treaty are called upon to accede to the Treaty at the earliest date, particularly those States that operate unsafeguarded nuclear facilities. Every effort should be made by all States parties to achieve this objective.

#### Non-proliferation

2. The proliferation of nuclear weapons would seriously increase the danger of nuclear war. The Treaty on the Non-Proliferation of Nuclear Weapons has a vital role to play in preventing the proliferation of nuclear weapons. Every effort should be made to implement the Treaty in all its aspects to prevent the proliferation of nuclear weapons and other nuclear explosive devices, without hampering the peaceful uses of nuclear energy by States parties to the Treaty.

#### Nuclear disarmament

3. Nuclear disarmament is substantially facilitated by the easing of international tension and the strengthening of trust between States which have prevailed following the end of the cold war. The undertakings with regard to nuclear disarmament as set out in the Treaty on the Non-Proliferation of Nuclear Weapons should thus be fulfilled with determination. In this regard, the nuclear-weapon States reaffirm their commitment, as stated in article VI, to pursue in good faith negotiations on effective measures relating to nuclear disarmament.

4. The achievement of the following measures is important in the full realization and effective implementation of article VI, including the programme of action as reflected below:
  - (a) The completion by the Conference on Disarmament of the negotiations on a universal and internationally and effectively verifiable Comprehensive Nuclear-Test-Ban Treaty no later than 1996. Pending the entry into force of a Comprehensive Test-Ban Treaty, the nuclear-weapon States should exercise utmost restraint;
  - (b) The immediate commencement and early conclusion of negotiations on a non-discriminatory and universally applicable convention banning the production of fissile material for nuclear weapons or other nuclear explosive devices, in accordance with the statement of the Special Coordinator of the Conference on Disarmament and the mandate contained therein;
  - (c) The determined pursuit by the nuclear-weapon States of systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goals of eliminating those weapons, and by all States of general and complete disarmament under strict and effective international control.

#### **Nuclear-weapon-free zones**

5. The conviction that the establishment of internationally recognized nuclear-weapon-free zones, on the basis of arrangements freely arrived at among the States of the region concerned, enhances global and regional peace and security is reaffirmed.
6. The development of nuclear-weapon-free zones, especially in regions of tension, such as in the Middle East, as well as the establishment of zones free of all weapons of mass destruction, should be encouraged as a matter of priority, taking into account the specific characteristics of each region. The establishment of additional nuclear-weapon-free zones by the time of the Review Conference in the year 2000 would be welcome.
7. The cooperation of all the nuclear-weapon States and their respect and support for the relevant protocols is necessary for the maximum effectiveness of such nuclear-weapon-free zones and the relevant protocols.

#### **Security assurances**

8. Noting United Nations Security Council resolution 984 (1995), which was adopted unanimously on 11 April 1995, as well as the declarations of the nuclear-weapon States concerning both negative and positive security assurances, further steps should be considered to assure non-nuclear-weapon States party to the Treaty against the use or threat of use of nuclear weapons. These steps could take the form of an internationally legally binding instrument.

#### **Safeguards**

9. The International Atomic Energy Agency is the competent authority responsible to verify and assure, in accordance with the statute of the Agency and the Agency's safeguards system, compliance with its safeguards agreements with States parties undertaken in fulfilment of their obligations under article III, paragraph 1, of the Treaty, with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices. Nothing should be done to undermine the authority of the International Atomic Energy Agency in this regard. States parties that have concerns regarding non-compliance with the safeguards agreements of the Treaty by the States parties should direct such concerns, along with supporting evidence and information, to the Agency to consider, investigate, draw conclusions and decide on necessary actions in accordance with its mandate.
10. All States parties required by article III of the Treaty to sign and bring into force comprehensive safeguards agreements and which have not yet done so should do so without delay.
11. International Atomic Energy Agency safeguards should be regularly assessed and evaluated. Decisions adopted by its Board of Governors aimed at further strengthening the effectiveness of Agency safeguards should be supported and implemented and the Agency's capability to detect undeclared nuclear activities should be increased. Also, States not party to the Treaty on the Non-Proliferation of Nuclear Weapons should be urged to enter into comprehensive safeguards agreements with the Agency.
12. New supply arrangements for the transfer of source or special fissionable material or equipment or material especially designed or prepared for the processing, use or production of

special fissionable material to non-nuclear-weapon States should require, as a necessary precondition, acceptance of the Agency's full-scope safeguards and internationally legally binding commitments not to acquire nuclear weapons or other nuclear explosive devices.

13. Nuclear fissile material transferred from military use to peaceful nuclear activities should, as soon as practicable, be placed under Agency safeguards in the framework of the voluntary safeguards agreements in place with the nuclear-weapon States. Safeguards should be universally applied once the complete elimination of nuclear weapons has been achieved.

### **Peaceful uses of nuclear energy**

14. Particular importance should be attached to ensuring the exercise of the inalienable right of all the parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I, II as well as III of the Treaty.
15. Undertakings to facilitate participation in the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy should be fully implemented.
16. In all activities designed to promote the peaceful uses of nuclear energy, preferential treatment should be given to the non-nuclear-weapon States party to the Treaty, taking the needs of developing countries particularly into account.
17. Transparency in nuclear-related export controls should be promoted within the framework of dialogue and cooperation among all interested States party to the Treaty.
18. All States should, through rigorous national measures and international cooperation, maintain the highest practicable levels of nuclear safety, including in waste management, and observe standards and guidelines in nuclear materials accounting, physical protection and transport of nuclear materials.
19. Every effort should be made to ensure that the International Atomic Energy Agency has the financial and human resources necessary to meet effectively its responsibilities in the areas of technical cooperation, safeguards and nuclear safety. The Agency should also be encouraged to intensify its efforts aimed at finding ways and

means for funding technical assistance through predictable and assured resources.

20. Attacks or threats of attack on nuclear facilities devoted to peaceful purposes jeopardize nuclear safety and raise serious concerns regarding the application of international law on the use of force in such cases, which could warrant appropriate action in accordance with the provisions of the Charter of the United Nations.

The Conference requests that the President of the Conference bring the present decision, the decision on strengthening the review process for the Treaty and the decision on the extension of the Treaty on the Non-Proliferation of Nuclear Weapons, to the attention of the heads of State or Government of all States and seek their full cooperation on these documents and in the furtherance of the goals of the Treaty.

### **Decision 3**

#### **EXTENSION OF THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS**

The Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,

Having convened in New York from 17 April to 12 May 1995, in accordance with article VIII, paragraph 3, and article X, paragraph 2, of the Treaty on the Non-Proliferation of Nuclear Weapons,

Having reviewed the operation of the Treaty and affirming that there is a need for full compliance with the Treaty, its extension and its universal adherence, which are essential to international peace and security and the attainment of the ultimate goals of the complete elimination of nuclear weapons and a treaty on general and complete disarmament under strict and effective international control,

Having reaffirmed article VIII, paragraph 3, of the Treaty and the need for its continued implementation in a strengthened manner and, to this end, emphasizing the decision on strengthening the review process for the Treaty and the decision on principles and objectives for nuclear non-proliferation and disarmament, also adopted by the Conference,

Having established that the Conference is quorate in accordance with article X, paragraph 2, of the Treaty,

Decides that, as a majority exists among States party to the Treaty for its indefinite extension, in accordance

with article X, paragraph 2, the Treaty shall continue in force indefinitely.

### RESOLUTION ON THE MIDDLE EAST

The Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,

Reaffirming the purpose and provisions of the Treaty on the Non-Proliferation of Nuclear Weapons,

Recognizing that, pursuant to article VII of the Treaty, the establishment of nuclear-weapon-free zones contributes to strengthening the international non-proliferation regime,

Recalling that the Security Council, in its statement of 31 January 1992,<sup>1</sup> affirmed that the proliferation of nuclear and all other weapons of mass destruction constituted a threat to international peace and security,

Recalling also General Assembly resolutions adopted by consensus supporting the establishment of a nuclear-weapon-free zone in the Middle East, the latest of which is resolution 49/71 of 15 December 1994,

Recalling further the relevant resolutions adopted by the General Conference of the International Atomic Energy Agency concerning the application of Agency safeguards in the Middle East, the latest of which is GC(XXXVIII)/RES/21 of 23 September 1994, and noting the danger of nuclear proliferation, especially in areas of tension,

Bearing in mind Security Council resolution 687 (1991) and in particular paragraph 14 thereof,

Noting Security Council resolution 984 (1995) and paragraph 8 of the decision on principles and objectives for nuclear non-proliferation and disarmament adopted by the Conference on 11 May 1995,

Bearing in mind the other decisions adopted by the Conference on 11 May 1995,

1. Endorses the aims and objectives of the Middle East peace process and recognizes that efforts in this regard, as well as other efforts, contribute to, inter alia, a Middle East zone free of nuclear weapons as well as other weapons of mass destruction;
2. Notes with satisfaction that, in its report (NPT/CONF.1995/MC.III/1), Main Committee III of the Conference recommended that the Conference “call on those remaining States not parties to the Treaty to accede to it, thereby accepting an international legally binding

commitment not to acquire nuclear weapons or nuclear explosive devices and to accept International Atomic Energy Agency safeguards on all their nuclear activities”;

3. Notes with concern the continued existence in the Middle East of unsafeguarded nuclear facilities, and reaffirms in this connection the recommendation contained in section VI, paragraph 3, of the report of Main Committee III urging those non-parties to the Treaty on the Non-Proliferation of Nuclear Weapons that operate unsafeguarded nuclear facilities to accept full-scope International Atomic Energy Agency safeguards;
4. Reaffirms the importance of the early realization of universal adherence to the Treaty, and calls upon all States of the Middle East that have not yet done so, without exception, to accede to the Treaty as soon as possible and to place their nuclear facilities under full-scope International Atomic Energy Agency safeguards;
5. Calls upon all States in the Middle East to take practical steps in appropriate forums aimed at making progress towards, inter alia, the establishment of an effectively verifiable Middle East zone free of weapons of mass destruction, nuclear, chemical and biological, and their delivery systems, and to refrain from taking any measures that preclude the achievement of this objective;
6. Calls upon all States party to the Treaty on the Non-Proliferation of Nuclear Weapons, and in particular the nuclear-weapon States, to extend their cooperation and to exert their utmost efforts with a view to ensuring the early establishment by regional parties of a Middle East zone free of nuclear and all other weapons of mass destruction and their delivery systems.

<sup>1</sup> S/23500.

## SUMMARY OF THE COMPREHENSIVE NUCLEAR-TEST-BAN TREATY (CTBT)

### PREAMBLE TO THE TREATY

“The States Parties to this Treaty (hereinafter referred to as ‘the States Parties’),

Welcoming the international agreements and other positive measures of recent years in the field of nuclear

disarmament, including reductions in arsenals of nuclear weapons, as well as in the field of the prevention of nuclear proliferation in all its aspects,

Underlining the importance of the full and prompt implementation of such agreements and measures,

Convinced that the present international situation provides an opportunity to take further effective measures towards nuclear disarmament and against the proliferation of nuclear weapons in all its aspects, and declaring their intention to take such measures,

Stressing therefore the need for continued systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goal of eliminating those weapons, and of general and complete disarmament under strict and effective international control,

Recognizing that the cessation of all nuclear weapon test explosions and all other nuclear explosions, by constraining the development and qualitative improvement of nuclear weapons and ending the development of advanced new types of nuclear weapons, constitutes an effective measure of nuclear disarmament and non-proliferation in all its aspects,

Further recognizing that an end to all such nuclear explosions will thus constitute a meaningful step in the realization of a systematic process to achieve nuclear disarmament,

Convinced that the most effective way to achieve an end to nuclear testing is through the conclusion of a universal and internationally and effectively verifiable comprehensive nuclear-test-ban treaty, which has long been one of the highest priority objectives of the international community in the field of disarmament and non-proliferation,

Noting the aspirations expressed by the Parties to the 1963 Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time,

Noting also the views expressed that this Treaty could contribute to the protection of the environment,

Affirming the purpose of attracting the adherence of all States to this Treaty and its objective to contribute effectively to the prevention of the proliferation of nuclear weapons in all its aspects, to the process of nuclear disarmament and therefore to the enhancement of international peace and security,

Have agreed as follows:..."

### **Under article 1 of the Comprehensive Nuclear-Test-Ban Treaty:**

- "1. Each State Party undertakes not to carry out any nuclear weapon test explosion or any other nuclear explosion, and to prohibit and prevent any such nuclear explosion at any place under its jurisdiction or control.
2. Each State party undertakes, furthermore, to refrain from causing, encouraging, or in any way participating in the carrying out of any nuclear weapon test explosion or any other nuclear explosion."

### **Adoption and signature of the Treaty**

Negotiations on a Comprehensive Nuclear-Test-Ban Treaty began at the Conference on Disarmament at Geneva in January 1994. The final draft, sponsored by 127 States, was submitted to the United Nations General Assembly two years later and adopted on 10 September 1996. The Treaty was opened for signature on 24 September 1996 at United Nations Headquarters in New York.

### **Arrangements until entry into force**

At a meeting of States Signatories on 19 November 1996, a Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization was established. The Preparatory Commission is an international organization financed by the States Signatories, which has been set up to establish the global verification regime of the Treaty and to prepare for its entry into force. The Preparatory Commission consists of two organs: a plenary body composed of all the States Signatories – also known as the Preparatory Commission – and the Provisional Technical Secretariat.

### **Preparatory Commission**

The Preparatory Commission appointed Wolfgang Hoffmann of Germany as its Executive Secretary on 3 March 1997. The Executive Secretary is head of the Provisional Technical Secretariat, which started work at its offices in the Vienna International Centre on 17 March 1997.

The Preparatory Commission has three subsidiary bodies: Working Group A on administrative and budgetary matters, Working Group B on verification issues, and the Advisory Group on financial, budgetary and



associated administrative issues. The working groups make proposals and recommendations for consideration and adoption by the Preparatory Commission at its plenary sessions.

### **Verification of the Treaty**

The Treaty has a Protocol under which an International Monitoring System (IMS) and an International Data Centre (IDC) are being established as part of the global verification regime foreseen under article IV (Verification).

IMS will consist of a global network of 321 monitoring stations, as well as 16 laboratories, capable of detecting nuclear explosions worldwide. This network of 170 seismic, 80 radionuclide, 60 infrasound and 11 hydroacoustic stations, as well as 16 radionuclide laboratories - comprising a total of 337 facilities - will supply data for processing and analysis to IDC. Both

the raw and processed data will be available to all the States parties. If a suspicious occurrence cannot be resolved through consultation and clarification, each State party has the right to request an on-site inspection.

### **Entry into force of the Treaty**

Under article XIV (Entry into force), the Treaty will not enter into force until it has been signed and ratified by the 44 States listed in annex 2 to the Treaty. This list comprises the States that formally participated in the 1996 session of the Conference on Disarmament, and that appear in table 1 of the December 1995 edition of “Nuclear Research Reactors in the World” and table 1 of the April 1996 edition of “Nuclear Power Reactors in the World”, both compiled by the International Atomic Energy Agency.

If the Treaty has not entered into force “three years after the date of the anniversary of its opening for signature”, a conference of those States that have already ratified it may be held to decide what measures may be taken to accelerate the ratification process and to facilitate the Treaty’s entry into force.

### **History of the Treaty**

The Treaty is the culmination of 40 years of efforts. In April 1954, almost 10 years after the first nuclear weapon test was conducted in July 1945, Prime Minister Jawaharlal Nehru of India proposed that nuclear

weapon testing be suspended. His proposal was the first initiative of its kind.

The Partial Test Ban Treaty of 1963 prohibited all nuclear explosions in the atmosphere, in outer space and under water, but not underground. The Threshold Test Ban Treaty of 1974 limited the yield of underground nuclear weapon tests to 150 kilotons (the equivalent of the explosive force of approximately 150,000 tonnes of trinitrotoluene (TNT)).

Over 2,000 nuclear weapon test explosions were registered during the 51 years between the conduct of the first nuclear test and the opening for signature of the Treaty in September 1996.

### **SUMMARY OF THE TREATY**

The Comprehensive Nuclear-Test-Ban Treaty consists of a preamble, 17 articles, two annexes and a Protocol. The Protocol describes verification procedures and contains two annexes. One annex lists the 337 facilities comprising the International Monitoring System (IMS) and the other annex describes parameters for standard event screening by the International Data Centre (IDC).

### **Scope**

The preamble stresses the need for “continued systematic and progressive efforts to reduce nuclear weapons globally” with the ultimate goal of their elimination and of “general and complete disarmament under strict and effective international control”. It recognizes that “the cessation of all nuclear weapon test explosions and all other nuclear explosions ... constitutes an effective measure of nuclear disarmament and non-proliferation in all its aspects”.

Under article I (Basic Obligations): “1. Each State party undertakes not to carry out any nuclear weapon test explosion or any other nuclear explosion, and to prohibit and prevent any such nuclear explosion at any place under its jurisdiction or control. 2. Each State party undertakes, furthermore, to refrain from causing, encouraging, or in any way participating in the carrying out of any nuclear weapon test explosion or any other nuclear explosion.”

### **Implementing organization**

Article II (The Organization) establishes the Comprehensive Nuclear-Test-Ban Treaty Organization to ensure the Treaty's implementation and provide a forum for consultation and cooperation. With its seat in Vienna, it will comprise three organs. The Conference of the States Parties will oversee the Treaty's implementation and the activities of the other two organs. The Executive Council, with a membership of 51 States parties, will be the principal decision-making body of the Organization and responsible for supervising its activities. The Technical Secretariat, headed by a Director-General, will assist States parties to implement the Treaty and carry out verification and other functions. It will supervise and coordinate the operation of the International Monitoring System (IMS) and operate the International Data Centre (IDC) at Vienna.

Article III (National implementation measures) requires each State party to take any necessary measures to implement its obligations under the Treaty, including the establishment of a National Authority for liaison with the Organization and other States parties.

#### **Verification and compliance**

Article IV (Verification) and the Protocol establish the verification regime. Such a regime - consisting of IMS, IDC, consultation and clarification, on-site inspections and confidence-building measures - "shall be capable of meeting the verification requirements of the Treaty" at its entry into force.

Verification activities should be based on objective information, limited to the subject matter of the Treaty, and carried out on the basis of full respect for the sovereignty of States parties and in the least intrusive manner possible consistent with the effective and timely accomplishment of

their objectives. Each State party, however, "shall refrain from any abuse of the right of verification".

### **International Monitoring System.**

The purpose of IMS is to detect and identify nuclear explosions prohibited under article I. As set out in annex 1 to the Protocol, IMS will consist of 50 primary and 120 auxiliary seismological stations equipped to detect seismic activity and distinguish between natural events - such as earthquakes - and nuclear explosions. It will also include 80 radionuclide stations - 40 of them capable of detecting noble gases - designed to

identify radioactive particles released during a nuclear explosion. The radionuclide stations will be supported by 16 laboratories. In addition, 60 infrasound and 11 hydroacoustic stations will be designed to pick up the sound of a nuclear explosion in the atmosphere or under water, respectively.

### **International Data Centre.**

The monitoring stations will transmit data to the International Data Centre (IDC) at Vienna. As set out in part I of the Protocol, IDC will produce integrated lists of all signals detected by IMS, as well as standard event lists and bulletins, and screened event

bulletins that filter out events that appear to be of a non-nuclear nature. Both raw and processed information will be available to all States parties.

### **Consultation and clarification.**

The consultation and clarification component of the verification regime encourages States parties to attempt to resolve, either among themselves or through the Organization, ambiguous events before requesting an on-site inspection. A State party must provide clarification of an ambiguous event within 48 hours of receiving such a request from another State party or the Executive Council.

### **On-site inspection.**

If the matter cannot be resolved through consultation and clarification, each State party can request an on-site inspection. The procedures for on-site inspections, which "shall be carried out in the area where the event that triggered the on-site inspection request occurred" are established in part II of the Protocol.

### **Confidence-building measures.**

To reduce the likelihood that verification data may be misinterpreted, each State party will voluntarily notify the Technical Secretariat of any single chemical explosion using 300 tonnes or more of TNT-equivalent blasting material on its territory. In order to calibrate the stations of IMS, each State party may liaise with the Technical Secretariat in carrying out chemical calibration explosions or providing information on chemical explosions planned for other purposes.

Article V (Measures to redress a situation and to ensure compliance, including sanctions) empowers the

Conference *inter alia* to restrict or suspend a State Party's rights and privileges under the Treaty and to recommend to States parties collective measures in conformity with

international law. The Conference, or alternatively, if the case is urgent, the Executive Council, may bring the issue to the attention of the United Nations.

### Disputes

Article VI (Settlement of disputes) describes the mechanisms by which disputes concerning the application or interpretation of the Treaty may be settled. Subject to certain conditions, the International Court of Justice may be requested to give an advisory opinion.

### Amendments and review

Article VII (Amendments) gives each State party the right to propose amendments to the Treaty, the Protocol or the annexes to the Protocol at any time after the Treaty's entry into force. The proposed amendment requires the approval of a majority of States parties at an amendment conference with no party casting a negative vote.

Article VIII (Review of the Treaty) stipulates that a conference to review the operation and effectiveness of the Treaty will be held 10 years after its entry into force, "unless otherwise decided by a majority of the States Parties". Such review would take into account "any new scientific and technological developments". Further review conferences may be held with the same objective at intervals of 10 years thereafter, or less, if the Conference so decides in the preceding year.

At the request of any State party, the conference may "consider the possibility of permitting the conduct of underground nuclear explosions for peaceful purposes". If it permits such explosions by consensus, then the review conference "shall commence work without delay, with a view to recommending to States Parties an appropriate amendment to this Treaty that shall preclude any military benefits of such nuclear explosions".

### Duration and withdrawal

Article IX (Duration and withdrawal) states that the Treaty is of unlimited duration.

### Other provisions

The next four articles (X, XI, XII and XIII) deal with the status of the Protocol and the annexes; signature; ratification; and accession.

### Entry into force

Under article XIV (Entry into force), the Treaty will enter into force 180 days after the 44 States listed in annex 2 to the Treaty have deposited their instruments of ratification with the Secretary-General of the United Nations, "but in no case earlier than two years after its opening for signature". This list comprises the States that formally participated in the 1996 session of the Conference on Disarmament, and that appear in table 1 of the December 1995 edition of "Nuclear Research Reactors in the World" and table 1 of the April 1996 edition of "Nuclear Power Reactors in the World", both compiled by the International Atomic Energy Agency.

If the Treaty has not entered into force "three years after the date of the anniversary of its opening for signature", the Secretary-General of the United Nations, as Depositary of the Treaty, could, at the request of a majority of States that had ratified it, convene a conference to examine

the situation and to "decide by consensus what measures consistent with international law may be undertaken to accelerate the ratification process" in order to facilitate the Treaty's early entry into force.

### Additional provisions

Article XV (Reservations) states that the Treaty's provisions are not subject to reservations.

Article XVI (Depositary) establishes the Secretary-General of the United Nations as the Treaty's Depositary.

Under article XVII (Authentic texts), the Treaty texts in Arabic, Chinese, English, French, Russian and Spanish are equally authentic.

### Protocol

Part I describes the International Monitoring System (IMS) and outlines the functions of the International Data Centre (IDC). Part II sets up the procedures for on-site inspections. It specifies the process of designation of inspectors and inspection assistants, their privileges and immunities, points of entry, arrangements for use of non-scheduled aircraft, approved inspection

equipment, on-site inspection requests, inspection mandate and notification of inspection. Pre-inspection activities and the conduct of inspections are described in detail. Part III deals with confidence-building measures under article IV (Verification) of the Treaty.

Further information can be obtained from: Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO PrepCom)

<http://www.ctbto.org>

## THE ANTARCTIC TREATY

Signed at Washington: 1 December 1959

Entered into force: 23 June 1961

Depositary Government: United States of America  
The Governments of Argentina, Australia Belgium, Chile, the French Republic, Japan, New Zealand, Norway, the Union of South Africa, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America,

Recognizing that it is in the interest of all mankind that Antarctica shall continue forever to be used exclusively for peaceful purposes and shall not become the scene or object of international discord;

Acknowledging the substantial contributions to scientific knowledge resulting from international co-operation in scientific investigation in Antarctica; Convinced that the establishment of a firm foundation for the continuation and development of such co-operation on the basis of freedom of scientific investigation in Antarctica as applied during the International Geophysical Year accords with the interests of science and the progress of all mankind;

Convinced also that a treaty ensuring the use of Antarctica for peaceful purposes only and the continuance of international harmony in Antarctica will further the purposes and principles embodied in the Charter of the United Nations;

Have agreed as follows:

### Article I

1. Antarctica shall be used for peaceful purposes only. There shall be prohibited, inter alia, any measures of a military nature, such as the establishment of

military bases and fortifications, the carrying out of military maneuvers, as well as the testing of any types of weapons.

2. The present Treaty shall not prevent the use of military personnel or equipment for scientific research or for any other peaceful purpose.

### Article II

Freedom of scientific investigation in Antarctica and co-operation toward that end, as applied during the International Geophysical Year, shall continue, subject to the provisions of the present Treaty.

### Article III

1. In order to promote international co-operation in scientific investigation in Antarctica, as provided for in Article II of the present Treaty, the Contracting Parties agree that, to the greatest extent feasible and practicable:

- a) information regarding plans for scientific programs in Antarctica shall be exchanged to permit maximum economy and efficiency of operations;
- b) scientific personnel shall be exchanged in Antarctica between expeditions and stations;
- c) scientific observations and results from Antarctica shall be exchanged and made freely available.

2. In implementing this Article, every encouragement shall be given to the establishment of co-operative working relations with those Specialized Agencies of the United Nations and other international organizations having a scientific or technical interest in Antarctica.

### Article IV

1. Nothing contained in the present Treaty shall be interpreted as:

- a) a renunciation by any Contracting Party of previously asserted rights of or claims to territorial sovereignty in Antarctica;
- b) a renunciation or diminution by any Contracting Party of any basis of claim to territorial sovereignty in Antarctica which it may have whether as a result of its activities or those of its nationals in Antarctica, or otherwise;
- c) prejudicing the position of any Contracting Party as regards its recognition or non-recognition of any other State's right of or

claim or basis of claim to territorial sovereignty in Antarctica.

2. No acts or activities taking place while the present Treaty is in force shall constitute a basis for asserting, supporting or denying a claim to territorial sovereignty in Antarctica or create any rights of sovereignty in Antarctica. No new claim, or enlargement of an existing claim, to territorial sovereignty in Antarctica shall be asserted while the present Treaty is in force.

#### Article V

1. Any nuclear explosions in Antarctica and the disposal there of radioactive waste material shall be prohibited.
2. In the event of the conclusion of international agreements concerning the use of nuclear energy, including nuclear explosions and the disposal of radioactive waste material, to which all the Contracting Parties whose representatives are entitled to participate in the meetings provided for under Article IX are parties, the rules established under such agreements shall apply in Antarctica.

#### Article VI

The provisions of the present Treaty shall apply to the area south of 60° South Latitude, including all ice shelves, but nothing in the present Treaty shall prejudice or in any way affect the rights, or the exercise of the rights, of any State under international law with regard to the high seas within that area.

#### Article VII

1. In order to promote the objectives and ensure the observance of the provisions of the present Treaty, each Contracting Party whose representatives are entitled to participate in the meetings referred to in Article IX of the Treaty shall have the right to designate observers to carry out any inspection provided for by the present Article. Observers shall be nationals of the Contracting Parties which designate them. The names of observers shall be communicated to every other Contracting Party having the right to designate observers, and like notice shall be given of the termination of their appointment.
2. Each observer designated in accordance with the provisions of paragraph 1 of this Article shall have complete freedom of access at any time to any or all areas of Antarctica.

3. All areas of Antarctica, including all stations, installations and equipment within those areas, and all ships and aircraft at points of discharging or embarking cargoes or personnel in Antarctica, shall be open at all times to inspection by any observers designated in accordance with paragraph 1 of this article.
4. Aerial observation may be carried out at any time over any or all areas of Antarctica by any of the Contracting Parties having the right to designate observers.
5. Each Contracting Party shall, at the time when the present Treaty enters into force for it, inform the other Contracting Parties, and thereafter shall give them notice in advance, of
  - a) all expeditions to and within Antarctica, on the part of its ships or nationals, and all expeditions to Antarctica organized in or proceeding from its territory;
  - b) all stations in Antarctica occupied by its nationals; and
  - c) any military personnel or equipment intended to be introduced by it into Antarctica subject to the conditions prescribed in paragraph 2 of Article I of the present Treaty.

#### Article VIII

1. In order to facilitate the exercise of their functions under the present Treaty, and without prejudice to the respective positions of the Contracting Parties relating to jurisdiction over all other persons in Antarctica, observers designated under paragraph 1 of Article VII and scientific personnel exchanged under subparagraph 1 (b) of Article III of the Treaty, and members of the staffs accompanying any such persons, shall be subject only to the jurisdiction of the Contracting Party of which they are nationals in respect of all acts or omissions occurring while they are in Antarctica for the purpose of exercising their functions.
2. Without prejudice to the provisions of paragraph 1 of this Article, and pending the adoption of measures in pursuance of subparagraph 1 (e) of Article IX, the Contracting Parties concerned in any case of dispute with regard to the exercise of jurisdiction in Antarctica shall immediately consult together with a view to reaching a mutually acceptable solution.

**Article IX**

1. Representatives of the Contracting Parties named in the preamble to the present Treaty shall meet at the City of Canberra within two months after the date of entry into force of the Treaty, and thereafter at suitable intervals and places, for the purpose of exchanging information, consulting together on matters of common interest pertaining to Antarctica, and formulating and considering, and recommending to their Governments, measures in furtherance of the principles and objectives of the Treaty, including measures regarding:
  - a) use of Antarctica for peaceful purposes only;
  - b) facilitation of scientific research in Antarctica;
  - c) facilitation of international scientific cooperation in Antarctica;
  - d) facilitation of the exercise of the rights of inspection provided for in Article VII of the Treaty;
  - e) questions relating to the exercise of jurisdiction in Antarctica;
  - f) preservation and conservation of living resources in Antarctica.
2. Each Contracting Party which has become a party to the present Treaty by accession under Article XIII shall be entitled to appoint representatives to participate in the meetings referred to in paragraph 1 of the present Article, during such time as that Contracting Party demonstrates its interest in Antarctica by conducting substantial scientific research activity there, such as the establishment of a scientific station or the despatch of a scientific expedition.
3. Reports from the observers referred to in Article VII of the present Treaty shall be transmitted to the representatives of the Contracting Parties participating in the meetings referred to in paragraph 1 of the present Article.
4. The measures referred to in paragraph 1 of this Article shall become effective when approved by all the Contracting Parties whose representatives were entitled to participate in the meetings held to consider those measures.
5. Any or all of the rights established in the present Treaty may be exercised as from the date of entry into force of the Treaty whether or not any measures facilitating the exercise of such rights have been proposed, considered or approved as provided in this Article.

**Article X**

Each of the Contracting Parties undertakes to exert appropriate efforts, consistent with the Charter of the United Nations, to the end that no one engages in any activity in Antarctica contrary to the principles or purposes of the present Treaty.

**Article XI**

1. If any dispute arises between two or more of the Contracting Parties concerning the interpretation or application of the present Treaty, those Contracting Parties shall consult among themselves with a view to having the dispute resolved by negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement or other peaceful means of their own choice.
2. Any dispute of this character not so resolved shall, with the consent, in each case, of all parties to the dispute, be referred to the International Court of Justice for settlement; but failure to reach agreement on reference to the International Court shall not absolve parties to the dispute from the responsibility of continuing to seek to resolve it by any of the various peaceful means referred to in paragraph 1 of this Article.

**Article XII**

1. a) The present Treaty may be modified or amended at any time by unanimous agreement of the Contracting Parties whose representatives are entitled to participate in the meeting provided for under Article IX. Any such modification or amendment shall enter into force when the depositary Government has received notice from all such contracting Parties that they have ratified it.  
b) Such modification or amendment shall thereafter enter into force as to any other Contracting Party when notice of ratification by it has been received by the depositary Government. Any such Contracting Party from which no notice of ratification is received within a period of two years from the date of entry into force of the modification or amendment in accordance with the provisions of subparagraph 1(a) of this Article shall be deemed to have withdrawn from the present

Treaty on the date of the expiration of such period.

2. a) If after the expiration of thirty years from the date of entry into force of the present Treaty, any of the Contracting Parties whose representatives are entitled to participate in the meetings provided for under Article IX so requests by a communication addressed to the depositary Government, a Conference of all the Contracting Parties shall be held as soon as practicable to review the operation of the Treaty.
- b) Any modification or amendment to the present Treaty which is approved at such a Conference by a majority of the Contracting Parties there represented, including a majority of those whose representatives are entitled to participate in the meetings provided for under Article IX, shall be communicated by the depositary Government to all the Contracting Parties immediately after the termination of the Conference and shall enter into force in accordance with the provisions of paragraph 1 of the present Article.
- c) If any such modification or amendment has not entered into force in accordance with the provisions of subparagraph 1 (a) of this Article within a period of two years after the date of its communication to all the Contracting Parties, any Contracting Party may at any time after the expiration of that period give notice to the depositary Government of its withdrawal from the present Treaty; and such withdrawal shall take effect two years after the receipt of the notice by the depositary Government.
3. Instruments of ratification and instruments of accession shall be deposited with the Government of the United States of America, hereby designated as the depositary Government.
4. The depositary Government shall inform all signatory and acceding States of the date of each deposit of an instrument of ratification or accession, and the date of entry into force of the Treaty and of any modification or amendment thereto.
5. Upon the deposit of instruments of ratification by all the signatory States, the present Treaty shall enter into force for these States and for States which have deposited instruments of accession. Thereafter the Treaty shall enter into force for any acceding State upon the deposit of its instruments of accession.
6. The present Treaty shall be registered by the depositary Government pursuant to Article 102 of the Charter of the United Nations.

#### Article XIV

The present Treaty, done in the English, French, Russian and Spanish languages, each version being equally authentic, shall be deposited in the archives of the Government of the United States of America, which shall transmit duly certified copies thereof to the Governments of the signatory and acceding States.

In witness whereof, the undersigned Plenipotentiaries, duly authorized, have signed the present Treaty.

Done at Washington this first day of December, one thousand nine hundred and fifty-nine.

#### Article XIII

1. The present Treaty shall be subject to ratification by the signatory States. It shall be open for accession by any State which is a Member of the United Nations, or by any other State which may be invited to accede to the Treaty with the consent of all the Contracting Parties whose representatives are entitled to participate in the meetings provided for under Article IX of the Treaty.
2. Ratification of or accession to the present Treaty shall be effected by each State in accordance with its constitutional processes.

# **TREATY ON THE PROHIBITION OF THE EMPLACEMENT OF NUCLEAR WEAPONS AND OTHER WEAPONS OF MASS DESTRUCTION ON THE SEA-BED AND THE OCEAN FLOOR AND IN THE SUBSOIL THEREOF (SEA-BED TREATY)**

Opened for signature at London (L), Moscow (M) and Washington (W): 11 February 1971.

Entered into force: 18 May 1972.

Depositary Governments: Russian Federation, United Kingdom of Great Britain and Northern Ireland and United States of America.

The States Parties to this Treaty,

Recognizing the common interest of mankind in the progress of the exploration and use of the sea-bed and the ocean floor for peaceful purposes,

Considering that the prevention of a nuclear arms race on the sea-bed and the ocean floor serves the interests of maintaining world peace, reduces international tensions and strengthens friendly relations among States, Convinced that this Treaty constitutes a step towards the exclusion of the sea-bed, the ocean floor and the subsoil thereof from the arms race,

Convinced that this Treaty constitutes a step towards a treaty on general and complete disarmament under strict and effective international control, and determined to continue negotiations to this end,

Convinced that this Treaty will further the purposes and principles of the Charter of the United Nations, in a manner consistent with the principles of international law and without infringing the freedoms of the high seas,

Have agreed as follows:

## **Article I**

1. The States Parties to this Treaty undertake not to emplant or emplace on the seabed and the ocean floor and in the subsoil thereof beyond the outer limit of a sea-bed zone, as defined in article II, any nuclear weapons or any other types of weapons of mass destruction as well as structures, launching installations or any other

facilities specifically designed for storing, testing or using such weapons.

2. The undertakings of paragraph 1 of this article shall also apply to the sea-bed zone referred to in the same paragraph, except that within such sea-bed zone, they shall not apply either to the coastal State or to the sea-bed beneath its territorial waters.
3. The States Parties to this Treaty undertake not to assist, encourage or induce any State to carry out activities referred to in paragraph 1 of this article and not to participate in any other way in such actions.

## **Article II**

For the purpose of this Treaty, the outer limit of the sea-bed zone referred to in article I shall be coterminous with the twelve-mile outer limit of the zone referred to in part II of the Convention on the Territorial Sea and the Contiguous Zone, signed at Geneva on April 29, 1958, and shall be measured in accordance with the provisions of part I, section II, of that Convention and in accordance with international law.

## **Article III**

1. In order to promote the objectives of and ensure compliance with the provisions of this Treaty, each State Party to the Treaty shall have the right to verify through observations the activities of other States Parties to the Treaty on the sea-bed and the ocean floor and in the subsoil thereof beyond the zone referred to in article I, provided that observation does not interfere with such activities.
2. If after such observation reasonable doubts remain concerning the fulfillment of the obligations assumed under the Treaty, the State Party having such doubts and the State Party that is responsible for the activities giving rise to the doubts shall consult with a view to removing the doubts. If the doubts persist, the State Party having such doubts shall notify the other States Parties, and the Parties concerned shall cooperate on such further procedures for verification as may be agreed, including appropriate inspection of objects, structures, installations or other facilities that reasonably may be expected to be of a kind described in article I. The Parties in the region of the activities, including any coastal State, and any other Party so requesting, shall be entitled to participate in such consultation and



cooperation. After completion of the further procedures for verification, an appropriate report shall be circulated to other Parties by the Party that initiated such procedures.

3. If the State responsible for the activities giving rise to the reasonable doubts is not identifiable by observation of the object, structure, installation or other facility, the State Party having such doubts shall notify and make appropriate inquiries of States Parties in the region of the activities and of any other State Party. If it is ascertained through these inquiries that a particular State Party is responsible for the activities, that State Party shall consult and cooperate with other Parties as provided in paragraph 2 of this article. If the identity of the State responsible for the activities cannot be ascertained through these inquiries, then further verification procedures, including inspection, may be undertaken by the inquiring State Party, which shall invite the participation of the Parties in the region of the activities, including any coastal State, and of any other Party desiring to cooperate.
4. If consultation and cooperation pursuant to paragraphs 2 and 3 of this article have not removed the doubts concerning the activities and there remains a serious question concerning fulfillment of the obligations assumed under this Treaty, a State Party may, in accordance with the provisions of the Charter of the United Nations, refer the matter to the Security Council, which may take action in accordance with the Charter.
5. Verification pursuant to this article may be undertaken by any State Party using its own means, or with the full or partial assistance of any other State Party, or through appropriate international procedures within the framework of the United Nations and in accordance with its Charter.
6. Verification activities pursuant to this Treaty shall not interfere with activities of other States Parties and shall be conducted with due regard for rights recognized under international law, including the freedoms of the high seas and the rights of coastal States with respect to the exploration and exploitation of their continental shelves.

#### Article IV

Nothing in this Treaty shall be interpreted as supporting or prejudicing the position of any State Party with respect to existing international conventions, including the 1958 Convention on the Territorial Sea and the Contiguous Zone, or with respect to rights or claims which such State Party may assert, or with respect to recognition or non-recognition of rights or claims asserted by any other State, related to waters off its coasts, including, *inter alia*, territorial seas and contiguous zones, or to the sea-bed and the ocean floor, including continental shelves.

#### Article V

The Parties to this Treaty undertake to continue negotiations in good faith concerning further measures in the field of disarmament for the prevention of an arms race on the sea-bed, the ocean floor and the subsoil thereof.

#### Article VI

Any State Party may propose amendments to this Treaty. Amendments shall enter into force for each State Party accepting the amendments upon their acceptance by a majority of the States Parties to the Treaty and, thereafter, for each remaining State Party on the date of acceptance by it.

#### Article VII

Five years after the entry into force of this Treaty, a conference of Parties to the Treaty shall be held at Geneva, Switzerland, in order to review the operation of this Treaty with a view to assuring that the purposes of the preamble and the provisions of the Treaty are being realized. Such review shall take into account any relevant technological developments. The review conference shall determine, in accordance with the views of a majority of those Parties attending, whether and when an additional review conference shall be convened.

#### Article VIII

Each State Party to this Treaty shall in exercising its national sovereignty have the right to withdraw from this Treaty if it decides that extraordinary events related to the subject-matter of this Treaty have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other States Parties to

the Treaty and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it considers to have jeopardized its supreme interests.

### Article IX

The provisions of this Treaty shall in no way affect the obligations assumed by States Parties to the Treaty under international instruments establishing zones free from nuclear weapons.

### Article X

1. This Treaty shall be open for signature to all States. Any State which does not sign the Treaty before its entry into force in accordance with paragraph 3 of this article may accede to it at any time.
2. This Treaty shall be subject to ratification by signatory States. Instruments of ratification and of accession shall be deposited with the Governments of the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America, which are hereby designated the Depositary Governments.
3. This Treaty shall enter into force after the deposit of instruments of ratification by twenty-two Governments, including the Governments designated as Depositary Governments of this Treaty.
4. For states whose instruments of ratification or accession are deposited after the entry into force of this Treaty, it shall enter into force on the date of the deposit of their instruments of ratification or accession.
5. The Depositary Governments shall promptly inform the Governments of all signatory and acceding States of the date of each signature, of the date of deposit of each instrument of ratification or of accession, of the date of the entry into force of this Treaty, and of the receipt of other notices.
6. This Treaty shall be registered by the Depositary Governments pursuant to Article 102 of the Charter of the United Nations.

### Article XI

This Treaty, the Chinese, English, French, Russian and Spanish texts of which are equally authentic, shall be deposited in the archives of the Depositary Govern-

ments. Duly certified copies of this Treaty shall be transmitted by the Depositary Governments to the Governments of the States signatory and acceding thereto.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto, have signed this Treaty.

DONE in triplicate, at the cities of London, Moscow and Washington, this seventh day of February, one thousand nine hundred seventy-one.

## TREATY ON PRINCIPLES GOVERNING THE ACTIVITIES OF STATES IN THE EXPLORATION AND USE OF OUTER SPACE, INCLUDING THE MOON AND OTHER CELESTIAL BODIES (OUTER SPACE TREATY)

Opened for signature at London (L), Moscow (M) and Washington (W): 27 January 1967.

Entered into force: 10 October 1967.

Depositary Governments: Russian Federation, United Kingdom of Great Britain and Northern Ireland and United States of America.

The States Parties to this Treaty,

Inspired by the great prospects opening up before mankind as a result of man's entry into outer space,

Recognizing the common interest of all mankind in the progress of the exploration and use of outer space for peaceful purposes,

Believing that the exploration and use of outer space should be carried on for the benefit of all peoples irrespective of the degree of their economic or scientific development,

Desiring to contribute to broad international co-operation in the scientific as well as the legal aspects of the exploration and use of outer space for peaceful purposes,

Believing that such co-operation will contribute to the development of mutual understanding and to the strengthening of friendly relations between States and peoples,

Recalling resolution 1962 (XVIII), entitled "Declaration of Legal Principles Governing the Activities of States in the exploration and Use of Outer Space,"

which was adopted unanimously by the United Nations General Assembly on 13 December 1963,

Recalling resolution 1884 (XVIII), calling upon States to refrain from placing in orbit around the earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction or from installing such weapons on celestial bodies, which was adopted unanimously by the United Nations General Assembly on 17 October 1963,

Taking account of United Nations General Assembly resolution 110 (II) of 3 November 1947, which condemned propaganda designed or likely to provoke or encourage any threat to the peace, breach of the peace or act of aggression, and considering that the aforementioned resolution is applicable to outer space,

Convinced that a Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, will further the Purposes and Principles of the Charter of the United Nations,

Have agreed on the following:

#### **Article I**

The exploration and use of outer space, including the Moon and other celestial bodies, shall be carried out for the benefit and in the interests of all countries, irrespective of their degree of economic or scientific development, and shall be the province of all mankind.

Outer space, including the Moon and other celestial bodies, shall be free for exploration and use by all States without discrimination of any kind, on a basis of equality and in accordance with international law, and there shall be free access to all areas of celestial bodies.

There shall be freedom of scientific investigation in outer space, including the Moon and other celestial bodies, and States shall facilitate and encourage international co-operation in such investigation.

#### **Article II**

Outer space, including the Moon and other celestial bodies, is not subject to national appropriation by claim of sovereignty, by means of use or occupation, or by any other means.

#### **Article III**

States Parties to the Treaty shall carry on activities in the exploration and use of outer space, including the Moon and other celestial bodies, in accordance with international law, including the Charter of the United Nations, in the interest of maintaining international peace and security and promoting international co-operation and understanding.

#### **Article IV**

States Parties to the Treaty undertake not to place in orbit around the Earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction, install such weapons on celestial bodies, or station such weapons in outer space in any other manner.

The Moon and other celestial bodies shall be used by all States Parties to the Treaty exclusively for peaceful purposes. The establishment of military bases, installations and fortifications, the testing of any type of weapons and the conduct of military maneuvers on celestial bodies shall be forbidden. The use of military personnel for scientific research or for any other peaceful purposes shall not be prohibited. The use of any equipment or facility necessary for peaceful exploration of the moon and other celestial bodies shall also not be prohibited.

#### **Article V**

States Parties to the Treaty shall regard astronauts as envoys of mankind in outer space and shall render to them all possible assistance in the event of accident, distress, or emergency landing on the territory of another State Party or on the high seas. When astronauts make such a landing, they shall be safely and promptly returned to the State of registry of their space vehicle.

In carrying on activities in outer space and on celestial bodies, the astronauts of one State Party shall render all possible assistance to the astronauts of other States Parties.

States Parties to the Treaty shall immediately inform the other States Parties to the Treaty or the Secretary-General of the United Nations of any phenomena they discover in outer space, including the Moon and other celestial bodies, which could constitute a danger to the life or health of astronauts.

### Article VI

States Parties to the Treaty shall bear international responsibility for national activities in outer space, including the Moon and other celestial bodies, whether such activities are carried on by governmental agencies or by non-governmental entities, and for assuring that national activities are carried out in conformity with the provisions set forth in the present Treaty. The activities of non-governmental entities in outer space, including the Moon and other celestial bodies, shall require authorization and continuing supervision by the appropriate State Party to the Treaty. When activities are carried on in outer space, including the Moon and other celestial bodies, by an international organization, responsibility for compliance with this Treaty shall be borne both by the international organization and by the States Parties to the Treaty participating in such organization.

### Article VII

Each State Party to the Treaty that launches or procures the launching of an object into outer space, including the Moon and other celestial bodies, and each State Party from whose territory or facility an object is launched, is internationally liable for damage to another State Party to the Treaty or to its natural or juridical persons by such object or its component parts on the Earth, in air space or in outer space, including the Moon and other celestial bodies.

### Article VIII

A State Party to the Treaty on whose registry an object launched into outer space is carried shall retain jurisdiction and control over such object, and over any personnel thereof, while in outer space or on a celestial body. Ownership of objects launched into outer space, including objects landed or constructed on a celestial body, and of their component parts, is not affected by their presence in outer space or on a celestial body or by their return to the Earth. Such objects or component parts found beyond the limits of the State Party to the Treaty on whose registry they are carried shall be returned to that State Party, which shall, upon request, furnish identifying data prior to their return.

### Article IX

In the exploration and use of outer space, including the Moon and other celestial bodies, States Parties to the Treaty shall be guided by the principle of co-operation and mutual assistance and shall conduct all their activities in outer space, including the Moon and other celestial bodies, with due regard to the corresponding interests of all other States Parties to the Treaty. States Parties to the Treaty shall pursue studies of outer space, including the Moon and other celestial bodies, and conduct exploration of them so as to avoid their harmful contamination and also adverse changes in the environment of the Earth resulting from the introduction of extraterrestrial matter and, where necessary, shall adopt appropriate measures for this purpose. If a State Party to the Treaty has reason to believe that an activity or experiment planned by it or its nationals in outer space, including the Moon and other celestial bodies, would cause potentially harmful interference with activities of other States Parties in the peaceful exploration and use of outer space, including the Moon and other celestial bodies, it shall undertake appropriate international consultations before proceeding with any such activity or experiment. A State Party to the Treaty which has reason to believe that an activity or experiment planned by another State Party in outer space, including the Moon and other celestial bodies, would cause potentially harmful interference with activities in the peaceful exploration and use of outer space, including the Moon and other celestial bodies, may request consultation concerning the activity or experiment.

### Article X

In order to promote international co-operation in the exploration and use of outer space, including the Moon and other celestial bodies, in conformity with the purposes of this Treaty, the States Parties to the Treaty shall consider on a basis of equality any requests by other States Parties to the Treaty to be afforded an opportunity to observe the flight of space objects launched by those States.

The nature of such an opportunity for observation and the conditions under which it could be afforded shall be determined by agreement between the States concerned.

**Article XI**

In order to promote international co-operation in the peaceful exploration and use of outer space, States Parties to the Treaty conducting activities in outer space, including the Moon and other celestial bodies, agree to inform the Secretary-General of the United Nations as well as the public and the international scientific community, to the greatest extent feasible and practicable, of the nature, conduct, locations and results of such activities. On receiving the said information, the Secretary-General of the United Nations should be prepared to disseminate it immediately and effectively.

**Article XII**

All stations, installations, equipment and space vehicles on the Moon and other celestial bodies shall be open to representatives of other States Parties to the Treaty on a basis of reciprocity. Such representatives shall give reasonable advance notice of a projected visit, in order that appropriate consultations may be held and that maximum precautions may be taken to assure safety and to avoid interference with normal operations in the facility to be visited.

**Article XIII**

The provisions of this Treaty shall apply to the activities of States Parties to the Treaty in the exploration and use of outer space, including the Moon and other celestial bodies, whether such activities are carried on by a single State Party to the Treaty or jointly with other States, including cases where they are carried on within the framework of international intergovernmental organizations.

Any practical questions arising in connection with activities carried on by international inter-governmental organizations in the exploration and use of outer space, including the Moon and other celestial bodies, shall be resolved by the States Parties to the Treaty either with the appropriate international organization or with one or more States members of that international organization, which are Parties to this Treaty.

**Article XIV**

1. This Treaty shall be open to all States for signature. Any State which does not sign this Treaty before its entry into force in accordance with paragraph 3 of this article may accede to it at any time.

2. This Treaty shall be subject to ratification by signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland and the Union of Soviet Socialist Republics, which are hereby designated the Depositary Governments.
3. This Treaty shall enter into force upon the deposit of instruments of ratification by five Governments including the Governments designated as Depositary Governments under this Treaty.
4. For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Treaty, it shall enter into force on the date of the deposit of their instruments of ratification or accession.
5. The Depositary Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification of and accession to this Treaty, the date of its entry into force and other notices.
6. This Treaty shall be registered by the Depositary Governments pursuant to Article 102 of the Charter of the United Nations.

**Article XV**

Any State Party to the Treaty may propose amendments to this Treaty. Amendments shall enter into force for each State Party to the Treaty accepting the amendments upon their acceptance by a majority of the States Parties to the Treaty and thereafter for each remaining State Party to the Treaty on the date of acceptance by it.

**Article XVI**

Any State Party to the Treaty may give notice of its withdrawal from the Treaty one year after its entry into force by written notification to the Depositary Governments. Such withdrawal shall take effect one year from the date of receipt of this notification.

**Article XVII**

This Treaty, of which the English, Russian, French, Spanish and Chinese texts are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of this Treaty shall be

transmitted by the Depositary Governments to the Governments of the signatory and acceding States.

IN WITNESS WHEREOF the undersigned, duly authorized, have signed this Treaty.

DONE in triplicate, at the cities of Washington, London and Moscow, this twenty-seventh day of January one thousand nine hundred sixty-seven.

## **TREATY FOR THE PROHIBITION OF NUCLEAR WEAPONS IN LATIN AMERICA AND THE CARIBBEAN (TREATY OF TLA TELOLCO)**

Opened for signature at Mexico City: 14 February 1967.

Entered into force: For each Government individually.

Depositary Government: Mexico.

### **Preamble**

In the name of their peoples and faithfully interpreting their desires and aspirations, the Governments of the States which sign the Treaty for the Prohibition of Nuclear Weapons in Latin America,

Desiring to contribute, so far as lies in their power, towards ending the armaments race, especially in the field of nuclear weapons, and towards strengthening a world at peace, based on the sovereign equality of States, mutual respect and good neighbourliness,

Recalling that the United Nations General Assembly, in its Resolution 808 (IX), adopted unanimously as one of the three points of a coordinated programme of disarmament “the total prohibition of the use and manufacture of nuclear weapons and weapons of mass destruction of every type,”

Recalling that militarily denuclearized zones are not an end in themselves but rather a means for achieving general and complete disarmament at a later stage,

Recalling United Nations General Assembly Resolution 1911 (XVIII), which established that the measures that should be agreed upon for the denuclearization of Latin America should be taken “in the light of the principles of the Charter of the United Nations and of regional agreements,”

Recalling United Nations General Assembly Resolution 2028 (XX), which established the principle of an

acceptable balance of mutual responsibilities and duties for the nuclear and non-nuclear powers, and

Recalling that the Charter of the Organization of American States proclaims that it is an essential purpose of the Organization to strengthen the peace and security of the hemisphere,

Convinced:

That the incalculable destructive power of nuclear weapons has made it imperative that the legal prohibition of war should be strictly observed in practice if the survival of civilization and of mankind itself is to be assured,

That nuclear weapons, whose terrible effects are suffered, indiscriminately and inexorably, by military forces and civilian population alike, constitute, through the persistence of the radioactivity they release, an attack on the integrity of the human species and ultimately may even render the whole earth uninhabitable,

That general and complete disarmament under effective international control is a vital matter which all the peoples of the world equally demand,

That the proliferation of nuclear weapons, which seems inevitable unless States, in the exercise of their sovereign rights, impose restrictions on themselves in order to prevent it, would make any agreement on disarmament enormously difficult and would increase the danger of the outbreak of a nuclear conflagration,

That the establishment of militarily denuclearized zones is closely linked with the maintenance of peace and security in the respective regions,

That the military denuclearization of vast geographical zones, adopted by the sovereign decision of the States comprised therein, will exercise a beneficial influence on other regions where similar conditions exist,

That the privileged situation of the signatory States, whose territories are wholly free from nuclear weapons, imposes upon them the inescapable duty of preserving that situation both in their own interest and for the good of mankind,

That the existence of nuclear weapons in any country of Latin America would make it a target for possible nuclear attacks and would inevitably set off, throughout the region, a ruinous race in nuclear weapons which would involve the unjustifiable diversion, for warlike

purposes, of the limited resources required for economic and social development,

That the foregoing reasons, together with the traditional peace-loving outlook of Latin America, give rise to an inescapable necessity that nuclear energy should be used in that region exclusively for peaceful purposes, and that the Latin American countries should use their right to the greatest and most equitable possible access to this new source of energy in order to expedite the economic and social development of their peoples,

Convinced finally:

That the military denuclearization of Latin America — being understood to mean the undertaking entered into internationally in this Treaty to keep their territories forever free from nuclear weapons — will constitute a measure which will spare their peoples from the squandering of their limited resources on nuclear armaments and will protect them against possible nuclear attacks on their territories, and will also constitute a significant contribution towards preventing the proliferation of nuclear weapons and a powerful factor for general and complete disarmament, and

That Latin America, faithful to its tradition of universality, must not only endeavour to banish from its homelands the scourge of a nuclear war, but must also strive to promote the well-being and advancement of its peoples, at the same time co-operating in the fulfillment of the ideals of mankind, that is to say, in the consolidation of a permanent peace based on equal rights, economic fairness and social justice for all, in accordance with the principles and purposes set forth in the Charter of the United Nations and in the Charter of the Organization of American States.

Have agreed as follows:

## Obligations

### Article 1

1. The Contracting Parties hereby undertake to use exclusively for peaceful purposes the nuclear material and facilities which are under their jurisdiction, and to prohibit and prevent in their respective territories:
  - (a) The testing, use, manufacture, production or acquisition by any means whatsoever of any nuclear weapons, by the Parties themselves, directly or indirectly, on behalf of anyone else or in any other way, and

- (b) The receipt, storage, installation, deployment and any form of possession of any nuclear weapons, directly or indirectly, by the Parties themselves, by anyone on their behalf or in any other way.

2. The Contracting Parties also undertake to refrain from engaging in, encouraging or authorizing, directly or indirectly, or in any way participating in the testing, use, manufacture, production, possession or control of any nuclear weapon.

## Definition of the Contracting Parties

### Article 2

For the purposes of this Treaty, the Contracting Parties are those for whom the Treaty is in force.

Definition of territory

### Article 3

For the purposes of this Treaty, the term “territory” shall include the territorial sea, air space and any other space over which the State exercises sovereignty in accordance with its own legislation.

## Zone of application

### Article 4

1. The zone of application of this Treaty is the whole of the territories for which the Treaty is in force.
2. Upon fulfillment of the requirements of article 28, paragraph 1, the zone of application of this Treaty shall also be that which is situated in the western hemisphere within the following limits (except the continental part of the territory of the United States of America and its territorial waters): starting at a point located at 35° north latitude, 75° west longitude; from this point directly southward to a point at 30° north latitude, 75° west longitude; from there, directly eastward to a point at 30° north latitude, 50° west longitude; from there, along a loxodromic line to a point at 5° north latitude, 20° west longitude; from there directly southward to a point 60° south latitude, 20° west longitude; from there, directly westward to a point at 60° south latitude, 115° west longitude; from there, directly northward to a point at 0 latitude, 115° west longitude; from there, along a loxodromic line to a point at 35° north latitude, 150° west

longitude; from there, directly eastward to a point at 35° north latitude, 75° west longitude.

### **Definition of nuclear weapons**

#### **Article 5**

For the purposes of this Treaty, a nuclear weapon is any device which is capable of releasing nuclear energy in an uncontrolled manner and which has a group of characteristics that are appropriate for use for war-like purposes. An instrument that may be used for the transport or propulsion of the device is not included in this definition if it is separable from the device and not an indivisible part thereof.

### **Meeting of signatories**

#### **Article 6**

At the request of any of the signatory States or if the Agency established by article 7 should so decide, a meeting of all the signatories may be convoked to consider in common questions which may affect the very essence of this instrument, including possible amendments to it. In either case, the meeting will be convoked by the General Secretary.

### **Organization**

#### **Article 7**

1. In order to ensure compliance with the obligations of this Treaty, the Contracting Parties hereby establish an international organization to be known as the "Agency for the Prohibition of Nuclear Weapons in Latin America," hereinafter referred to as "the Agency." Only the Contracting Parties shall be affected by its decisions.
2. The Agency shall be responsible for the holding of periodic or extraordinary consultations among Member States on matters relating to the purposes, measures and procedures set forth in this Treaty and to the supervision of compliance with the obligations arising therefrom.
3. The Contracting Parties agree to extend to the Agency full and prompt cooperation in accordance with the provisions of this Treaty, of any agreements they may conclude with the Agency and of any agreements the Agency may conclude with any other international organization or body.

4. The headquarters of the Agency shall be in Mexico City.

### **Organs**

#### **Article 8**

1. There are hereby established as principal organs of the Agency a General Conference, a Council and a Secretariat.
2. Such subsidiary organs as are considered necessary by the General Conference may be established within the purview of this Treaty.

### **The General Conference**

#### **Article 9**

1. The General Conference, the supreme organ of the Agency, shall be composed of all the Contracting Parties; it shall hold regular sessions every two years, and may also hold special sessions whenever this Treaty so provides or, in the opinion of the Council, the circumstances so require.
2. The General Conference:
  - (a) May consider and decide on any matters or questions covered by this Treaty, within the limits thereof, including those referring to powers and functions of any organ provided for in this Treaty.
  - (b) Shall establish procedures for the control system to ensure observance of this Treaty in accordance with its provisions.
  - (c) Shall elect the Members of the Council and the General Secretary.
  - (d) May remove the General Secretary from office if the proper functioning of the Agency so requires.
  - (e) Shall receive and consider the biennial and special reports submitted by the Council and the General Secretary.
  - (f) Shall initiate and consider studies designed to facilitate the optimum fulfillment of the aims of this Treaty, without prejudice to the power of the General Secretary independently to carry out similar studies for submission to and consideration by the Conference.
  - (g) Shall be the organ competent to authorize the conclusion of agreements with Governments and other international organizations and bodies.



3. The General Conference shall adopt the Agency's budget and fix the scale of financial contributions to be paid by Member States, taking into account the systems and criteria used for the same purpose by the United Nations.
4. The General Conference shall elect its officers for each session and may establish such subsidiary organs as it deems necessary for the performance of its functions.
5. Each Member of the Agency shall have one vote. The decisions of the General Conference shall be taken by a two-thirds majority of the Members present and voting in the case of matters relating to the control system and measures referred to in article 20, the admission of new Members, the election or removal of the General Secretary, adoption of the budget and matters related thereto. Decisions on other matters, as well as procedural questions and also determination of which questions must be decided by a two-thirds majority, shall be taken by a simple majority of the Members present and voting.
6. The General Conference shall adopt its own rules of procedure.

## **The Council**

### **Article 10**

1. The Council shall be composed of five Members of the Agency elected by the General Conference from among the Contracting Parties, due account being taken of equitable geographic distribution.
2. The Members of the Council shall be elected for a term of four years. However, in the first election three will be elected for two years. Outgoing Members may not be reelected for the following period unless the limited number of States for which the Treaty is in force so requires.
3. Each Member of the Council shall have one representative.
4. The Council shall be so organized as to be able to function continuously.
5. In addition to the functions conferred upon it by this Treaty and to those which may be assigned to it by the General Conference, the Council shall, through the General Secretary, ensure the proper operation of the control system in accordance with the provisions of this Treaty and with the decisions adopted by the General Conference.

6. The Council shall submit an annual report on its work to the General Conference as well as such special reports as it deems necessary or which the General Conference requests of it.
7. The Council shall elect its officers for each session.
8. The decisions of the Council shall be taken by a simple majority of its Members present and voting.
9. The Council shall adopt its own rules of procedure.

## **The Secretariat**

### **Article 11**

1. The Secretariat shall consist of a General Secretary, who shall be the chief administrative officer of the Agency, and of such staff as the Agency may require. The term of office of the General Secretary shall be four years and he may be re-elected for a single additional term. The General Secretary may not be a national of the country in which the Agency has its headquarters. In case the office of General Secretary becomes vacant, a new election shall be held to fill the office for the remainder of the term.
2. The staff of the Secretariat shall be appointed by the General Secretary, in accordance with rules laid down by the General Conference.
3. In addition to the functions conferred upon him by this Treaty and to those which may be assigned to him by the General Conference, the General Secretary shall ensure, as provided by article 10, paragraph 5, the proper operation of the control system established by this Treaty, in accordance with the provisions of the Treaty and the decisions taken by the General Conference.
4. The General Secretary shall act in that capacity in all meetings of the General Conference and of the Council and shall make an annual report to both bodies on the work of the Agency and any special reports requested by the General Conference or the Council or which the General Secretary may deem desirable.
5. The General Secretary shall establish the procedures for distributing to all Contracting Parties information received by the Agency from governmental sources and such information from non-governmental sources as may be of interest to the Agency.

6. In the performance of their duties the General Secretary and the staff shall not seek or receive instructions from any Government or from any other authority external to the Agency and shall refrain from any action which might reflect on their position as international officials responsible only to the Agency; subject to their responsibility to the Agency, they shall not disclose any industrial secrets or other confidential information coming to their knowledge by reason of their official duties in the Agency.
7. Each of the Contracting Parties undertakes to respect the exclusively international character of the responsibilities of the General Secretary and the staff and not to seek to influence them in the discharge of their responsibilities.

### **Control system**

#### **Article 12**

1. For the purpose of verifying compliance with the obligations entered into by the Contracting Parties in accordance with article 1, a control system shall be established which shall be put into effect in accordance with the provisions of articles 13-18 of this Treaty.
2. The control system shall be used in particular for the purpose of verifying:
  - (a) That devices, services and facilities intended for peaceful uses of nuclear energy are not used in the testing or manufacture of nuclear weapons,
  - (b) That none of the activities prohibited in article 1 of this Treaty are carried out in the territory of the Contracting Parties with nuclear materials or weapons introduced from abroad, and
  - (c) That explosions for peaceful purposes are compatible with article 18 of this Treaty.

### **IAEA safeguards**

#### **Article 13**

Each Contracting Party shall negotiate multilateral or bilateral agreements with the International Atomic Energy Agency for the application of its safeguards to its nuclear activities. Each Contracting Party shall initiate negotiations within a period of 180 days after the date of the deposit of its instrument of ratification of this Treaty. These agreements shall enter into force, for

each Party, not later than eighteen months after the date of the initiation of such negotiations except in case of unforeseen circumstances or force majeure.

### **Reports of the Parties**

#### **Article 14**

1. The Contracting Parties shall submit to the Agency and to the International Atomic Energy Agency, for their information, semi-annual reports stating that no activity prohibited under this Treaty has occurred in their respective territories.
2. The Contracting Parties shall simultaneously transmit to the Agency a copy of any report they may submit to the International Atomic Energy Agency which relates to matters that are the subject of this Treaty and to the application of safeguards.
3. The Contracting Parties shall also transmit to the Organization of American States, for its information, any reports that may be of interest to it, in accordance with the obligations established by the Inter-American System.

### **Special reports requested by the General Secretary**

#### **Article 15**

1. With the authorization of the Council, the General Secretary may request any of the Contracting Parties to provide the Agency with complementary or supplementary information regarding any event or circumstance connected with compliance with this Treaty, explaining his reasons. The Contracting Parties undertake to co-operate promptly and fully with the General Secretary.
2. The General Secretary shall inform the Council and the Contracting Parties forthwith of such requests and of the respective replies.

### **Special inspections**

#### **Article 16**

1. The International Atomic Energy Agency and the Council established by this Treaty have the power of carrying out special inspections in the following cases:
  - (a) In the case of the International Atomic Energy Agency, in accordance with the

- agreements referred to in article 13 of this Treaty;
- (b) In the case of the Council:
    - (i) When so requested, the reasons for the request being stated, by any Party which suspects that some activity prohibited by this Treaty has been carried out or is about to be carried out, either in the territory of any other Party or in any other place on such latter Party's behalf, the Council shall immediately arrange for such an inspection in accordance with article 10, paragraph 5.
    - (ii) When requested by any Party which has been suspected of or charged with having violated this Treaty, the Council shall immediately arrange for the special inspection requested in accordance with article 10, paragraph 5. The above requests will be made to the Council through the General Secretary.
  2. The costs and expenses of any special inspection carried out under paragraph 1, sub-paragraph (b), sections (i) and (ii) of this article shall be borne by the requesting Party or Parties, except where the Council concludes on the basis of the report on the special inspection that, in view of the circumstances existing in the case, such costs and expenses should be borne by the agency.
  3. The General Conference shall formulate the procedures for the organization and execution of the special inspections carried out in accordance with paragraph 1, sub-paragraph (b), sections (i) and (ii) of this article.
  4. The Contracting Parties undertake to grant the inspectors carrying out such special inspections full and free access to all places and all information which may be necessary for the performance of their duties and which are directly and intimately connected with the suspicion of violation of this Treaty. If so requested by the authorities of the Contracting Party in whose territory the inspection is carried out, the inspectors designated by the General Conference shall be accompanied by representatives of said authorities, provided that this does not in any way delay or hinder the work of the inspectors.
  5. The Council shall immediately transmit to all the Parties, through the General Secretary, a copy of any report resulting from special inspections.
  6. Similarly, the Council shall send through the General Secretary to the Secretary-General of the United Nations, for transmission to the United Nations Security Council and General Assembly, and to the Council of the Organization of American States, for its information, a copy of any report resulting from any special inspection carried out in accordance with paragraph 1, sub-paragraph (b), sections (i) and (ii) of this article.
  7. The Council may decide, or any Contracting Party may request, the convening of a special session of the General Conference for the purpose of considering the reports resulting from any special inspection. In such a case, the General Secretary shall take immediate steps to convene the special session requested.
  8. The General Conference, convened in special session under this article, may make recommendations to the Contracting Parties and submit reports to the Secretary-General of the United Nations to be transmitted to the United Nations Security Council and the General Assembly. Use of nuclear energy for peaceful purposes

#### Article 17

Nothing in the provisions of this Treaty shall prejudice the rights of the Contracting Parties, in conformity with this Treaty, to use nuclear energy for peaceful purposes, in particular for their economic development and social progress.

#### Explosions for peaceful purposes

#### Article 18

1. The Contracting Parties may carry out explosions of nuclear devices for peaceful purposes — including explosions which involve devices similar to those used in nuclear weapons — or collaborate with third parties for the same purpose, provided that they do so in accordance with the provisions of this article and the other articles of the Treaty, particularly articles 1 and 5.
2. Contracting Parties intending to carry out, or to cooperate in carrying out, such an explosion shall notify the Agency and the International Atomic Energy Agency, as far in advance as the circumstances require, of the date of the

explosion and shall at the same time provide the following information:

- (a) The nature of the nuclear device and the source from which it was obtained,
  - (b) The place and purpose of the planned explosion,
  - (c) The procedures which will be followed in order to comply with paragraph 3 of this article,
  - (d) The expected force of the device, and
  - (e) The fullest possible information on any possible radioactive fall-out that may result from the explosion or explosions, and measures which will be taken to avoid danger to the population, flora, fauna and territories of any other Party or Parties.
3. The General Secretary and the technical personnel designated by the Council and the International Atomic Energy Agency may observe all the preparations, including the explosion of the device, and shall have unrestricted access to any area in the vicinity of the site of the explosion in order to ascertain whether the device and the procedures followed during the explosion are in conformity with the information supplied under paragraph 2 of this article and the other provisions of this Treaty.
  4. The Contracting Parties may accept the collaboration of third parties for the purposes set forth in paragraph 1 of the present article, in accordance with paragraphs 2 and 3 thereof.

### **Relations with other international organizations**

#### **Article 19**

1. The Agency may conclude such agreements with the International Atomic Energy Agency as are authorized by the General Conference and as it considers likely to facilitate the efficient operation of the control system established by this Treaty.
2. The Agency may also enter into relations with any international organization or body, especially any which may be established in the future to supervise disarmament or measures for the control of armaments in any part of the world.
3. The Contracting Parties may, if they see fit, request the advice of the Inter-American Nuclear Energy Commission on all technical matters connected with the application of this Treaty

with which the Commission is competent to deal under its Statute.

### **Measures in the event of violation of the Treaty**

#### **Article 20**

1. The General Conference shall take note of all cases in which, in its opinion, any Contracting Party is not complying fully with its obligations under this Treaty and shall draw the matter to the attention of the Party concerned, making such recommendations as it deems appropriate.
2. If, in its opinion, such non-compliance constitutes a violation of this Treaty which might endanger peace and security, the General Conference shall report thereon simultaneously to the United Nations Security Council and the General Assembly through the Secretary-General of the United Nations, and to the Council of the Organization of American States. The General Conference shall likewise report to the International Atomic Energy Agency for such purposes as are relevant in accordance with its Statute.

### **United Nations and Organization of American States**

#### **Article 21**

None of the provisions of this Treaty shall be construed as impairing the rights and obligations of the Parties under the Charter of the United Nations or, in the case of States Members of the Organization of American States, under existing regional treaties.

### **Privileges and immunities**

#### **Article 22**

1. The Agency shall enjoy in the territory of each of the Contracting Parties such legal capacity and such privileges and immunities as may be necessary for the exercise of its functions and the fulfillment of its purposes.
2. Representatives of the Contracting Parties accredited to the Agency and officials of the Agency shall similarly enjoy such privileges and immunities as are necessary for the performance of their functions.
3. The Agency may conclude agreements with the Contracting Parties with a view to determining

the details of the application of paragraphs 1 and 2 of this article.

### Notification of other agreements

#### Article 23

Once this Treaty has entered into force, the Secretariat shall be notified immediately of any international agreement concluded by any of the Contracting Parties on matters with which this Treaty is concerned; the Secretariat shall register it and notify the other Contracting Parties.

### Settlement of disputes

#### Article 24

Unless the Parties concerned agree on another mode of peaceful settlement, any question or dispute concerning the interpretation or application of this Treaty which is not settled shall be referred to the International Court of Justice with the prior consent of the Parties to the controversy.

### Signature

#### Article 25

1. This Treaty shall be open indefinitely for signature by:
  - (a) All the Latin American Republics, and
  - (b) All other sovereign States situated in their entirety south of latitude 35° north in the western hemisphere; and, except as provided in paragraph 2 of this article, all such States which become sovereign, when they have been admitted by the General Conference.
2. The General Conference shall not take any decision regarding the admission of a political entity part or all of whose territory is the subject, prior to the date when this Treaty is opened for signature, of a dispute or claim between an extra-continental country and one or more Latin American States, so long as the dispute has not been settled by peaceful means.

### Ratification and deposit

#### Article 26

1. This Treaty shall be subject to ratification by signatory States in accordance with their respective constitutional procedures.

2. This Treaty and the instruments of ratification shall be deposited with the Government of the Mexican United States, which is hereby designated the Depositary Government.
3. The Depositary Government shall send certified copies of this Treaty to the Governments of signatory States and shall notify them of the deposit of each instrument of ratification.

### Reservations

#### Article 27

This Treaty shall not be subject to reservations.

### Entry into force

#### Article 28

1. Subject to the provisions of paragraph 2 of this article, this Treaty shall enter into force among the States that have ratified it as soon as the following requirements have been met:
  - (a) Deposit of the instruments of ratification of this Treaty with the Depositary Government by the Governments of the States mentioned in article 25 which are in existence on the date when this Treaty is opened for signature and which are not affected by the provisions of article 25, paragraph 2;
  - (b) Signature and ratification of Additional Protocol I annexed to this Treaty by all extra-continental or continental States having de jure or de facto international responsibility for territories situated in the zone of application of the Treaty;
  - (c) Signature and ratification of the Additional Protocol II annexed to this Treaty by all powers possessing nuclear weapons;
  - (d) Conclusion of bilateral or multilateral agreements on the application of Safeguards System of the International Atomic Energy Agency in accordance with article 13 of this Treaty.
2. All signatory States shall have the inalienable right to waive, wholly or in part, the requirements laid down in the preceding paragraph. They may do so by means of a declaration which shall be annexed to their respective instrument of ratification and which may be formulated at the time of deposit of the instrument or subsequently. For those States which exercise this right, this Treaty shall enter

into force upon deposit of the declaration, or as soon as those requirements have been met which have not been expressly waived.

3. As soon as this Treaty has entered into force in accordance with the provisions of paragraph 2 for eleven States, the Depositary Government shall convene a preliminary meeting of those States in order that the Agency may be set up and commence its work.
4. After the entry into force of this Treaty for all the countries of the zone, the rise of a new power possessing nuclear weapons shall have the effect of suspending the execution of this Treaty for those countries which have ratified it without waiving requirements of paragraph 1, subparagraph (c) of this article, and which request such suspension; the Treaty shall remain suspended until the new power, on its own initiative or upon request by the General Conference, ratifies the annexed Additional Protocol II.

## **Amendments**

### **Article 29**

1. Any Contracting Party may propose amendments to this Treaty and shall submit its proposals to the Council through the General Secretary, who shall transmit them to all the other Contracting Parties and, in addition, to all other signatories in accordance with article 6. The Council, through the General Secretary, shall immediately following the meeting of signatories convene a special session of the General Conference to examine the proposals made, for the adoption of which a two-thirds majority of the Contracting Parties present and voting shall be required.
2. Amendments adopted shall enter into force as soon as the requirements set forth in article 28 of this Treaty have been complied with.

## **Duration and denunciation**

### **Article 30**

1. This Treaty shall be of a permanent nature and shall remain in force indefinitely, but any Party may denounce it by notifying the General Secretary of the Agency if, in the opinion of the denouncing State, there have arisen or may arise circumstances connected with the content of this Treaty or of the annexed Additional Protocols I and II which affect its supreme interests or the

peace and security of one or more Contracting Parties.

2. The denunciation shall take effect three months after the delivery to the General Secretary of the Agency of the notification by the Government of the signatory State concerned. The General Secretary shall immediately communicate such notification to the other Contracting Parties and to the Secretary-General of the United Nations for the information of the United Nations Security Council and the General Assembly. He shall also communicate it to the Secretary-General of the Organization of American States.

## **Authentic texts and registration**

### **Article 31**

This Treaty, of which the Spanish, Chinese, English, French, Portuguese and Russian texts are equally authentic, shall be registered by the Depositary Government in accordance with article 102 of the United Nations Charter. The Depositary Government shall notify the Secretary-General of the United Nations of the signatures, ratification and amendments relating to this Treaty and shall communicate them to the Secretary-General of the Organization of American States for its information.

### **Transitional Article**

Denunciation of the declaration referred to article 28, paragraph 2, shall be subject to the same procedures as the denunciation of this Treaty, except that it will take effect on the date of delivery of the respective notification.

IN WITNESS WHEREOF the undersigned Plenipotentiaries, having deposited their full powers, found in good and due form, sign this Treaty on behalf of their respective Governments.

DONE at Mexico, Distrito Federal, on the Fourteenth day of February, one thousand nine hundred and sixty-seven.

## **ADDITIONAL PROTOCOL I**

The undersigned Plenipotentiaries, furnished with full powers by their respective Governments,

Convinced that the Treaty for the Prohibition of Nuclear Weapons in Latin America, negotiated and signed in accordance with the recommendations of the General

Assembly of the United Nations in Resolution 1911 (XVIII) of 27 November 1963, represents an important step towards ensuring the non-proliferation of nuclear weapons,

Aware that the non-proliferation of nuclear weapons is not an end in itself but, rather, a means of achieving general and complete disarmament at a later stage, and Desiring to contribute, so far as lies in their power, towards ending the armaments race, especially in the field of nuclear weapons, and towards strengthening a world at peace, based on mutual respect and sovereign equality of States,

Have agreed as follows:

### **Article 1**

To undertake to apply the statute of denuclearization in respect of warlike purposes as defined in articles 1, 3, 5 and 13 of the Treaty for the Prohibition of Nuclear Weapons in Latin America in territories for which, de jure or de facto, they are internationally responsible and which lie within the limits of the geographical zone established in that Treaty.

### **Article 2**

The duration of this Protocol shall be the same as that of the Treaty for the Prohibition of Nuclear Weapons in Latin America of which this Protocol is an annex, and the provisions regarding ratification and denunciation contained in the Treaty shall be applicable to it.

### **Article 3**

This Protocol shall enter into force, for the States which have ratified it, on the date of the deposit of their respective instruments of ratification.

IN WITNESS WHEREOF the undersigned Plenipotentiaries, having deposited their full powers, found in good and due form, sign this Protocol on behalf of their respective Governments.

## **ADDITIONAL PROTOCOL II**

The undersigned Plenipotentiaries, furnished with full powers by their respective Governments,

Convinced that the Treaty for the Prohibition of Nuclear Weapons in Latin America, negotiated and signed in accordance with the recommendations of the General Assembly of the United Nations in Resolution 1911

(XVIII) of 27 November 1963, represents an important step towards ensuring the non-proliferation of nuclear weapons,

Aware that the non-proliferation of nuclear weapons is not an end in itself but, rather, a means of achieving general and complete disarmament at a later stage, and Desiring to contribute, so far as lies in their power, towards ending the armaments race, especially in the field of nuclear weapons, and towards promoting and strengthening a world at peace, based on mutual respect and sovereign equality of States,

Have agreed as follows:

### **Article 1**

The statute of denuclearization of Latin America in respect of warlike purposes, as defined, delimited and set forth in the Treaty for the Prohibition of Nuclear Weapons in Latin America of which this instrument is an annex, shall be fully respected by the Parties to this Protocol in all its express aims and provisions.

### **Article 2**

The Governments represented by the undersigned Plenipotentiaries undertake, therefore, not to contribute in any way to the performance of acts involving a violation of the obligations of article 1 of the Treaty in the territories to which the Treaty applies in accordance with article 4 thereof.

### **Article 3**

The Governments represented by the undersigned Plenipotentiaries also undertake not to use or threaten to use nuclear weapons against the Contracting Parties of the Treaty for the Prohibition of Nuclear Weapons in Latin America.

### **Article 4**

The duration of this Protocol shall be the same as that of the Treaty for the Prohibition of Nuclear Weapons in Latin America of which this Protocol is an annex, and the definitions of territory and nuclear weapons set forth in articles 3 and 5 of the Treaty shall be applicable to this Protocol, as well as the provisions regarding ratification, reservations, denunciation, authentic texts and registration contained in articles 26, 27, 30 and 31 of the Treaty.

**Article 5**

This Protocol shall enter into force, for the States which have ratified it, on the date of the deposit of their respective instruments of ratification.

IN WITNESS WHEREOF the undersigned Plenipotentiaries, having deposited their full powers, found in good and due form, sign this Additional Protocol on behalf of their respective Governments.

Amendment to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean pursuant to resolution 268 (XII)\*

(\* Resolution 268 (XII) was adopted by the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean at Mexico City on 10 May 1991.)

Article 25, paragraph 2, of the Treaty should be replaced by the following text:

“The status of State Party to the Treaty of Tlatelolco shall be restricted to the independent States within the zone of application of the Treaty, in accordance with article 4 thereof and with paragraph 1 of this article, which on 10 December 1985 were Members of the United Nations, and to the Non-Self-Governing Territories specified in document OEA/CER.P.AG/doc.1939/85 of 5 November 1985, when they attain their independence.”

Amendments to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean pursuant to resolution 290 (VII)\*

(\* Resolution 290 (VII) was adopted by the General Conference of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean at Mexico City on 26 August 1992. )

**Article 14**

2. The Contracting Parties shall simultaneously forward to the Agency copies of the reports submitted to the International Atomic Energy Agency with regard to matters that are subject of this Treaty that are relevant to the work of the Agency.
3. The information furnished by the Contracting Parties cannot be, totally or partially, disclosed or transmitted to third parties, by the recipients of the reports, except when the Contracting Parties give their express consent.

**Article 15**

1. At the request of any of the Parties and with the authorization of the Council, the General Secretary may request any of the Contracting Parties to provide the Agency with complementary or supplementary information regarding any extraordinary event or circumstance which may affect compliance with this Treaty, explaining his reasons. The Contracting Parties undertake to cooperate promptly and fully with the General Secretary.
2. The General Secretary shall immediately inform the Council and the Contracting Parties of such requests and the respective replies.

Current article 16 shall be replaced by the following text:

**Article 16**

1. The International Atomic Energy Agency has the power of carrying out special inspections, subject to article 12 and to the agreements referred to in article 13 of this Treaty.
2. At the request of any of the Contracting Parties in accordance with the procedures established in article 15 of this Treaty, the Council shall submit for consideration by the International Atomic Energy Agency a request that the necessary mechanisms be put into operation to carry out a special inspection.
3. The General Secretary shall request the Director General of the International Atomic Energy Agency opportunistically to transmit to him the information forwarded for the knowledge of the Board of Governors of the International Atomic Energy Agency with regard to the conclusion of the special inspection. The General Secretary shall promptly make this information known to the Council.
4. The Council, through the General Secretary, shall transmit said information to all the Contracting Parties.

**Article 19**

The Agency may conclude such agreements with the International Atomic Energy Agency as are authorized by the General Conference and as it considers likely to facilitate the efficient operation of the control system established in the present Treaty.

And the remaining articles, from article 20 onwards, shall be renumbered:



**Article 20**

1. The Agency may also enter into relations with any international organization or body, especially any which may be established in the future to supervise disarmament or measures for the control of armaments in any part of the world.
2. The Contracting Parties may, if they see fit, request the advice of the Inter-American Nuclear Energy Commission on all technical matters connected with the application of this Treaty with which the Commission is competent to deal under its Statute.

## **SOUTH PACIFIC NUCLEAR-FREE ZONE (TREATY OF RAROTONGA)**

Signed at Rarotonga: 6 August 1985.

Entered into force: 11 December 1986.

Depositary: Director of the South Pacific Bureau For Economic Cooperation.

**PREAMBLE**

The Parties to this Treaty,

United in their commitment to a world at peace;

Gravely concerned that the continuing nuclear arms race presents the risk of nuclear war which would have devastating consequences for all people;

Convinced that all countries have an obligation to make every effort to achieve the goal of eliminating nuclear weapons, the terror which they hold for humankind and the threat which they pose to life on earth;

Believing that regional arms control measures can contribute to global efforts to reverse the nuclear arms race and promote the national security of each country in the region and the common security of all;

Determined to ensure, so far as lies within their power, that the bounty and beauty of the land and sea in their region shall remain the heritage of their peoples and their descendants in perpetuity to be enjoyed by all in peace;

Reaffirming the importance of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) in preventing the proliferation of nuclear weapons and in contributing to world security;

Noting, in particular, that Article VII of the NPT recognizes 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;

Noting that the prohibitions of emplantation and emplacement of nuclear weapons on the seabed and the ocean floor and in the subsoil thereof contained in the Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Seabed and the Ocean Floor and in the Subsoil Thereof apply in the South Pacific;

Noting also that the prohibition of testing of nuclear weapons in the atmosphere or under water, including territorial waters or high seas, contained in the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water applies in the South Pacific;

Determined to keep the region free of environmental pollution by radioactive wastes and other radioactive matter;

Guided by the decision of the Fifteenth South Pacific Forum at Tuvalu that a nuclear free zone should be established in the region at the earliest possible opportunity in accordance with the principles set out in the communiqué of that meeting;

Agreed as follows:

**Article 1****USAGE OF TERMS**

For the purposes of this Treaty and its Protocols:

- (a) "South Pacific Nuclear Free Zone" means the areas described in Annex 1 as illustrated by the map attached to that Annex;
- (b) "territory" means internal waters, territorial sea and archipelagic waters, the seabed and subsoil beneath, the land territory and the airspace above them;
- (c) "nuclear explosive device" means any nuclear weapon or other explosive device capable of releasing nuclear energy, irrespective of the purpose for which it could be used. The term includes such a weapon or device in unassembled and partly assembled forms, but does not include the means of transport or delivery of such a weapon or device if separable from and not an indivisible part of it;
- (d) "stationing" means emplantation, emplacement, transportation on land or inland waters, stockpiling, storage, installation and deployment.

**Article 2**

**APPLICATION OF THE TREATY**

1. Except where otherwise specified, this Treaty and its Protocols shall apply to territory within the South Pacific Nuclear Free Zone.
2. Nothing in this Treaty shall prejudice or in any way affect the rights, or the exercise of the rights, of any State under international law with regard to freedom of the seas.

**Article 3**

**RENUNCIATION OF NUCLEAR EXPLOSIVE DEVICES**

Each Party undertakes:

- (a) not to manufacture or otherwise acquire, possess or have control over any nuclear explosive device by any means anywhere inside or outside the South Pacific Nuclear Free Zone;
- (b) not to seek or receive any assistance in the manufacture or acquisition of any nuclear explosive device;
- (c) not to take any action to assist or encourage the manufacture or acquisition of any nuclear explosive device by any State.

**Article 4**

**PEACEFUL NUCLEAR ACTIVITIES**

Each Party undertakes:

- (a) not to provide source or special fissionable material, or equipment or material especially designed or prepared for the processing, use or production of special fissionable material for peaceful purposes to:
  - (i) any non-nuclear-weapon State unless subject to the safeguards required by Article III.1 of the NPT, or
  - (ii) any nuclear-weapon State unless subject to applicable safeguards agreements with the International Atomic Energy Agency (IAEA). Any such provision shall be in accordance with strict non-proliferation measures to provide assurance of exclusively peaceful non-explosive use;
- (b) to support the continued effectiveness of the international non-proliferation system based on the NPT and the IAEA safeguards system.

**Article 5**

**PREVENTION OF STATIONING OF NUCLEAR EXPLOSIVE DEVICES**

1. Each Party undertakes to prevent in its territory the stationing of any nuclear explosive device.
2. Each Party in the exercise of its sovereign rights remains free to decide for itself whether to allow visits by foreign ships and aircraft to its ports and airfields, transit of its airspace by foreign aircraft, and navigation by foreign ships in its territorial sea or archipelagic waters in a manner not covered by the rights of innocent passage, archipelagic sea lane passage or transit passage of straits.

**Article 6**

**PREVENTION OF TESTING OF NUCLEAR EXPLOSIVE DEVICES**

Each Party undertakes:

- (a) to prevent in its territory the testing of any nuclear explosive device;
- (b) not to take any action to assist or encourage the testing of any nuclear explosive device by any State.

**Article 7**

**PREVENTION OF DUMPING**

1. Each Party undertakes:
  - (a) not to dump radioactive wastes and other radioactive matter at sea anywhere within the South Pacific Nuclear Free Zone.
  - (b) to prevent the dumping of radioactive wastes and other radioactive matter by anyone in its territorial sea;
  - (c) not to take any action to assist or encourage the dumping by anyone of radioactive wastes and other radioactive matter at sea anywhere within the South Pacific Nuclear Free Zone;
  - (d) to support the conclusion as soon as possible of the proposed Convention relating to the protection of the natural resources and environment of the South Pacific region and its Protocol for the prevention of pollution of the South Pacific region by dumping, with the aim of precluding dumping at sea

of radioactive wastes and other radioactive matter by anyone anywhere in the region.

2. Paragraphs 1(a) and 1(b) of this Article shall not apply to areas of the South Pacific Nuclear Free Zone in respect of which such a Convention and Protocol have entered into force.

## Article 8

### CONTROL SYSTEM

1. The Parties hereby establish a control system for the purpose of verifying compliance with their obligations under this Treaty.
2. The control system shall comprise:
  - (a) reports and exchange of information as provided for in Article 9;
  - (b) consultations as provided for in Article 10 and Annex 4 (1);
  - (c) the application to peaceful nuclear activities of safeguards by the IAEA as provided for in Annex 2;
  - (d) a complaints procedure as provided for in Annex 4.

## Article 9

### REPORTS AND EXCHANGES OF INFORMATION

1. Each Party shall report to the Director of the South Pacific Bureau for Economic Co-operation (the Director) as soon as possible any significant event within its jurisdiction affecting the implementation of this Treaty. The Director shall circulate such reports promptly to all Parties.
2. The Parties shall endeavour to keep each other informed on matters arising under or in relation to this Treaty. They may exchange information by communicating it to the Director, who shall circulate it to all Parties.
3. The Director shall report annually to the South Pacific Forum on the status of this Treaty and matters arising under or in relation to it, incorporating reports and communications made under paragraphs 1 and 2 of this Article and matters arising under Articles 8(2)(d) and 10 and Annex 2(4).

## Article 10

### CONSULTATIONS AND REVIEW

Without prejudice to the conduct of consultations among Parties by other means, the Director, at the request of any Party, shall convene a meeting of the Consultative Committee established by Annex 3 for consultation and co-operation on any matter arising in relation to this Treaty or for reviewing its operation.

## Article 11

### AMENDMENT

The Consultative Committee shall consider proposals for amendment of the provisions of this Treaty proposed by any Party and circulated by the Director to all Parties not less than three months prior to the convening of the Consultative Committee for this purpose. Any proposal agreed upon by consensus by the Consultative Committee shall be communicated to the Director who shall circulate it for acceptance to all Parties. An amendment shall enter into force thirty days after receipt by the depositary of acceptances from all Parties.

## Article 12

### SIGNATURE AND RATIFICATION

1. This Treaty shall be open for signature by any Member of the South Pacific Forum.
2. This Treaty shall be subject to ratification. Instruments of ratification shall be deposited with the Director who is hereby designated depositary of this Treaty and its Protocols.
3. If a Member of the South Pacific Forum whose territory is outside the South Pacific Nuclear Free Zone becomes a Party to this Treaty, Annex 1 shall be deemed to be amended so far as is required to enclose at least the territory of that Party within the boundaries of the South Pacific Nuclear Free Zone. The delineation of any area added pursuant to this paragraph shall be approved by the South Pacific Forum.

**Article 13**

**WITHDRAWAL**

1. This Treaty is of a permanent nature and shall remain in force indefinitely, provided that in the event of a violation by any Party of a provision of this Treaty essential to the achievement of the objectives of the Treaty or of the spirit of the Treaty, every other Party shall have the right to withdraw from the Treaty.
2. Withdrawal shall be effected by giving notice twelve months in advance to the Director who shall circulate such notice to all other Parties.

**ARTICLE 14**

**RESERVATIONS**

This Treaty shall not be subject to reservations.

**Article 15**

**ENTRY INTO FORCE**

1. This Treaty shall enter into force on the date of deposit of the eighth instrument of ratification.
2. For a signatory which ratifies this Treaty after the date of deposit of the eighth instrument of ratification, the Treaty shall enter into force on the date of deposit of its instrument of ratification.

**Article 16**

**DEPOSITARY FUNCTIONS**

The depositary shall register this Treaty and its Protocols pursuant to Article 102 of the Charter of the United Nations and shall transmit certified copies of the Treaty and its Protocols to all Members of the South Pacific Forum and all States eligible to become Party to the Protocols to the Treaty and shall notify them of signatures and ratifications of the Treaty and its Protocols.

IN WITNESS WHEREOF the undersigned, being duly authorized by their Governments, have signed this Treaty.

DONE at Rarotonga, this sixth day of August, One thousand nine hundred and eighty-five, in a single original in the English language.

**ANNEX 1**

**South Pacific Nuclear Free Zone**

**A. The area bounded by a line:**

- (1) commencing at the point of intersection of the Equator by the maritime boundary between Indonesia and Papua New Guinea;
- (2) running thence northerly along that maritime boundary to its intersection by the outer limit of the exclusive economic zone of Papua New Guinea;
- (3) thence generally north-easterly, easterly and south-easterly along that outer limit to its intersection by the Equator;
- (4) thence east along the Equator to its intersection by the meridian of Longitude 163 degrees East;
- (5) thence north along that meridian to its intersection by the parallel of Latitude 3 degrees North;
- (6) thence east along that parallel to its intersection by the meridian of Longitude 171 degrees East;
- (7) thence north along that meridian to its intersection by the parallel of Latitude 4 degrees North;
- (8) thence east along that parallel to its intersection by the meridian of Longitude 180 degrees East;
- (9) thence south along that meridian to its intersection by the Equator;
- (10) thence east along the Equator to its intersection by the meridian of Longitude 165 degrees West;
- (11) thence north along that meridian to its intersection by the parallel of Latitude 5 degrees 30 minutes North;
- (12) thence east along that parallel to its intersection by the meridian of Longitude 154 degrees West;
- (13) thence south along that meridian to its intersection by the Equator;
- (14) thence east along the Equator to its intersection by the meridian of Longitude 115 degrees West;
- (15) thence south along that meridian to its intersection by the parallel of Latitude 60 degrees South;

- (16) thence west along that parallel to its intersection by the meridian of Longitude 115 degrees East;
  - (17) thence north along that meridian to its southernmost intersection by the outer limit of the territorial sea of Australia;
  - (18) thence generally northerly and easterly along the outer limit of the territorial sea of Australia to its intersection by the meridian of Longitude 136 degrees 45 minutes East;
  - (19) thence north-easterly along the geodesic to the point of Latitude 10 degrees 50 minutes South, Longitude 139 degrees 12 minutes East;
  - (20) thence north-easterly along the maritime boundary between Indonesia and Papua New Guinea to where it joins the land border between those two countries;
  - (21) thence generally northerly along that land border to where it joins the maritime boundary between Indonesia and Papua New Guinea, on the northern coastline of Papua New Guinea; and
  - (22) thence generally northerly along that boundary to the point of commencement.
- B. The areas within the outer limits of the territorial seas of all Australian islands lying westward of the area described in paragraph A and north of Latitude 60 degrees South, provided that any such areas shall cease to be part of the South Pacific Nuclear Free Zone upon receipt by the depositary of written notice from the Government of Australia stating that the areas have become subject to another treaty having an object and purpose substantially the same as that of this Treaty.

(illustrative map not included)

## ANNEX 2

### IAEA Safeguards

1. The safeguards referred to in Article 8 shall in respect of each Party be applied by the IAEA as set forth in an agreement negotiated and concluded with the IAEA on all source or special fissionable material in all peaceful nuclear activities within the territory of the Party, under its jurisdiction or carried out under its control anywhere.
2. The agreement referred to in paragraph 1 shall be, or shall be equivalent in its scope and effect to, an agreement required in connection with the NPT on the basis of the material reproduced in document INFCIRC/153 (Corrected) of the IAEA. Each Party shall take all appropriate steps to ensure that such an agreement is in force for it not later than 18 months after the date of entry into force for that Party of this Treaty.
3. For the purposes of this Treaty, the safeguards referred to in paragraph 1 shall have as their purpose the verification of the non-diversion of nuclear material from peaceful nuclear activities to nuclear explosive devices.
4. Each Party agrees upon the request of any other Party to transmit to that Party and to the Director for the information of all Parties a copy of the overall conclusions of the most recent report by the IAEA on its inspection activities in the territory of the Party concerned, and to advise the Director promptly of any subsequent findings of the Board of Governors of the IAEA in relation to those conclusions for the information of all Parties.

## ANNEX 3

### Consultative Committee

1. There is hereby established a Consultative Committee which shall be convened by the Director from time to time pursuant to Articles 10 and 11 and Annex 4 (2). The Consultative Committee shall be constituted of representatives of the Parties, each Party being entitled to appoint one representative who may be accompanied by advisers. Unless otherwise agreed, the Consultative Committee shall be chaired at any given meeting by the representative of the Party which last hosted the meeting of Heads of Government of Members of the South Pacific Forum. A quorum shall be constituted by representatives of half the Parties. Subject to the provisions of Article 11, decisions of the Consultative Committee shall be taken by consensus or, failing consensus, by a two-thirds majority of those present and voting. The Consultative Committee shall adopt such other rules of procedure as it sees fit.
2. The costs of the Consultative Committee, including the costs of special inspections pursuant to Annex 4, shall be borne by the South Pacific Bureau for Economic Co-operation. It may seek special funding should this be required.

## Annex 4

### COMPLAINTS PROCEDURE

1. A Party which considers that there are grounds for a complaint that another Party is in breach of its obligations under this Treaty shall, before bringing such a complaint to the Director, bring the subject matter of the complaint to the attention of the Party complained of and shall allow the latter reasonable opportunity to provide it with an explanation and to resolve the matter.
2. If the matter is not so resolved, the complainant Party may bring the complaint to the Director with a request that the Consultative Committee be convened to consider it. Complaints shall be supported by an account of evidence of breach of obligations known to the complainant Party. Upon receipt of a complaint the Director shall convene the Consultative Committee as quickly as possible to consider it.
3. The Consultative Committee, taking account of efforts made under paragraph 1, shall afford the Party complained of a reasonable opportunity to provide it with an explanation of the matter.
4. If, after considering any explanation given to it by the representatives of the Party complained of, the Consultative Committee decides that there is sufficient substance in the complaint to warrant a special inspection in the territory of that Party or elsewhere, the Consultative Committee shall direct that such special inspection be made as quickly as possible by a special inspection team of three suitably qualified special inspectors appointed by the Consultative Committee in consultation with the complained of and complainant Parties, provided that no national of either Party shall serve on the special inspection team. If so requested by the Party complained of, the special inspection team shall be accompanied by representatives of that Party. Neither the right of consultation on the appointment of special inspectors, nor the right to accompany special inspectors, shall delay the work of the special inspection team.
5. In making a special inspection, special inspectors shall be subject to the direction only of the Consultative Committee and shall comply with such directives concerning tasks, objectives, confidentiality and procedures as may be decided upon by it. Directives shall take account of the legitimate interests of the Party complained of in complying with its other international obligations and commitments and shall not duplicate safeguards procedures to be undertaken by the IAEA pursuant to agreements referred to in Annex 2 (1). The special inspectors shall discharge their duties with due respect for the laws of the Party complained of.
6. Each Party shall give to special inspectors full and free access to all information and places within its territory which may be relevant to enable the special inspectors to implement the directives given to them by the Consultative Committee.
7. The Party complained of shall take all appropriate steps to facilitate the special inspection, and shall grant to special inspectors privileges and immunities necessary for the performance of their functions, including inviolability for all papers and documents and immunity from arrest, detention and legal process for acts done and words spoken and written, for the purpose of the special inspection.
8. The special inspectors shall report in writing as quickly as possible to the Consultative Committee, outlining their activities, setting out relevant facts and information as ascertained by them, with supporting evidence and documentation as appropriate, and stating their conclusions. The Consultative Committee shall report fully to all Members of the South Pacific Forum, giving its decision as to whether the Party complained of is in breach of its obligations under this Treaty.
9. If the Consultative Committee has decided that the Party complained of is in breach of its obligations under this Treaty, or that the above provisions have not been complied with, or at any time at the request of either the complainant or complained of Party, the Parties shall meet promptly at a meeting of the South Pacific Forum.

### Protocol 1

#### The Parties to this Protocol

Noting the South Pacific Nuclear Free Zone Treaty (the Treaty)

Have agreed as follows:

#### **Article 1**

Each Party undertakes to apply, in respect of the territories for which it is internationally responsible situated within the South Pacific Nuclear Free Zone, the prohibitions contained in Articles 3, 5 and 6, in so far as they relate to the manufacture, stationing and testing of any nuclear explosive device within those territories, and the safeguards specified in Article 8(2)(c) and Annex 2 of the Treaty.

#### **Article 2**

Each Party may, by written notification to the depositary, indicate its acceptance from the date of such notification of any alteration to its obligation under this Protocol brought about by the entry into force of an amendment to the Treaty pursuant to Article 11 of the Treaty.

#### **Article 3**

This Protocol shall be open for signature by the French Republic, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

#### **Article 4**

This Protocol shall be subject to ratification.

#### **Article 5**

This Protocol is of a permanent nature and shall remain in force indefinitely, provided that each Party shall, in exercising its national sovereignty, have the right to withdraw from this Protocol if it decides that extraordinary events, related to the subject matter of this Protocol, have jeopardized its supreme interests. It shall give notice of such withdrawal to the depositary three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

#### **Article 6**

This Protocol shall enter into force for each State on the date of its deposit with the depositary of its instrument of ratification.

IN WITNESS WHEREOF the undersigned, being duly authorized by their Governments, have signed this Protocol.

DONE at Suva, this Eighth day of August, One thousand nine hundred and eighty-six, in a single original in the English language.

#### **Protocol 2**

The Parties to this Protocol

Noting the South Pacific Nuclear Free Zone Treaty (the Treaty)

Have agreed as follows:

#### **Article 1**

Each Party undertakes not to use or threaten to use any nuclear explosive device against:

- (a) Parties to the Treaty; or
- (b) any territory within the South Pacific Nuclear Free Zone for which a State that has become a Party to Protocol 1 is internationally responsible.

#### **Article 2**

Each Party undertakes not to contribute to any act of a Party to the Treaty which constitutes a violation of the Treaty, or to any act of another Party to a Protocol which constitutes a violation of a Protocol.

#### **Article 3**

Each Party may, by written notification to the depositary, indicate its acceptance from the date of such notification of any alteration to its obligation under this Protocol brought about by the entry into force of an amendment to the Treaty pursuant to Article 11 of the Treaty or by the extension of the South Pacific Nuclear Free Zone pursuant to Article 12(3) of the Treaty.

#### **Article 4**

This Protocol shall be open for signature by the French Republic, the People's Republic of China, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

#### **Article 5**

This Protocol shall be subject to ratification.

#### **Article 6**

This Protocol is of a permanent nature and shall remain in force indefinitely, provided that each Party shall, in exercising its national sovereignty, have the

right to withdraw from this Protocol if it decides that extraordinary events, related to the subject matter of this Protocol, have jeopardized its supreme interests. It shall give notice of such withdrawal to the depositary three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

**Article 7**

This Protocol shall enter into force for each State on the date of its deposit with the depositary of its instrument of ratification.

IN WITNESS WHEREOF the undersigned, being duly authorized by their Governments, have signed this Protocol.

DONE at Suva, this Eighth day of August, One thousand nine hundred and eighty-six, in a single original in the English language.

**Protocol 3**

The Parties to this Protocol

Noting the South Pacific Nuclear Free Zone Treaty (the Treaty)

Have agreed as follows:

**Article 1**

Each Party undertakes not to test any nuclear explosive device anywhere within the South Pacific Nuclear Free Zone.

**Article 2**

Each Party may, by written notification to the depositary, indicate its acceptance from the date of such notification of any alteration to its obligation under this Protocol brought about by the entry into force of an amendment to the Treaty pursuant to Article 11 of the Treaty or by the extension of the South Pacific Nuclear Free Zone pursuant to Article 12(3) of the Treaty.

**Article 3**

This Protocol shall be open for signature by the French Republic, the People's Republic of China, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

**Article 4**

This Protocol shall be subject to ratification.

**Article 5**

This Protocol is of a permanent nature and shall remain in force indefinitely, provided that each Party shall, in exercising its national sovereignty, have the right to withdraw from this Protocol if it decides that extraordinary events, related to the subject matter of this Protocol, have jeopardized its supreme interests. It shall give notice of such withdrawal to the depositary three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

**Article 6**

This Protocol shall enter into force for each State on the date of its deposit with the depositary of its instrument of ratification.

IN WITNESS WHEREOF the undersigned, being duly authorized by their Governments, have signed this Protocol.

DONE at Suva, this Eighth day of August, One thousand nine hundred and eighty-six, in a single original in the English language.

**TREATY ON THE SOUTHEAST ASIA  
NUCLEAR-WEAPON-FREE ZONE  
(BANGKOK TREATY)**

Opened for signature at Bangkok: 15 December 1995.

Entered into force: 27 March 1997.

Depositary Government: Thailand.

**Protocol**

The States Parties to this Treaty:

Desiring to contribute to the realization of the purposes and principles of the Charter of the United Nations;

Determined to take concrete action which will contribute to the progress towards general and complete disarmament of nuclear weapons, and to the promotion of international peace and security;



Reaffirming the desire of the Southeast Asian States to maintain peace and stability in the region in the spirit of peaceful coexistence and mutual

understanding and cooperation as enunciated in various communiqués, declarations and other legal instruments;

Recalling the Declaration on the Zone of Peace, Freedom and Neutrality (ZOPFAN) signed in Kuala Lumpur on 27 November 1971 and the Programme of Action on ZOPFAN adopted at the 26th ASEAN Ministerial Meeting in Singapore in July 1993;

Convinced that the establishment of a Southeast Asia Nuclear Weapon-Free Zone, as an essential component of the ZOPFAN, will contribute towards

strengthening the security of States within the Zone and towards enhancing international peace and security as a whole;

Reaffirming the importance of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) in preventing the proliferation of nuclear weapons and in contributing towards international peace and security;

Recalling Article VII of the NPT which recognizes 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;

Recalling the Final Document of the Tenth Special Session of the United Nations General Assembly which encourages the establishment of nuclear-weapon-free zones;

Recalling the Principles and Objectives for Nuclear Non-Proliferation and Disarmament, adopted at the 1995 Review and Extension Conference of the

Parties to the NPT, that the cooperation of all the nuclear-weapon States and their respect and support for the relevant protocols is important for the maximum

effectiveness of this nuclear weapon-free zone treaty and its relevant protocols.

Determined to protect the region from environmental pollution and the hazards posed by radioactive wastes and other radioactive material;

Have agreed as follows:

## Article 1

### USE OF TERMS

For the purposes of this Treaty and its Protocol:

- (a) “Southeast Asia Nuclear Weapon-Free Zone”, hereinafter referred to as the “Zone”, means the area comprising the territories of all States in Southeast Asia, namely, Brunei Darussalam, Cambodia, Indonesia, Laos, Malaysia, Myanmar, Philippines, Singapore, Thailand and Vietnam, and their respective continental shelves and Exclusive Economic Zones (EEZ);
- (b) “territory” means the land territory, internal waters, territorial sea, archipelagic waters, the seabed and the subsoil thereof and the airspace above them;
- (c) “nuclear weapon” means any explosive device capable of releasing nuclear energy in an uncontrolled manner but does not include the means of transport or delivery of such device if separable from and not an indivisible part thereof;
- (d) “station” means to deploy, emplace, implant, install, stockpile or store;
- (e) “radioactive material” means material that contains radionuclides above clearance or exemption levels recommended by the International Atomic Energy Agency (IAEA);
- (f) “radioactive wastes” means material that contains or is contaminated with radionuclides at concentrations or activities greater than clearance levels recommended by the IAEA and for which no use is foreseen; and
- (g) “dumping” means
  - (i) any deliberate disposal at sea, including seabed and subsoil insertion, of radioactive wastes or other matter from vessels, aircraft, platforms or other man-made structures at sea, and
  - (ii) any deliberate disposal at sea, including seabed and subsoil insertion, of vessels, aircraft, platforms or other man-made structures at sea, containing radioactive material, but does not include the disposal of wastes or other matter incidental to, or derived from the normal operations of vessels, aircraft, platforms or other man-made structures at sea and their equipment, other than wastes or other matter transported by or to vessels, aircraft, platforms or other man-made structures at sea, operating for

the purpose of disposal of such matter or derived from the treatment of such wastes or other matter on such vessels, aircraft, platforms or structures.

## **Article 2**

### **APPLICATION OF THE TREATY**

1. This Treaty and its Protocol shall apply to the territories, continental shelves, and EEZ of the States Parties within the Zone in which this Treaty is in force.
2. Nothing in this Treaty shall prejudice the rights or the exercise of these rights by any State under the provisions of the United Nations Convention on the Law of the Sea of 1982, in particular with regard to freedom of the high seas, rights of innocent passage, archipelagic sea lanes passage or transit passage of ships and aircraft, and consistent with the Charter of the United Nations.

## **Article 3**

### **BASIC UNDERTAKINGS**

1. Each State Party undertakes not to, anywhere inside or outside the Zone:
  - (a) develop, manufacture or otherwise acquire, possess or have control over nuclear weapons;
  - (b) station or transport nuclear weapons by any means; or
  - (c) test or use nuclear weapons.
2. Each State Party also undertakes not to allow, in its territory, any other State to:
  - (a) develop, manufacture or otherwise acquire, possess or have control over nuclear weapons;
  - (b) station nuclear weapons; or
  - (c) test or use nuclear weapons.
3. Each State Party also undertakes not to:
  - (a) dump at sea or discharge into the atmosphere anywhere within the Zone any radioactive material or wastes;
  - (b) dispose radioactive material or wastes on land in the territory of or under the jurisdiction of other States except as stipulated in Paragraph 2 (e) of Article 4; or
  - (c) allow, within its territory, any other State to dump at sea or discharge into the atmosphere any radioactive material or wastes.
4. Each State Party undertakes not to:
  - (a) seek or receive any assistance in the commission of any act in violation of the provisions of Paragraphs 1, 2 and 3 of this Article; or
  - (b) take any action to assist or encourage the commission of any act in violation of the provisions of paragraphs 1, 2 and 3 of this Article.

## **Article 4**

### **USE OF NUCLEAR ENERGY FOR PEACEFUL PURPOSES**

1. Nothing in this Treaty shall prejudice the right of the States Parties to use nuclear energy, in particular for their economic development and social progress.
2. Each State Party therefore undertakes:
  - (a) to use exclusively for peaceful purposes nuclear material and facilities which are within its territory and areas under its jurisdiction and control;
  - (b) prior to embarking on its peaceful nuclear energy programme, to subject its programme to rigorous nuclear safety assessment conforming to guidelines and standards recommended by the IAEA for the protection of health and minimization of danger to life and property in accordance with Paragraph 6 of Article III of the Statute of the IAEA;
  - (c) upon request, to make available to another State Party the assessment except information relating to personal data, information protected by intellectual property rights or by industrial or commercial confidentiality, and information relating to national security;
  - (d) to support the continued effectiveness of the international non-proliferation system based on the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and the IAEA safeguards system; and
  - (e) to dispose radioactive wastes and other radioactive material in accordance with IAEA standards and procedures on land within its territory or on land within the

territory of another State which has consented to such disposal.

3. Each State Party further undertakes not to provide source or special fissionable material, or equipment or material especially designed or prepared for the processing, use or production of special fissionable material to:
  - (a) any non-nuclear-weapon State except under conditions subject to the safeguards required by Paragraph I of Article III of the NPT; or
  - (b) any nuclear-weapon State except in conformity with applicable safeguards agreements with the IAEA.

## Article 5

### IAEA SAFEGUARDS

Each State Party which has not done so shall conclude an agreement with the IAEA for the application of full scope safeguards to its peaceful nuclear activities not later than eighteen months after the entry into force for that State Party of this Treaty.

## Article 6

### EARLY NOTIFICATION OF A NUCLEAR ACCIDENT

Each State Party which has not acceded to the Convention on Early Notification of a Nuclear Accident shall endeavour to do so.

## Article 7

### FOREIGN SHIPS AND AIRCRAFT

Each State Party, on being notified, may decide for itself whether to allow visits by foreign ships and aircraft to its ports and airfields, transit of its airspace by foreign aircraft, and navigation by foreign ships through its territorial sea or archipelagic waters and overflight of foreign aircraft above those waters in a manner not governed by the rights of innocent passage, archipelagic sea lanes passage or transit passage.

## Article 8

### ESTABLISHMENT OF THE COMMISSION FOR THE SOUTHEAST ASIA NUCLEAR WEAPON-FREE ZONE

1. There is hereby established a Commission for the Southeast Asia Nuclear Weapon-Free Zone, hereinafter referred to as the "Commission".
2. All States Parties are ipso facto members of the Commission. Each State Party shall be represented by its Foreign Minister or his representative accompanied by alternates and advisers.
3. The function of the Commission shall be to oversee the implementation of this Treaty and ensure compliance with its provisions.
4. The Commission shall meet as and when necessary in accordance with the provisions of this Treaty including upon the request of any State Party. As far as possible, the Commission shall meet in conjunction with the ASEAN Ministerial Meeting.
5. At the beginning of each meeting, the Commission shall elect its Chairman and such other officers as may be required. They shall hold office until a new Chairman and other officers are elected at the next meeting.
6. Unless otherwise provided for in this Treaty, two-thirds of the members of the Commission shall be present to constitute a quorum.
7. Each member of the Commission shall have one vote.
8. Except as provided for in this Treaty, decisions of the Commission shall be taken by consensus or, failing consensus, by a two-thirds majority of the members present and voting.
9. The Commission shall, by consensus, agree upon and adopt rules of procedure for itself as well as financial rules governing its funding and that of its subsidiary organs.

## Article 9

### THE EXECUTIVE COMMITTEE

1. There is hereby established, as a subsidiary organ of the Commission, the Executive Committee.
2. The Executive Committee shall be composed of all States Parties to this Treaty. Each State Party shall be represented by one senior official as its

representative, who may be accompanied by alternates and advisers.

3. The functions of the Executive Committee shall be to:
  - (a) ensure the proper operation of verification measures in accordance with the provisions on the Control System as stipulated in Article 10;
  - (b) consider and decide on requests for clarification and for a fact-finding mission;
  - (c) set up a fact-finding mission in accordance with the Annex of this Treaty;
  - (d) consider and decide on the findings of a fact-finding mission and report to the Commission;
  - (e) request the Commission to convene a meeting when appropriate and necessary;
  - (f) conclude such agreements with the IAEA or other international organizations as referred to in Article 18 on behalf of the Commission after being duly authorized to do so by the Commission; and
  - (g) carry out such other tasks as may, from time to time, be assigned by the Commission.
4. The Executive Committee shall meet as and when necessary for the efficient exercise of its functions. As far as possible, the Executive Committee shall meet in conjunction with the ASEAN Senior Officials Meeting.
5. The Chairman of the Executive Committee shall be the representative of the Chairman of the Commission. Any submission or communication made by a State Party to the Chairman of the Executive Committee shall be disseminated to the other members of the Executive Committee.
6. Two-thirds of the members of the Executive Committee shall be present to constitute a quorum.
7. Each member of the Executive Committee shall have one vote.
8. Decisions of the Executive Committee shall be taken by consensus or, failing consensus, by a two-thirds majority of the members present and voting.

## **Article 10**

### **CONTROL SYSTEM**

1. There is hereby established a control system for the purpose of verifying compliance with the obligations of the States parties under this Treaty.
2. The Control System shall comprise:
  - (a) the IAEA safeguards system as provided for in Article 5;
  - (b) report and exchange of information as provided for in Article 11;
  - (c) request for clarification as provided for in Article 12; and
  - (d) request and procedures for a fact-finding mission as provided for in Article 13.

## **Article 11**

### **REPORT AND EXCHANGE OF INFORMATION**

1. Each State Party shall submit reports to the Executive Committee on any significant event within its territory and areas under its jurisdiction and control affecting the implementation of this Treaty.
2. The States Parties may exchange information on matters arising under or in relation to this Treaty.

## **Article 12**

### **REQUEST FOR CLARIFICATION**

1. Each State Party shall have the right to request another State Party for clarification concerning any situation which may be considered ambiguous or which may give rise to doubts about the compliance of that State Party with this Treaty. It shall inform the Executive Committee of such a request. The requested State Party shall duly respond by providing without delay the necessary information and inform the Executive Committee of its reply to the requesting State Party.
2. Each State Party shall have the right to request the Executive Committee to seek clarification from another State Party concerning any situation which may be considered ambiguous or which may give rise to doubts about compliance of that State Party with this Treaty. Upon receipt of such a request, the Executive Committee shall consult the State Party from which clarification is sought for the purpose of obtaining the clarification requested.

**Article 13****REQUEST FOR A FACT-FINDING MISSION**

A State Party shall have the right to request the Executive Committee to send a fact-finding mission to another State Party in order to clarify and resolve a situation which may be considered ambiguous or which may give rise to doubts about compliance with the provisions of this Treaty, in accordance with the procedure contained in the Annex to this Treaty.

**Article 14****REMEDIAL MEASURES**

1. In case the Executive Committee decides in accordance with the Annex that there is a breach of this Treaty by a State Party, that State Party shall, within a reasonable time, take all steps necessary to bring itself in full compliance with this Treaty and shall promptly inform the Executive Committee of the action taken or proposed to be taken by it.
2. Where a State Party fails or refuses to comply with the provisions of Paragraph 1 of this Article, the Executive Committee shall request the Commission to convene a meeting in accordance with the provisions of Paragraph 3 (e) of Article 9.
3. At the meeting convened pursuant to Paragraph 2 of this Article, the Commission shall consider the emergent situation and shall decide on any measure it deems appropriate to cope with the situation, including the submission of the matter to the IAEA and, where the situation might endanger international peace and security, the Security Council and the General Assembly of the United Nations.
4. In the event of breach of the Protocol attached to this Treaty by a State Party to the Protocol, the Executive Committee shall convene a special meeting of the Commission to decide on appropriate measures to be taken.

**Article 15****SIGNATURE, RATIFICATION, ACCESSION, DEPOSIT AND REGISTRATION**

1. This Treaty shall be open for signature by all States in Southeast Asia, namely, Brunei Darussalam, Cambodia, Indonesia, Laos,

Malaysia, Myanmar, Philippines, Singapore, Thailand and Vietnam.

2. This Treaty shall be subject to ratification in accordance with the constitutional procedure of the signatory States. The instruments of ratification shall be deposited with the Government of the Kingdom of Thailand which is hereby designated as the Depositary State.
3. This Treaty shall be open for accession. The instruments of accession shall be deposited with the Depositary State.
4. The Depositary State shall inform the other States Parties to this Treaty on the deposit of instruments of ratification or accession.
5. The Depositary State shall register this Treaty and its Protocol pursuant to Article 102 of the Charter of the United Nations.

**Article 16****ENTRY INTO FORCE**

1. This Treaty shall enter into force on the date of the deposit of the seventh instrument of ratification and/or accession.
2. For States which ratify or accede to this Treaty after the date of this seventh instrument of ratification or accession, this Treaty shall enter into force on the date of deposit of its instrument of ratification or accession.

**Article 17****RESERVATIONS**

This Treaty shall not be subject to reservations.

**Article 18****RELATIONS WITH OTHER INTERNATIONAL ORGANIZATIONS**

The Commission may conclude such agreements with the IAEA or other international organizations as it considers likely to facilitate the efficient operation of the Control System established by this Treaty.

**Article 19****AMENDMENTS**

1. Any State Party may propose amendments to this Treaty and its Protocol and shall submit its proposals to the Executive Committee, which

shall transmit them to all the other States Parties. The Executive Committee shall immediately request the Commission to convene a meeting to examine the proposed amendments. The quorum required for such a meeting shall be all the members of the Commission. Any amendment shall be adopted by a consensus decision of the Commission.

2. Amendments adopted shall enter into force 30 days after the receipt by the Depositary State of the seventh instrument of acceptance from the States Parties.

## **Article 20**

### **REVIEW**

Ten years after this Treaty enters into force, a meeting of the Commission shall be convened for the purpose of reviewing the operation of this Treaty. A

meeting of the Commission for the same purpose may also be convened at anytime thereafter if there is consensus among all its members.

## **Article 21**

### **SETTLEMENT OF DISPUTES**

Any dispute arising from the interpretation of the provision of this Treaty shall be settled by peaceful means as may be agreed upon by the States Parties to the dispute. If within one month, the parties to the dispute are unable to achieve a peaceful settlement of the dispute by negotiation, mediation, enquiry or conciliation, any of the parties concerned shall, with the prior consent of the other parties concerned, refer the dispute to arbitration or to the International Court of Justice.

## **Article 22**

### **DURATION AND WITHDRAWAL**

1. This Treaty shall remain in force indefinitely.
2. In the event of a breach by any State Party of this Treaty essential to the achievement of the objectives of this Treaty, every other State Party shall have the right to withdraw from this Treaty.
3. Withdrawal under Paragraph 2 of Article 22, shall be effected by giving notice twelve months in advance to the members of the Commission.

IN WITNESS WHEREOF, the undersigned have signed this Treaty.

DONE at Bangkok, this fifteenth day of December, thousand nine hundred and ninety-five, in one original in the English language.

## **ANNEX**

### **Procedure for a Fact-Finding Mission**

1. The State Party requesting a fact-finding mission as provided in Article 13, hereinafter referred to as the “requesting State”, shall submit the request to the Executive Committee specifying the following:
  - (a) the doubts or concerns and the reasons for such doubts or concerns;
  - (b) the location in which the situation which gives rise to doubts has allegedly occurred;
  - (c) the relevant provisions of this Treaty about which doubts of compliance have arisen; and
  - (d) any other relevant information.
2. Upon receipt of a request for a fact-finding mission, the Executive Committee shall:
  - (a) immediately inform the State Party to which the fact-finding mission is requested to be sent, hereinafter referred to as the “receiving State”, about the receipt of the request; and
  - (b) not later than 3 weeks after receiving the request, decide if the request complies with the provisions of Paragraph 1 and whether or not it is frivolous, abusive or clearly beyond the scope of this Treaty. Neither the requesting nor receiving State Party shall participate in such decisions.
3. In case the Executive Committee decides that the request does not comply with the provisions of Paragraph 1, or that it is frivolous, abusive or clearly beyond the scope of this Treaty, it shall take no further action on the request and inform the requesting State and the receiving State accordingly.
4. In the event that the Executive Committee decides that the request complies with the provisions of Paragraph 1, and that it is not frivolous, abusive or clearly beyond the scope of this Treaty, it shall immediately forward the request for a fact-finding mission to the receiving State, indicating, inter alia, the proposed date for sending the mission. The proposed date shall not

be later than 3 weeks from the time the receiving State receives the request for a fact-finding mission. The Executive Committee shall also immediately set up a fact-finding mission consisting of 3 inspectors from the IAEA who are neither nationals of the requesting nor receiving State.

5. The receiving State shall comply with the request for a fact-finding mission referred to in Paragraph 4. It shall cooperate with the Executive Committee in order to facilitate the effective functioning of the fact-finding mission, inter alia, by promptly providing unimpeded access of the fact-finding mission to the location in question. The receiving State shall accord to the members of the fact-finding mission such privileges and immunities as are necessary for them to exercise their functions effectively, including inviolability of all papers and documents and immunity from arrest, detention and legal process for acts done and words spoken for the purpose of the mission.
6. The receiving State shall have the right to take measures to protect sensitive installations and to prevent disclosures of confidential information and data not related to this Treaty.
7. The fact-finding mission, in the discharge of its functions, shall:
  - (a) respect the laws and regulations of the receiving State;
  - (b) refrain from activities inconsistent with the objectives and purposes of this Treaty;
  - (c) submit preliminary or interim reports to the Executive Committee; and
  - (d) complete its task without undue delay and shall submit its final report to the Executive Committee within a reasonable time upon completion of its work.
8. The Executive Committee shall:
  - (a) consider the reports submitted by the fact-finding mission and reach a decision on whether or not there is a breach of this Treaty;
  - (b) immediately communicate its decision to the requesting State and the receiving State; and
  - (c) present a full report on its decision to the Commission.
9. In the event that the receiving State refuses to comply with the request for a fact-finding mission in accordance with Paragraph 4, the requesting State through the Executive

Committee shall have the right to request for a meeting of the Commission. The Executive Committee shall immediately request the

Commission to convene a meeting in accordance with Paragraph 3(e) of Article 9.

Protocol to The Treaty on Southeast Asia Nuclear Weapon-Free Zone

The States Parties to this Protocol,

Desiring to contribute to efforts towards achieving general and complete disarmament of nuclear weapons, and thereby ensuring international peace and security, including in Southeast Asia;

Noting the Treaty on the Southeast Asia Nuclear Weapon-Free Zone, signed at Bangkok on the fifteenth day of December, one thousand nine hundred and ninety-five;

Have agreed as follows:

#### **Article 1**

Each State Party undertakes to respect the Treaty on the Southeast Asia Nuclear Weapon-Free Zone, hereinafter referred to as the "Treaty", and not to contribute to any act which constitutes a violation of the Treaty or its Protocol by States Parties to them.

#### **Article 2**

Each State Party undertakes not to use or threaten to use nuclear weapons against any State Party to the Treaty. It further undertakes not to use or threaten to use nuclear weapons within the Southeast Asia Nuclear Weapon-Free Zone.

#### **Article 3**

This Protocol shall be open for signature by the People's Republic of China, the French Republic, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

#### **Article 4**

Each State Party undertakes, by written notification to the Depositary State, to indicate its acceptance or otherwise of any alteration to its obligation under this

Protocol that may be brought about by the entry into force of an amendment to the Treaty pursuant to Article 19 thereof.

**Article 5**

This Protocol is of a permanent nature and shall remain in force indefinitely, provided that each State Party shall, in exercising its national sovereignty, have the right to withdraw from this Protocol if it decides that extraordinary events, related to the subject-matter of this Protocol, have jeopardized its supreme national interests. It shall give notice of such withdrawal to the Depositary State twelve months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme national interests.

**Article 6**

This Protocol shall be subject to ratification.

**Article 7**

This Protocol shall enter into force for each State Party on the date of its deposit of its instrument of ratification with the Depositary State. The Depositary

State shall inform the other States Parties to the Treaty and to this Protocol on the deposit of instruments of ratification.

IN WITNESS WHEREOF the undersigned, being duly authorized by their Governments, have signed this Protocol.

DONE at Bangkok this fifteenth day of December, one thousand nine hundred and ninety-five, in one original in the English language.

**AFRICAN NUCLEAR-WEAPON-FREE ZONE TREATY (PELINDABA TREATY)**

Signed at Cairo: 11 April 1996.

Not yet in force [The Treaty shall enter into force on the date of deposit of the twenty-eighth instrument of ratification.]

Depositary: Secretary-General of the Organization of African Unity.

The Parties to this Treaty,

Guided by the Declaration on the Denuclearization of Africa, adopted by the Assembly of Heads of State and Government of the Organization of African Unity (hereinafter referred to as OAU) at its first ordinary session, held at Cairo from 17 to 21 July 1964 (AHG/Res.11(I)), in which they solemnly declared their readi-

ness to undertake, through an international agreement to be concluded under United Nations auspices, not to manufacture or acquire control of nuclear weapons,

Guided also, by the resolutions of the fifty-fourth and fifty-sixth ordinary sessions of the Council of Ministers of OAU, held at Abuja from 27 May to 1

June 1991 and at Dakar from 22 to 28 June 1992 respectively (CM/Res.1342 (LIV) and CM/Res.1395 (LVI)), which affirmed that the evolution of the international situation was conducive to the implementation of the Cairo Declaration, as well as the relevant provisions of the 1986 OAU Declaration on Security, Disarmament and Development,

Recalling United Nations General Assembly resolution 3472 B (XXX) of 11 December 1975, in which it considered nuclear-weapon-free zones one of the most effective means for preventing the proliferation, both horizontal and vertical, of nuclear weapons,

Convinced of the need to take all steps in achieving the ultimate goal of a world entirely free of nuclear weapons, as well as of the obligations of all States to contribute to this end,

Convinced also that the African nuclear-weapon-free zone will constitute an important step towards strengthening the non-proliferation regime, promoting cooperation in the peaceful uses of nuclear energy, promoting general and complete disarmament and enhancing regional and international peace and security.

Aware that regional disarmament measures contribute to global disarmament efforts,

Believing that the African nuclear-weapon-free zone will protect African States against possible nuclear attacks on their territories,

Noting with satisfaction existing NWFZs and recognizing that the establishment of other NWFZs, especially in the Middle East, would enhance the security of States Parties to the African NWFZ,

Reaffirming the importance of the Treaty on the Non-Proliferation of Nuclear Weapons (hereinafter referred to as the NPT) and the need for the implementation of all its provisions,

Desirous of taking advantage of article IV of the NPT, which recognizes the inalienable right of all States Parties to develop research on, production and use of nuclear energy for peaceful purposes without discrimination and to facilitate the fullest possible exchange of



equipment, materials and scientific and technological information for such purposes,

Determined to promote regional cooperation for the development and practical application of nuclear energy for peaceful purposes in the interest of sustainable social and economic development of the African continent,

Determined to keep Africa free of environmental pollution by radioactive wastes and other radioactive matter,

Welcoming the cooperation of all States and governmental and non-governmental organizations for the attainment of these objectives,

Have decided by this treaty to establish the African NWFZ and hereby agree as follows:

## Article 1

### Definition/Usage of terms

For the purpose of this Treaty and its Protocols:

- (a) "African nuclear-weapon-free zone" means the territory of the continent of Africa, islands States members of OAU and all islands considered by the Organization of African Unity in its resolutions to be part of Africa;
- (b) "Territory" means the land territory, internal waters, territorial seas and archipelagic waters and the airspace above them as well as the sea bed and subsoil beneath;
- (c) "Nuclear explosive device" means any nuclear weapon or other explosive device capable of releasing nuclear energy, irrespective of the purpose for which it could be used. The term includes such a weapon or device in unassembled and partly assembled forms, but does not include the means of transport or delivery of such a weapon or device if separable from and not an indivisible part of it;
- (d) "Stationing" means implantation, emplacement, transport on land or inland waters, stockpiling, storage, installation and deployment;
- (e) "Nuclear installation" means a nuclear-power reactor, a nuclear research reactor, a critical facility, a conversion plant, a fabrication plant, a reprocessing plant, an isotope separation plant, a separate storage installation and any other installation or location in or at which fresh or irradiated nuclear material or significant quantities of radioactive materials are present.

- (f) "Nuclear material" means any source material or special fissionable material as defined in Article XX of the Statute of the International Atomic Energy Agency (IAEA) and as amended from time to time by the IAEA.

## Article 2

### Application of the Treaty

1. Except where otherwise specified, this Treaty and its Protocols shall apply to the territory within the African nuclear-weapon-free zone, as illustrated in the map in annex I.
2. Nothing in this Treaty shall prejudice or in any way affect the rights, or the exercise of the rights, of any State under international law with regards to freedom of the seas.

## Article 3

### Renunciation of nuclear explosive devices

Each Party undertakes:

- (a) Not to conduct research on, develop, manufacture, stockpile or otherwise acquire, possess or have control over any nuclear explosive device by any means anywhere;
- (b) Not to seek or receive any assistance in the research on, development, manufacture, stockpiling or acquisition, or possession of any nuclear explosive device;
- (c) Not to take any action to assist or encourage the research on, development, manufacture, stockpiling or acquisition, or possession of any nuclear explosive device.

## Article 4

### Prevention of stationing of nuclear explosive devices

1. Each Party undertakes to prohibit, in its territory, the stationing of any nuclear explosive device.
2. Without prejudice to the purposes and objectives of the treaty, each Party in the exercise of its sovereign rights remains free to decide for itself whether to allow visits by foreign ships and aircraft to its ports and airfields, transit of its airspace by foreign aircraft, and navigation by foreign ships in its territorial sea or archipelagic waters in a manner not covered by the rights of innocent passage, archipelagic sea lane passage or transit passage of straits.

**Article 5**

**Prohibition of testing of nuclear explosive devices**

Each Party undertakes:

- (a) Not to test any nuclear explosive device;
- (b) To prohibit in its territory the testing of any nuclear explosive device;
- (c) Not to assist or encourage the testing of any nuclear explosive device by any State anywhere.

**Article 6**

**Declaration, dismantling, destruction or conversion of nuclear explosive devices and the facilities for their manufacture**

Each Party undertakes:

- (a) To declare any capability for the manufacture of nuclear explosive devices;
- (b) To dismantle and destroy any nuclear explosive device that it has manufactured prior to the coming into force of this Treaty;
- (c) To destroy facilities for the manufacture of nuclear explosive devices or, where possible, to convert them to peaceful uses;
- (d) To permit the International Atomic Energy Agency (hereinafter referred to as IAEA) and the Commission established in article 12 to verify the processes of dismantling and destruction of the nuclear explosive devices, as well as the destruction or conversion of the facilities for their production.

**Article 7**

**Prohibition of dumping of radioactive wastes**

Each Party undertakes:

- (a) To effectively implement or to use as guidelines the measures contained in the Bamako Convention on the Ban of the Import into Africa and Control of Transboundary Movement and Management of Hazardous Wastes within Africa in so far as it is relevant to radioactive waste;
- (b) Not to take any action to assist or encourage the dumping of radioactive wastes and other radioactive matter anywhere within the African nuclear-weapon-free zone.

**Article 8**

**Peaceful nuclear activities**

- 1. Nothing in this Treaty shall be interpreted as to prevent the use of nuclear science and technology for peaceful purposes.
- 2. As part of their efforts to strengthen their security, stability and development, the Parties undertake to promote individually and collectively the use of nuclear science and technology for economic and social development. To this end they undertake to establish and strengthen mechanisms for cooperation at the bilateral, subregional and regional levels.
- 3. Parties are encouraged to make use of the programme of assistance available in IAEA and, in this connection, to strengthen cooperation under the African Regional Cooperation Agreement for Research, Training and Development Related to Nuclear Science and Technology (hereinafter referred to as AFRA).

**Article 9**

**Verification of Peaceful Uses**

Each Party undertakes:

- (a) To conduct all activities for the peaceful use of nuclear energy under strict non-proliferation measures to provide assurance of exclusively peaceful uses;
- (b) To conclude a comprehensive safeguards agreement with IAEA for the purpose of verifying compliance with the undertakings in subparagraph (a) of this article;
- (c) Not to provide source or special fissionable material, or equipment or material especially designed or prepared for the processing, use or production of special fissionable material for peaceful purposes to any non-nuclear-weapon State unless subject to a comprehensive safeguards agreement concluded with IAEA.

**Article 10**

**Physical protection of nuclear materials and facilities**

Each Party undertakes to maintain the highest standards of security and effective physical protection of nuclear materials, facilities and equipment to prevent theft or unauthorized use and handling. To that end

each Party, inter alia, undertakes to apply measures of physical protection equivalent to those provided for in the Convention on Physical Protection of Nuclear Material and in recommendations and guidelines developed by IAEA for that purpose.

## Article 11

### Prohibition of armed attack on nuclear installations

Each Party undertakes not to take, or assist, or encourage any action aimed at an armed attack by conventional or other means against nuclear installations in the African nuclear-weapon-free zone.

## Article 12

### Mechanism for compliance

1. For the purpose of ensuring compliance with their undertakings under this Treaty, the Parties agree to establish the African Commission on Nuclear Energy (hereafter referred to as the Commission) as set out in annex III.
2. The Commission shall be responsible inter alia for:
  - (a) Collating the reports and the exchange of information as provided for in article 13;
  - (b) Arranging consultations as provided for in annex IV, as well as convening conferences of Parties on the concurrence of simple majority of States Parties on any matter arising from the implementation of the Treaty;
  - (c) Reviewing the application to peaceful nuclear activities of safeguards by IAEA as elaborated in annex II;
  - (d) Bringing into effect the complaints procedure elaborated in annex IV;
  - (e) Encouraging regional and sub-regional programmes for cooperation in the peaceful uses of nuclear science and technology;
  - (f) Promoting international cooperation with extra-zonal States for the peaceful uses of nuclear science and technology.
3. The Commission shall meet in ordinary session once a year, and may meet in extraordinary session as may be required by the complaints and settlement of disputes procedure in annex IV.

## Article 13

### Report and exchanges of information

1. Each Party shall submit an annual report to the Commission on its nuclear activities as well as other matters relating to the Treaty, in accordance with the format for reporting to be developed by the Commission.
2. Each Party shall promptly report to the Commission any significant event affecting the implementation of the Treaty.
3. The Commission shall request the IAEA to provide it with an annual report on the activities of AFRA.

## Article 14

### Conference of Parties

1. A Conference of all Parties to the Treaty shall be convened by the Depositary as soon as possible after the entry into force of the Treaty to, inter alia, elect members of the Commission and determine its headquarters. Further conferences of States Parties shall be held as necessary and at least every two years, and convened in accordance with paragraph 2 (b) of article 12.
2. The Conference of all Parties to the Treaty shall adopt the Commission's budget and a scale of assessment to be paid by the States Parties.

## Article 15

### Interpretation of the Treaty

Any dispute arising out of the interpretation of the Treaty shall be settled by negotiation, by recourse to the Commission or another procedure agreed to by the Parties, which may include recourse to an arbitral panel or to the International Court of Justice.

## Article 16

### Reservations

This Treaty shall not be subject to reservations.

## Article 17

### Duration

This Treaty shall be of unlimited duration and shall remain in force indefinitely.

**Article 18**

**Signature, ratification and entry into force**

1. This Treaty shall be open for signature by any State in the African nuclear-weapon-free zone. It shall be subject to ratification.
2. It shall enter into force on the date of deposit of the twenty-eighth instrument of ratification.
3. For a signatory that ratifies this Treaty after the date of the deposit of the twenty-eighth instrument of ratification, it shall enter into force for that signatory on the date of deposit of its instrument of ratification.

**Article 19**

**Amendments**

1. Any amendments to the Treaty proposed by a Party shall be submitted to the Commission, which shall circulate it to all Parties.
2. Decision on the adoption of such an amendment shall be taken by a two-thirds majority of the Parties either through written communication to the Commission or through a conference of Parties convened upon the concurrence of a simple majority.
3. An amendment so adopted shall enter into force for all parties after receipt by the Depositary of the instrument of ratification by the majority of Parties.

**Article 20**

**Withdrawal**

1. Each Party shall, in exercising its national sovereignty, have the right to withdraw from this Treaty if it decides that extraordinary events, related to the subject-matter of this Treaty, have jeopardized its supreme interests.
2. Withdrawal shall be effected by a Party giving notice, which includes a statement of the extraordinary events it regards as having jeopardized its supreme interest, twelve months in advance to the Depositary. The Depositary shall circulate such notice to all other parties.

**Article 21**

**Depositary functions**

1. This Treaty, of which the Arabic, English, French and Portuguese texts are equally authentic, shall be deposited with the Secretary-General of OAU, who is hereby designated as Depositary of the Treaty.
2. The Depositary shall:
  - (a) Receive instruments of ratification;
  - (b) Register this Treaty and its Protocols pursuant to Article 102 of the Charter of the United Nations;
  - (c) Transmit certified copies of the Treaty and its Protocols to all States in the African nuclear-weapon-free zone and to all States eligible to become party to the Protocols to the Treaty, and shall notify them of signatures and ratification of the Treaty and its Protocols.

**Article 22**

**Status of the annexes**

The annexes form an integral part of this Treaty. Any reference to this Treaty includes the annexes.

In witness whereof the undersigned, being duly authorized by their Governments, have signed this Treaty.

**Annex II**

Safeguards of the International Atomic Energy Agency

1. The safeguards referred to in subparagraph (b) of the article 9 shall in respect of each Party be applied by the International Atomic Energy Agency as set forth in an agreement negotiated and concluded with the Agency on all source or special fissionable material in all nuclear activities within the territory of the Party, under its jurisdiction or carried out under its control anywhere.
2. The Agreement referred to in paragraph 1 above shall be, or shall be equivalent in its scope and effect to, the agreement required in connection with the Treaty on the Non-Proliferation of Nuclear Weapons (INFCIRC/153 corrected). A party that has already entered into a safeguards agreement with the IAEA is deemed to have already complied with the requirement. Each Party shall take all appropriate steps to ensure that the Agreement referred to in paragraph 1 is

in force for it not later than eighteen months after the date of entry into force for that Party of this Treaty.

3. For the purpose of this Treaty, the safeguards referred to in paragraph 1 above shall have as their purpose the verification of the non-diversion of nuclear material from peaceful nuclear activities to nuclear explosive devices or for purposes unknown.
4. Each Party shall include in its annual report to the Commission, in conformity with article 13, for its information and review, a copy of the overall conclusions of the most recent report by the International Atomic Energy Agency on its inspection activities in the territory of the Party concerned, and advise the Commission promptly of any change in those conclusions. The information furnished by a Party shall not be, totally or partially, disclosed or transmitted to third parties, by the addressees of the reports, except when that Party gives its express consent.

### ANNEX III

#### African Commission on Nuclear Energy

1. The Commission established in article 12 shall be composed of twelve Members elected by Parties to the Treaty for a three-year period, bearing in mind the need for equitable geographical distribution as well as to include Members with advanced nuclear programmes. Each Member shall have one representative nominated with particular regard for his/her expertise in the subject of the Treaty.
2. The Commission shall have a Bureau consisting of the Chairman, the Vice-Chairman and the Executive Secretary. It shall elect its Chairman and Vice-Chairman. The Secretary-General of the Organization of African Unity, at the request of Parties to the Treaty and in consultation with the Chairman, shall designate the Executive Secretary of the Commission. For the first meeting a quorum shall be constituted by representatives of two thirds of the Members of the Commission. For that meeting decisions of the Commission shall be taken as far as possible by consensus or otherwise by a two-thirds majority of the Members of the Commission. The Commission shall adopt its rules of procedure at that meeting.

3. The Commission shall develop a format for reporting by States as required under articles 12 and 13.
4. (a) The budget of the Commission, including the costs of inspections pursuant to annex IV to this Treaty, shall be borne by the Parties to the Treaty in accordance with a scale of assessment to be determined by the Parties;
- (b) The Commission may also accept additional funds from other sources provided such donations are consistent with the purposes and objectives of the Treaty;

### ANNEX IV

#### Complaints procedure and settlement of disputes

1. A Party which considers that there are grounds for a complaint that another Party or a Party to Protocol III is in breach of its obligations under this Treaty shall bring the subject-matter of the complaint to the attention of the Party complained of and shall allow the latter thirty days to provide it with an explanation and to resolve the matter. This may include technical visits agreed upon between the Parties.
2. If the matter is not so resolved, the complainant Party may bring this complaint to the Commission.
3. The Commission, taking account of efforts made under paragraph 1 above, shall afford the Party complained of forty-five days to provide it with an explanation of the matter.
4. If, after considering any explanation given to it by the representatives of the Party complained of, the Commission considers that there is sufficient substance in the complaint to warrant an inspection in the territory of that Party or territory of a party to Protocol III, the Commission may request the International Atomic Energy Agency to conduct such inspection as soon as possible. The Commission may also designate its representatives to accompany the Agency's inspection team.
  - (a) The request shall indicate the tasks and objectives of such inspection, as well as any confidentiality requirements;
  - (b) If the Party complained of so requests, the inspection team shall be accompanied by representatives of that Party provided that the inspectors shall not be thereby delayed

or otherwise impeded in the exercise of their functions;

- (c) Each Party shall give the inspection team full and free access to all information and places within each territory that may be deemed relevant by the inspectors to the implementation of the inspection;
- (d) The Party complained of shall take all appropriate steps to facilitate the work of the inspection team, and shall accord them the same privileges and immunities as those set forth in the relevant provisions of the Agreement on the Privileges and Immunities of the International Atomic Energy Agency;
- (e) The International Atomic Energy Agency shall report its findings in writing as quickly as possible to the Commission, outlining its activities, setting out relevant facts and information as ascertained by it, with supporting evidence and documentation as appropriate, and stating its conclusions. The Commission shall report fully to all States Parties to the Treaty giving its decision as to whether the Party complained of is in breach of its obligations under this Treaty;
- (f) If the Commission considers that the Party complained of is in breach of its obligations under this Treaty, or that the above provisions have not been complied with, States Parties to the Treaty shall meet in extraordinary session to discuss the matter;
- (g) The States Parties convened in extraordinary session may as necessary, make recommendations to the Party held to be in breach of its obligations and to the Organization of African Unity. The Organization of African Unity may, if necessary, refer the matter to the United Nations Security Council;
- (h) The costs involved in the procedure outlined above shall be borne by the Commission. In the case of abuse, the Commission shall decide whether the requesting State Party should bear any of the financial implications.

5. The Commission may also establish its own inspection mechanisms.

### **Protocol I**

The Parties to this Protocol,

Convinced of the need to take all steps in achieving the ultimate goal of a world entirely free of nuclear

weapons as well as the obligations of all States to contribute to this end,

Convinced also that the African Nuclear-Weapon-Free Zone Treaty, negotiated and signed in accordance with the Declaration on the Denuclearization of Africa (AHG/Res.11(1)) of 1964, resolutions CM/Res.1342 (LIV) of 1991 and CM/Res.1395(LVI) Rev.1 of 1992 of the Council of Ministers of the Organization of African Unity and United Nations General Assembly Resolution 48/86 of 16 December 1993, constitutes an important measure towards ensuring the non-proliferation of nuclear weapons, promoting cooperation in the peaceful uses of nuclear energy, promoting general and complete disarmament, and enhancing regional and international peace and security,

Desirous of contributing in all appropriate manners to the effectiveness of the Treaty,

Have agreed as follows:

### **Article 1**

Each Protocol Party undertakes not to use or threaten to use a nuclear explosive device against:

- (a) Any Party to the Treaty; or
- (b) Any territory within the African nuclear-weapon-free zone for which a State that has become a Party to Protocol III is internationally responsible as defined in annex 1.

### **Article 2**

Each Protocol Party undertakes not to contribute to any act that constitutes a violation of the Treaty or of this Protocol.

### **Article 3**

Each Protocol Party undertakes, by written notification to the Depositary, to indicate its acceptance or otherwise of any alteration to its obligation under this Protocol that may be brought about by the entry into force of an amendment to the Treaty pursuant to article 19 of the Treaty.

### **Article 4**

This Protocol shall be open for signature by China, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

## Article 5

This Protocol shall be subject to ratification.

## Article 6

This Protocol is of a permanent nature and shall remain in force indefinitely, provided that each Party shall, in exercising its national sovereignty, have the right to withdraw from this Protocol if it decides that extraordinary events, related to the subject-matter of this Protocol, have jeopardized its supreme interests. It shall give notice of such withdrawal to the Depositary twelve months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

## Article 7

This Protocol shall enter into force for each State on the date of its deposit with the Depositary of its instrument of ratification or the date of entry into force of the Treaty, whichever is later.

In witness whereof the undersigned, being duly authorized by their Governments, have signed this Protocol.

## Protocol II

The Parties to this Protocol,

Convinced of the need to take all steps in achieving the ultimate goal of a world entirely free of nuclear weapons as well as the obligations of all States to contribute to this end,

Convinced also that the African Nuclear-Weapon-Free Zone Treaty, negotiated and signed in accordance with the Declaration on the Denuclearization of Africa (AHG/Res.11(1)) of 1964, resolutions CM/Res.1342 (LIV) of 1991 and CM/Res.1395(LVI)/Rev.1 of 1992 of the Council of Ministers of the Organization of African Unity and United Nations General Assembly resolution 48/86 of 16 December 1993, constitutes an important measure towards ensuring the non-proliferation of nuclear weapons, promoting cooperation in the peaceful uses of nuclear energy, promoting general and complete disarmament, and enhancing regional and international peace and security,

Desirous of contributing in all appropriate manners to the effectiveness of the Treaty,

Bearing in mind the objective of concluding a treaty banning all nuclear tests,

Have agreed as follows:

## Article 1

Each Protocol Party undertakes not to test or assist or encourage the testing of any nuclear explosive device anywhere within the African nuclear-weapon-free zone.

## Article 2

Each Protocol Party undertakes not to contribute to any act that constitutes a violation of the Treaty or of this Protocol.

## Article 3

Each Protocol Party undertakes, by written notification to the Depositary, to indicate its acceptance or otherwise of any alteration to its obligation under this Protocol that may be brought about by the entry into force of an amendment to the Treaty pursuant to article 19 of the Treaty.

## Article 4

This Protocol shall be open for signature by China, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

## Article 5

This Protocol shall be subject to ratification.

## Article 6

This Protocol is of a permanent nature and shall remain in force indefinitely, provided that each Party shall, in exercising its national sovereignty, have the right to withdraw from this Protocol if it decides that extraordinary events, related to the subject-matter of this Protocol, have jeopardized its supreme interests. It shall give notice of such withdrawal to the Depositary twelve months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

## Article 7

This Protocol shall enter into force for each State on the date of its deposit with the Depositary of its instrument of ratification or the date of entry into force of the Treaty, whichever is later.

In witness whereof the undersigned, being duly authorized by their Governments, have signed this Protocol.

### **Protocol III**

The Parties to this Protocol,

Convinced of the need to take all steps in achieving the ultimate goal of a world entirely free of nuclear weapons as well as the obligations of all States to contribute to this end,

Convinced also that the African Nuclear-Weapon-Free Zone Treaty, negotiated and signed in accordance with the Declaration on the Denuclearization of Africa (AHG/Res.11(1)) of 1964, resolutions CM/Res.1342(LIV) of 1991 and CM/Res.1395(LVI)/Rev.1 of 1992 of the Council of Ministers of the Organization of African Unity and United Nations General Assembly resolution 48/86 of 16 December 1993, constitutes an important measure towards ensuring the non-proliferation of nuclear weapons, promoting cooperation in the peaceful uses of nuclear energy, promoting general and complete disarmament, and enhancing regional and international peace and security,

Desirous of contributing in all appropriate manners to the effectiveness of the Treaty,

Have agreed as follows:

#### **Article 1**

Each Protocol Party undertakes to apply, in respect of the territories for which it is de jure or de facto internationally responsible situated within the African nuclear-weapon-free zone, the provisions contained in articles 3, 4, 5, 6, 7, 8, 9 and 10 of the Treaty and to ensure the application of safeguards specified in annex II of the Treaty.

#### **Article 2**

Each Protocol Party undertakes not to contribute to any act that constitutes a violation of the Treaty or of this Protocol.

#### **Article 3**

Each Protocol Party undertakes, by written notification to the Depositary, to indicate its acceptance or otherwise of any alterations to its obligation under this Protocol that may be brought about by the entry into force of an amendment to the Treaty pursuant to article 19 of the Treaty.

#### **Article 4**

This Protocol shall be open for signature by France and Spain.

#### **Article 5**

This Protocol shall be subject to ratification.

#### **Article 6**

This Protocol is of a permanent nature and shall remain in force indefinitely provided that each Party shall, in exercising its national sovereignty have the right to withdraw from this Protocol if it decides that extraordinary events, related to the subject-matter of this Protocol, have jeopardized its supreme interests. It shall give notice of such withdrawal to the Depositary twelve months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

#### **Article 7**

This Protocol shall enter into force for each State on the date of its deposit with the Depositary of its instrument of ratification or the date of entry into force of the Treaty, whichever is later.

In witness whereof the undersigned, being duly authorized by their Governments have signed this Protocol.

## **PROTOCOL FOR THE PROHIBITION OF THE USE IN WAR OF ASPHYXIATING, POISONOUS OR OTHER GASES, AND OF BACTERIOLOGICAL METHODS OF WARFARE (GENEVA PROTOCOL)**

Signed at Geneva: 17 June 1925.

Entered into force: for each signatory as from the date of deposit of its ratification; accessions take effect on the date of the notification by the depositary Government.

Depositary Government: France.

The Undersigned Plenipotentiaries, in the name of their respective Governments:

Whereas the use in war of asphyxiating, poisonous or other gases, and of all analogous liquids, materials or



devices, has been justly condemned by the general opinion of the civilized world; and

Whereas the prohibition of such use has been declared in Treaties to which the majority of Powers of the world are Parties; and

To the end that this prohibition shall be universally accepted as a part of International Law, binding alike the conscience and the practice of nations;

Declare:

That the High Contracting Parties, so far as they are not already Parties to Treaties prohibiting such use, accept this prohibition, agree to extend this prohibition to the use of bacteriological methods of warfare and agree to be bound as between themselves according to the terms of this declaration.

The High Contracting Parties will exert every effort to induce other States to accede to the present Protocol. Such accession will be notified to the Government of the French Republic, and by the latter to all signatory and acceding Powers, and will take effect on the date of the notification by the Government of the French Republic.

The present Protocol, of which the English and French texts are both authentic, shall be ratified as soon as possible. It shall bear to-day's date.

The ratifications of the present Protocol shall be addressed to the Government of the French Republic, which will at once notify the deposit of such ratification to each of the signatory and acceding Powers.

The instruments of ratification of and accession to the present Protocol will remain deposited in the archives of the Government of the French Republic.

The present Protocol will come into force for each signatory Power as from the date of deposit of its ratification, and, from that moment, each Power will be bound as regards other Powers which have already deposited their ratifications.

In witness whereof the Plenipotentiaries have signed the present Protocol.

Done at Geneva in a single copy, the seventeenth day of June, One Thousand Nine Hundred and Twenty-Five.

## **CONVENTION ON THE PROHIBITION OF THE DEVELOPMENT, PRODUCTION AND STOCKPILING OF BACTERIOLOGICAL (BIOLOGICAL) AND TOXIN WEAPONS AND ON THEIR DESTRUCTION (BTWC)**

Opened for signature at London (L), Moscow (M) and Washington (W):

10 April 1972.

Entered into force: 26 March 1975.

Depositary Governments: Russian Federation, United Kingdom of Great Britain and Northern Ireland and United States of America.

The States Parties to this Convention,

Determine to act with a view to achieving effective progress toward general and complete disarmament, including the prohibition and elimination of all types of weapons of mass destruction, and convinced that the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons and their elimination, through effective measures, will facilitate the achievement of general and complete disarmament under strict and effective control,

Recognizing the important significance of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on June 17, 1925, and conscious also of the contribution which the said Protocol has already made and continues to make, to mitigating the horrors of war,

Reaffirming their adherence to the principles and objectives of that Protocol and calling upon all States to comply strictly with them,

Recalling that the General Assembly of the United Nations has repeatedly condemned all actions contrary to the principles and objectives of the Geneva Protocol of June 17, 1925,

Desiring to contribute to the strengthening of confidence between peoples and the general improvement of the international atmosphere,

Desiring also to contribute to the realization of the purposes and principles of the Charter of the United Nations,

Convinced of the importance and urgency of eliminating from the arsenals of States, through effective measures, such dangerous weapons of mass destruction as those using chemical or bacteriological (biological) agents,

Recognizing that an agreement on the prohibition of bacteriological (biological) and toxin weapons represents a first possible step towards the achievement of agreement on effective measures also for the prohibition of the development, production and stockpiling of chemical weapons, and determined to continue negotiations to that end,

Determined, for the sake of all mankind, to exclude completely the possibility of bacteriological (biological) agents and toxins being used as weapons,

Convinced that such use would be repugnant to the conscience of mankind and that no effort should be spared to minimize this risk,

Have agreed as follows:

#### **ARTICLE I**

Each State Party to this Convention undertakes never in any circumstance to develop, produce, stockpile or otherwise acquire or retain:

Microbial or other biological agents, or toxins whatever their origin or method of production, of types and in quantities that have no justification for prophylactic, protective or other peaceful purposes;

Weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict.

#### **ARTICLE II**

Each State Party to this Convention undertakes to destroy, or to divert to peaceful purposes, as soon as possible but not later than nine months after the entry into force of the Convention, all agents, toxins, weapons, equipment and means of delivery specified in article I of the Convention, which are in its possession or under its jurisdiction or control. In implementing the provisions of this article all necessary safety precautions shall be observed to protect populations and the environment.

#### **ARTICLE III**

Each State Party to this Convention undertakes not to transfer to any recipient whatsoever, directly or indirectly, and not in any way to assist, encourage, or induce any State, group of States or international organizations to manufacture or otherwise acquire any of the agents, toxins, weapons, equipment or means of delivery specified in article I of the Convention.

#### **ARTICLE IV**

Each State Party to this Convention shall, in accordance with its constitutional processes, take any necessary measures to prohibit and prevent the development, production, stockpiling, acquisition or retention of the agents, toxins, weapons, equipment and means of delivery specified in article I of the Convention, within the territory of such State, under its jurisdiction or under its control anywhere.

#### **ARTICLE V**

The States Parties to this Convention undertake to consult one another and to cooperate in solving any problems which may arise in relation to the objective of, or in the application of the provisions of, the Convention.

Consultation and cooperation pursuant to this article may also be undertaken through appropriate international procedures within the framework of the United Nations and in accordance with its Charter.

#### **ARTICLE VI**

- (1) Any State Party to this Convention which finds that any other State Party is acting in breach of obligations deriving from the provisions of the Convention may lodge a complaint with the Security Council of the United Nations. Such a complaint should include all possible evidence confirming its validity, as well as a request for its consideration by the Security Council.
- (2) Each State Party to this Convention undertakes to cooperate in carrying out any investigation which the Security Council may initiate, in accordance with the provisions of the Charter of the United Nations, on the basis of the complaint received by the Council. The Security Council shall inform the States Parties to the Convention of the results of the investigation.

**ARTICLE VII**

Each State Party to this Convention undertakes to provide or support assistance, in accordance with the United Nations Charter, to any Party to the Convention which so requests, if the Security Council decides that such Party has been exposed to danger as a result of violation of the Convention.

**ARTICLE VIII**

Nothing in this Convention shall be interpreted as in any way limiting or detracting from the obligations assumed by any State under the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on June 17, 1925.

**ARTICLE IX**

Each State Party to this Convention affirms the recognized objective of effective prohibition of chemical weapons and, to this end, undertakes to continue negotiations in good faith with a view to reaching early agreement on effective measures for the prohibition of their development, production and stockpiling and for their destruction, and on appropriate measures concerning equipment and means of delivery specifically designed for the production or use of chemical agents for weapons purposes.

**ARTICLE X**

- (1) The States Parties to this Convention undertake to facilitate, and have the right to participate in, the fullest possible exchange of equipment, materials and scientific and technological information for the use of bacteriological (biological) agents and toxins for peaceful purposes. Parties to the Convention in a position to do so shall also cooperate in contributing individually or together with other States or international organizations to the further development and application of scientific discoveries in the field of bacteriology (biology) for prevention of disease, or for other peaceful purposes.
- (2) This Convention shall be implemented in a manner designed to avoid hampering the economic or technological development of States Parties to the Convention or international cooperation in the field of peaceful bacteriological (biological) activities, including the international exchange of bacteriological

(biological) agents and toxins and equipment for the processing, use or production of bacteriological (biological) agents and toxins for peaceful purposes in accordance with the provisions of the Convention.

**ARTICLE XI**

Any State Party may propose amendments to this Convention. Amendments shall enter into force for each State Party accepting the amendments upon their acceptance by a majority of the States Parties to the Convention and thereafter for each remaining State Party on the date of acceptance by it.

**ARTICLE XII**

Five years after the entry into force of this Convention, or earlier if it is requested by a majority of the Parties to the Convention by submitting a proposal to this effect to the Depositary Governments, a conference of States Parties to the Convention shall be held at Geneva, Switzerland, to review the operation of the Convention, with a view to assuring that the purposes of the preamble and the provisions of the Convention, including the provisions concerning negotiations on chemical weapons, are being realized. Such review shall take into account any new scientific and technological developments relevant to the Convention.

**ARTICLE XIII**

- (1) This Convention shall be of unlimited duration.
- (2) Each State Party to this Convention shall in exercising its natural sovereignty have the right to withdraw from the Convention if it decides that extraordinary events, related to the subject matter of the Convention, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other States Parties to the Convention and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

**ARTICLE XIV**

- (1) This Convention shall be open to all States for signature. Any State which does not sign the Convention before its entry into force in accordance with paragraph (3) of this Article may accede to it at any time.

- (2) This Convention shall be subject to ratification by signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland and the Union of Soviet Socialist Republics, which are hereby designated the Depositary Governments.
- (3) This Convention shall enter into force after the deposit of instruments of ratification by twenty-two Governments, including the Governments designated as Depositaries of the Convention.
- (4) For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Convention, it shall enter into force on the date of the deposit of their instrument of ratification or accession.
- (5) The Depositary Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or of accession and the date of the entry into force of this Convention, and of the receipt of other notices.
- (6) This Convention shall be registered by the Depositary Governments pursuant to Article 102 of the Charter of the United Nations.

#### ARTICLE XV

This Convention, the English, Russian, French, Spanish and Chinese texts of which are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of the Convention shall be transmitted by the Depositary Governments of the signatory and acceding States.

## Excerpts CONVENTION ON THE PROHIBITION OF THE DEVELOPMENT, PRODUCTION, STOCKPILING AND USE OF CHEMICAL WEAPONS AND ON THEIR DESTRUCTION (CHEMICAL WEAPONS CONVENTION / CWC)

(Corrected version in accordance with Depositary Notification C.N.246.1994.TREATIES-5 and the corresponding Procès-Verbal of Rectification of the Original of the Convention, issued on 8 August 1994.)

#### PREAMBLE

The States Parties to this Convention,

Determined to act with a view to achieving effective progress towards general and complete disarmament under strict and effective international control, including the prohibition and elimination of all types of weapons of mass destruction,

Desiring to contribute to the realization of the purposes and principles of the Charter of the United Nations,

Recalling that the General Assembly of the United Nations has repeatedly condemned all actions contrary to the principles and objectives of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925 (the Geneva Protocol of 1925),

Recognizing that this Convention reaffirms principles and objectives of and obligations assumed under the Geneva Protocol of 1925, and the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction signed at London, Moscow and Washington on 10 April 1972,

Bearing in mind the objective contained in Article IX of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction,

Determined for the sake of all mankind, to exclude completely the possibility of the use of chemical weap-

ons, through the implementation of the provisions of this Convention, thereby complementing the obligations assumed under the Geneva Protocol of 1925,

Recognizing the prohibition, embodied in the pertinent agreements and relevant principles of international law, of the use of herbicides as a method of warfare,

Considering that achievements in the field of chemistry should be used exclusively for the benefit of mankind,

Desiring to promote free trade in chemicals as well as international cooperation and exchange of scientific and technical information in the field of chemical activities for purposes not prohibited under this Convention in order to enhance the economic and technological development of all States Parties,

Convinced that the complete and effective prohibition of the development, production, acquisition, stockpiling, retention, transfer and use of chemical weapons, and their destruction, represent a necessary step towards the achievement of these common objectives,

Have agreed as follows:

## ARTICLE I

### GENERAL OBLIGATIONS

1. Each State Party to this Convention undertakes never under any circumstances:
  - (a) To develop, produce, otherwise acquire, stockpile or retain chemical weapons, or transfer, directly or indirectly, chemical weapons to anyone;
  - (b) To use chemical weapons;
  - (c) To engage in any military preparations to use chemical weapons;
  - (d) To assist, encourage or induce, in any way, anyone to engage in any activity prohibited to a State Party under this Convention.
2. Each State Party undertakes to destroy chemical weapons it owns or possesses, or that are located in any place under its jurisdiction or control, in accordance with the provisions of this Convention.
3. Each State Party undertakes to destroy all chemical weapons it abandoned on the territory of another State Party, in accordance with the provisions of this Convention.
4. Each State Party undertakes to destroy any chemical weapons production facilities it owns

or possesses, or that are located in any place under its jurisdiction or control, in accordance with the provisions of this Convention.

5. Each State Party undertakes not to use riot control agents as a method of warfare.

## ARTICLE II

### DEFINITIONS AND CRITERIA

For the purposes of this Convention:

1. “Chemical Weapons” means the following, together or separately:
  - (a) Toxic chemicals and their precursors, except where intended for purposes not prohibited under this Convention, as long as the types and quantities are consistent with such purposes;
  - (b) Munitions and devices, specifically designed to cause death or other harm through the toxic properties of those toxic chemicals specified in subparagraph (a), which would be released as a result of the employment of such munitions and devices;
  - (c) Any equipment specifically designed for use directly in connection with the employment of munitions and devices specified in subparagraph (b).
2. “Toxic Chemical” means:  
Any chemical which through its chemical action on life processes can cause death, temporary incapacitation or permanent harm to humans or animals. This includes all such chemicals, regardless of their origin or of their method of production, and regardless of whether they are produced in facilities, in munitions or elsewhere. (For the purpose of implementing this Convention, toxic chemicals which have been identified for the application of verification measures are listed in Schedules contained in the Annex on Chemicals.)
3. “Precursor” means:  
Any chemical reactant which takes part at any stage in the production by whatever method of a toxic chemical. This includes any key component of a binary or multicomponent chemical system. (For the purpose of implementing this Convention, precursors which have been identified for the application of verification measures are listed in Schedules contained in the Annex on Chemicals.)

4. “Key Component of Binary or Multicomponent Chemical Systems” (hereinafter referred to as “key component”) means:  
The precursor which plays the most important role in determining the toxic properties of the final product and reacts rapidly with other chemicals in the binary or multicomponent system.
5. “Old Chemical Weapons” means:
  - (a) Chemical weapons which were produced before 1925; or
  - (b) Chemical weapons produced in the period between 1925 and 1946 that have deteriorated to such extent that they can no longer be used as chemical weapons.
6. “Abandoned Chemical Weapons” means:  
Chemical weapons, including old chemical weapons, abandoned by a State after 1 January 1925 on the territory of another State without the consent of the latter.
7. “Riot Control Agent” means:  
Any chemical not listed in a Schedule, which can produce rapidly in humans sensory irritation or disabling physical effects which disappear within a short time following termination of exposure.
8. “Chemical Weapons Production Facility”:
  - (a) Means any equipment, as well as any building housing such equipment, that was designed, constructed or used at any time since 1 January 1946:
    - (i) As part of the stage in the production of chemicals (“final technological stage”) where the material flows would contain, when the equipment is in operation: (1) Any chemical listed in Schedule 1 in the Annex on Chemicals; or (2) Any other chemical that has no use, above 1 tonne per year on the territory of a State Party or in any other place under the jurisdiction or control of a State Party, for purposes not prohibited under this Convention, but can be used for chemical weapons purposes; or (ii) For filling chemical weapons, including, inter alia, the filling of chemicals listed in Schedule 1 into munitions, devices or bulk storage containers; the filling of chemicals into containers that form part of assembled binary munitions and devices or into chemical submunitions that form part of assembled unitary munitions and devices, and the loading of the containers and chemical submunitions into the respective munitions and devices;
  - (b) Does not mean:
    - (i) Any facility having a production capacity for synthesis of chemicals specified in subparagraph (a) (i) that is less than 1 tonne;
    - (ii) Any facility in which a chemical specified in subparagraph (a) (i) is or was produced as an unavoidable by-product of activities for purposes not prohibited under this Convention, provided that the chemical does not exceed 3 per cent of the total product and that the facility is subject to declaration and inspection under the Annex on Implementation and Verification (hereinafter referred to as “Verification Annex”); or
    - (iii) The single small-scale facility for production of chemicals listed in Schedule 1 for purposes not prohibited under this Convention as referred to in Part VI of the Verification Annex.
9. “Purposes Not Prohibited Under this Convention” means:
  - (a) Industrial, agricultural, research, medical, pharmaceutical or other peaceful purposes;
  - (b) Protective purposes, namely those purposes directly related to protection against toxic chemicals and to protection against chemical weapons;
  - (c) Military purposes not connected with the use of chemical weapons and not dependent on the use of the toxic properties of chemicals as a method of warfare;
  - (d) Law enforcement including domestic riot control purposes.
10. “Production Capacity” means:  
The annual quantitative potential for manufacturing a specific chemical based on the technological process actually used or, if the process is not yet operational, planned to be used at the relevant facility. It shall be deemed to be equal to the nameplate capacity or, if the nameplate capacity is not available, to the design capacity. The nameplate capacity is the product output under conditions optimized for maximum quantity for the production facility, as demonstrated by one or more test-runs. The

design capacity is the corresponding theoretically calculated product output.

11. "Organization" means the Organization for the Prohibition of Chemical Weapons established pursuant to Article VIII of this Convention.
12. For the purposes of Article VI:
  - (a) "Production" of a chemical means its formation through chemical reaction;
  - (b) "Processing" of a chemical means a physical process, such as formulation, extraction and purification, in which a chemical is not converted into another chemical;
  - (c) "Consumption" of a chemical means its conversion into another chemical via a chemical reaction.

### ARTICLE III

#### DECLARATIONS

1. Each State Party shall submit to the Organization, not later than 30 days after this Convention enters into force for it, the following declarations, in which it shall:
  - (a) With respect to chemical weapons:
    - (i) Declare whether it owns or possesses any chemical weapons, or whether there are any chemical weapons located in any place under its jurisdiction or control;
    - (ii) Specify the precise location, aggregate quantity and detailed inventory of chemical weapons it owns or possesses, or that are located in any place under its jurisdiction or control, in accordance with Part IV (A), paragraphs 1 to 3, of the Verification Annex, except for those chemical weapons referred to in sub-subparagraph (iii);
    - (iii) Report any chemical weapons on its territory that are owned and possessed by another State and located in any place under the jurisdiction or control of another State, in accordance with Part IV (A), paragraph 4, of the Verification Annex;
    - (iv) Declare whether it has transferred or received, directly or indirectly, any chemical weapons since 1 January 1946 and specify the transfer or receipt of such weapons, in accordance with Part IV (A), paragraph 5, of the Verification Annex;
  - (v) Provide its general plan for destruction of chemical weapons that it owns or possesses, or that are located in any place under its jurisdiction or control, in accordance with Part IV (A), paragraph 6, of the Verification Annex;
  - (b) With respect to old chemical weapons and abandoned chemical weapons:
    - (i) Declare whether it has on its territory old chemical weapons and provide all available information in accordance with Part IV (B), paragraph 3, of the Verification Annex;
    - (ii) Declare whether there are abandoned chemical weapons on its territory and provide all available information in accordance with Part IV (B), paragraph 8, of the Verification Annex;
    - (iii) Declare whether it has abandoned chemical weapons on the territory of other States and provide all available information in accordance with Part IV (B), paragraph 10, of the Verification Annex;
  - (c) With respect to chemical weapons production facilities:
    - (i) Declare whether it has or has had any chemical weapons production facility under its ownership or possession, or that is or has been located in any place under its jurisdiction or control at any time since 1 January 1946;
    - (ii) Specify any chemical weapons production facility it has or has had under its ownership or possession or that is or has been located in any place under its jurisdiction or control at any time since 1 January 1946, in accordance with Part V, paragraph 1, of the Verification Annex, except for those facilities referred to in sub-subparagraph (iii);
    - (iii) Report any chemical weapons production facility on its territory that another State has or has had under its ownership and possession and that is or has been located in any place under the jurisdiction or control of another State at any time since 1 January 1946, in accordance with Part V, paragraph 2, of the Verification Annex;

- (iv) Declare whether it has transferred or received, directly or indirectly, any equipment for the production of chemical weapons since 1 January 1946 and specify the transfer or receipt of such equipment, in accordance with Part V, paragraphs 3 to 5, of the Verification Annex;
- (v) Provide its general plan for destruction of any chemical weapons production facility it owns or possesses, or that is located in any place under its jurisdiction or control, in accordance with Part V, paragraph 6, of the Verification Annex;
- (vi) Specify actions to be taken for closure of any chemical weapons production facility it owns or possesses, or that is located in any place under its jurisdiction or control, in accordance with Part V, paragraph 1 (i), of the Verification Annex;
- (vii) Provide its general plan for any temporary conversion of any chemical weapons production facility it owns or possesses, or that is located in any place under its jurisdiction or control, into a chemical weapons destruction facility, in accordance with Part V, paragraph 7, of the Verification Annex;
- (d) With respect to other facilities: Specify the precise location, nature and general scope of activities of any facility or establishment under its ownership or possession, or located in any place under its jurisdiction or control, and that has been designed, constructed or used since 1 January 1946 primarily for development of chemical weapons. Such declaration shall include, inter alia, laboratories and test and evaluation sites;
- (e) With respect to riot control agents: Specify the chemical name, structural formula and Chemical Abstracts Service (CAS) registry number, if assigned, of each chemical it holds for riot control purposes. This declaration shall be updated not later than 30 days after any change becomes effective.
- 2. The provisions of this Article and the relevant provisions of Part IV of the Verification Annex shall not, at the discretion of a State Party, apply to chemical weapons buried on its territory

before 1 January 1977 and which remain buried, or which had been dumped at sea before 1 January 1985.

## ARTICLE IV

### CHEMICAL WEAPONS

1. The provisions of this Article and the detailed procedures for its implementation shall apply to all chemical weapons owned or possessed by a State Party, or that are located in any place under its jurisdiction or control, except old chemical weapons and abandoned chemical weapons to which Part IV (B) of the Verification Annex applies.
2. Detailed procedures for the implementation of this Article are set forth in the Verification Annex.
3. All locations at which chemical weapons specified in paragraph 1 are stored or destroyed shall be subject to systematic verification through on-site inspection and monitoring with on-site instruments, in accordance with Part IV (A) of the Verification Annex.
4. Each State Party shall, immediately after the declaration under Article III, paragraph 1 (a), has been submitted, provide access to chemical weapons specified in paragraph 1 for the purpose of systematic verification of the declaration through on-site inspection. Thereafter, each State Party shall not remove any of these chemical weapons, except to a chemical weapons destruction facility. It shall provide access to such chemical weapons, for the purpose of systematic on-site verification.
5. Each State Party shall provide access to any chemical weapons destruction facilities and their storage areas, that it owns or possesses, or that are located in any place under its jurisdiction or control, for the purpose of systematic verification through on-site inspection and monitoring with on-site instruments.
6. Each State Party shall destroy all chemical weapons specified in paragraph 1 pursuant to the Verification Annex and in accordance with the agreed rate and sequence of destruction (hereinafter referred to as "order of destruction"). Such destruction shall begin not later than two years after this Convention enters into force for it and shall finish not later than 10 years after entry into force of this Convention. A State Party is not



- precluded from destroying such chemical weapons at a faster rate.
7. Each State Party shall:
    - (a) Submit detailed plans for the destruction of chemical weapons specified in paragraph 1 not later than 60 days before each annual destruction period begins, in accordance with Part IV (A), paragraph 29, of the Verification Annex; the detailed plans shall encompass all stocks to be destroyed during the next annual destruction period;
    - (b) Submit declarations annually regarding the implementation of its plans for destruction of chemical weapons specified in paragraph 1, not later than 60 days after the end of each annual destruction period; and
    - (c) Certify, not later than 30 days after the destruction process has been completed, that all chemical weapons specified in paragraph 1 have been destroyed.
  8. If a State ratifies or accedes to this Convention after the 10-year period for destruction set forth in paragraph 6, it shall destroy chemical weapons specified in paragraph 1 as soon as possible. The order of destruction and procedures for stringent verification for such a State Party shall be determined by the Executive Council.
  9. Any chemical weapons discovered by a State Party after the initial declaration of chemical weapons shall be reported, secured and destroyed in accordance with Part IV (A) of the Verification Annex.
  10. Each State Party, during transportation, sampling, storage and destruction of chemical weapons, shall assign the highest priority to ensuring the safety of people and to protecting the environment. Each State Party shall transport, sample, store and destroy chemical weapons in accordance with its national standards for safety and emissions.
  11. Any State Party which has on its territory chemical weapons that are owned or possessed by another State, or that are located in any place under the jurisdiction or control of another State, shall make the fullest efforts to ensure that these chemical weapons are removed from its territory not later than one year after this Convention enters into force for it. If they are not removed within one year, the State Party may request the Organization and other States Parties to provide assistance in the destruction of these chemical weapons.
  12. Each State Party undertakes to cooperate with other States Parties that request information or assistance on a bilateral basis or through the Technical Secretariat regarding methods and technologies for the safe and efficient destruction of chemical weapons.
  13. In carrying out verification activities pursuant to this Article and Part IV (A) of the Verification Annex, the Organization shall consider measures to avoid unnecessary duplication of bilateral or multilateral agreements on verification of chemical weapons storage and their destruction among States Parties. To this end, the Executive Council shall decide to limit verification to measures complementary to those undertaken pursuant to such a bilateral or multilateral agreement, if it considers that:
    - (a) Verification provisions of such an agreement are consistent with the verification provisions of this Article and Part IV (A) of the Verification Annex;
    - (b) Implementation of such an agreement provides for sufficient assurance of compliance with the relevant provisions of this Convention; and
    - (c) Parties to the bilateral or multilateral agreement keep the Organization fully informed about their verification activities.
  14. If the Executive Council takes a decision pursuant to paragraph 13, the Organization shall have the right to monitor the implementation of the bilateral or multilateral agreement.
  15. Nothing in paragraphs 13 and 14 shall affect the obligation of a State Party to provide declarations pursuant to Article III, this Article and Part IV (A) of the Verification Annex.
  16. Each State Party shall meet the costs of destruction of chemical weapons it is obliged to destroy. It shall also meet the costs of verification of storage and destruction of these chemical weapons unless the Executive Council decides otherwise. If the Executive Council decides to limit verification measures of the Organization pursuant to paragraph 13, the costs of complementary verification and monitoring by the Organization shall be paid in accordance with the United Nations scale of assessment, as specified in Article VIII, paragraph 7.
  17. The provisions of this Article and the relevant provisions of Part IV of the Verification Annex shall not, at the discretion of a State Party, apply to chemical weapons buried on its territory.

before 1 January 1977 and which remain buried, or which had been dumped at sea before 1 January 1985.

## ARTICLE V

### CHEMICAL WEAPONS PRODUCTION FACILITIES

1. The provisions of this Article and the detailed procedures for its implementation shall apply to any and all chemical weapons production facilities owned or possessed by a State Party, or that are located in any place under its jurisdiction or control.
2. Detailed procedures for the implementation of this Article are set forth in the Verification Annex.
3. All chemical weapons production facilities specified in paragraph 1 shall be subject to systematic verification through on-site inspection and monitoring with on-site instruments in accordance with Part V of the Verification Annex.
4. Each State Party shall cease immediately all activity at chemical weapons production facilities specified in paragraph 1, except activity required for closure.
5. No State Party shall construct any new chemical weapons production facilities or modify any existing facilities for the purpose of chemical weapons production or for any other activity prohibited under this Convention.
6. Each State Party shall, immediately after the declaration under Article III, paragraph 1 (c), has been submitted, provide access to chemical weapons production facilities specified in paragraph 1, for the purpose of systematic verification of the declaration through on-site inspection.
7. Each State Party shall:
  - (a) Close, not later than 90 days after this Convention enters into force for it, all chemical weapons production facilities specified in paragraph 1, in accordance with Part V of the Verification Annex, and give notice thereof; and
  - (b) Provide access to chemical weapons production facilities specified in paragraph 1, subsequent to closure, for the purpose of systematic verification through on-site inspection and monitoring with on-site instruments in order to ensure that the facility remains closed and is subsequently destroyed.
8. Each State Party shall destroy all chemical weapons production facilities specified in paragraph 1 and related facilities and equipment, pursuant to the Verification Annex and in accordance with an agreed rate and sequence of destruction (hereinafter referred to as “order of destruction”). Such destruction shall begin not later than one year after this Convention enters into force for it, and shall finish not later than 10 years after entry into force of this Convention. A State Party is not precluded from destroying such facilities at a faster rate.
9. Each State Party shall:
  - (a) Submit detailed plans for destruction of chemical weapons production facilities specified in paragraph 1, not later than 180 days before the destruction of each facility begins;
  - (b) Submit declarations annually regarding the implementation of its plans for the destruction of all chemical weapons production facilities specified in paragraph 1, not later than 90 days after the end of each annual destruction period; and
  - (c) Certify, not later than 30 days after the destruction process has been completed, that all chemical weapons production facilities specified in paragraph 1 have been destroyed.
10. If a State ratifies or accedes to this Convention after the 10-year period for destruction set forth in paragraph 8, it shall destroy chemical weapons production facilities specified in paragraph 1 as soon as possible. The order of destruction and procedures for stringent verification for such a State Party shall be determined by the Executive Council.
11. Each State Party, during the destruction of chemical weapons production facilities, shall assign the highest priority to ensuring the safety of people and to protecting the environment. Each State Party shall destroy chemical weapons production facilities in accordance with its national standards for safety and emissions.
12. Chemical weapons production facilities specified in paragraph 1 may be temporarily converted for destruction of chemical weapons in accordance with Part V, paragraphs 18 to 25, of the Verification Annex. Such a converted facility

must be destroyed as soon as it is no longer in use for destruction of chemical weapons but, in any case, not later than 10 years after entry into force of this Convention.

13. A State Party may request, in exceptional cases of compelling need, permission to use a chemical weapons production facility specified in paragraph 1 for purposes not prohibited under this Convention. Upon the recommendation of the Executive Council, the Conference of the States Parties shall decide whether or not to approve the request and shall establish the conditions upon which approval is contingent in accordance with Part V, Section D, of the Verification Annex.
14. The chemical weapons production facility shall be converted in such a manner that the converted facility is not more capable of being reconverted into a chemical weapons production facility than any other facility used for industrial, agricultural, research, medical, pharmaceutical or other peaceful purposes not involving chemicals listed in Schedule 1.
15. All converted facilities shall be subject to systematic verification through on-site inspection and monitoring with on-site instruments in accordance with Part V, Section D, of the Verification Annex.
16. In carrying out verification activities pursuant to this Article and Part V of the Verification Annex, the Organization shall consider measures to avoid unnecessary duplication of bilateral or multilateral agreements on verification of chemical weapons production facilities and their destruction among States Parties. To this end, the Executive Council shall decide to limit the verification to measures complementary to those undertaken pursuant to such a bilateral or multilateral agreement, if it considers that:
  - (a) Verification provisions of such an agreement are consistent with the verification provisions of this Article and Part V of the Verification Annex;
  - (b) Implementation of the agreement provides for sufficient assurance of compliance with the relevant provisions of this Convention; and
  - (c) Parties to the bilateral or multilateral agreement keep the Organization fully informed about their verification activities.
17. If the Executive Council takes a decision pursuant to paragraph 16, the Organization shall

have the right to monitor the implementation of the bilateral or multilateral agreement.

18. Nothing in paragraphs 16 and 17 shall affect the obligation of a State Party to make declarations pursuant to Article III, this Article and Part V of the Verification Annex.
19. Each State Party shall meet the costs of destruction of chemical weapons production facilities it is obliged to destroy. It shall also meet the costs of verification under this Article unless the Executive Council decides otherwise. If the Executive Council decides to limit verification measures of the Organization pursuant to paragraph 16, the costs of complementary verification and monitoring by the Organization shall be paid in accordance with the United Nations scale of assessment, as specified in Article VIII, paragraph 7.

## ARTICLE VI

### ACTIVITIES NOT PROHIBITED UNDER THIS CONVENTION

1. Each State Party has the right, subject to the provisions of this Convention, to develop, produce, otherwise acquire, retain, transfer and use toxic chemicals and their precursors for purposes not prohibited under this Convention.
2. Each State Party shall adopt the necessary measures to ensure that toxic chemicals and their precursors are only developed, produced, otherwise acquired, retained, transferred, or used within its territory or in any other place under its jurisdiction or control for purposes not prohibited under this Convention. To this end, and in order to verify that activities are in accordance with obligations under this Convention, each State Party shall subject toxic chemicals and their precursors listed in Schedules 1, 2 and 3 of the Annex on Chemicals, facilities related to such chemicals, and other facilities as specified in the Verification Annex, that are located on its territory or in any other place under its jurisdiction or control, to verification measures as provided in the Verification Annex.
3. Each State Party shall subject chemicals listed in Schedule 1 (hereinafter referred to as "Schedule 1 chemicals") to the prohibitions on production, acquisition, retention, transfer and use as specified in Part VI of the Verification Annex. It shall subject Schedule 1 chemicals and facilities specified in Part VI of the Verification Annex to

systematic verification through on-site inspection and monitoring with on-site instruments in accordance with that Part of the Verification Annex.

4. Each State Party shall subject chemicals listed in Schedule 2 (hereinafter referred to as “Schedule 2 chemicals”) and facilities specified in Part VII of the Verification Annex to data monitoring and on-site verification in accordance with that Part of the Verification Annex.
5. Each State Party shall subject chemicals listed in Schedule 3 (hereinafter referred to as “Schedule 3 chemicals”) and facilities specified in Part VIII of the Verification Annex to data monitoring and on-site verification in accordance with that Part of the Verification Annex.
6. Each State Party shall subject facilities specified in Part IX of the Verification Annex to data monitoring and eventual on-site verification in accordance with that Part of the Verification Annex unless decided otherwise by the Conference of the States Parties pursuant to Part IX, paragraph 22, of the Verification Annex.
7. Not later than 30 days after this Convention enters into force for it, each State Party shall make an initial declaration on relevant chemicals and facilities in accordance with the Verification Annex.
8. Each State Party shall make annual declarations regarding the relevant chemicals and facilities in accordance with the Verification Annex.
9. For the purpose of on-site verification, each State Party shall grant to the inspectors access to facilities as required in the Verification Annex.
10. In conducting verification activities, the Technical Secretariat shall avoid undue intrusion into the State Party’s chemical activities for purposes not prohibited under this Convention and, in particular, abide by the provisions set forth in the Annex on the Protection of Confidential Information (hereinafter referred to as “Confidentiality Annex”).
11. The provisions of this Article shall be implemented in a manner which avoids hampering the economic or technological development of States Parties, and international cooperation in the field of chemical activities for purposes not prohibited under this Convention including the international exchange of scientific and technical information and chemicals and equipment for the production, processing or use

of chemicals for purposes not prohibited under this Convention.

## ARTICLE VII

### NATIONAL IMPLEMENTATION MEASURES

#### General undertakings

1. Each State Party shall, in accordance with its constitutional processes, adopt the necessary measures to implement its obligations under this Convention. In particular, it shall:
  - (a) Prohibit natural and legal persons anywhere on its territory or in any other place under its jurisdiction as recognized by international law from undertaking any activity prohibited to a State Party under this Convention, including enacting penal legislation with respect to such activity;
  - (b) Not permit in any place under its control any activity prohibited to a State Party under this Convention; and
  - (c) Extend its penal legislation enacted under subparagraph (a) to any activity prohibited to a State Party under this Convention undertaken anywhere by natural persons, possessing its nationality, in conformity with international law.
2. Each State Party shall cooperate with other States Parties and afford the appropriate form of legal assistance to facilitate the implementation of the obligations under paragraph 1.
3. Each State Party, during the implementation of its obligations under this Convention, shall assign the highest priority to ensuring the safety of people and to protecting the environment, and shall cooperate as appropriate with other States Parties in this regard. Relations between the State Party and the Organization
4. In order to fulfil its obligations under this Convention, each State Party shall designate or establish a National Authority to serve as the national focal point for effective liaison with the Organization and other States Parties. Each State Party shall notify the Organization of its National Authority at the time that this Convention enters into force for it.
5. Each State Party shall inform the Organization of the legislative and administrative measures taken to implement this Convention.
6. Each State Party shall treat as confidential and afford special handling to information and data

that it receives in confidence from the Organization in connection with the implementation of this Convention. It shall treat such information and data exclusively in connection with its rights and obligations under this Convention and in accordance with the provisions set forth in the Confidentiality Annex.

7. Each State Party undertakes to cooperate with the Organization in the exercise of all its functions and in particular to provide assistance to the Technical Secretariat.

## ARTICLE VIII

### THE ORGANIZATION

#### A. GENERAL PROVISIONS

1. The States Parties to this Convention hereby establish the Organization for the Prohibition of Chemical Weapons to achieve the object and purpose of this Convention, to ensure the implementation of its provisions, including those for international verification of compliance with it, and to provide a forum for consultation and cooperation among States Parties.
2. All States Parties to this Convention shall be members of the Organization. A State Party shall not be deprived of its membership in the Organization.
3. The seat of the Headquarters of the Organization shall be The Hague, Kingdom of the Netherlands.
4. There are hereby established as the organs of the Organization: the Conference of the States Parties, the Executive Council, and the Technical Secretariat.
5. The Organization shall conduct its verification activities provided for under this Convention in the least intrusive manner possible consistent with the timely and efficient accomplishment of their objectives. It shall request only the information and data necessary to fulfil its responsibilities under this Convention. It shall take every precaution to protect the confidentiality of information on civil and military activities and facilities coming to its knowledge in the implementation of this Convention and, in particular, shall abide by the provisions set forth in the Confidentiality Annex.
6. In undertaking its verification activities the Organization shall consider measures to make use of advances in science and technology.
7. The costs of the Organization's activities shall be paid by States Parties in accordance with the United Nations scale of assessment adjusted to take into account differences in membership between the United Nations and this Organization, and subject to the provisions of Articles IV and V. Financial contributions of States Parties to the Preparatory Commission shall be deducted in an appropriate way from their contributions to the regular budget. The budget of the Organization shall comprise two separate chapters, one relating to administrative and other costs, and one relating to verification costs.
8. A member of the Organization which is in arrears in the payment of its financial contribution to the Organization shall have no vote in the Organization if the amount of its arrears equals or exceeds the amount of the contribution due from it for the preceding two full years. The Conference of the States Parties may, nevertheless, permit such a member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the member.

#### B. THE CONFERENCE OF THE STATES PARTIES

Composition, procedures and decision-making

9. The Conference of the States Parties (hereinafter referred to as "the Conference") shall be composed of all members of this Organization. Each member shall have one representative in the Conference, who may be accompanied by alternates and advisers.
10. The first session of the Conference shall be convened by the depositary not later than 30 days after the entry into force of this Convention.
11. The Conference shall meet in regular sessions which shall be held annually unless it decides otherwise.
12. Special sessions of the Conference shall be convened:
  - (a) When decided by the Conference;
  - (b) When requested by the Executive Council;
  - (c) When requested by any member and supported by one third of the members; or
  - (d) In accordance with paragraph 22 to undertake reviews of the operation of this Convention. Except in the case of subparagraph (d), the special session shall

be convened not later than 30 days after receipt of the request by the Director-General of the Technical Secretariat, unless specified otherwise in the request.

13. The Conference shall also be convened in the form of an Amendment Conference in accordance with Article XV, paragraph 2.
14. Sessions of the Conference shall take place at the seat of the Organization unless the Conference decides otherwise.
15. The Conference shall adopt its rules of procedure. At the beginning of each regular session, it shall elect its Chairman and such other officers as may be required. They shall hold office until a new Chairman and other officers are elected at the next regular session.
16. A majority of the members of the Organization shall constitute a quorum for the Conference.
17. Each member of the Organization shall have one vote in the Conference.
18. The Conference shall take decisions on questions of procedure by a simple majority of the members present and voting. Decisions on matters of substance should be taken as far as possible by consensus. If consensus is not attainable when an issue comes up for decision, the Chairman shall defer any vote for 24 hours and during this period of deferment shall make every effort to facilitate achievement of consensus, and shall report to the Conference before the end of this period. If consensus is not possible at the end of 24 hours, the Conference shall take the decision by a two-thirds majority of members present and voting unless specified otherwise in this Convention. When the issue arises as to whether the question is one of substance or not, that question shall be treated as a matter of substance unless otherwise decided by the Conference by the majority required for decisions on matters of substance.

#### **Powers and functions**

19. The Conference shall be the principal organ of the Organization. It shall consider any questions, matters or issues within the scope of this Convention, including those relating to the powers and functions of the Executive Council and the Technical Secretariat. It may make recommendations and take decisions on any questions, matters or issues related to this Convention raised by a State Party or brought to its attention by the Executive Council.
20. The Conference shall oversee the implementation of this Convention, and act in order to promote its object and purpose. The Conference shall review compliance with this Convention. It shall also oversee the activities of the Executive Council and the Technical Secretariat and may issue guidelines in accordance with this Convention to either of them in the exercise of their functions.
21. The Conference shall:
  - (a) Consider and adopt at its regular sessions the report, programme and budget of the Organization, submitted by the Executive Council, as well as consider other reports;
  - (b) Decide on the scale of financial contributions to be paid by States Parties in accordance with paragraph 7;
  - (c) Elect the members of the Executive Council;
  - (d) Appoint the Director-General of the Technical Secretariat (hereinafter referred to as "the Director-General");
  - (e) Approve the rules of procedure of the Executive Council submitted by the latter;
  - (f) Establish such subsidiary organs as it finds necessary for the exercise of its functions in accordance with this Convention;
  - (g) Foster international cooperation for peaceful purposes in the field of chemical activities;
  - (h) Review scientific and technological developments that could affect the operation of this Convention and, in this context, direct the Director-General to establish a Scientific Advisory Board to enable him, in the performance of his functions, to render specialized advice in areas of science and technology relevant to this Convention, to the Conference, the Executive Council or States Parties. The Scientific Advisory Board shall be composed of independent experts appointed in accordance with terms of reference adopted by the Conference;
  - (i) Consider and approve at its first session any draft agreements, provisions and guidelines developed by the Preparatory Commission;
  - (j) Establish at its first session the voluntary fund for assistance in accordance with Article X;
  - (k) Take the necessary measures to ensure compliance with this Convention and to redress and remedy any situation which

contravenes the provisions of this Convention, in accordance with Article XII.

22. The Conference shall not later than one year after the expiry of the fifth and the tenth year after the entry into force of this Convention, and at such other times within that time period as may be decided upon, convene in special sessions to undertake reviews of the operation of this Convention. Such reviews shall take into account any relevant scientific and technological developments. At intervals of five years thereafter, unless otherwise decided upon, further sessions of the Conference shall be convened with the same objective.

### C. THE EXECUTIVE COUNCIL

Composition, procedure and decision-making

23. The Executive Council shall consist of 41 members. Each State Party shall have the right, in accordance with the principle of rotation, to serve on the Executive Council. The members of the Executive Council shall be elected by the Conference for a term of two years. In order to ensure the effective functioning of this Convention, due regard being specially paid to equitable geographical distribution, to the importance of chemical industry, as well as to political and security interests, the Executive Council shall be composed as follows:
- (a) Nine States Parties from Africa to be designated by States Parties located in this region. As a basis for this designation it is understood that, out of these nine States Parties, three members shall, as a rule, be the States Parties with the most significant national chemical industry in the region as determined by internationally reported and published data; in addition, the regional group shall agree also to take into account other regional factors in designating these three members;
  - (b) Nine States Parties from Asia to be designated by States Parties located in this region. As a basis for this designation it is understood that, out of these nine States Parties, four members shall, as a rule, be the States Parties with the most significant national chemical industry in the region as determined by internationally reported and published data; in addition, the regional group shall agree also to take into account other regional factors in designating these four members;
  - (c) Five States Parties from Eastern Europe to be designated by States Parties located in this region. As a basis for this designation it is understood that, out of these five States Parties, one member shall, as a rule, be the State Party with the most significant national chemical industry in the region as determined by internationally reported and published data; in addition, the regional group shall agree also to take into account other regional factors in designating this one member;
  - (d) Seven States Parties from Latin America and the Caribbean to be designated by States Parties located in this region. As a basis for this designation it is understood that, out of these seven States Parties, three members shall, as a rule, be the States Parties with the most significant national chemical industry in the region as determined by internationally reported and published data; in addition, the regional group shall agree also to take into account other regional factors in designating these three members;
  - (e) Ten States Parties from among Western European and other States to be designated by States Parties located in this region. As a basis for this designation it is understood that, out of these 10 States Parties, 5 members shall, as a rule, be the States Parties with the most significant national chemical industry in the region as determined by internationally reported and published data; in addition, the regional group shall agree also to take into account other regional factors in designating these five members;
  - (f) One further State Party to be designated consecutively by States Parties located in the regions of Asia and Latin America and the Caribbean. As a basis for this designation it is understood that this State Party shall be a rotating member from these regions.
24. For the first election of the Executive Council 20 members shall be elected for a term of one year, due regard being paid to the established numerical proportions as described in paragraph 23.

25. After the full implementation of Articles IV and V the Conference may, upon the request of a majority of the members of the Executive Council, review the composition of the Executive Council taking into account developments related to the principles specified in paragraph 23 that are governing its composition.
26. The Executive Council shall elaborate its rules of procedure and submit them to the Conference for approval.
27. The Executive Council shall elect its Chairman from among its members.
28. The Executive Council shall meet for regular sessions. Between regular sessions it shall meet as often as may be required for the fulfilment of its powers and functions.
29. Each member of the Executive Council shall have one vote. Unless otherwise specified in this Convention, the Executive Council shall take decisions on matters of substance by a two-thirds majority of all its members. The Executive Council shall take decisions on questions of procedure by a simple majority of all its members. When the issue arises as to whether the question is one of substance or not, that question shall be treated as a matter of substance unless otherwise decided by the Executive Council by the majority required for decisions on matters of substance.

#### **Powers and functions**

30. The Executive Council shall be the executive organ of the Organization. It shall be responsible to the Conference. The Executive Council shall carry out the powers and functions entrusted to it under this Convention, as well as those functions delegated to it by the Conference. In so doing, it shall act in conformity with the recommendations, decisions and guidelines of the Conference and assure their proper and continuous implementation.
31. The Executive Council shall promote the effective implementation of, and compliance with, this Convention. It shall supervise the activities of the Technical Secretariat, cooperate with the National Authority of each State Party and facilitate consultations and cooperation among States Parties at their request.
32. The Executive Council shall:
  - (a) Consider and submit to the Conference the draft programme and budget of the Organization;
  - (b) Consider and submit to the Conference the draft report of the Organization on the implementation of this Convention, the report on the performance of its own activities and such special reports as it deems necessary or which the Conference may request;
  - (c) Make arrangements for the sessions of the Conference including the preparation of the draft agenda.
33. The Executive Council may request the convening of a special session of the Conference.
34. The Executive Council shall:
  - (a) Conclude agreements or arrangements with States and international organizations on behalf of the Organization, subject to prior approval by the Conference;
  - (b) Conclude agreements with States Parties on behalf of the Organization in connection with Article X and supervise the voluntary fund referred to in Article X;
  - (c) Approve agreements or arrangements relating to the implementation of verification activities, negotiated by the Technical Secretariat with States Parties.
35. The Executive Council shall consider any issue or matter within its competence affecting this Convention and its implementation, including concerns regarding compliance, and cases of non-compliance, and, as appropriate, inform States Parties and bring the issue or matter to the attention of the Conference.
36. In its consideration of doubts or concerns regarding compliance and cases of non-compliance, including, inter alia, abuse of the rights provided for under this Convention, the Executive Council shall consult with the States Parties involved and, as appropriate, request the State Party to take measures to redress the situation within a specified time. To the extent that the Executive Council considers further action to be necessary, it shall take, inter alia, one or more of the following measures:
  - (a) Inform all States Parties of the issue or matter;
  - (b) Bring the issue or matter to the attention of the Conference;



- (c) Make recommendations to the Conference regarding measures to redress the situation and to ensure compliance. The Executive Council shall, in cases of particular gravity and urgency, bring the issue or matter, including relevant information and conclusions, directly to the attention of the United Nations General Assembly and the United Nations Security Council. It shall at the same time inform all States Parties of this step.

#### **D. THE TECHNICAL SECRETARIAT**

37. The Technical Secretariat shall assist the Conference and the Executive Council in the performance of their functions. The Technical Secretariat shall carry out the verification measures provided for in this Convention. It shall carry out the other functions entrusted to it under this Convention as well as those functions delegated to it by the Conference and the Executive Council.
38. The Technical Secretariat shall:
  - (a) Prepare and submit to the Executive Council the draft programme and budget of the Organization;
  - (b) Prepare and submit to the Executive Council the draft report of the Organization on the implementation of this Convention and such other reports as the Conference or the Executive Council may request;
  - (c) Provide administrative and technical support to the Conference, the Executive Council and subsidiary organs;
  - (d) Address and receive communications on behalf of the Organization to and from States Parties on matters pertaining to the implementation of this Convention;
  - (e) Provide technical assistance and technical evaluation to States Parties in the implementation of the provisions of this Convention, including evaluation of scheduled and unscheduled chemicals.
39. The Technical Secretariat shall:
  - (a) Negotiate agreements or arrangements relating to the implementation of verification activities with States Parties, subject to approval by the Executive Council;
  - (b) Not later than 180 days after entry into force of this Convention, coordinate the establishment and maintenance of permanent stockpiles of emergency and humanitarian assistance by States Parties in accordance with Article X, paragraphs 7 (b) and (c). The Technical Secretariat may inspect the items maintained for serviceability. Lists of items to be stockpiled shall be considered and approved by the Conference pursuant to paragraph 21 (i) above;
  - (c) Administer the voluntary fund referred to in Article X, compile declarations made by the States Parties and register, when requested, bilateral agreements concluded between States Parties or between a State Party and the Organization for the purposes of Article X.
40. The Technical Secretariat shall inform the Executive Council of any problem that has arisen with regard to the discharge of its functions, including doubts, ambiguities or uncertainties about compliance with this Convention that have come to its notice in the performance of its verification activities and that it has been unable to resolve or clarify through its consultations with the State Party concerned.
41. The Technical Secretariat shall comprise a Director-General, who shall be its head and chief administrative officer, inspectors and such scientific, technical and other personnel as may be required.
42. The Inspectorate shall be a unit of the Technical Secretariat and shall act under the supervision of the Director-General.
43. The Director-General shall be appointed by the Conference upon the recommendation of the Executive Council for a term of four years, renewable for one further term, but not thereafter.
44. The Director-General shall be responsible to the Conference and the Executive Council for the appointment of the staff and the organization and functioning of the Technical Secretariat. The paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence and integrity. Only citizens of States Parties shall serve as the Director-General, as inspectors or as other members of the professional and clerical staff. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible.

Recruitment shall be guided by the principle that the staff shall be kept to a minimum necessary for the proper discharge of the responsibilities of the Technical Secretariat.

45. The Director-General shall be responsible for the organization and functioning of the Scientific Advisory Board referred to in paragraph 21 (h). The Director-General shall, in consultation with States Parties, appoint members of the Scientific Advisory Board, who shall serve in their individual capacity. The members of the Board shall be appointed on the basis of their expertise in the particular scientific fields relevant to the implementation of this Convention. The Director-General may also, as appropriate, in consultation with members of the Board, establish temporary working groups of scientific experts to provide recommendations on specific issues. In regard to the above, States Parties may submit lists of experts to the Director-General.
46. In the performance of their duties, the Director-General, the inspectors and the other members of the staff shall not seek or receive instructions from any Government or from any other source external to the Organization. They shall refrain from any action that might reflect on their positions as international officers responsible only to the Conference and the Executive Council.
47. Each State Party shall respect the exclusively international character of the responsibilities of the Director-General, the inspectors and the other members of the staff and not seek to influence them in the discharge of their responsibilities.

#### **E. PRIVILEGES AND IMMUNITIES**

48. The Organization shall enjoy on the territory and in any other place under the jurisdiction or control of a State Party such legal capacity and such privileges and immunities as are necessary for the exercise of its functions.
49. Delegates of States Parties, together with their alternates and advisers, representatives appointed to the Executive Council together with their alternates and advisers, the Director-General and the staff of the Organization shall enjoy such privileges and immunities as are necessary in the independent exercise of their functions in connection with the Organization.
50. The legal capacity, privileges, and immunities referred to in this Article shall be defined in agreements between the Organization and the States Parties as well as in an agreement between the Organization and the State in which the headquarters of the Organization is seated. These agreements shall be considered and approved by the Conference pursuant to paragraph 21 (i).
51. Notwithstanding paragraphs 48 and 49, the privileges and immunities enjoyed by the Director-General and the staff of the Technical Secretariat during the conduct of verification activities shall be those set forth in Part II, Section B, of the Verification Annex.

### **ARTICLE IX**

#### **CONSULTATIONS, COOPERATION AND FACT-FINDING**

1. States Parties shall consult and cooperate, directly among themselves, or through the Organization or other appropriate international procedures, including procedures within the framework of the United Nations and in accordance with its Charter, on any matter which may be raised relating to the object and purpose, or the implementation of the provisions, of this Convention.
2. Without prejudice to the right of any State Party to request a challenge inspection, States Parties should, whenever possible, first make every effort to clarify and resolve, through exchange of information and consultations among themselves, any matter which may cause doubt about compliance with this Convention, or which gives rise to concerns about a related matter which may be considered ambiguous. A State Party which receives a request from another State Party for clarification of any matter which the requesting State Party believes causes such a doubt or concern shall provide the requesting State Party as soon as possible, but in any case not later than 10 days after the request, with information sufficient to answer the doubt or concern raised along with an explanation of how the information provided resolves the matter. Nothing in this Convention shall affect the right of any two or more States Parties to arrange by mutual consent for inspections or any other procedures among themselves to clarify and resolve any matter which may cause doubt about compliance or gives rise to a concern about a related matter which may be considered ambiguous. Such arrangements shall not affect

the rights and obligations of any State Party under other provisions of this Convention.

#### **Procedure for requesting clarification**

3. A State Party shall have the right to request the Executive Council to assist in clarifying any situation which may be considered ambiguous or which gives rise to a concern about the possible non-compliance of another State Party with this Convention. The Executive Council shall provide appropriate information in its possession relevant to such a concern.
4. A State Party shall have the right to request the Executive Council to obtain clarification from another State Party on any situation which may be considered ambiguous or which gives rise to a concern about its possible non-compliance with this Convention. In such a case, the following shall apply:
  - (a) The Executive Council shall forward the request for clarification to the State Party concerned through the Director-General not later than 24 hours after its receipt;
  - (b) The requested State Party shall provide the clarification to the Executive Council as soon as possible, but in any case not later than 10 days after the receipt of the request;
  - (c) The Executive Council shall take note of the clarification and forward it to the requesting State Party not later than 24 hours after its receipt;
  - (d) If the requesting State Party deems the clarification to be inadequate, it shall have the right to request the Executive Council to obtain from the requested State Party further clarification;
  - (e) For the purpose of obtaining further clarification requested under subparagraph (d), the Executive Council may call on the Director-General to establish a group of experts from the Technical Secretariat, or if appropriate staff are not available in the Technical Secretariat, from elsewhere, to examine all available information and data relevant to the situation causing the concern. The group of experts shall submit a factual report to the Executive Council on its findings;
  - (f) If the requesting State Party considers the clarification obtained under subparagraphs (d) and (e) to be unsatisfactory, it shall have

the right to request a special session of the Executive Council in which States Parties involved that are not members of the Executive Council shall be entitled to take part. In such a special session, the Executive Council shall consider the matter and may recommend any measure it deems appropriate to resolve the situation.

5. A State Party shall also have the right to request the Executive Council to clarify any situation which has been considered ambiguous or has given rise to a concern about its possible non-compliance with this Convention. The Executive Council shall respond by providing such assistance as appropriate.
6. The Executive Council shall inform the States Parties about any request for clarification provided in this Article.
7. If the doubt or concern of a State Party about a possible non-compliance has not been resolved within 60 days after the submission of the request for clarification to the Executive Council, or it believes its doubts warrant urgent consideration, notwithstanding its right to request a challenge inspection, it may request a special session of the Conference in accordance with Article VIII, paragraph 12 (c). At such a special session, the Conference shall consider the matter and may recommend any measure it deems appropriate to resolve the situation.

#### **Procedures for challenge inspections**

8. Each State Party has the right to request an on-site challenge inspection of any facility or location in the territory or in any other place under the jurisdiction or control of any other State Party for the sole purpose of clarifying and resolving any questions concerning possible non-compliance with the provisions of this Convention, and to have this inspection conducted anywhere without delay by an inspection team designated by the Director-General and in accordance with the Verification Annex.
9. Each State Party is under the obligation to keep the inspection request within the scope of this Convention and to provide in the inspection request all appropriate information on the basis of which a concern has arisen regarding possible non-compliance with this Convention as specified in the Verification Annex. Each State Party shall refrain from unfounded inspection

requests, care being taken to avoid abuse. The challenge inspection shall be carried out for the sole purpose of determining facts relating to the possible non-compliance.

10. For the purpose of verifying compliance with the provisions of this Convention, each State Party shall permit the Technical Secretariat to conduct the on-site challenge inspection pursuant to paragraph 8.
11. Pursuant to a request for a challenge inspection of a facility or location, and in accordance with the procedures provided for in the Verification Annex, the inspected State Party shall have:
  - (a) The right and the obligation to make every reasonable effort to demonstrate its compliance with this Convention and, to this end, to enable the inspection team to fulfil its mandate;
  - (b) The obligation to provide access within the requested site for the sole purpose of establishing facts relevant to the concern regarding possible non-compliance; and
  - (c) The right to take measures to protect sensitive installations, and to prevent disclosure of confidential information and data, not related to this Convention.
12. With regard to an observer, the following shall apply:
  - (a) The requesting State Party may, subject to the agreement of the inspected State Party, send a representative who may be a national either of the requesting State Party or of a third State Party, to observe the conduct of the challenge inspection.
  - (b) The inspected State Party shall then grant access to the observer in accordance with the Verification Annex.
  - (c) The inspected State Party shall, as a rule, accept the proposed observer, but if the inspected State Party exercises a refusal, that fact shall be recorded in the final report.
13. The requesting State Party shall present an inspection request for an on-site challenge inspection to the Executive Council and at the same time to the Director-General for immediate processing.
14. The Director-General shall immediately ascertain that the inspection request meets the requirements specified in Part X, paragraph 4, of the Verification Annex, and, if necessary, assist the requesting State Party in filing the inspection

request accordingly. When the inspection request fulfils the requirements, preparations for the challenge inspection shall begin.

15. The Director-General shall transmit the inspection request to the inspected State Party not less than 12 hours before the planned arrival of the inspection team at the point of entry.
16. After having received the inspection request, the Executive Council shall take cognizance of the Director-General's actions on the request and shall keep the case under its consideration throughout the inspection procedure. However, its deliberations shall not delay the inspection process.
17. The Executive Council may, not later than 12 hours after having received the inspection request, decide by a three-quarter majority of all its members against carrying out the challenge inspection, if it considers the inspection request to be frivolous, abusive or clearly beyond the scope of this Convention as described in paragraph 8. Neither the requesting nor the inspected State Party shall participate in such a decision. If the Executive Council decides against the challenge inspection, preparations shall be stopped, no further action on the inspection request shall be taken, and the States Parties concerned shall be informed accordingly.
18. The Director-General shall issue an inspection mandate for the conduct of the challenge inspection. The inspection mandate shall be the inspection request referred to in paragraphs 8 and 9 put into operational terms, and shall conform with the inspection request.
19. The challenge inspection shall be conducted in accordance with Part X or, in the case of alleged use, in accordance with Part XI of the Verification Annex. The inspection team shall be guided by the principle of conducting the challenge inspection in the least intrusive manner possible, consistent with the effective and timely accomplishment of its mission.
20. The inspected State Party shall assist the inspection team throughout the challenge inspection and facilitate its task. If the inspected State Party proposes, pursuant to Part X, Section C, of the Verification Annex, arrangements to demonstrate compliance with this Convention, alternative to full and comprehensive access, it shall make every reasonable effort, through consultations with the inspection team, to reach agreement on the modalities for establishing the

facts with the aim of demonstrating its compliance.

21. The final report shall contain the factual findings as well as an assessment by the inspection team of the degree and nature of access and cooperation granted for the satisfactory implementation of the challenge inspection. The Director-General shall promptly transmit the final report of the inspection team to the requesting State Party, to the inspected State Party, to the Executive Council and to all other States Parties. The Director-General shall further transmit promptly to the Executive Council the assessments of the requesting and of the inspected States Parties, as well as the views of other States Parties which may be conveyed to the Director-General for that purpose, and then provide them to all States Parties.
22. The Executive Council shall, in accordance with its powers and functions, review the final report of the inspection team as soon as it is presented, and address any concerns as to:
  - (a) Whether any non-compliance has occurred;
  - (b) Whether the request had been within the scope of this Convention; and
  - (c) Whether the right to request a challenge inspection had been abused.
23. If the Executive Council reaches the conclusion, in keeping with its powers and functions, that further action may be necessary with regard to paragraph 22, it shall take the appropriate measures to redress the situation and to ensure compliance with this Convention, including specific recommendations to the Conference. In the case of abuse, the Executive Council shall examine whether the requesting State Party should bear any of the financial implications of the challenge inspection.
24. The requesting State Party and the inspected State Party shall have the right to participate in the review process. The Executive Council shall inform the States Parties and the next session of the Conference of the outcome of the process.
25. If the Executive Council has made specific recommendations to the Conference, the Conference shall consider action in accordance with Article XII.

## ARTICLE X

### ASSISTANCE AND PROTECTION AGAINST CHEMICAL WEAPONS

1. For the purposes of this Article, "Assistance" means the coordination and delivery to States Parties of protection against chemical weapons, including, inter alia, the following: detection equipment and alarm systems; protective equipment; decontamination equipment and decontaminants; medical antidotes and treatments; and advice on any of these protective measures.
2. Nothing in this Convention shall be interpreted as impeding the right of any State Party to conduct research into, develop, produce, acquire, transfer or use means of protection against chemical weapons, for purposes not prohibited under this Convention.
3. Each State Party undertakes to facilitate, and shall have the right to participate in, the fullest possible exchange of equipment, material and scientific and technological information concerning means of protection against chemical weapons.
4. For the purposes of increasing the transparency of national programmes related to protective purposes, each State Party shall provide annually to the Technical Secretariat information on its programme, in accordance with procedures to be considered and approved by the Conference pursuant to Article VIII, paragraph 21 (i).
5. The Technical Secretariat shall establish, not later than 180 days after entry into force of this Convention and maintain, for the use of any requesting State Party, a data bank containing freely available information concerning various means of protection against chemical weapons as well as such information as may be provided by States Parties. The Technical Secretariat shall also, within the resources available to it, and at the request of a State Party, provide expert advice and assist the State Party in identifying how its programmes for the development and improvement of a protective capacity against chemical weapons could be implemented.
6. Nothing in this Convention shall be interpreted as impeding the right of States Parties to request and provide assistance bilaterally and to conclude individual agreements with other States Parties concerning the emergency procurement of assistance.

7. Each State Party undertakes to provide assistance through the Organization and to this end to elect to take one or more of the following measures:
  - (a) To contribute to the voluntary fund for assistance to be established by the Conference at its first session;
  - (b) To conclude, if possible not later than 180 days after this Convention enters into force for it, agreements with the Organization concerning the procurement, upon demand, of assistance;
  - (c) To declare, not later than 180 days after this Convention enters into force for it, the kind of assistance it might provide in response to an appeal by the Organization. If, however, a State Party subsequently is unable to provide the assistance envisaged in its declaration, it is still under the obligation to provide assistance in accordance with this paragraph.
8. Each State Party has the right to request and, subject to the procedures set forth in paragraphs 9, 10 and 11, to receive assistance and protection against the use or threat of use of chemical weapons if it considers that:
  - (a) Chemical weapons have been used against it;
  - (b) Riot control agents have been used against it as a method of warfare; or
  - (c) It is threatened by actions or activities of any State that are prohibited for States Parties by Article I.
9. The request, substantiated by relevant information, shall be submitted to the Director-General, who shall transmit it immediately to the Executive Council and to all States Parties. The Director-General shall immediately forward the request to States Parties which have volunteered, in accordance with paragraphs 7 (b) and (c), to dispatch emergency assistance in case of use of chemical weapons or use of riot control agents as a method of warfare, or humanitarian assistance in case of serious threat of use of chemical weapons or serious threat of use of riot control agents as a method of warfare to the State Party concerned not later than 12 hours after receipt of the request. The Director-General shall initiate, not later than 24 hours after receipt of the request, an investigation in order to provide foundation for further action. He shall complete the investigation within 72 hours and forward a report to the Executive Council. If additional

time is required for completion of the investigation, an interim report shall be submitted within the same time-frame. The additional time required for investigation shall not exceed 72 hours. It may, however, be further extended by similar periods. Reports at the end of each additional period shall be submitted to the Executive Council. The investigation shall, as appropriate and in conformity with the request and the information accompanying the request, establish relevant facts related to the request as well as the type and scope of supplementary assistance and protection needed.

10. The Executive Council shall meet not later than 24 hours after receiving an investigation report to consider the situation and shall take a decision by simple majority within the following 24 hours on whether to instruct the Technical Secretariat to provide supplementary assistance. The Technical Secretariat shall immediately transmit to all States Parties and relevant international organizations the investigation report and the decision taken by the Executive Council. When so decided by the Executive Council, the Director-General shall provide assistance immediately. For this purpose, the Director-General may cooperate with the requesting State Party, other States Parties and relevant international organizations. The States Parties shall make the fullest possible efforts to provide assistance.
11. If the information available from the ongoing investigation or other reliable sources would give sufficient proof that there are victims of use of chemical weapons and immediate action is indispensable, the Director-General shall notify all States Parties and shall take emergency measures of assistance, using the resources the Conference has placed at his disposal for such contingencies. The Director-General shall keep the Executive Council informed of actions undertaken pursuant to this paragraph.

## ARTICLE XI

### ECONOMIC AND TECHNOLOGICAL DEVELOPMENT

1. The provisions of this Convention shall be implemented in a manner which avoids hampering the economic or technological development of States Parties, and international cooperation in the field of chemical activities for

purposes not prohibited under this Convention including the international exchange of scientific and technical information and chemicals and equipment for the production, processing or use of chemicals for purposes not prohibited under this Convention.

2. Subject to the provisions of this Convention and without prejudice to the principles and applicable rules of international law, the States Parties shall:
  - (a) Have the right, individually or collectively, to conduct research with, to develop, produce, acquire, retain, transfer, and use chemicals;
  - (b) Undertake to facilitate, and have the right to participate in, the fullest possible exchange of chemicals, equipment and scientific and technical information relating to the development and application of chemistry for purposes not prohibited under this Convention;
  - (c) Not maintain among themselves any restrictions, including those in any international agreements, incompatible with the obligations undertaken under this Convention, which would restrict or impede trade and the development and promotion of scientific and technological knowledge in the field of chemistry for industrial, agricultural, research, medical, pharmaceutical or other peaceful purposes;
  - (d) Not use this Convention as grounds for applying any measures other than those provided for, or permitted, under this Convention nor use any other international agreement for pursuing an objective inconsistent with this Convention;
  - (e) Undertake to review their existing national regulations in the field of trade in chemicals in order to render them consistent with the object and purpose of this Convention.

## ARTICLE XII

### MEASURES TO REDRESS A SITUATION AND TO ENSURE COMPLIANCE, INCLUDING SANCTIONS

1. The Conference shall take the necessary measures, as set forth in paragraphs 2, 3 and 4, to ensure compliance with this Convention and to redress and remedy any situation which contravenes the provisions of this Convention. In considering action pursuant to this paragraph, the

Conference shall take into account all information and recommendations on the issues submitted by the Executive Council.

2. In cases where a State Party has been requested by the Executive Council to take measures to redress a situation raising problems with regard to its compliance, and where the State Party fails to fulfil the request within the specified time, the Conference may, inter alia, upon the recommendation of the Executive Council, restrict or suspend the State Party's rights and privileges under this Convention until it undertakes the necessary action to conform with its obligations under this Convention.
3. In cases where serious damage to the object and purpose of this Convention may result from activities prohibited under this Convention, in particular by Article I, the Conference may recommend collective measures to States Parties in conformity with international law.
4. The Conference shall, in cases of particular gravity, bring the issue, including relevant information and conclusions, to the attention of the United Nations General Assembly and the United Nations Security Council.

## ARTICLE XIII

### RELATION TO OTHER INTERNATIONAL AGREEMENTS

Nothing in this Convention shall be interpreted as in any way limiting or detracting from the obligations assumed by any State under the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925, and under the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, signed at London, Moscow and Washington on 10 April 1972.

## ARTICLE XIV

### SETTLEMENT OF DISPUTES

1. Disputes that may arise concerning the application or the interpretation of this Convention shall be settled in accordance with the relevant provisions of this Convention and in conformity with the provisions of the Charter of the United Nations.

2. When a dispute arises between two or more States Parties, or between one or more States Parties and the Organization, relating to the interpretation or application of this Convention, the parties concerned shall consult together with a view to the expeditious settlement of the dispute by negotiation or by other peaceful means of the parties' choice, including recourse to appropriate organs of this Convention and, by mutual consent, referral to the International Court of Justice in conformity with the Statute of the Court. The States Parties involved shall keep the Executive Council informed of actions being taken.
3. The Executive Council may contribute to the settlement of a dispute by whatever means it deems appropriate, including offering its good offices, calling upon the States Parties to a dispute to start the settlement process of their choice and recommending a time-limit for any agreed procedure.
4. The Conference shall consider questions related to disputes raised by States Parties or brought to its attention by the Executive Council. The Conference shall, as it finds necessary, establish or entrust organs with tasks related to the settlement of these disputes in conformity with Article VIII, paragraph 21 (f).
5. The Conference and the Executive Council are separately empowered, subject to authorization from the General Assembly of the United Nations, to request the International Court of Justice to give an advisory opinion on any legal question arising within the scope of the activities of the Organization. An agreement between the Organization and the United Nations shall be concluded for this purpose in accordance with Article VIII, paragraph 34 (a).
6. This Article is without prejudice to Article IX or to the provisions on measures to redress a situation and to ensure compliance, including sanctions.

## ARTICLE XV

### AMENDMENTS

1. Any State Party may propose amendments to this Convention. Any State Party may also propose changes, as specified in paragraph 4, to the Annexes of this Convention. Proposals for amendments shall be subject to the procedures in paragraphs 2 and 3. Proposals for changes, as

specified in paragraph 4, shall be subject to the procedures in paragraph 5.

2. The text of a proposed amendment shall be submitted to the Director-General for circulation to all States Parties and to the Depositary. The proposed amendment shall be considered only by an Amendment Conference. Such an Amendment Conference shall be convened if one third or more of the States Parties notify the Director-General not later than 30 days after its circulation that they support further consideration of the proposal. The Amendment Conference shall be held immediately following a regular session of the Conference unless the requesting States Parties ask for an earlier meeting. In no case shall an Amendment Conference be held less than 60 days after the circulation of the proposed amendment.
3. Amendments shall enter into force for all States Parties 30 days after deposit of the instruments of ratification or acceptance by all the States Parties referred to under subparagraph (b) below:
  - (a) When adopted by the Amendment Conference by a positive vote of a majority of all States Parties with no State Party casting a negative vote; and
  - (b) Ratified or accepted by all those States Parties casting a positive vote at the Amendment Conference.
4. In order to ensure the viability and the effectiveness of this Convention, provisions in the Annexes shall be subject to changes in accordance with paragraph 5, if proposed changes are related only to matters of an administrative or technical nature. All changes to the Annex on Chemicals shall be made in accordance with paragraph 5. Sections A and C of the Confidentiality Annex, Part X of the Verification Annex, and those definitions in Part I of the Verification Annex which relate exclusively to challenge inspections, shall not be subject to changes in accordance with paragraph 5.
5. Proposed changes referred to in paragraph 4 shall be made in accordance with the following procedures:
  - (a) The text of the proposed changes shall be transmitted together with the necessary information to the Director-General. Additional information for the evaluation of the proposal may be provided by any State Party and the Director-General. The



Director-General shall promptly communicate any such proposals and information to all States Parties, the Executive Council and the Depositary;

- (b) Not later than 60 days after its receipt, the Director-General shall evaluate the proposal to determine all its possible consequences for the provisions of this Convention and its implementation and shall communicate any such information to all States Parties and the Executive Council;
- (c) The Executive Council shall examine the proposal in the light of all information available to it, including whether the proposal fulfils the requirements of paragraph 4. Not later than 90 days after its receipt, the Executive Council shall notify its recommendation, with appropriate explanations, to all States Parties for consideration. States Parties shall acknowledge receipt within 10 days;
- (d) If the Executive Council recommends to all States Parties that the proposal be adopted, it shall be considered approved if no State Party objects to it within 90 days after receipt of the recommendation. If the Executive Council recommends that the proposal be rejected, it shall be considered rejected if no State Party objects to the rejection within 90 days after receipt of the recommendation;
- (e) If a recommendation of the Executive Council does not meet with the acceptance required under subparagraph (d), a decision on the proposal, including whether it fulfils the requirements of paragraph 4, shall be taken as a matter of substance by the Conference at its next session;
- (f) The Director-General shall notify all States Parties and the Depositary of any decision under this paragraph;
- (g) Changes approved under this procedure shall enter into force for all States Parties 180 days after the date of notification by the Director-General of their approval unless another time period is recommended by the Executive Council or decided by the Conference.

## **ARTICLE XVI**

### **DURATION AND WITHDRAWAL**

1. This Convention shall be of unlimited duration.
2. Each State Party shall, in exercising its national sovereignty, have the right to withdraw from this Convention if it decides that extraordinary events, related to the subject-matter of this Convention, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal 90 days in advance to all other States Parties, the Executive Council, the Depositary and the United Nations Security Council. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.
3. The withdrawal of a State Party from this Convention shall not in any way affect the duty of States to continue fulfilling the obligations assumed under any relevant rules of international law, particularly the Geneva Protocol of 1925.

## **ARTICLE XVII**

### **STATUS OF THE ANNEXES**

The Annexes form an integral part of this Convention. Any reference to this Convention includes the Annexes.

## **ARTICLE XVIII**

### **SIGNATURE**

This Convention shall be open for signature for all States before its entry into force.

## **ARTICLE XIX**

### **RATIFICATION**

This Convention shall be subject to ratification by States Signatories according to their respective constitutional processes.

## **ARTICLE XX**

### **ACCESSION**

Any State which does not sign this Convention before its entry into force may accede to it at any time thereafter.

**ARTICLE XXI****ENTRY INTO FORCE**

1. This Convention shall enter into force 180 days after the date of the deposit of the 65th instrument of ratification, but in no case earlier than two years after its opening for signature.
2. For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Convention, it shall enter into force on the 30th day following the date of deposit of their instrument of ratification or accession.

**ARTICLE XXII****RESERVATIONS**

The Articles of this Convention shall not be subject to reservations. The Annexes of this Convention shall not be subject to reservations incompatible with its object and purpose.

**ARTICLE XXIII****DEPOSITARY**

The Secretary-General of the United Nations is hereby designated as the Depositary of this Convention and shall, inter alia:

- (a) Promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or accession and the date of the entry into force of this Convention, and of the receipt of other notices;
- (b) Transmit duly certified copies of this Convention to the Governments of all signatory and acceding States; and
- (c) Register this Convention pursuant to Article 102 of the Charter of the United Nations.

**ARTICLE XXIV****AUTHENTIC TEXTS**

This Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

IN WITNESS WHEREOF the undersigned, being duly authorized to that effect, have signed this Convention.

Done at Paris on the thirteenth day of January, one thousand nine hundred and ninety-three.

## **CONVENTION ON THE PROHIBITION OF THE USE, STOCKPILING, PRODUCTION AND TRANSFER OF ANTI-PERSONNEL MINES AND ON THEIR DESTRUCTION (APL)**

Opened for signature at Ottawa: 3-4 December 1997  
 Depositary: Secretary-General of the United Nations  
 Entered into force on 1 March 1999.

**Preamble**

The States Parties,

Determined to put an end to the suffering and casualties caused by anti-personnel mines, that kill or maim hundreds of people every week, mostly innocent and defenceless civilians and especially children, obstruct economic development and reconstruction, inhibit the repatriation of refugees and internally displaced persons, and have other severe consequences for years after emplacement,

Believing it necessary to do their utmost to contribute in an efficient and coordinated manner to face the challenge of removing anti-personnel mines placed throughout the world, and to assure their destruction,

Wishing to do their utmost in providing assistance for the care and rehabilitation, including the social and economic reintegration of mine victims,

Recognizing that a total ban of anti-personnel mines would also be an important confidence-building measure, Welcoming the adoption of the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices, as amended on 3 May 1996, annexed to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, and calling for the early ratification of this Protocol by all States which have not yet done so,

Welcoming also United Nations General Assembly Resolution 51/45 S of 10 December 1996 urging all States to pursue vigorously an effective, legally-binding international agreement to ban the use, stockpiling

ing, production and transfer of anti-personnel landmines,

Welcoming furthermore the measures taken over the past years, both unilaterally and multilaterally, aiming at prohibiting, restricting or suspending the use, stockpiling, production and transfer of anti-personnel mines,

Stressing the role of public conscience in furthering the principles of humanity as evidenced by the call for a total ban of anti-personnel mines and recognizing the efforts to that end undertaken by the International Red Cross and Red Crescent Movement, the International Campaign to Ban Landmines and numerous other non-governmental organizations around the world,

Recalling the Ottawa Declaration of 5 October 1996 and the Brussels Declaration of 27 June 1997 urging the international community to negotiate an international and legally binding agreement prohibiting the use, stockpiling, production and transfer of anti-personnel mines,

Emphasizing the desirability of attracting the adherence of all States to this Convention, and determined to work strenuously towards the promotion of its universalization in all relevant fora including, *inter alia*, the United Nations, the Conference on Disarmament, regional organizations, and groupings, and review conferences of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects,

Basing themselves on the principle of international humanitarian law that the right of the parties to an armed conflict to choose methods or means of warfare is not unlimited, on the principle that prohibits the employment in armed conflicts of weapons, projectiles and materials and methods of warfare of a nature to cause superfluous injury or unnecessary suffering and on the principle that a distinction must be made between civilians and combatants,

Have agreed as follows:

### **Article 1 General obligations**

1. Each State Party undertakes never under any circumstances:
  - a) To use anti-personnel mines; b) To develop, produce, otherwise acquire, stockpile, retain or transfer to anyone, directly or indirectly, anti-personnel mines; c) To assist, encourage or induce, in any way, anyone to engage in any

activity prohibited to a State Party under this Convention.

2. Each State Party undertakes to destroy or ensure the destruction of all anti-personnel mines in accordance with the provisions of this Convention.

### **Article 2 Definitions**

1. “Anti-personnel mine” means a mine designed to be exploded by the presence, proximity or contact of a person and that will incapacitate, injure or kill one or more persons. Mines designed to be detonated by the presence, proximity or contact of a vehicle as opposed to a person, that are equipped with anti-handling devices, are not considered anti-personnel mines as a result of being so equipped.
2. “Mine” means a munition designed to be placed under, on or near the ground or other surface area and to be exploded by the presence, proximity or contact of a person or a vehicle.
3. “Anti-handling device” means a device intended to protect a mine and which is part of, linked to, attached to or placed under the mine and which activates when an attempt is made to tamper with or otherwise intentionally disturb the mine.
4. “Transfer” involves, in addition to the physical movement of anti-personnel mines into or from national territory, the transfer of title to and control over the mines, but does not involve the transfer of territory containing emplaced anti-personnel mines.
5. “Mined area” means an area which is dangerous due to the presence or suspected presence of mines.

### **Article 3 Exceptions**

1. Notwithstanding the general obligations under Article 1, the retention or transfer of a number of anti-personnel mines for the development of and training in mine detection, mine clearance, or mine destruction techniques is permitted. The amount of such mines shall not exceed the minimum number absolutely necessary for the above-mentioned purposes.
2. The transfer of anti-personnel mines for the purpose of destruction is permitted. Article 4 Destruction of stockpiled anti-personnel mines

Except as provided for in Article 3, each State Party undertakes to destroy or ensure the destruction of all stockpiled anti-personnel mines it owns or possesses,

or that are under its jurisdiction or control, as soon as possible but not later than four years after the entry into force of this Convention for that State Party.

#### **Article 5 Destruction of anti-personnel mines in mined areas**

1. Each State Party undertakes to destroy or ensure the destruction of all anti-personnel mines in mined areas under its jurisdiction or control, as soon as possible but not later than ten years after the entry into force of this Convention for that State Party.
2. Each State Party shall make every effort to identify all areas under its jurisdiction or control in which anti-personnel mines are known or suspected to be emplaced and shall ensure as soon as possible that all anti-personnel mines in mined areas under its jurisdiction or control are perimeter-marked, monitored and protected by fencing or other means, to ensure the effective exclusion of civilians, until all anti-personnel mines contained therein have been destroyed. The marking shall at least be to the standards set out in the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices, as amended on 3 May 1996, annexed to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects.
3. If a State Party believes that it will be unable to destroy or ensure the destruction of all anti-personnel mines referred to in paragraph 1 within that time period, it may submit a request to a Meeting of the States Parties or a Review Conference for an extension of the deadline for completing the destruction of such anti-personnel mines, for a period of up to ten years.
4. Each request shall contain:
  - a) The duration of the proposed extension;
  - b) A detailed explanation of the reasons for the proposed extension, including:
    - (i) The preparation and status of work conducted under national demining programs;
    - (ii) The financial and technical means available to the State Party for the destruction of all the anti-personnel mines;
    - and (iii) Circumstances which impede the ability of the State Party to destroy all the anti-personnel mines in mined areas;

- c) The humanitarian, social, economic, and environmental implications of the extension;
- and d) Any other information relevant to the request for the proposed extension.

5. The Meeting of the States Parties or the Review Conference shall, taking into consideration the factors contained in paragraph 4, assess the request and decide by a majority of votes of States Parties present and voting whether to grant the request for an extension period.
6. Such an extension may be renewed upon the submission of a new request in accordance with paragraphs 3, 4 and 5 of this Article. In requesting a further extension period a State Party shall submit relevant additional information on what has been undertaken in the previous extension period pursuant to this Article.

#### **Article 6 International cooperation and assistance**

1. In fulfilling its obligations under this Convention each State Party has the right to seek and receive assistance, where feasible, from other States Parties to the extent possible.
2. Each State Party undertakes to facilitate and shall have the right to participate in the fullest possible exchange of equipment, material and scientific and technological information concerning the implementation of this Convention. The States Parties shall not impose undue restrictions on the provision of mine clearance equipment and related technological information for humanitarian purposes.
3. Each State Party in a position to do so shall provide assistance for the care and rehabilitation, and social and economic reintegration, of mine victims and for mine awareness programs. Such assistance may be provided, *inter alia*, through the United Nations system, international, regional or national organizations or institutions, the International Committee of the Red Cross, national Red Cross and Red Crescent societies and their International Federation, non-governmental organizations, or on a bilateral basis.
4. Each State Party in a position to do so shall provide assistance for mine clearance and related activities. Such assistance may be provided, *inter alia*, through the United Nations system, international or regional organizations or institutions, non-governmental organizations or

institutions, or on a bilateral basis, or by contributing to the United Nations Voluntary Trust Fund for Assistance in Mine Clearance, or other regional funds that deal with demining.

5. Each State Party in a position to do so shall provide assistance for the destruction of stockpiled anti-personnel mines.
6. Each State Party undertakes to provide information to the database on mine clearance established within the United Nations system, especially information concerning various means and technologies of mine clearance, and lists of experts, expert agencies or national points of contact on mine clearance.
7. States Parties may request the United Nations, regional organizations, other States Parties or other competent intergovernmental or non-governmental fora to assist its authorities in the elaboration of a national demining program to determine, *inter alia*:
  - a) The extent and scope of the anti-personnel mine problem; b) The financial, technological and human resources that are required for the implementation of the program; c) The estimated number of years necessary to destroy all anti-personnel mines in mined areas under the jurisdiction or control of the concerned State Party; d) Mine awareness activities to reduce the incidence of mine-related injuries or deaths; e) Assistance to mine victims; f) The relationship between the Government of the concerned State Party and the relevant governmental, inter-governmental or non-governmental entities that will work in the implementation of the program.
8. Each State Party giving and receiving assistance under the provisions of this Article shall cooperate with a view to ensuring the full and prompt implementation of agreed assistance programs.

#### Article 7 Transparency measures

1. Each State Party shall report to the Secretary-General of the United Nations as soon as practicable, and in any event not later than 180 days after the entry into force of this Convention for that State Party on:
  - a) The national implementation measures referred to in Article 9; b) The total of all stockpiled anti-personnel mines owned or possessed by it, or under its jurisdiction or control, to include a breakdown of the type, quantity and, if possible, lot numbers of each

type of anti-personnel mine stockpiled; c) To the extent possible, the location of all mined areas that contain, or are suspected to contain, anti-personnel mines under its jurisdiction or control, to include as much detail as possible regarding the type and quantity of each type of anti-personnel mine in each mined area and when they were emplaced; d) The types, quantities and, if possible, lot numbers of all anti-personnel mines retained or transferred for the development of and training in mine detection, mine clearance or mine destruction techniques, or transferred for the purpose of destruction, as well as the institutions authorized by a State Party to retain or transfer anti-personnel mines, in accordance with Article 3; e) The status of programs for the conversion or de-commissioning of anti-personnel mine production facilities; f) The status of programs for the destruction of anti-personnel mines in accordance with Articles 4 and 5, including details of the methods which will be used in destruction, the location of all destruction sites and the applicable safety and environmental standards to be observed; g) The types and quantities of all anti-personnel mines destroyed after the entry into force of this Convention for that State Party, to include a breakdown of the quantity of each type of anti-personnel mine destroyed, in accordance with Articles 4 and 5, respectively, along with, if possible, the lot numbers of each type of anti-personnel mine in the case of destruction in accordance with Article 4; h) The technical characteristics of each type of anti-personnel mine produced, to the extent known, and those currently owned or possessed by a State Party, giving, where reasonably possible, such categories of information as may facilitate identification and clearance of anti-personnel mines; at a minimum, this information shall include the dimensions, fusing, explosive content, metallic content, colour photographs and other information which may facilitate mine clearance; and i) The measures taken to provide an immediate and effective warning to the population in relation to all areas identified under paragraph 2 of Article 5.

2. The information provided in accordance with this Article shall be updated by the States Parties annually, covering the last calendar year, and reported to the Secretary-General of the United Nations not later than 30 April of each year.

3. The Secretary-General of the United Nations shall transmit all such reports received to the States Parties.

#### **Article 8 Facilitation and clarification of compliance**

1. The States Parties agree to consult and cooperate with each other regarding the implementation of the provisions of this Convention, and to work together in a spirit of cooperation to facilitate compliance by States Parties with their obligations under this Convention.
2. If one or more States Parties wish to clarify and seek to resolve questions relating to compliance with the provisions of this Convention by another State Party, it may submit, through the Secretary-General of the United Nations, a Request for Clarification of that matter to that State Party. Such a request shall be accompanied by all appropriate information. Each State Party shall refrain from unfounded Requests for Clarification, care being taken to avoid abuse. A State Party that receives a Request for Clarification shall provide, through the Secretary-General of the United Nations, within 28 days to the requesting State Party all information which would assist in clarifying this matter.
3. If the requesting State Party does not receive a response through the Secretary-General of the United Nations within that time period, or deems the response to the Request for Clarification to be unsatisfactory, it may submit the matter through the Secretary-General of the United Nations to the next Meeting of the States Parties. The Secretary-General of the United Nations shall transmit the submission, accompanied by all appropriate information pertaining to the Request for Clarification, to all States Parties. All such information shall be presented to the requested State Party which shall have the right to respond.
4. Pending the convening of any meeting of the States Parties, any of the States Parties concerned may request the Secretary-General of the United Nations to exercise his or her good offices to facilitate the clarification requested.
5. The requesting State Party may propose through the Secretary-General of the United Nations the convening of a Special Meeting of the States Parties to consider the matter. The Secretary-General of the United Nations shall thereupon communicate this proposal and all information submitted by the States Parties concerned, to all States Parties with a request that they indicate whether they favour a Special Meeting of the States Parties, for the purpose of considering the matter. In the event that within 14 days from the date of such communication, at least one-third of the States Parties favours such a Special Meeting, the Secretary-General of the United Nations shall convene this Special Meeting of the States Parties within a further 14 days. A quorum for this Meeting shall consist of a majority of States Parties.
6. The Meeting of the States Parties or the Special Meeting of the States Parties, as the case may be, shall first determine whether to consider the matter further, taking into account all information submitted by the States Parties concerned. The Meeting of the States Parties or the Special Meeting of the States Parties shall make every effort to reach a decision by consensus. If despite all efforts to that end no agreement has been reached, it shall take this decision by a majority of States Parties present and voting.
7. All States Parties shall cooperate fully with the Meeting of the States Parties or the Special Meeting of the States Parties in the fulfilment of its review of the matter, including any fact-finding missions that are authorized in accordance with paragraph 8.
8. If further clarification is required, the Meeting of the States Parties or the Special Meeting of the States Parties shall authorize a fact-finding mission and decide on its mandate by a majority of States Parties present and voting. At any time the requested State Party may invite a fact-finding mission to its territory. Such a mission shall take place without a decision by a Meeting of the States Parties or a Special Meeting of the States Parties to authorize such a mission. The mission, consisting of up to 9 experts, designated and approved in accordance with paragraphs 9 and 10, may collect additional information on the spot or in other places directly related to the alleged compliance issue under the jurisdiction or control of the requested State Party.
9. The Secretary-General of the United Nations shall prepare and update a list of the names, nationalities and other relevant data of qualified experts provided by States Parties and communicate it to all States Parties. Any expert included on this list shall be regarded as

- designated for all fact-finding missions unless a State Party declares its non-acceptance in writing. In the event of non-acceptance, the expert shall not participate in fact-finding missions on the territory or any other place under the jurisdiction or control of the objecting State Party, if the non-acceptance was declared prior to the appointment of the expert to such missions.
10. Upon receiving a request from the Meeting of the States Parties or a Special Meeting of the States Parties, the Secretary-General of the United Nations shall, after consultations with the requested State Party, appoint the members of the mission, including its leader. Nationals of States Parties requesting the fact-finding mission or directly affected by it shall not be appointed to the mission. The members of the fact-finding mission shall enjoy privileges and immunities under Article VI of the Convention on the Privileges and Immunities of the United Nations, adopted on 13 February 1946.
  11. Upon at least 72 hours notice, the members of the fact-finding mission shall arrive in the territory of the requested State Party at the earliest opportunity. The requested State Party shall take the necessary administrative measures to receive, transport and accommodate the mission, and shall be responsible for ensuring the security of the mission to the maximum extent possible while they are on territory under its control.
  12. Without prejudice to the sovereignty of the requested State Party, the fact-finding mission may bring into the territory of the requested State Party the necessary equipment which shall be used exclusively for gathering information on the alleged compliance issue. Prior to its arrival, the mission will advise the requested State Party of the equipment that it intends to utilize in the course of its fact-finding mission.
  13. The requested State Party shall make all efforts to ensure that the fact-finding mission is given the opportunity to speak with all relevant persons who may be able to provide information related to the alleged compliance issue.
  14. The requested State Party shall grant access for the fact-finding mission to all areas and installations under its control where facts relevant to the compliance issue could be expected to be collected. This shall be subject to any arrangements that the requested State Party considers necessary for:
    - a) The protection of sensitive equipment, information and areas; b) The protection of any constitutional obligations the requested State Party may have with regard to proprietary rights, searches and seizures, or other constitutional rights; or c) The physical protection and safety of the members of the fact-finding mission. In the event that the requested State Party makes such arrangements, it shall make every reasonable effort to demonstrate through alternative means its compliance with this Convention.
  15. The fact-finding mission may remain in the territory of the State Party concerned for no more than 14 days, and at any particular site no more than 7 days, unless otherwise agreed.
  16. All information provided in confidence and not related to the subject matter of the fact-finding mission shall be treated on a confidential basis.
  17. The fact-finding mission shall report, through the Secretary-General of the United Nations, to the Meeting of the States Parties or the Special Meeting of the States Parties the results of its findings.
  18. The Meeting of the States Parties or the Special Meeting of the States Parties shall consider all relevant information, including the report submitted by the fact-finding mission, and may request the requested State Party to take measures to address the compliance issue within a specified period of time. The requested State Party shall report on all measures taken in response to this request.
  19. The Meeting of the States Parties or the Special Meeting of the States Parties may suggest to the States Parties concerned ways and means to further clarify or resolve the matter under consideration, including the initiation of appropriate procedures in conformity with international law. In circumstances where the issue at hand is determined to be due to circumstances beyond the control of the requested State Party, the Meeting of the States Parties or the Special Meeting of the States Parties may recommend appropriate measures, including the use of cooperative measures referred to in Article 6.
  20. The Meeting of the States Parties or the Special Meeting of the States Parties shall make every effort to reach its decisions referred to in paragraphs 18 and 19 by consensus, otherwise by a two-thirds majority of States Parties present

and voting. Article 9 National implementation measures

### **Article 9 National implementation measures**

Each State Party shall take all appropriate legal, administrative and other measures, including the imposition of penal sanctions, to prevent and suppress any activity prohibited to a State Party under this Convention undertaken by persons or on territory under its jurisdiction or control.

### **Article 10 Settlement of disputes**

1. The States Parties shall consult and cooperate with each other to settle any dispute that may arise with regard to the application or the interpretation of this Convention. Each State Party may bring any such dispute before the Meeting of the States Parties.
2. The Meeting of the States Parties may contribute to the settlement of the dispute by whatever means it deems appropriate, including offering its good offices, calling upon the States parties to a dispute to start the settlement procedure of their choice and recommending a time-limit for any agreed procedure.
3. This Article is without prejudice to the provisions of this Convention on facilitation and clarification of compliance.

### **Article 11 Meetings of the States Parties**

1. The States Parties shall meet regularly in order to consider any matter with regard to the application or implementation of this Convention, including:
  - a) The operation and status of this Convention;
  - b) Matters arising from the reports submitted under the provisions of this Convention;
  - c) International cooperation and assistance in accordance with Article 6;
  - d) The development of technologies to clear anti-personnel mines;
  - e) Submissions of States Parties under Article 8;
  - and f) Decisions relating to submissions of States Parties as provided for in Article 5.
2. The First Meeting of the States Parties shall be convened by the Secretary-General of the United Nations within one year after the entry into force of this Convention. The subsequent meetings shall be convened by the Secretary-General of the United Nations annually until the first Review Conference.

3. Under the conditions set out in Article 8, the Secretary-General of the United Nations shall convene a Special Meeting of the States Parties.
4. States not parties to this Convention, as well as the United Nations, other relevant international organizations or institutions, regional organizations, the International Committee of the Red Cross and relevant non-governmental organizations may be invited to attend these meetings as observers in accordance with the agreed Rules of Procedure.

### **Article 12 Review Conferences**

1. A Review Conference shall be convened by the Secretary-General of the United Nations five years after the entry into force of this Convention. Further Review Conferences shall be convened by the Secretary-General of the United Nations if so requested by one or more States Parties, provided that the interval between Review Conferences shall in no case be less than five years. All States Parties to this Convention shall be invited to each Review Conference.
2. The purpose of the Review Conference shall be:
  - a) To review the operation and status of this Convention;
  - b) To consider the need for and the interval between further Meetings of the States Parties referred to in paragraph 2 of Article 11;
  - c) To take decisions on submissions of States Parties as provided for in Article 5; and
  - d) To adopt, if necessary, in its final report conclusions related to the implementation of this Convention.
3. States not parties to this Convention, as well as the United Nations, other relevant international organizations or institutions, regional organizations, the International Committee of the Red Cross and relevant non-governmental organizations may be invited to attend each Review Conference as observers in accordance with the agreed Rules of Procedure.

### **Article 13 Amendments**

1. At any time after the entry into force of this Convention any State Party may propose amendments to this Convention. Any proposal for an amendment shall be communicated to the Depositary, who shall circulate it to all States Parties and shall seek their views on whether an Amendment Conference should be convened to consider the proposal. If a majority of the States Parties notify the Depositary no later than 30 days after its circulation that they support further



consideration of the proposal, the Depositary shall convene an Amendment Conference to which all States Parties shall be invited.

2. States not parties to this Convention, as well as the United Nations, other relevant international organizations or institutions, regional organizations, the International Committee of the Red Cross and relevant non-governmental organizations may be invited to attend each Amendment Conference as observers in accordance with the agreed Rules of Procedure.
3. The Amendment Conference shall be held immediately following a Meeting of the States Parties or a Review Conference unless a majority of the States Parties request that it be held earlier.
4. Any amendment to this Convention shall be adopted by a majority of two-thirds of the States Parties present and voting at the Amendment Conference. The Depositary shall communicate any amendment so adopted to the States Parties.
5. An amendment to this Convention shall enter into force for all States Parties to this Convention which have accepted it, upon the deposit with the Depositary of instruments of acceptance by a majority of States Parties. Thereafter it shall enter into force for any remaining State Party on the date of deposit of its instrument of acceptance.

#### **Article 14 Costs**

1. The costs of the Meetings of the States Parties, the Special Meetings of the States Parties, the Review Conferences and the Amendment Conferences shall be borne by the States Parties and States not parties to this Convention participating therein, in accordance with the United Nations scale of assessment adjusted appropriately.
2. The costs incurred by the Secretary-General of the United Nations under Articles 7 and 8 and the costs of any fact-finding mission shall be borne by the States Parties in accordance with the United Nations scale of assessment adjusted appropriately.

#### **Article 15 Signature**

This Convention, done at Oslo, Norway, on 18 September 1997, shall be open for signature at Ottawa, Canada, by all States from 3 December 1997 until 4 December 1997, and at the United Nations Headquar-

ters in New York from 5 December 1997 until its entry into force.

#### **Article 16 Ratification, acceptance, approval or accession**

1. This Convention is subject to ratification, acceptance or approval of the Signatories.
2. It shall be open for accession by any State which has not signed the Convention.
3. The instruments of ratification, acceptance, approval or accession shall be deposited with the Depositary.

#### **Article 17 Entry into force**

1. This Convention shall enter into force on the first day of the sixth month after the month in which the 40th instrument of ratification, acceptance, approval or accession has been deposited.
2. For any State which deposits its instrument of ratification, acceptance, approval or accession after the date of the deposit of the 40th instrument of ratification, acceptance, approval or accession, this Convention shall enter into force on the first day of the sixth month after the date on which that State has deposited its instrument of ratification, acceptance, approval or accession.

#### **Article 18 Provisional application**

Any State may at the time of its ratification, acceptance, approval or accession, declare that it will apply provisionally paragraph 1 of Article 1 of this Convention pending its entry into force.

#### **Article 19 Reservations**

The Articles of this Convention shall not be subject to reservations.

#### **Article 20 Duration and withdrawal**

1. This Convention shall be of unlimited duration.
2. Each State Party shall, in exercising its national sovereignty, have the right to withdraw from this Convention. It shall give notice of such withdrawal to all other States Parties, to the Depositary and to the United Nations Security Council. Such instrument of withdrawal shall include a full explanation of the reasons motivating this withdrawal.
3. Such withdrawal shall only take effect six months after the receipt of the instrument of

withdrawal by the Depositary. If, however, on the expiry of that six-month period, the withdrawing State Party is engaged in an armed conflict, the withdrawal shall not take effect before the end of the armed conflict.

4. The withdrawal of a State Party from this Convention shall not in any way affect the duty of States to continue fulfilling the obligations assumed under any relevant rules of international law.

#### **Article 21 Depositary**

The Secretary-General of the United Nations is hereby designated as the Depositary of this Convention.

#### **Article 22 Authentic texts**

The original of this Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

## Appendix I

### MEMBERS: UNITED NATIONS AND CONFERENCE ON DISARMAMENT

COUNTRY	UN	CD
Afghanistan	11/19/46	
Albania	12/14/55	
Algeria	10/8/62	◆
Andorra	7/28/93	
Angola	12/1/76	★
Antigua and Barbuda	11/11/81	
Argentina	10/24/45	◆
Armenia	3/2/92	★
Australia	11/1/45	◆
Austria	12/14/55	◆
Azerbaijan	3/2/92	
Bahamas	9/18/73	
Bahrain	9/21/71	
Bangladesh	9/17/74	◆
Barbados	12/9/66	
Belarus	10/24/45	◆
Belgium	12/27/45	◆
Belize	9/25/81	
Benin	9/20/60	
Bhutan	9/21/71	
Bolivia	11/14/45	
Bosnia and Herzegovina	5/22/92	
Botswana	10/17/66	
Brazil	10/24/45	◆
Brunei Darussalam	9/21/84	
Bulgaria	12/14/55	◆
Burkina Faso	9/20/60	
Burundi	9/18/62	
Cambodia	12/14/55	
Cameroon	9/20/60	◆
Canada	11/9/45	◆
Cape Verde	9/16/75	
Central African Republic	9/20/60	
Chad	9/20/60	
Chile	10/24/45	◆
China	10/24/45	◆
Colombia	11/5/45	◆
Comoros	11/12/75	
Congo	9/20/60	
Cook Islands		
Costa Rica	11/2/45	
Cote d'Ivoire	9/20/60	

COUNTRY	UN	CD
Croatia	5/22/92	★
Cuba	10/24/45	◆
Cyprus	9/20/60	★
Czech Republic	1/19/93	★
Democratic Republic of the Congo	9/20/60	◆
Denmark	10/24/45	★
Djibouti	9/20/77	
Dominica	12/18/78	
Dominican Republic	10/24/45	
Ecuador	12/21/45	★
Egypt	10/24/45	◆
El Salvador	10/24/45	
Equatorial Guinea	11/12/68	
Eritrea	5/28/93	
Estonia	9/17/91	
Ethiopia	11/13/45	◆
Fiji	10/13/70	
Finland	12/14/55	◆
France	10/24/45	◆
Gabon	9/20/60	
Gambia	9/21/65	★
Georgia	7/31/92	
Germany	9/18/73	◆
Ghana	3/8/57	★
Greece	10/25/45	★
Grenada	9/17/74	
Guatemala	11/21/45	
Guinea	12/12/58	
Guinea-Bissau	9/17/74	
Guyana	9/20/66	
Haiti	10/24/45	
Holy See		★
Honduras	12/17/45	
Hungary	12/14/55	◆
Iceland	11/19/46	★
India	10/30/45	◆
Indonesia	9/28/50	◆
Iran (Islamic Republic of)	10/24/45	◆
Iraq	12/21/45	◆
Ireland	12/14/55	★
Israel	5/11/49	◆
Italy	12/14/55	◆

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### MEMBERS: UNITED NATIONS AND CONFERENCE ON DISARMAMENT

COUNTRY	UN	CD
Jamaica	9/18/62	
Japan	12/18/56	◆
Jordan	12/14/55	★
Kazakhstan	3/2/92	
Kenya	12/16/63	◆
Korea, Dem. People's Rep. Of	9/17/91	◆
Korea, Republic of	9/17/91	◆
Kuwait	5/14/63	★
Kyrgyz Republic	3/2/92	
Lao People's Dem. Republic	12/14/55	
Latvia	9/17/91	
Lebanon	10/24/45	
Lesotho	10/17/66	
Liberia	11/2/45	
Libyan Arab Jamahiriya	12/14/55	★
Liechtenstein	9/18/90	
Lithuania	9/17/91	
Luxembourg	10/24/45	
Macedonia (Former Yugoslav Rep.)	4/8/93	★
Madagascar	12/20/60	★
Malawi	12/1/64	
Malaysia	9/17/57	★
Maldives	9/21/65	
Mali	9/28/60	
Malta	12/1/64	◆
Marshall Islands	9/17/91	
Mauritania	10/27/91	
Mauritius	4/24/68	★
Mexico	11/7/45	◆
Micronesia (Federated States of)	9/17/91	
Moldova	3/2/92	
Monaco	5/28/93	
Mongolia	10/27/61	◆
Morocco	11/12/56	◆
Mozambique	9/16/75	
Myanmar	4/19/48	◆
Namibia	4/23/90	
Nepal	12/14/55	
Netherlands	12/10/45	◆
New Zealand	10/24/45	◆
Nicaragua	10/24/45	★
Niger	9/20/60	

COUNTRY	UN	CD
Nigeria	10/7/60	◆
Norway	11/27/45	◆
Oman	10/7/71	★
Pakistan	9/30/47	◆
Palau	12/15/94	
Panama	11/13/45	
Papua New Guinea	10/10/75	
Paraguay	10/24/45	
Peru	10/31/45	◆
Philippines	10/24/45	★
Poland	10/24/45	◆
Portugal	12/14/55	★
Qatar	9/21/71	★
Romania	12/14/55	◆
Russian Federation	10/24/45	◆
Rwanda	9/18/62	
Saint Kitts and Nevis	9/23/83	
Saint Lucia	9/18/79	
Saint Vincent and the Grenadines	9/16/80	
San Marino	3/2/92	
Sao Tome and Principe	9/16/75	
Saudi Arabia	10/24/45	
Senegal	9/28/60	◆
Seychelles	9/21/76	
Sierra Leone	9/27/61	
Singapore	9/21/65	
Slovakia	1/19/93	◆
Slovenia	5/22/92	★
Solomon Islands	9/19/78	
Somalia	9/20/60	
South Africa	11/7/45	◆
Spain	12/14/55	◆
Sri Lanka	12/14/55	◆
Sudan	11/12/56	
Suriname	12/4/75	
Swaziland	9/24/68	★
Sweden	11/19/46	◆
Switzerland		◆
Syrian Arab Republic	10/24/45	◆
Tajikistan	3/2/92	
Thailand	12/16/46	★
Togo	9/20/60	

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### MEMBERS: UNITED NATIONS AND CONFERENCE ON DISARMAMENT

COUNTRY	UN	CD
Trinidad and Tobago	9/18/62	
Tunisia	11/12/56	★
Turkey	10/24/45	◆
Turkmenistan	3/2/92	
Uganda	10/25/62	
Ukraine	10/24/45	◆
United Arab Emirates	12/9/71	★
United Kingdom	10/24/45	◆
United Republic of Tanzania	12/14/61	★
United States	10/24/45	◆
Uruguay	12/18/45	
Uzbekistan	3/2/92	
Vanuatu	9/15/81	
Venezuela	11/15/45	◆
Viet Nam	9/20/77	◆
Western Samoa	12/15/76	
Yemen	9/30/47	★
Yugoslavia	10/24/45	◆
Zambia	12/1/64	
Zimbabwe	8/25/80	◆
<b>Membership Totals:</b>	<b>188</b>	<b>66</b>
		(★-33)

★ - observer

UPDATED: 15 July 2000

## Appendix II

### IAEA MEMBERSHIP, SAFEGUARDS AGREEMENTS, PHYSICAL PROTECTION, AND NUCLEAR SAFETY

Country	SIGN.	Number	EIF	Add. 1	PHYSICAL PROTECTION	NUCLEAR SAFETY
Afghanistan	05/31/57	257	02/20/78			
Albania	08/23/57	359	03/25/88			
Algeria	12/24/63	531	01/07/97			09/20/94 (S)
Andorra						
Angola	1999					
Antigua and Barbuda		528	9/9/96		08/04/93 (R)	
Argentina	10/03/57	435	03/18/97		04/06/89 (R)	04/17/97 (R)
Armenia	09/27/93	455	05/05/94	09/29/97 (S)	08/24/93 (Acc)	9/21/98 (R)
Australia	07/29/57	217	07/10/74	12/12/97 (In Force)	09/22/87 (R)	12/24/96 (R)
Austria	05/10/57	193	07/31/96 (Acc)	09/22/98 (S)	12/22/88 (R)	08/26/97 (R)
Azerbaijan		580	4/29/99	07/05/00 (S)		
Bahamas		544	09/12/97			
Bahrain						
Bangladesh	09/27/72	301	06/11/82			9/21/95 (Accept)
Barbados		527	8/14/96			
Belarus	04/08/57	495	08/02/95		09/09/93 (Succ)	10/29/98 (Acc)
Belgium	04/29/58	193	02/21/77	09/22/98 (S)	09/06/91 (R)	01/13/97 (R)
Belize		532	1/21/97			
Benin	1998					
Bhutan		371	10/24/89			
Bolivia	03/15/63	465	02/06/95			
Bosnia and Herzegovina	9/19/95	204	12/28/73		06/30/98 (Succ)	
Botswana						
Brazil	07/29/57				10/17/85 (R)	03/04/97 (R)
Brunei Darussalam		365	11/4/87			
Bulgaria	08/17/57	178	02/29/72	09/24/98 (S)	04/10/84 (R)	11/08/95 (R)
Burkina Faso	1998					
Burundi						
Cambodia	02/06/58					
Cameroon	07/13/64		5/21/92(S)			
Canada	07/29/57	164	02/21/72	09/24/98 (S)	03/21/86 (R)	12/12/95 (R)
Cape Verde			09/18/89			

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### IAEA MEMBERSHIP, SAFEGUARDS AGREEMENTS, PHYSICAL PROTECTION, AND NUCLEAR SAFETY

Country	SIGN.	Number	EIF	Add. 1	PHYSICAL PROTECTION	NUCLEAR SAFETY
Central African Republic						
Chad						
Chile	09/19/60	476\Mod.1	09/09/96		04/27/94 (Acc)	12/20/96 (R)
China	01/01/84	389		12/31/98 (S)	01/10/89 (Acc)	04/09/96 (R)
Colombia	09/30/60					
Comoros						
Congo	10/23/78					
Cook Islands						
Costa Rica	03/25/65	278	11/22/79			
Cote d'Ivoire	11/19/63	309	09/08/83			
Croatia	02/12/93	463	01/19/95	09/22/98 (S) 07/06/00 (In Force)	09/29/92 (Succ)	04/18/96 (App)
Cuba	10/01/57			10/15/99 (S)	09/26/97 (Acc)	09/20/94 (S)
Cyprus	06/07/65	189	01/26/73	7/29/99 (S)	07/23/98 (Acc)	03/17/99 (Acc)
Czech Republic	09/27/93	541	09/11/97	9/28/99 (S)	03/24/93 (Succ)	09/18/95 (App)
Denmark	07/16/57	193	02/21/77	09/22/98 (S)	09/06/91 (R)	11/13/98 (Accept)
Djibouti						
Dominica		513	5/3/96			
Dominican Republic	07/11/57	201	10/11/73		03/03/80 (S)	
Ecuador	03/03/58	231	03/10/75	10/01/99 (S)	01/17/96 (R)	
Egypt	09/04/57	302	06/30/82			09/20/94 (S)
El Salvador	11/22/57	232	04/22/75			
Equatorial Guinea			6-86 (AppBoG)			
Eritrea						
Estonia	01/31/92	547	11/24/97	04/13/00 (S)	05/09/94 (Acc)	
Ethiopia	09/30/57	261	12/02/77			
Fiji		192	03/22/73			
Finland	01/07/58	193	10-01-95 (Acc)	09/22/98 (S)	09/22/89 (Accept)	01/22/96 (Accept)
France	07/29/57	290	09/12/81	09/22/98 (S)	09/06/91 (App)	09/13/95 (App)
Gabon	01/21/64		12/03/79 (S)			
Gambia		277	08/08/78			

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### IAEA MEMBERSHIP, SAFEGUARDS AGREEMENTS, PHYSICAL PROTECTION, AND NUCLEAR SAFETY

Country	SIGN.	Number	EIF	Add. 1	PHYSICAL PROTECTION	NUCLEAR SAFETY
Georgia	02/23/97		09/29/97	09/29/97 (S)		
Germany	10/01/57	193	02/21/77	09/22/98 (S)	09/06/91 (R)	01/20/97 (R)
Ghana	09/28/60	226	02/21/75	06/12/98 (S); Provisionally In Force		07/06/95 (S)
Greece	09/30/57	193	12/17/81 (Acc)	09/22/98 (S)	09/06/91 (R)	06/20/97 (R)
Grenada		525	7/23/96			
Guatemala	03/29/57	299	02/01/82		04/23/85 (R)	
Guinea						
Guinea-Bissau						
Guyana		543	05/23/97			
Haiti	10/07/57		01/06/75 (S)		04/09/80 (S)	
Holy See	08/20/57	187	08/01/72	09/24/98 (S, In Force)		
Honduras	1999	235	04/18/75			
Hungary	08/08/57	174	03/30/72	11/26/98 (S) 04/04/00 (In Force)	05/04/84 (R)	03/18/96 (R)
Iceland	08/06/57	215	10/16/74			09/21/95 (S)
India	07/16/57	66, '374, 154, 433, 433/Mod.1, 360, 211				09/20/94 (S)
Indonesia	08/07/57	283	07/14/80	09/29/99 (S, In Force)	11/05/86 (R)	09/20/94 (S)
Iran (Islamic Republic of)	09/16/58	214	05/15/74			
Iraq	03/04/59	172	02/29/72			
Ireland	01/06/70	193	02/21/77	09/22/98 (S)	09/06/91 (R)	07/11/96 (R)
Israel	07/12/57				06/17/83 (S)	09/22/94 (S)
Italy	09/30/57	193	02/21/77	09/22/98 (S)	09/06/91 (R)	04/15/98 (R)
Jamaica	12/29/65	265	11/06/78			
Japan	07/16/57	255	12/02/77	12/04/98 (S) 12/16/99 (In Force)	10/28/88 (Acc)	05/12/95 (Acc)
Jordan	04/18/66	258	02/21/78	07/28/98 (S, In Force)		12/06/94 (S)
Kazakhstan	02/14/94	504	08/11/95			09/20/96 (S)



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### IAEA MEMBERSHIP, SAFEGUARDS AGREEMENTS, PHYSICAL PROTECTION, AND NUCLEAR SAFETY

Country	SIGN.	Number	EIF	Add. 1	PHYSICAL PROTECTION	NUCLEAR SAFETY
Kenya	07/12/65					
Kiribati		390	12/12/90			
Korea, Dem. People's Rep. of	08/08/57	403	04/10/92		04/07/82 (R)	
Korea, Republic of	12/01/64	236	11/14/75	06/21/99 (S)		09/19/95 (R)
Kuwait						
Kyrgyz Republic			03/18/98 (S)			
Lao People's Dem. Republic	04/10/97		Sig: 11/22/91			
Latvia	04/10/97	434	12/21/93			10/25/96 (Acc)
Lebanon		191	03/05/73		12/16/97 (Acc)	06/05/96 (R)
Lesotho	10/05/62	199	06/12/73			
Liberia	09/09/63					
Libyan Arab Jamahiriya	12/13/68	282	07/08/80			
Liechtenstein	11/18/93	275	10/04/79		11/25/86 (R)	
Lithuania	11/18/83	413	10/15/92	03/11/98 (S) 07/06/00 (In Force)	12/07/93 (Acc)	06/12/96 (R)
Luxembourg	02/25/94	193	02/21/77	09/22/98 (S)	09/06/91 (R)	04/07/97 (R)
Macedonia (FYR)	03/22/65	204			09/20/96 (Succ)	
Madagascar		200	06/14/73			
Malawi		409	08/03/92			
Malaysia	01/15/69	182	02/29/72			
Maldives		253	10/02/77			
Mali	08/10/61					05/13/96 (R)
Malta	1997	387	11/13/90			
Marshall Islands	01/26/94					
Mauritania						
Mauritius	12/31/74	190	01/31/73			
Mexico	04/07/58	197	09/14/73		04/04/88 (Acc)	07/26/96 (R)
Micronesia (Federated States of)						
Moldova	06/14/96		06/14/96 (S)		05/07/98 (Acc)	
Monaco	09/19/57	524	06/13/96	09/30/99 (S, In Force)	08/09/96 (Acc)	09/16/96 (S)
Mongolia	09/20/73	188	09/05/72		05/28/86 (R)	

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### IAEA MEMBERSHIP, SAFEGUARDS AGREEMENTS, PHYSICAL PROTECTION, AND NUCLEAR SAFETY

Country	SIGN.	Number	EIF	Add. 1	PHYSICAL PROTECTION	NUCLEAR SAFETY
Morocco	09/17/57	288	02/18/75		07/25/80 (S)	12/01/94 (S)
Mozambique						
Myanmar	10/18/57	477	04/20/95			
Namibia	02/17/83	551	04/15/98	03/22/00 (S)		
Nauru		317	04/13/84			
Nepal		186	6/22/72			
Netherlands	07/30/57	193	02/21/77	09/22/98 (S)	09/06/91(Acc ept)	10/15/96 (Accept)
New Zealand	09/13/57	185	02/29/72	09/24/98 (S, In Force)		
Nicaragua	09/17/57	246	12/29/76			09/23/94 (S)
Niger	03/27/69				01/07/85 (S)	
Nigeria	03/25/64	358	02/29/88	06/07/00 (BoGApp)		09/21/94 (S)
Norway	06/10/57	177	03/01/72	09/29/99 (S) 05/16/00 (In Force)	08/15/85 (R)	09/29/94 (R)
Oman						
Pakistan	05/02/57	34, 34/Add.1, 116, 135, 239, 248, 393, 418				09/30/97 (R)
Palau						
Panama	03/02/66		12/22/88 (S)		04/01/99 (R)	
Papua New Guinea		312	10/13/83			
Paraguay	09/30/57	279	03/20/79		02/06/85 (R)	
Peru	09/30/57	273	08/01/79	03/22/00 (S)	01/11/95 (Acc)	07/01/97 (R)
Philippines	09/02/58	216	10/16/74	09/30/97 (S)	09/22/81 (R)	10/14/94 (S)
Poland	07/31/57	179	10/11/72	09/30/97 (S) 05/05/2000 (In Force)	10/05/83 (R)	06/14/95 (R)
Portugal	07/12/57	193	07/01/86 (Acc)	09/22/98 (S)	09/06/91 (R)	05/20/98 (R)
Qatar	02/27/76					
Romania	04/12/57	180	10/27/72	06/11/99 (S) 07/07/2000 (In Force)	11/23/93 (R)	06/01/95 (R)
Russian Federation	04/08/57	327	06/10/85	03/22/00 (S)	05/25/83 (R)	07/12/96 (Accept)
Rwanda						
Saint Kitts and Nevis		514	05/07/96			
Saint Lucia		379	2/2/90			

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### IAEA MEMBERSHIP, SAFEGUARDS AGREEMENTS, PHYSICAL PROTECTION, AND NUCLEAR SAFETY

Country	SIGN.	Number	EIF	Add. 1	PHYSICAL PROTECTION	NUCLEAR SAFETY
Saint Vincent and the Grenadines		400	01/08/92			
San Marino		575	9/21/98			
Sao Tome and Principe						
Saudi Arabia	12/13/62					
Senegal	11/01/60	276	01/14/80			
Seychelles						
Sierra Leone	06/04/67		11/10/77 (S)			
Singapore	01/05/67	259	10/18/77			12/15/97 (Acc)
Slovakia	09/27/93	173	03/03/72	09/27/99 (S)	02/10/93 (Succ)	03/07/95 (R)
Slovenia	09/21/92	538	08/01/97	11/26/98 (S)	07/07/92 (Succ)	11/20/96 (R)
Solomon Islands		420	06/17/93			
Somalia						
South Africa	06/06/57	394	09/16/91		05/18/81 (S)	12/24/96 (R)
Spain	08/26/57	193	04/05/89 (Acc)	09/22/98 (S)	09/06/91 (R)	07/04/95 (R)
Sri Lanka	08/22/57	320	08/06/84			08/11/99 (Acc)
Sudan	07/17/58	245	01/07/77		05/18/00 (Acc)	09/20/94 (S)
Suriname		269	02/02/79			
Swaziland		227	7/28/75			
Sweden	06/19/57	193	06/01/95 (Acc)	09/22/98 (S)	08/01/80 (R)	09/11/95 (R)
Switzerland	04/05/57	264	09/06/78	06/16/00 (S)	01/09/87 (R)	09/12/96 (R)
Syrian Arab Republic	06/06/63	407	05/18/92			09/23/94 (S)
Taiwan						
Tajikistan					07/11/96 (Acc)	
Thailand	10/15/57	241	05/16/74			
Togo			11/29/90			
Tonga		426	11/18/93			
Trinidad and Tobago		414	11/04/92			
Tunisia	10/14/57	381	03/13/90		04/08/93 (Acc)	09/20/94 (S)
Turkey	07/19/57	295	09/01/81	07/06/ (S)	02/27/85 (R)	03/08/95 (R)
Turkmenistan						

## Appendix II

### IAEA MEMBERSHIP, SAFEGUARDS AGREEMENTS, PHYSICAL PROTECTION, AND NUCLEAR SAFETY

Country	SIGN.	Number	EIF	Add. 1	PHYSICAL PROTECTION	NUCLEAR SAFETY
Tuvalu		391	3/15/91			
Uganda	08/30/67					
Ukraine	07/31/57	550	01/22/98	06/07/00 (BoG App)	07/06/93 (Acc)	04/08/98 (R)
United Arab Emirates	01/15/76					
United Kingdom	07/29/57	263, 125		09/22/98 (S)	09/06/91 (R)	01/17/96 (R)
United Republic of Tanzania	01/06/76		08/26/92 (S)			
United States	07/29/57	288	12/09/80	06/12/98 (S)	12/13/82 (R)	04/11/99 (R)
Uruguay	01/22/63	157	09/17/76	09/29/97 (S)		02/28/96 (S)
Uzbekistan	01/26/94	508	10/08/94	09/21/98 (In Force)	02/09/98 (Acc)	
Vanuatu						
Venezuela	08/19/57	300	03/11/82			
Viet Nam	09/24/57	376	02/23/90			
Western Samoa		268	01/22/79			
Yemen	10/14/94					
Yugoslavia	09/17/57	204	12/28/73		05/14/86 (R)	
Dem. Rep. of Congo	10/10/61	183	11/09/72			
Zambia	01/08/69	456	09/22/94			
Zimbabwe	08/01/86	483	06/26/95			
Membership Totals:	130			App: 54 Sig: 52 In Force: 14	Parties: 65 Sign.: 45	Parties: 53 Sign.: 65
Updated: 15-Jul-00					+Euratom, 09/06/91	+Euratom, 01/31/00

#### Key:

- Acc - Date of Accession (becoming party to the agreement after it has already entered into force).
- Accept - Date of Acceptance (agreeing to be legally bound by the terms of the Treaty).
- App - Date of Approval (approved by government and awaiting ratification by the legislative process).
- R - Date of Ratification (fulfilling and implementing domestic legislative legal practices to bring about the legal application of the Treaty on the government and other entities to which the Treaty is applicable, such as formal approval by parliament or legislative bodies, and the Treaty is formally declared to be applicable on the State Party, and the required legal instrument of ratification has been duly deposited with the depositary).
- S - Date of Signature (competent authority or representative of a State has affixed its signature to a Treaty text thus indicating acceptance of the Treaty and a commitment not to undertake any actions that would undermine the purpose of the Treaty, according to the Vienna Convention on the Law of treaties, pending formal ratification).
- Succ - Date of Succession (when an original or previous State party ceases to exist and is succeeded by another State or legal entity that formally accepts and takes on the international legal obligations of the former party)

### Appendix III

## TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

Country	Date Signature	NPT Deposited Ratification	Accession / Succession
Afghanistan	07/01/68	02/04/70	
Albania			09/12/90
Algeria			01/12/95
Andorra			06/07/96
Angola			10/14/96
Antigua and Barbuda			06/17/85
Argentina			02/10/95
Armenia			08/15/93
Australia	02/27/70	01/23/73	
Austria	07/01/68	06/27/69	
Azerbaijan			09/22/92
Bahamas			08/11/76
Bahrain			11/03/88
Bangladesh			08/31/79
Barbados	07/01/68	02/21/80	
Belarus			07/22/93
Belgium	08/20/68	05/02/75	
Belize			08/09/85
Benin	07/01/68	10/31/72	
Bhutan			05/23/85
Bolivia	07/01/68	05/26/70	
Bosnia and Herzegovina			08/15/94
Botswana	07/01/68	04/28/69	
Brazil		07/13/98	
Brunei Darussalam			03/26/85
Bulgaria	07/01/68	09/05/69	
Burkina Faso	11/25/68	03/03/70	
Burundi			03/19/71
Cambodia			06/02/72
Cameroon	07/17/68	01/08/69	
Canada	07/23/68	01/08/69	
Cape Verde			10/24/79
Central African Republic			10/25/70
Chad	07/01/68	03/10/71	
Chile			05/25/95
China			03/09/92
Colombia	07/01/68	04/08/86	
Comoros			10/04/95
Congo			10/23/78
Cook Islands			
Costa Rica	07/01/68	03/03/70	
Cote d'Ivoire	07/01/68	03/06/73	

### Appendix III

## TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

Country	Date Signature	NPT Deposited Ratification	Accession / Succession
Croatia			06/29/92
Cuba			
Cyprus	07/01/68	02/10/70	
Czech Republic	07/01/68	07/22/69	01/01/93
Dem. Rep. of the Congo	07/22/68	08/04/70	
Denmark	07/01/68	01/03/69	
Djibouti			10/16/96
Dominica			08/10/84
Dominican Republic	07/01/68	07/24/71	
Ecuador	07/09/68	03/07/69	
Egypt	07/01/68	02/26/81	
El Salvador	07/01/68	07/11/72	
Equatorial Guinea			11/01/84
Eritrea			03/03/95
Estonia			01/07/92
Ethiopia	09/05/68	02/05/70	
Fiji			07/14/72
Finland	07/01/68	02/05/69	
France			08/03/92
Gabon			02/19/74
Gambia	09/04/68	05/12/75	
Georgia			03/07/94
Germany	11/28/69	05/02/75	
Ghana	07/01/68	05/04/70	
Greece	07/01/68	03/11/70	
Grenada			09/02/75
Guatemala	07/26/68	09/22/70	
Guinea			04/29/85
Guinea-Bissau			08/20/76
Guyana			10/19/93
Haiti	07/01/68	06/02/70	
Holy See			02/25/71
Honduras	07/01/68	05/16/73	
Hungary	07/01/68	05/27/69	
Iceland	07/01/68	07/18/69	
India			
Indonesia	03/02/70	07/12/79	
Iran (IRP)	07/01/68	02/02/70	
Iraq	07/01/68	10/29/69	
Ireland	07/01/68	07/01/68	
Israel			
Italy	01/28/69	05/02/75	
Jamaica	04/14/69	03/05/70	

### Appendix III

## TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

Country	Date Signature	NPT Deposited Ratification	Accession / Succession
Jordan	07/10/68	02/11/70	
Kazakhstan			02/14/94
Kenya	07/01/68	06/11/70	
Kiribati			04/18/85
Korea (DPR)			12/12/85
Korea (Rep. of)	07/01/68	04/23/75	
Kuwait	08/15/68	11/17/89	
Kyrgyzstan			07/05/94
Lao (PDR)	07/01/68	02/20/70	
Latvia			01/31/92
Lebanon	07/01/68	07/15/70	
Lesotho	07/09/68	05/20/70	
Liberia	07/01/68	03/05/70	
Libyan (AJ)	07/18/68	05/26/75	
Liechtenstein			04/20/78
Lithuania			09/23/91
Luxembourg	08/14/68	05/02/75	
Macedonia (FRY)			04/12/95
Madagascar	08/22/68	10/08/70	
Malawi			02/18/86
Malaysia	07/01/68	03/05/70	
Maldives	09/11/68	04/07/70	
Mali	07/14/69	02/10/70	
Malta	04/17/69	02/06/70	
Marshall Islands			01/30/95
Mauritania			10/26/93
Mauritius	07/01/68	04/08/69	
Mexico	07/26/68	01/21/69	
Micronesia (FS)			04/14/95
Moldova			10/11/94
Monaco			03/13/95
Mongolia	07/01/68	05/14/69	
Morocco	07/01/68	11/27/70	
Mozambique			09/04/90
Myanmar			12/02/92
Namibia			10/02/92
Nauru			06/07/82
Nepal	07/01/68	01/05/70	
Netherlands	08/20/68	05/02/75	
New Zealand	07/01/68	09/10/69	
Nicaragua	07/01/68	03/06/73	
Niger			10/09/92
Nigeria	07/01/68	09/27/68	

### Appendix III

## TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

Country	Date Signature	NPT Deposited Ratification	Accession / Succession
Norway	07/01/68	02/05/69	
Oman			01/23/97
Pakistan			
Palau			04/12/95
Panama	07/01/68	01/13/77	
Papua New Guinea			01/13/82
Paraguay	07/01/68	02/04/70	
Peru	07/01/68	03/03/70	
Philippines	07/01/68	10/05/72	
Poland	07/01/68	06/12/69	
Portugal			12/15/77
Qatar			04/03/89
Romania	07/01/68	02/04/70	
Russian Federation	07/01/68	03/05/70	
Rwanda			05/20/75
Saint Kitts and Nevis			03/22/93
Saint Lucia			12/28/79
Saint Vincent/Grenadines			11/06/84
San Marino	07/01/68	08/10/70	
Sao Tome and Principe			07/20/83
Saudi Arabia			10/03/88
Senegal	07/01/68	12/17/70	
Seychelles			03/12/85
Sierra Leone			02/26/75
Singapore	02/05/70	03/10/76	
Slovakia			01/01/93
Slovenia			04/07/92
Solomon Islands			06/17/81
Somalia	07/01/68	03/05/70	
South Africa			07/10/91
Spain			11/05/87
Sri Lanka	07/01/68	03/05/79	
Sudan	12/24/68	10/31/73	
Suriname			06/30/76
Swaziland	06/24/69	12/11/69	
Sweden	08/19/68	01/09/70	
Switzerland	11/27/69	03/09/77	
Syrian Arab Republic	07/01/68	09/24/69	
Taiwan*	07/01/68	01/27/70	
Tajikistan			01/17/95
Thailand			12/02/72
Togo	07/01/68	02/26/70	
Tonga			07/07/71
Trinidad and Tobago	08/20/68	10/30/86	



## Appendix III

### TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

Country	Date Signature	NPT Deposited Ratification	Accession / Succession
Tunisia	07/01/68	02/26/70	
Turkey	01/28/69	04/17/80	
Turkmenistan			09/29/94
Tuvalu			01/19/79
Uganda			10/20/82
Ukraine			12/05/94
United Arab Emirates			09/26/95
United Kingdom	07/01/68	11/27/68	
United Rep of Tanzania			05/31/91
United States	07/01/68	03/05/70	
Uruguay	07/01/68	08/31/70	
Uzbekistan			05/02/92
Vanuatu			08/26/95
Venezuela	07/01/68	09/25/75	
Viet Nam			06/14/82
Western Samoa			03/17/75
Yemen	09/23/68	05/14/86	
Yugoslavia	07/10/68	03/04/70	
Zambia			05/15/91
Zimbabwe			09/26/91
<b>Membership Totals:</b>		<b>187</b>	
Updated: 15 July 2000			

\* Taiwan is recognized by many countries as an integral part of the People's Republic of China.

#### Key:

- Accession- becoming party to the agreement after it has already entered into force.
- Ratification - fulfilling and implementing domestic legislative legal practices to bring about the legal application of the Treaty on the government and other entities to which the Treaty is applicable, such as formal approval by parliament or legislative bodies, and the Treaty is formally declared to be applicable on the State Party, and the required legal instrument of ratification has been duly deposited with the depositary.
- Signature - competent authority or representative of a State has affixed its signature to a Treaty text thus indicating acceptance of the Treaty and a commitment not to undertake any actions that would undermine the purpose of the Treaty, according to the Vienna Convention on the Law of treaties, pending formal ratification.
- Succession - when an original or previous State party ceases to exist and is succeeded by another State or legal entity that formally accepts and takes on the international legal obligations of the former party.

## Appendix IV

### COMPREHENSIVE NUCLEAR-TEST BAN TREATY AND PARTIAL TEST BAN TREATY

COUNTRY	CTBT Date Signed	Deposited Ratification	PTBT
Afghanistan			◆
Albania	09/27/96		
Algeria	10/15/96*		◆
Andorra	09/24/96		
Angola	09/27/96		
Antigua and Barbuda	04/16/97		◆
Argentina	09/24/96*	12/04/98	◆
Armenia	10/01/96		◆
Australia	09/24/96*	07/09/98	◆
Austria	09/24/96*	03/13/98	◆
Azerbaijan	07/28/97	02/02/99	
Bahamas			◆
Bahrain	09/24/96		
Bangladesh	10/24/96*	03/08/00	
Barbados			
Belarus	09/24/96		◆
Belgium	10/24/96*	06/29/99	◆
Belize			
Benin	09/27/96		◆
Bhutan			◆
Bolivia	09/24/96	10/04/99	◆
Bosnia and Herzegovina	09/24/96		◆
Botswana			◆
Brazil	09/24/96*	07/24/98	◆
Brunei Darussalam	01/22/97		
Bulgaria	09/24/96*	09/29/99	◆
Burkina Faso	09/27/96		◆
Burundi	09/24/96		◆
Cambodia	09/26/96		
Cameroon			◆
Canada	09/24/96*	12/18/98	◆
Cape Verde	10/01/96		◆
Central African Republic			◆
Chad	10/08/96		◆
Chile	09/24/96*	07/12/00	◆
China	09/24/96*		
Colombia	09/24/96*		◆
Comoros	12/12/96		
Congo	02/11/97		
Cook Islands	12/05/97		
Costa Rica	09/24/96		◆

## Appendix IV

### COMPREHENSIVE NUCLEAR-TEST BAN TREATY AND PARTIAL TEST BAN TREATY

COUNTRY	CTBT Date Signed	Deposited Ratification	PTBT
Cote d'Ivoire	09/25/96		◆
Croatia	09/24/96		◆
Cuba			
Cyprus	09/24/96		◆
Czech Republic	11/12/96	09/08/97	◆
Democratic Republic of the Congo	10/4/96*		◆
Denmark	09/24/96	12/21/98	◆
Djibouti	10/21/96		
Dominica			
Dominican Republic	10/03/96		◆
Ecuador	09/24/96		◆
Egypt	10/14/96*		◆
El Salvador	09/24/96	09/11/98	◆
Equatorial Guinea	10/09/96		
Eritrea			
Estonia	11/20/96	08/13/99	
Ethiopia	09/25/96		◆
Fiji	09/24/96	10/10/96	◆
Finland	09/24/96*	01/15/99	◆
France	09/24/96*	04/06/98	
Gabon	10/07/96		◆
Gambia			◆
Georgia	09/24/96		
Germany	09/24/96*	08/20/98	◆
Ghana	10/03/96		◆
Greece	09/24/96		◆
Grenada	10/10/96	08/19/98	
Guatemala	9/20/99		◆
Guinea	10/03/96		
Guinea-Bissau	04/11/97		
Guyana			
Haiti	09/24/96		◆
Holy See	09/24/96		
Honduras	09/25/96		◆
Hungary	09/25/96*	07/13/99	◆
Iceland	09/24/96	06/26/00	◆
India	*		◆
Indonesia	09/24/96*		◆
Iran (IRP)	09/24/96*		◆
Iraq			◆
Ireland	09/24/96	07/15/99	◆

## Appendix IV

### COMPREHENSIVE NUCLEAR-TEST BAN TREATY AND PARTIAL TEST BAN TREATY

COUNTRY	CTBT Date Signed	Deposited Ratification	PTBT
Israel	09/24/96*		◆
Italy	09/24/96*	02/01/99	◆
Jamaica	11/11/96		◆
Japan	09/24/96*	07/08/97	◆
Jordan	09/26/96	08/25/98	◆
Kazakhstan	09/30/96		
Kenya	11/14/96		◆
Kiribati			
Korea (DPR)	*		◆
Korea (Rep. of)	09/24/96*		
Kuwait	09/24/96		◆
Kyrgyzstan	10/08/96		
Lao (PDR)	07/30/97		◆
Latvia	09/24/96		
Lebanon			◆
Lesotho	09/30/96	09/14/99	
Liberia	10/01/96		◆
Libyan (AJ)			◆
Liechtenstein	09/27/96		
Lithuania	10/07/96	2/07/00	
Luxembourg	09/24/96		◆
Macedonia (FRY)	10/29/98	03/14/00	
Madagascar	10/09/96		◆
Malawi	10/09/96		◆
Malaysia	07/23/98		◆
Maldives	10/01/97		
Mali	02/18/97		◆
Malta	09/24/96		◆
Marshall Islands	09/24/96		
Mauritania	09/24/96		◆
Mauritius			◆
Mexico	09/24/96*	10/05/99	◆
Micronesia (FS)	09/24/96	07/25/97	
Moldova	09/24/97		
Monaco	10/01/96	12/18/98	
Mongolia	10/01/96	08/08/97	◆
Morocco	09/24/96	04/17/00	◆
Mozambique	09/26/96		
Myanmar	09/25/96		◆
Namibia	09/24/96		
Nauru			

## Appendix IV

### COMPREHENSIVE NUCLEAR-TEST BAN TREATY AND PARTIAL TEST BAN TREATY

COUNTRY	CTBT Date Signed	Deposited Ratification	PTBT
Nepal	10/08/96		◆
Netherlands	09/24/96*	03/23/99	◆
New Zealand	09/27/96	03/19/99	◆
Nicaragua	09/24/96		◆
Niger	10/03/96		◆
Nigeria			◆
Norway	09/24/96*	07/15/99	◆
Oman	09/23/99		
Pakistan	*		◆
Palau			
Panama	09/24/96	03/23/99	◆
Papua New Guinea	09/25/96		◆
Paraguay	09/25/96		◆
Peru	09/24/96*	11/12/97	◆
Philippines	09/24/96		◆
Poland	09/24/96*	05/25/99	◆
Portugal	09/24/96	06/26/00	◆
Qatar	09/24/96	03/03/97	
Romania	09/24/96*	10/05/99	◆
Russian Federation	09/24/96*	06/30/00	◆
Rwanda			◆
Saint Kitts and Nevis			
Saint Lucia	10/04/96		
Saint Vincent and the Grenadines			
San Marino	10/07/96		◆
Sao Tome and Principe	09/26/96		
Saudi Arabia			
Senegal	09/26/96	06/09/99	◆
Seychelles	09/26/96		◆
Sierra Leone			◆
Singapore	01/14/99		◆
Slovakia	09/30/96	03/03/98	◆
Slovenia	09/24/96	08/31/99	◆
Solomon Islands	10/03/96		
Somalia			◆
South Africa	09/24/96*	03/30/99	◆
Spain	09/24/96	07/31/98	◆
Sri Lanka	10/24/96		◆
Sudan			◆
Suriname	01/14/97		

## Appendix IV

### COMPREHENSIVE NUCLEAR-TEST BAN TREATY AND PARTIAL TEST BAN TREATY

COUNTRY	CTBT Date Signed	Deposited Ratification	PTBT
Swaziland	09/24/96		◆
Sweden	09/24/96*	12/02/98	◆
Switzerland	09/24/96*	10/01/99	◆
Syrian Arab Republic			◆
Taiwan			◆
Tajikistan	10/07/96	06/10/98	
Thailand	11/12/96		◆
Togo	10/02/96		◆
Tonga			◆
Trinidad and Tobago			◆
Tunisia	10/16/96		◆
Turkey	09/24/96*	02/16/00	◆
Turkmenistan	09/24/96	02/20/98	
Tuvalu			
Uganda	11/07/96		◆
Ukraine	09/27/96*		◆
United Arab Emirates	09/25/96		
United Kingdom	09/24/96*	04/06/98	◆
United Rep of Tanzania			◆
United States	09/24/96*		◆
Uruguay	09/24/96		◆
Uzbekistan	10/03/96	05/29/97	
Vanuatu	09/24/96		
Venezuela	10/03/96		◆
Viet Nam	09/24/96*		
Western Samoa	10/09/96		◆
Yemen	09/30/96		◆
Yugoslavia			◆
Zambia	12/03/96		◆
Zimbabwe	10/13/99		
<b>Membership Totals:</b>	<b>155</b>	<b>60</b>	<b>131</b>
*States pursuant to Article XIV (Annex 2), whose ratification is required for entry into force of the CTBT.			

#### Key:

Ratification - fulfilling and implementing domestic legislative legal practices to bring about the legal application of the Treaty on the government and other entities to which the Treaty is applicable, such as formal approval by parliament or legislative bodies, and the Treaty is formally declared to be applicable on the State Party, and the required legal instrument of ratification has been duly deposited with the depositary.

Signature - competent authority or representative of a State has affixed its signature to a Treaty text thus indicating acceptance of the Treaty and a commitment not to undertake any actions that would undermine the purpose of the Treaty, according to the Vienna Convention on the Law of treaties, pending formal ratification.

## Appendix V

### THE CHEMICAL WEAPONS CONVENTION, BIOLOGICAL AND TOXIN WEAPONS CONVENTION, GENEVA PROTOCOL

Country	CWC Date Signed	Deposited Ratification	BTWC	Geneva Protocol
Afghanistan	01/14/93		03/26/75 (R)	12/09/86 (Acc)
Albania	01/14/93	05/11/94	06/03/92 (Acc)	12/20/89 (Acc)
Algeria	01/13/93	08/14/95		
Andorra				
Angola				11/08/90 (Acc)
Antigua and Barbuda				04/27/88 (Succ)
Argentina	01/13/93	10/02/95	11/27/79 (R)	05/12/69 (Acc)
Armenia	03/19/93	01/27/95	06/07/94 (R)	
Australia	01/13/93	05/06/94	10/05/77 (R)	05/24/30 (Acc)
Austria	01/13/93	08/17/95	08/10/73 (R)	05/09/28 (R)
Azerbaijan	01/13/93	2/29/00		
Bahamas	03/02/94		11/26/86 (Acc)	
Bahrain	02/24/93	04/28/97	10/28/88 (Acc)	12/09/88 (Acc)
Bangladesh	01/14/93	04/25/97	03/11/85 (Acc)	05/20/89 (Acc)
Barbados			02/16/73 (R)	07/16/76 (Succ)
Belarus	01/14/93	07/11/96	03/26/75 (R)	
Belgium	01/13/93	01/27/97	03/15/79 (R)	12/04/28 (R)
Belize			10/20/86 (Acc)	
Benin	01/14/93	05/14/98	04/25/75 (R)	12/09/86 (Acc)
Bhutan	04/23/97		06/08/78 (Acc)	02/19/79 (Acc)
Bolivia	01/14/93	08/14/98	10/30/75 (R)	08/13/85 (Acc)
Bosnia and Herzegovina	01/16/97	02/25/97	08/15/94 (Acc)	
Botswana		08/31/98 (Acc)	02/05/92 (R)	
Brazil	01/13/93	03/13/96	02/27/73 (R)	08/28/70 (R)
Brunei Darussalam	01/13/93	07/28/97	01/31/91 (Acc)	
Bulgaria	01/13/93	08/10/94	08/02/72 (R)	03/07/34 (R)
Burkina Faso	01/14/93	07/08/97	04/17/91 (Acc)	03/03/71 (Acc)
Burundi	01/15/93	09/04/98	04/10/72 (S)	
Cambodia	01/15/93		03/09/83 (R)	03/15/83 (Acc)
Cameroon	01/14/93	09/16/96		07/20/89 (Acc)
Canada	01/13/93	09/26/95	09/18/72 (R)	05/06/30 (R)
Cape Verde	01/15/93		10/20/77 (Acc)	10/15/91 (Acc)
Central African Republic	01/14/93		04/10/72 (S)	07/31/70 (Acc)
Chad	10/11/94			
Chile	01/14/93	07/12/96	04/22/80 (R)	07/02/35 (Acc)
China	01/13/93	04/25/97	11/15/84 (Acc)	08/24/29 (R)
Colombia	01/13/93	04/05/00	12/19/83 (R)	
Comoros	01/13/93			
Congo	01/15/93		10/23/78 (Acc)	
Cook Islands	01/14/93	07/15/94		
Costa Rica	01/14/93	05/31/96	12/17/73 (R)	
Cote d'Ivoire	01/13/93	12/18/95	05/23/72 (S)	07/27/70 (Acc)
Croatia	01/13/93	05/23/95	04/28/93 (Acc)	

## Appendix V

### THE CHEMICAL WEAPONS CONVENTION, BIOLOGICAL AND TOXIN WEAPONS CONVENTION, GENEVA PROTOCOL

Country	CWC Date Signed	Deposited Ratification	BTWC	Geneva Protocol
Cuba	01/13/93	04/29/97	04/21/76 (R)	06/24/66 (Acc)
Cyprus	01/13/93	08/28/98	11/06/73 (R)	12/12/66 (Succ)
Czech Republic	01/14/93	03/06/96	04/05/93 (Acc)	08/16/38 (R)
Denmark	01/14/93	07/13/95	03/01/73 (R)	05/05/30 (R)
Djibouti	09/28/93			
Dominica	08/02/93		11/08/78 (Acc)	
Dominican Republic	01/13/93		02/23/73 (R)	12/08/70 (Acc)
Ecuador	01/14/93	09/06/95	03/21/75 (R)	09/16/70 (Acc)
Egypt			04/10/72 (S)	12/06/28 (R)
El Salvador	01/14/93	10/30/95	12/31/91 (R)	(S)
Equatorial Guinea	01/14/93	04/25/97	01/16/89 (Acc)	05/20/89 (Acc)
Eritrea		2/14/00 (Acc)		
Estonia	01/14/93	5/26/99	06/21/93 (Acc)	08/28/31 (R)
Ethiopia	01/14/93	05/13/96	05/26/75 (R)	10/07/35 (R)
Fiji	01/14/93	01/20/93	09/04/73 (R)	03/21/73 (Succ)
Finland	01/14/93	02/07/95	02/04/74 (R)	06/26/29 (R)
France	01/13/93	03/02/95	09/27/84 (Acc)	05/10/26 (R)
Gabon	01/13/93		04/10/72 (S)	
Gambia	01/13/93	05/19/98	11/21/91 (R)	11/05/66 (Succ)
Georgia	01/14/93	11/27/95	05/22/96 (Acc)	
Germany	01/13/93	08/12/94	11/28/72 (R)	04/25/29 (R)
Ghana	01/14/93	07/09/97	06/06/75 (R)	05/03/67 (Acc)
Greece	01/13/93	12/22/94	12/10/75 (R)	05/30/31 (R)
Grenada	04/09/97		10/22/86 (Acc)	01/03/89 (Succ)
Guatemala	01/14/93		09/19/73 (R)	05/03/83 (Acc)
Guinea	01/14/93	06/09/97		
Guinea-Bissau	01/14/93		08/20/76 (Acc)	05/20/89 (Acc)
Guyana	10/06/93	09/12/97	01/03/73 (S)	
Haiti	01/14/93		04/10/72 (S)	
Holy See	01/14/93	5/12/99		10/18/66 (Acc)
Honduras	01/13/93		03/14/79 (R)	
Hungary	01/13/93	10/31/96	12/27/72 (R)	10/11/52 (Acc)
Iceland	01/13/93	04/28/97	02/15/73 (R)	11/02/67 (Acc)
India	01/14/93	09/03/96	07/15/74 (R)	04/09/30 (Succ)
Indonesia	01/13/93	11/12/98	02/19/92 (R)	01/21/71 (Succ)
Iran (IRP)	01/13/93	11/03/97	08/22/73 (R)	11/05/29 (Acc)
Iraq			06/19/91 (R)	09/08/31 (Acc)
Ireland	01/14/93	06/24/96	10/27/72 (R)	08/29/30 (Acc)
Israel	01/13/93			02/20/69 (Acc)
Italy	01/13/93	12/08/95	05/30/75 (R)	04/03/28 (R)
Jamaica	04/18/97		08/13/75 (Acc)	07/28/70 (Succ)
Japan	01/13/93	09/15/95	06/08/82 (R)	05/21/70 (R)
Jordan		10/29/97 (Acc)	05/30/75 (R)	01/20/77 (Acc)



## Appendix V

### THE CHEMICAL WEAPONS CONVENTION, BIOLOGICAL AND TOXIN WEAPONS CONVENTION, GENEVA PROTOCOL

Country	CWC Date Signed	Deposited Ratification	BTWC	Geneva Protocol
Kazakhstan	01/14/93	03/23/00		
Kenya	01/15/93	04/25/97	01/07/76 (Acc)	07/06/70 (Acc)
Kiribati				
Korea (DPR)			03/13/87 (Acc)	01/04/89 (Acc)
Korea (Rep. of)	01/14/93	04/28/97	06/25/87 (R)	01/04/89 (Acc)
Kuwait	01/27/93	28/05/97	07/18/72 (R)	12/15/71 (Acc)
Kyrgyzstan	02/22/93			
Lao (PDR)	05/13/93	02/25/97	03/20/73 (R)	05/20/89 (Acc)
Latvia	05/06/93	07/23/96	02/06/97 (Acc)	06/03/31 (R)
Lebanon			03/26/75 (R)	04/17/69 (Acc)
Lesotho	12/07/94	12/07/94	09/06/77 (R)	03/10/72 (Succ)
Liberia	01/15/93		04/10/72 (S)	06/17/27 (Acc)
Libyan (AJ)			01/19/82 (Acc)	12/29/71 (Acc)
Liechtenstein	07/21/93	11/24/99	05/30/91 (Acc)	09/06/91 (Acc)
Lithuania	01/13/93	04/15/98	02/10/98 (Acc)	06/15/33 (R)
Luxembourg	01/13/93	04/15/97	03/23/76 (R)	09/01/36 (R)
Macedonia (FRY)		06/20/97 (Acc)	12/24/96 (Acc)	
Madagascar	01/15/93		10/13/72 (S)	08/02/67 (Acc)
Malawi	01/14/93	06/11/98	04/10/72 (S)	09/14/70 (Acc)
Malaysia	01/13/93	04/20/00	09/06/91 (R)	12/10/70 (Acc)
Maldives	10/01/93	05/31/94	08/02/93 (Acc)	12/27/66 (Succ)
Mali	01/13/93	04/28/97	04/10/72 (S)	
Malta	01/13/93	04/28/97	04/07/75 (R)	09/21/64 (Succ)
Marshall Islands	01/13/93			
Mauritania	01/13/93	02/09/98		
Mauritius	01/14/93	02/09/93	08/07/72 (R)	03/12/68 (Succ)
Mexico	01/13/93	08/29/94	04/08/74 (R)	05/28/32 (Acc)
Micronesia (FS)	01/13/93	6/21/99		
Moldova	01/13/93	07/08/96		
Monaco	01/13/93	06/01/95		01/06/67 (Acc)
Mongolia	01/14/93	01/17/95	09/05/72 (R)	12/06/68 (Acc)
Morocco	01/13/93	12/28/95	05/02/72 (S)	10/13/70 (Acc)
Mozambique				
Myanmar	01/14/93		04/10/72 (S)	
Namibia	01/13/93	11/27/95		
Nauru	01/13/93			
Nepal	01/21/93	18/11/97	04/10/72 (S)	05/09/69 (Acc)
Netherlands	01/14/93	06/30/95	06/22/81 (R)	10/31/30 (R)
New Zealand	01/14/93	07/15/96	12/13/72 (R)	05/24/30 (Acc)
Nicaragua	03/09/93	05/11/99	08/07/75 (R)	10/05/90 (R)
Niger	01/14/93	04/09/97	06/23/72 (R)	04/05/67 (Succ)
Nigeria	01/13/93	05/20/99	07/03/73 (R)	10/15/68 (Acc)
Norway	01/13/93	04/07/94	08/01/73 (R)	07/27/32 (R)

## Appendix V

### THE CHEMICAL WEAPONS CONVENTION, BIOLOGICAL AND TOXIN WEAPONS CONVENTION, GENEVA PROTOCOL

Country	CWC Date Signed	Deposited Ratification	BTWC	Geneva Protocol
Oman	02/02/93	02/08/95	03/31/92 (Acc)	
Pakistan	01/13/93	10/28/97	09/25/74 (R)	04/15/60 (Succ)
Palau				
Panama	06/16/93	10/07/98	03/20/74 (R)	12/04/70 (Acc)
Papua New Guinea	01/14/93	04/17/96	10/27/80 (Acc)	09/02/80 (Succ)
Paraguay	01/14/93	12/01/94	06/09/76 (Acc)	10/22/33 (Acc)
Peru	01/14/93	07/20/95	06/05/85 (R)	08/13/85 (Acc)
Philippines	01/13/93	12/11/96	05/21/73 (R)	06/08/73 (Acc)
Poland	01/13/93	08/23/95	01/25/73 (R)	02/04/29 (R)
Portugal	01/13/93	09/10/96	05/15/75 (R)	07/01/30 (R)
Qatar	02/01/93	10/03/97	04/17/75 (R)	10/18/76 (Acc)
Romania	01/13/93	02/15/95	07/25/79 (R)	08/23/29 (R)
Russian Federation	01/13/93	11/05/97	03/26/75 (R)	04/05/28 (Acc)
Rwanda	05/17/93		05/20/75 (R)	05/11/64 (Succ)
Saint Kitts and Nevis	03/16/94		04/02/91 (Acc)	04/27/89 (Succ)
Saint Lucia	03/29/93	04/09/97	11/26/86 (Acc)	12/21/88 (Succ)
Saint Vincent/Grenadines	09/20/93		05/13/99 (Acc)	05/08/99 (S)
San Marino	01/13/93	12/10/99	03/11/75 (R)	
Sao Tome and Principe			08/24/79 (Acc)	
Saudi Arabia	01/20/93	08/09/96	05/24/72 (R)	01/27/71 (Acc)
Senegal	01/13/93	07/20/98	03/26/75 (R)	06/15/77 (Acc)
Seychelles	01/15/93	04/07/93	10/11/79 (Acc)	
Sierra Leone	01/15/93		06/29/76 (R)	03/20/67 (Acc)
Singapore	01/14/93	05/21/97	12/02/75 (R)	
Slovakia	01/14/93	10/27/95	05/17/93 (Acc)	08/16/38 (R)
Slovenia	01/14/93	11/06/97	04/07/92 (Acc)	
Solomon Islands			06/17/81 (Acc)	06/01/81 (Succ)
Somalia			07/03/72 (S)	
South Africa	01/14/93	09/13/95	11/03/75 (R)	05/24/30 (Acc)
Spain	01/13/93	08/03/94	06/20/79 (R)	08/22/29 (R)
Sri Lanka	01/14/93	08/19/94	11/18/86 (R)	01/20/54 (Acc)
Sudan	05/24/99	05/24/99		12/17/80 (Acc)
Suriname	04/28/97	04/28/97	01/06/91 (Acc)	
Swaziland	09/23/93	11/20/96	06/18/91 (Acc)	07/23/32 (R)
Sweden	01/13/93	06/17/93	02/05/76 (R)	04/25/30 (R)
Switzerland	01/14/93	03/10/95	05/04/76 (R)	07/12/32 (R)
Syrian Arab Republic			04/14/72 (S)	12/17/68 (Acc)
Taiwan			02/09/73 (R)	
Tajikistan	01/14/93	01/11/95		
Thailand	01/14/93		05/28/75 (R)	06/06/31 (R)
Togo	01/13/93	04/23/97	11/10/76 (R)	04/05/71 (Acc)
Tonga			09/28/76 (Acc)	07/19/71 (Succ)
Trinidad and Tobago		06/24/97 (Acc)		08/31/62 (Succ)

## Appendix V

### THE CHEMICAL WEAPONS CONVENTION, BIOLOGICAL AND TOXIN WEAPONS CONVENTION, GENEVA PROTOCOL

Country	CWC Date Signed	Deposited Ratification	BTWC	Geneva Protocol
Tunisia	01/13/93	04/15/97	05/18/73 (R)	07/12/67 (Acc)
Turkey	01/14/93	05/12/97	10/25/74 (R)	10/15/29 (R)
Turkmenistan	10/12/93	09/29/94	01/11/96 (Acc)	
Tuvalu				
Uganda	01/14/93		05/12/90 (Acc)	05/24/65 (Acc)
Ukraine	01/13/93	10/16/98	03/26/75 (R)	
United Arab Emirates	02/02/93		09/28/72 (S)	
United Kingdom	01/13/93	05/13/96	03/26/75 (R)	04/09/30 (R)
United Rep of Tanzania	02/25/94	06/25/98	08/16/72 (S)	04/22/63 (Acc)
United States	01/13/93	04/25/97	03/26/75 (R)	04/10/75 (R)
Uruguay	01/15/93	10/06/94	04/06/81 (Acc)	04/12/77 (R)
Uzbekistan	11/24/95	07/23/96	01/11/96 (Acc)	
Vanuatu			10/12/90 (Acc)	
Venezuela	01/14/93	12/03/97	10/18/78 (R)	02/08/28 (R)
Viet Nam	01/13/93	09/30/98	06/20/80 (Acc)	12/15/80 (Acc)
Western Samoa	01/14/93			
Yemen	02/08/93		06/01/79 (R)	03/17/71 (Acc)
Yugoslavia		04/20/00 (Acc)	10/25/73 (R)	04/12/29 (R)
Zambia	01/13/93			
Zimbabwe	01/13/93	04/25/97	11/05/90 (Acc)	
<b>Membership Total:</b>	<b>172</b>	<b>135</b>	<b>144</b> <b>18 (S only)</b>	<b>133</b>
UPDATE: 15 July 2000				

#### Key:

- Acc - Date of Accession (becoming party to the agreement after it has already entered into force).
- Accept - Date of Acceptance (agreeing to be legally bound by the terms of the Treaty).
- App - Date of Approval (approved by government and awaiting ratification by the legislative process).
- R - Date of Ratification (fulfilling and implementing domestic legislative legal practices to bring about the legal application of the Treaty on the government and other entities to which the Treaty is applicable, such as formal approval by parliament or legislative bodies, and the Treaty is formally declared to be applicable on the State Party, and the required legal instrument of ratification has been duly deposited with the depositary).
- S - Date of Signature (competent authority or representative of a State has affixed its signature to a Treaty text thus indicating acceptance of the Treaty and a commitment not to undertake any actions that would undermine the purpose of the Treaty, according to the Vienna Convention on the Law of treaties, pending formal ratification).
- Succ - Date of Succession (when an original or previous State party ceases to exist and is succeeded by another State or legal entity that formally accepts and takes on the international legal obligations of the former party)

## Appendix VI

### MEMBERSHIP OF SUPPLIER REGIMES

COUNTRY	NSG	Zangger	MTCR	AG	WASS
Afghanistan					
Albania					
Algeria					
Andorra					
Angola					
Antigua and Barbuda					
Argentina	◆	◆	◆	◆	◆
Armenia					
Australia	◆	◆	◆	◆	◆
Austria	◆	◆	◆	◆	◆
Azerbaijan					
Bahamas					
Bahrain					
Bangladesh					
Barbados					
Belarus	◆				
Belgium	◆	◆	◆	◆	◆
Belize					
Benin					
Bhutan					
Bolivia					
Bosnia and Herzegovina					
Botswana					
Brazil	◆		◆		
Brunei Darussalam					
Bulgaria	◆	◆			◆
Burkina Faso					
Burundi					
Cambodia					
Cameroon					
Canada	◆	◆	◆	◆	◆
Cape Verde					
Central African Republic					
Chad					
Chile					
China		◆			
Colombia					
Comoros					
Congo					
Cook Islands					
Costa Rica					
Cote d'Ivoire					

## Appendix VI

### MEMBERSHIP OF SUPPLIER REGIMES

COUNTRY	NSG	Zangger	MTCR	AG	WASS
Croatia					
Cuba					
Cyprus	◆				
Czech Republic	◆	◆	◆	◆	◆
Dem. Rep. of Congo					
Denmark	◆	◆	◆	◆	◆
Djibouti					
Dominica					
Dominican Republic					
Ecuador					
Egypt					
El Salvador					
Equatorial Guinea					
Eritrea					
Estonia					
Ethiopia					
Fiji					
Finland	◆	◆	◆	◆	◆
France	◆	◆	◆	◆	◆
Gabon					
Gambia					
Georgia					
Germany	◆	◆	◆	◆	◆
Ghana					
Greece	◆	◆	◆	◆	◆
Grenada					
Guatemala					
Guinea					
Guinea-Bissau					
Guyana					
Haiti					
Holy See					
Honduras					
Hungary	◆	◆	◆	◆	◆
Iceland			◆	◆	
India					
Indonesia					
Iran (Islamic Republic of)					
Iraq					
Ireland	◆	◆	◆	◆	◆
Israel					
Italy	◆	◆	◆	◆	◆

## Appendix VI

### MEMBERSHIP OF SUPPLIER REGIMES

COUNTRY	NSG	Zangger	MTCR	AG	WASS
Jamaica					
Japan	◆	◆	◆	◆	◆
Jordan					
Kazakhstan					
Kenya					
Korea, Dem. People's Rep. of					
Korea, Republic of	◆	◆		◆	◆
Kuwait					
Kyrgyz Republic					
Lao People's Dem. Republic					
Latvia	◆	◆			
Lebanon					
Lesotho					
Liberia					
Libyan Arab Jamahiriya					
Liechtenstein					
Lithuania					
Luxembourg	◆	◆	◆	◆	◆
Macedonia (Former Yugoslav Rep.)					
Madagascar					
Malawi					
Malaysia					
Maldives					
Mali					
Malta					
Marshall Islands					
Mauritania					
Mauritius					
Mexico					
Micronesia (Federated States of)					
Moldova					
Monaco					
Mongolia					
Morocco					
Mozambique					
Myanmar					
Namibia					
Nepal					
Netherlands	◆	◆	◆	◆	◆
New Zealand	◆		◆	◆	◆
Nicaragua					
Niger					

## Appendix VI

### MEMBERSHIP OF SUPPLIER REGIMES

COUNTRY	NSG	Zangger	MTCR	AG	WASS
Nigeria					
Norway	◆	◆	◆	◆	◆
Oman					
Pakistan					
Palau					
Panama					
Papua New Guinea					
Paraguay					
Peru					
Philippines					
Poland	◆	◆	◆	◆	◆
Portugal	◆	◆	◆	◆	◆
Qatar					
Romania	◆	◆		◆	◆
Russian Federation	◆	◆	◆		◆
Rwanda					
Saint Kitts and Nevis					
Saint Lucia					
Saint Vincent and the Grenadines					
San Marino					
Sao Tome and Principe					
Saudi Arabia					
Senegal					
Seychelles					
Sierra Leone					
Singapore					
Slovakia	◆	◆		◆	◆
Slovenia	☆				
Solomon Islands					
Somalia					
South Africa	◆	◆	◆		
Spain	◆	◆	◆	◆	◆
Sri Lanka					
Sudan					
Suriname					
Swaziland					
Sweden	◆	◆	◆	◆	◆
Switzerland	◆	◆	◆	◆	◆
Syrian Arab Republic					
Tajikistan					
Thailand					
Togo					

## Appendix VI

### MEMBERSHIP OF SUPPLIER REGIMES

COUNTRY	NSG	Zangger	MTCR	AG	WASS
Trinidad and Tobago					
Tunisia					
Turkey	◆	◆	◆		◆
Turkmenistan					
Uganda					
Ukraine	◆	◆	◆		◆
United Arab Emirates					
United Kingdom	◆	◆	◆	◆	◆
United Republic of Tanzania					
United States	◆	◆	◆	◆	◆
Uruguay					
Uzbekistan					
Vanuatu					
Venezuela					
Viet Nam					
Western Samoa					
Yemen					
Yugoslavia					
Zambia					
Zimbabwe					
<b>Membership Total:</b>	<b>38</b>	<b>35</b>	<b>32</b>	<b>30</b>	<b>33</b>
★ - Observer	+EU (P.O.)	+EU (P.O.)		+EU	
P.O.- Permanent Observer					



## Appendix VII

### OUTER SPACE, SEABED, ANTARCTIC AND INHUMANE WEAPONS TREATIES

COUNTRY	OUTER SPACE	SEABED	ANTARCTIC	IWC/CCWC
Afghanistan	01/27/67 (S) 03/21/88 (R)	02/11/71 (S) 04/22/71 (R)		04/10/81 (S)
Albania				
Algeria	01/27/92 (Acc)	01/27/92 (Acc)		
Angola				
Antigua and Barbuda	11/16/88 (Acc)	11/16/88 (Acc)		
Argentina	01/27/67 (S) 03/26/69 (R)	09/03/71 (S) 03/21/83 (R)	12/01/59 (S) 06/23/61 (R)	12/02/81 (S) 10/02/95 (R)
Armenia				
Australia	01/27/67 (S) 10/10/67 (R)	02/11/71 (S) 01/23/73 (R)	12/01/59 (S) 06/23/61 (R)	04/08/82 (S) 09/29/83 (R)
Austria	02/20/67 (S) 02/26/68 (R)	02/11/71 (S) 08/10/72 (R)	08/25/87 (Acc)	04/10/81 (S) 03/14/83 (R)
Bahamas	08/11/76 (Acc)	06/07/89 (Acc)		
Bahrain				
Bangladesh	01/14/86 (Acc)			
Barbados	09/12/68 (Acc)			
Belarus	02/10/67 (S) 10/31/67 (R)	03/03/71 (S) 09/14/71 (R)		04/10/81 (S) 06/23/82 (R)
Belgium	01/27/67 (S) 03/30/73 (R)	02/11/71 (S) 11/20/72 (R)	12/01/59 (S) 07/23/60 (R)	04/10/81 (S) 02/07/95 (R)
Belize				
Benin	06/19/86 (Acc)	03/18/71 (S) 07/02/86 (R)		03/27/89 (Acc)
Bhutan				
Bolivia	01/27/67 (S)	02/11/72 (S)		
Bosnia and Herzegovina		08/15/94 (Succ)		09/01/93 (Succ)
Botswana	01/27/67 (S)	02/11/71 (S) 11/10/72 (R)		
Brazil	01/30/67 (S) 03/05/69 (R)	09/03/71 (S) 05/10/88 (R)	05/16/75 (Acc)	10/03/95 (Acc)
Brunei Darussalam				
Bulgaria	01/27/67 (S) 01/28/67 (R)	02/11/71 (S) 04/16/71 (R)	09/11/78 (Acc)	04/10/81 (S) 10/15/82 (R)
Burkina Faso	03/03/67 (S) 06/18/68 (R)			
Burundi	01/27/67 (S)	02/11/71 (S)		
Cambodia		02/11/71 (S)		03/25/97 (Acc)
Cameroon	01/27/67 (S)	11/11/71(S)		
Canada	01/27/67 (S) 10/10/67 (R)	02/11/71 (S) 05/17/72 (R)	05/04/88 (Acc)	04/10/81 (S) 06/24/94 (R)

## Appendix VII

### OUTER SPACE, SEABED, ANTARCTIC AND INHUMANE WEAPONS TREATIES

COUNTRY	OUTER SPACE	SEABED	ANTARCTIC	IWC/CCWC
Cape Verde		10/24/79 (Acc)		09/16/97 (Acc)
Central African Republic	01/27/67 (S)	02/11/71 (S) 07/09/81 (R)		
Chad				
Chile	01/27/67 (S) 10/08/81 (R)		12/01/59 (S) 06/23/61 (R)	
China	12/30/83 (Acc)	02/28/91 (Acc)	06/08/83 (Acc)	09/14/81 (S) 04/07/82 (R)
Colombia	01/27/67 (S)	02/11/71 (S)	01/31/89 (Acc)	03/06/00 (Acc)
Congo		10/23/78 (Acc)		
Costa Rica		02/11/71 (S)		12/17/98 (Acc)
Cote d'Ivoire		01/14/72 (Acc)		
Croatia				12/02/93 (S)
Cuba	06/03/77 (Acc)	06/03/77 (Acc)	08/16/84 (Acc)	04/10/81 (S) 03/02/87 (R)
Cyprus	01/27/67 (S) 07/05/72 (R)	02/11/71 (S) 11/17/71 (R)		12/12/88 (Acc)
Czech Republic	01/01/93 (Acc)	04/09/93 (Succ)	01/01/93 (Acc)	02/22/93 (Succ)
Dem. Rep. of the Congo	01/27/67 (S)			
Denmark	01/27/67 (S) 10/10/67 (R)	02/11/71 (S) 06/15/71 (R)	05/20/65 (Acc)	04/10/81 (S) 07/07/82 (R)
Djibouti				07/29/96 (Acc)
Dominica				
Dominican Republic	01/27/67 (S) 11/21/68 (R)	02/11/71 (S) 02/11/72 (R)		
Ecuador	01/27/67 (S) 03/07/69 (R)		09/15/87 (Acc)	09/09/81 (S) 05/04/82 (R)
Egypt	01/27/67 (S) 03/07/69 (R)			
El Salvador	01/27/67 (S) 01/15/69 (R)			01/26/00 (Acc)
Equatorial Guinea	01/16/89 (Acc)	06/04/71 (S)		
Estonia				04/20/00 (Acc)
Ethiopia	01/27/67 (S)	02/11/71 (S) 07/14/77 (R)		
Fiji	07/18/72 (Acc)			
Finland	01/27/67 (S) 07/12/67 (R)	02/11/71 (S) 06/08/71 (R)	05/15/84 (Acc)	04/10/81 (S) 05/08/82 (R)
France	09/25/67 (S) 08/05/70 (R)		12/01/59 (S) 09/16/60 (R)	04/10/81 (S) 05/04/88 (R)

## Appendix VII

### OUTER SPACE, SEABED, ANTARCTIC AND INHUMANE WEAPONS TREATIES

COUNTRY	OUTER SPACE	SEABED	ANTARCTIC	IWC/CCWC
Gabon				
Gambia	06/02/67 (S)	05/18/71 (S)		
Georgia				04/29/96 (Acc)
Germany	01/27/67 (S) 02/10/71 (R)	06/08/71 (S) 11/18/75 (R)	02/05/79 (Acc)	04/10/81 (S) 11/25/92 (R)
Ghana	01/27/67 (S)	02/11/71 (S) 08/09/72 (R)		
Greece	01/27/67 (S) 01/19/71 (R)	02/11/71 (S) 05/28/85 (R)	01/08/87 (Acc)	04/10/81 (S) 01/28/92 (R)
Grenada				
Guatemala		02/11/79 (S) 04/01/96 (R)	07/03/91 (Acc)	07/21/83 (Acc)
Guinea		02/11/71 (S)		
Guinea-Bissau	08/20/76 (Acc)	08/20/76 (Acc)		
Guyana	02/03/67 (S)			
Haiti	01/27/67 (S)			
Holy See	04/05/67 (S)			07/22/97 (Acc)
Honduras	01/27/67 (S)	02/11/71 (S)		
Hungary	01/27/67 (S) 06/26/67 (R)	02/11/71 (S) 08/13/71 (R)	01/27/84 (Acc)	04/10/81 (S) 06/14/82 (R)
Iceland	01/27/67 (S) 02/05/68 (R)	02/11/71 (S) 05/30/72 (R)		
India	03/03/67 (S) 01/18/82 (R)	07/20/73 (Acc)	08/19/83 (Acc)	05/15/81 (S) 03/01/84 (R)
Indonesia	01/27/67 (S)			
Iran (Islamic Republic of)	01/27/67 (S)	02/11/71 (S) 08/26/71 (R)		
Iraq	02/27/67 (S) 12/04/68 (R)	02/22/71 (S) 09/13/72 (R)		
Ireland	01/27/67 (S) 07/17/68 (R)	02/11/71 (S) 08/19/71 (R)		04/10/81 (S) 03/13/95 (R)
Israel	01/27/67 (S) 02/18/77 (R)			03/22/95 (Acc)
Italy	01/27/67 (S) 05/04/72 (R)	02/11/71 (S) 09/03/74 (R)	03/18/81/(Acc)	04/10/81 (S) 01/20/95 (Acc)
Jamaica	06/29/67 (S) 08/06/70 (R)	10/14/71 (S)		
Japan	01/27/67 (S) 10/10/67 (R)	02/11/71 (S) 06/21/71 (R)	12/01/59 (S) 08/04/60 (R)	09/22/81 (S) 06/09/82 (Acc)
Jordan	02/02/67 (S)	02/11/71 (S) 08/17/71 (R)		10/19/95 (Acc)
Kazakhstan	6/11/1998 (Acc)			
Kenya	01/19/84 (Acc)			

## Appendix VII

### OUTER SPACE, SEABED, ANTARCTIC AND INHUMANE WEAPONS TREATIES

COUNTRY	OUTER SPACE	SEABED	ANTARCTIC	IWC/CCWC
Kiribati				
Korea, [DPR]			01/21/87 (Acc)	
Korea, Republic of	01/27/67 (S) 10/13/67 (R)	02/11/71 (S) 06/25/87 (R)	11/28/86 (Acc)	
Kuwait	06/07/72 (Acc)			
Lao [PDR]	01/27/67 (S) 11/27/72 (R)	02/11/71 (S) 06/25/87 (R)		01/03/83 (Acc)
Latvia		08/03/92 (Acc)		01/04/93 (Acc)
Lebanon	02/23/67 (S) 03/31/69 (R)	02/11/71 (S)		
Lesotho	01/27/67 (S)	09/08/71 (S) 04/03/73 (R)		
Liberia		02/11/71 (S)		
Libyan Arab Jamahiriya	07/03/68 (Acc)			
Liechtenstein		05/30/91 (Acc)		02/11/82 (S) 08/16/89 (R)
Lithuania				06/03/98 (Acc)
Luxembourg	01/27/67 (S)	02/11/71 (S) 11/11/82 (R)		04/10/81 (S) 05/21/96 (R)
Macedonia, [FRY]				12/30/96 (Succ)
Madagascar	08/22/68 (Acc)	09/14/71 (S)		
Malawi				
Malaysia	02/20/67 (S)	05/20/71 (S) 06/21/72 (R)		
Maldives				
Mali	06/11/68 (Acc)	02/11/71 (S)		
Malta		02/11/71 (S) 05/04/71 (R)		06/26/95 (Acc)
Mauritania				
Mauritius	04/07/69 (Acc)	02/11/71 (S) 04/23/71 (R)		05/06/96 (Acc)
Mexico	01/27/67 (S) 01/31/68 (R)	03/23/84 (Acc)		04/10/81 (S) 02/11/82 (R)
Moldova				
Monaco				08/12/97 (Acc)
Mongolia	01/27/67 (S) 10/10/67 (R)	02/11/71 (S) 10/08/71 (R)		04/10/81 (S) 06/08/82 (R)
Morocco	12/21/67 (Acc)	02/11/71 (S) 08/05/71 (R)		
Myanmar	05/22/67 (S) 03/18/70 (R)	02/11/71 (S)		
Nepal	02/03/67 (S) 10/10/67 (R)	02/11/71 (S) 07/06/71 (R)		

## Appendix VII

### OUTER SPACE, SEABED, ANTARCTIC AND INHUMANE WEAPONS TREATIES

COUNTRY	OUTER SPACE	SEABED	ANTARCTIC	IWC/CCWC
Netherlands	02/10/67 (S) 10/10/69 (R)	02/11/71 (S) 01/14/76 (R)	03/30/67 (Acc)	04/10/81 (S) 06/18/87 (Acc)
New Zealand	01/27/67 (S) 05/31/68 (R)	02/11/71 (S) 02/24/72 (R)	12/01/59 (S) 11/01/60 (R)	04/10/81 (S) 10/18/93 (R)
Nicaragua	02/13/67 (S)	02/11/71 (S) 02/07/73 (R)		
Niger	02/01/67 (S) 04/17/67 (R)	02/11/71 (S) 08/09/71 (R)		11/10/92 (Acc)
Nigeria	11/14/67 (Acc)			
Norway	02/03/67 (S) 07/01/69 (R)	02/11/71 (S) 06/28/71 (R)	12/01/59 (S) 08/24/60 (R)	04/10/81 (S) 06/07/83 (R)
Oman				
Pakistan	09/12/67 (S) 04/08/68 (R)			01/26/82 (S) 04/01/85 (R)
Panama	01/27/67 (S)	02/11/71 (S) 03/20/74 (R)		03/26/97 (Acc)
Papua New Guinea	10/27/80 (Acc)		03/06/81 (Acc)	
Paraguay		02/23/71 (S)		
Peru	02/28/79 (Acc)		04/10/81 (Acc)	07/03/97 (Acc)
Philippines	01/27/67 (S)	11/05/93 (Acc)		05/15/81 (S) 07/15/96 (R)
Poland	01/27/67 (S) 01/30/68 (R)	02/11/71 (S) 11/15/71 (R)	06/08/61 (Acc)	04/10/81 (S) 06/02/83 (R)
Portugal	05/29/96 (Acc)	06/24/75 (Acc)		04/10/81 (S) 04/04/97 (R)
Qatar		11/12/74 (Acc)		
Romania	01/27/67 (S) 04/09/68 (R)	02/11/71 (S) 07/10/72 (R)	09/15/71 (Acc)	04/08/82 (S) 06/26/95 (R)
Russian Federation	01/27/67 (S) 10/10/67 (R)	02/11/71 (S) 05/18/72 (R)	12/01/59 (S) 06/21/60 (R)	04/10/81 (S) 06/10/82 (R)
Rwanda	01/27/67 (S)	02/11/71 (S) 05/20/75 (R)		
Saint Kitts and Nevis		09/19/83 (Succ)		
Saint Lucia		02/22/79 (Succ)		
Saint Vincent/Grenadines	05/13/99 (Acc)	05/13/99 (Succ)		
San Marino	04/21/67 (S) 10/29/68 (R)			
Sao Tome and Principe		08/24/79 (Acc)		
Saudi Arabia	12/17/76 (Acc)	01/07/72 (S) 06/23/72 (R)		
Senegal		03/17/71 (S)		11/29/99 (Acc)
Serbia-Montenegro				
Seychelles	01/05/78 (Acc)	03/12/85 (Acc)		06/08/00 (Acc)

## Appendix VII

### OUTER SPACE, SEABED, ANTARCTIC AND INHUMANE WEAPONS TREATIES

COUNTRY	OUTER SPACE	SEABED	ANTARCTIC	IWC/CCWC
Sierra Leone	01/27/67 (S) 07/13/67 (R)	02/11/71 (S)		
Singapore	09/10/76 (Acc)	05/05/71 (S) 09/10/76 (R)		
Slovakia	01/01/93 (Acc)	01/01/93 (Succ)	01/01/93 (Succ)	05/28/93 (Succ)
Slovenia		04/07/92 (Succ)		06/25/92 (Succ)
Solomon Islands		06/17/81 (Succ)		
Somalia	02/02/67 (S)			
South Africa	03/01/67 (S) 09/30/68 (R)	02/11/71 (S) 11/14/73 (R)	12/01/59 (S) 06/21/60 (R)	09/13/95 (Acc)
Spain	11/27/68 (Acc)	07/15/87 (Acc)	03/31/82 (Acc)	04/10/81 (S) 12/29/93 (R)
Sri Lanka	03/10/67 (S) 11/18/86 (R)			
Sudan		02/11/71 (S)		
Suriname				
Swaziland		02/11/71 (S) 08/09/71 (R)		
Sweden	01/27/67 (S) 10/11/67 (R)	02/11/71 (S) 04/28/72 (R)	04/24/84 (Acc)	04/10/81 (S) 07/07/82 (R)
Switzerland	01/27/67 (S) 12/18/69 (R)	02/11/71 (S) 05/04/76 (R)	11/15/90 (Acc)	06/18/81 (S) 08/20/82 (R)
Syrian Arab Republic	11/14/68 (Acc)			
Taiwan	01/27/67 (S) 07/24/70 (R)	02/11/71 (S) 02/22/72 (R)		
Tajikistan				10/12/99 (Acc)
Thailand	01/27/67 (S) 09/05/68 (R)			
Togo	01/27/67 (S) 06/26/89 (R)	04/02/71 (S) 06/18/71 (R)		09/15/81 (S) 12/04/95 (Acc)
Tonga	07/07/71 (Acc)			
Trinidad and Tobago	07/24/67 (S)			
Tunisia	01/27/67 (S) 03/28/68 (R)	02/11/71 (S) 10/22/71 (R)		05/15/87 (Acc)
Turkey	01/27/67 (S) 03/27/68 (R)	02/25/71 (S) 10/19/72 (R)	01/24/96 (Acc)	
Turkmenistan				
Tuvalu				
Uganda	04/24/68 (Acc)			11/14/95 (Acc)
Ukraine	02/10/67 (S) 10/31/67 (R)	03/03/71 (S) 09/03/71 (R)	10/28/92 (Acc)	04/10/81 (S) 06/23/82 (R)
United Arab Emirates				
United Kingdom	01/27/67 (S) 10/10/67 (R)	02/11/71 (S) 05/18/72 (R)	12/01/59 (S) 05/31/60 (R)	04/10/81 (S) 06/23/82 (R)

## Appendix VII

### OUTER SPACE, SEABED, ANTARCTIC AND INHUMANE WEAPONS TREATIES

COUNTRY	OUTER SPACE	SEABED	ANTARCTIC	IWC/CCWC
UR of Tanzania		02/11/71 (S)		
United States	01/27/67 (S) 10/10/67 (R)	02/11/71 (S) 05/18/72 (R)	12/01/59 (S) 08/18/60 (R)	04/08/82 (S) 03/24/95 (R)
Uruguay	01/27/67 (S) 08/31/70 (R)	02/11/71 (S)	03/24/99 (Acc)	10/06/94 (Acc)
Uzbekistan				09/29/97 (Acc)
Vanuatu				
Venezuela	01/27/67 (S) 03/03/70 (R)			
Viet Nam	06/20/80 (Acc)	06/20/80 (Acc)		
Western Samoa				
Yemen	06/01/79 (Acc)	02/23/71 (S) 06/01/79 (R)		
Yugoslavia	01/27/67 (S)	03/02/71 (S) 10/25/73 (R)		05/05/81 (S) 05/24/83 (R)
Zambia	08/20/73 (Acc)	10/09/72 (Acc)		
Zimbabwe				
<b>Membership Total:</b>	<b>96 Parties</b> <b>27 (S only)</b>	<b>95 Parties</b> <b>21 (S only)</b>	<b>44 Parties</b>	<b>77 Parties</b> <b>2 (S only)</b>

#### Key:

- Acc - Date of Accession (becoming party to the agreement after it has already entered into force).
- R - Date of Ratification (fulfilling and implementing domestic legislative legal practices to bring about the legal application of the Treaty on the government and other entities to which the Treaty is applicable, such as formal approval by parliament or legislative bodies, and the Treaty is formally declared to be applicable on the State Party, and the required legal instrument of ratification has been duly deposited with the depositary).
- S - Date of Signature (competent authority or representative of a State has affixed its signature to a Treaty text thus indicating acceptance of the Treaty and a commitment not to undertake any actions that would undermine the purpose of the Treaty, according to the Vienna Convention on the Law of treaties, pending formal ratification).
- Succ - Date of Succession (when an original or previous State party ceases to exist and is succeeded by another State or legal entity that formally accepts and takes on the international legal obligations of the former party).

## Appendix VIII

### MEMBERSHIP OF REGIONAL ORGANIZATIONS

COUNTRY	OSCE	EAPC/NACC	CIS	EURATOM	NEA	KEDO
Albania	◆	◆				
Andorra	◆					
Armenia	◆	◆	◆			
Australia					◆	◆
Austria	◆			◆	◆	
Azerbaijan	◆	◆	◆			
Belarus	◆	◆	◆			
Belgium	◆	◆		◆	◆	
Bosnia and Herzegovina	◆					
Bulgaria	◆	◆				
Canada	◆	◆			◆	◆
Chile						◆
Croatia	◆					
Cyprus	◆					
Czech Republic	◆	◆			◆	
Denmark	◆	◆		◆	◆	
Estonia	◆	◆				
Finland	◆			◆	◆	◆
France	◆	◆		◆	◆	
Georgia	◆	◆	◆			
Germany	◆	◆		◆	◆	
Greece	◆	◆		◆	◆	
Holy See	◆					
Hungary	◆	◆			◆	
Iceland	◆	◆			◆	
Indonesia						◆
Ireland	◆			◆	◆	
Italy	◆	◆		◆	◆	
Japan	☆				◆	◆
Kazakhstan	◆	◆	◆			
Korea, Republic of	☆				◆	◆
Kyrgyzstan	◆	◆	◆			
Latvia	◆	◆				
Liechtenstein	◆					
Lithuania	◆	◆				
Luxembourg	◆	◆		◆	◆	
Macedonia	◆	◆				
Malta	◆					
Mexico					◆	
Moldova	◆	◆	◆			
Monaco	◆					
Netherlands	◆	◆		◆	◆	



## Appendix VIII

### MEMBERSHIP OF REGIONAL ORGANIZATIONS

COUNTRY	OSCE	EAPC/NACC	CIS	EURATOM	NEA	KEDO
New Zealand						◆
Norway	◆	◆			◆	
Poland	◆	◆				
Portugal	◆	◆		◆	◆	
Romania	◆	◆				
Russian Federation	◆	◆	◆			
San Marino	◆					
Slovakia	◆	◆				
Slovenia	◆	◆				
Spain	◆	◆		◆	◆	
Sweden	◆			◆	◆	
Switzerland	◆				◆	
Tajikistan	◆	◆	◆			
Turkey	◆	◆			◆	
Turkmenistan	◆	◆	◆			
Ukraine	◆	◆	◆			
United Kingdom	◆	◆		◆	◆	
United States	◆	◆			◆	◆
Uzbekistan	◆	◆	◆			
Yugoslavia *	◆					
<b>Membership Total:</b>	<b>55</b>	<b>40</b>	<b>12</b>	<b>15</b>	<b>27</b>	<b>9</b>

★ - observer

\* Yugoslavia (Serbia & Montenegro) was suspended from the OSCE on August 7, 1992.

The Former Yugoslav Republic of Macedonia participates in the OSCE as an observer.

## Appendix VIII Membership of Regional Organizations

### AFRICA: ANWFZ

COUNTRY	Signed	Ratified
Algeria	11 Apr 96	
Angola	11 Apr 96	
Benin	11 Apr 96	
Botswana	11 Apr 96	
Burkina Faso	11 Apr 96	
Burundi	11 Apr 96	
Cameroon	11 Apr 96	
Cape Verde	11 Apr 96	
Central African Republic	11 Apr 96	
Chad	11 Apr 96	
Comoros	11 Apr 96	
Congo	11 Apr 96	
Cote d'Ivoire	11 Apr 96	
Democratic Republic of the Congo	11 Apr 96	
Djibouti	11 Apr 96	
Egypt	11 Apr 96	
Equatorial Guinea	11 Apr 96	
Eritrea	11 Apr 96	
Ethiopia	11 Apr 96	
Gabon	11 Apr 96	
Gambia	11 Apr 96	03 Sep 96
Ghana	11 Apr 96	
Guinea	11 Apr 96	
Guinea-Bissau	11 Apr 96	
Kenya	11 Apr 96	
Lesotho	11 Apr 96	
Liberia	09 Jul 96	09 Jul 96
Libyan Arab Jamahiriya	11 Apr 96	
Madagascar		
Malawi	11 Apr 96	
Mali	11 Apr 96	
Mauritania	11 Apr 96	19 Apr 96
Mauritius	11 Apr 96	
Morocco	11 Apr 96	
Mozambique	11 Apr 96	
Namibia	11 Apr 96	
Niger	11 Apr 96	
Nigeria	11 Apr 96	
Rwanda	11 Apr 96	
Sao Tome and Principe	09 Jul 96	
Senegal	11 Apr 96	
Seychelles	09 Jul 96	
Sierra Leone	11 Apr 96	
Somalia	11 Apr 96	
South Africa	11 Apr 96	

## Appendix VIII Membership of Regional Organizations

### AFRICA: ANWFZ

<b>COUNTRY</b>	<b>Signed</b>	<b>Ratified</b>
South Africa	11 Apr 96	
Sudan	11 Apr 96	
Swaziland	11 Apr 96	
Togo	11 Apr 96	
Tunisia	11 Apr 96	
Uganda	11 Apr 96	
United Rep. of Tanzania	11 Apr 96	
Zambia	11 Apr 96	
Zimbabwe	11 Apr 96	
<b>Membership Total:</b>	<b>52</b>	<b>3</b>

### ASIA: SEANWFZ

<b>COUNTRY</b>	<b>Signed</b>	<b>Ratified</b>
Brunei Darussalam	15 Dec 95	22 Nov 96
Cambodia	15 Dec 95	27 Mar 97
Indonesia	15 Dec 95	10 Apr 97
Laos	15 Dec 95	16 Jul 96
Malaysia	15 Dec 95	11 Oct 96
Myanmar	15 Dec 95	17 Jul 96
Philippines	15 Dec 95	Not Ratified
Singapore	15 Dec 95	27 Mar 97
Thailand	15 Dec 95	20 Mar 97
Viet Nam	15 Dec 95	26 Nov 96
<b>Membership Total:</b>	<b>10</b>	<b>9</b>

**Appendix VIII**  
**Membership of Regional Organizations**  
**LATIN AMERICA/CARIBBEAN: LANWFZ**

<b>COUNTRY</b>	<b>Signed</b>	<b>Ratified</b>
Antigua and Barbuda	11 Oct 83	11 Oct 83
Argentina	27 Sep 67	31 Jan 94
Bahamas	29 Nov 76	26 Apr 77
Barbados	18 Oct 68	25 Apr 69
Belize	14 Feb 92	09 Nov 94
Bolivia	14 Feb 67	18 Feb 69
Brazil	09 May 67	29 Jan 68
Chile	14 Feb 67	09 Oct 74
Colombia	14 Feb 67	04 Aug 72
Costa Rica	14 Feb 67	25 Aug 69
Cuba	25 Mar 95	Not Ratified
Dominica	02 May 89	04 Jun 93
Dominican Republic	28 Jul 67	14 Jun 68
Ecuador	14 Feb 67	11 Feb 69
El Salvador	14 Feb 67	22 Apr 68
Grenada	29 Apr 75	20 Jun 75
Guatemala	14 Feb 67	06 Feb 70
Guyana	16 Jan 95	16 Jan 95
Haiti	14 Feb 67	23 May 69
Honduras	14 Feb 67	23 Sep 68
Jamaica	26 Oct 67	26 Jun 69
Mexico	14 Feb 67	20 Sep 67
Nicaragua	15 Feb 67	24 Oct 68
Panama	14 Feb 67	11 Jun 71
Paraguay	26 Apr 67	19 Mar 69
Peru	14 Feb 67	04 Mar 69
St. Kitts and Nevis	18 Feb 94	18 Apr 95
St. Lucia	25 Aug 92	02 Jun 95
St. Vincent and the Grenadines	14 Feb 92	14 Feb 92
Suriname	13 Feb 76	10 Jun 77
Trinidad and Tobago	27 Jun 67	03 Dec 70
Uruguay	14 Feb 67	20 Aug 68
Venezuela	14 Feb 67	23 Mar 70
<b>Membership Total:</b>	<b>33</b>	<b>32</b>

## Appendix VIII Membership of Regional Organizations

### SOUTH PACIFIC: SPNFZ

COUNTRY	Signed	Ratified
Australia	06 Aug 85	11 Dec 86
Cook Islands	06 Aug 85	28 Oct 85
Fiji	06 Aug 85	04 Oct 85
Kiribati	06 Aug 85	28 Oct 86
Marshall Islands	*	
Micronesia (FS)	*	
Nauru	17 Jul 86	13 Apr 87
New Zealand	06 Aug 85	13 Nov 86
Niue	06 Aug 85	12 May 86
Palau	*	
Papua New Guinea	16 Sep 85	15 Sep 89
Solomon Islands	29 May 87	27 Jan 89
Tonga	02 Aug 96	
Tuvalu	06 Aug 85	16 Jan 86
Vanuatu	16 Sep 95	09 Feb 96
Western Samoa	06 Aug 85	20 Oct 86
<b>Membership Totals</b>	<b>13</b>	<b>12</b>

\* Not Yet Signed

### NUCLEAR WEAPON-FREE ZONES: PROTOCOL SIGNATURES

NUCLEAR-WEAPON STATES	TLATELOLCO	RAROTONGA	PELINDABA	BANGKOK
China	21 Aug 73	10 Feb 87	11 Apr 96	
France	18 Jul 73	25 Mar 96	11 Apr 96	
Russian Federation	18 May 78	15 Dec 86	11 Apr 96	
United Kingdom	20 Dec 67	25 Mar 96	11 Apr 96	
United States	01 Apr 68	25 Mar 96	11 Apr 96	
NON-NUCLEAR-WEAPON STATES	TLATELOLCO	RAROTONGA	PELINDABA	BANGKOK
Netherlands	15 May 68	NA	NA	NA
Spain	NA	NA		NA

## Appendix IX

## COMPARATIVE CHART OF NUCLEAR WEAPON-FREE ZONES

TREATY Signed In Force Parties Duration	Zone of Application	Basic Prohibitions	Review Conferences / Dispute Settlement	Enforcement	Significant Differences	Special Protocols for NWS	Negative Security Assurances from NWS
<b>Treaty of Antarctica</b> 12/1/59 6/23/61 42 indefinite	Antarctica, including ice shelves.	No military use of Antarctica; no nuclear explosions (peaceful or otherwise); no nuclear waste storage.	Meetings at "suitable intervals;" review after 30 years;" cooperative dispute resolution, then to the ICJ.	Designated observers can inspect "any and all areas of Antarctica," including ships and planes in port.	No military use, nuclear or otherwise; prohibits new claims to Antarctica.	None.	None.
<b>Treaty of Tlatelolco</b> 2/14/67 4/22/68 33 indefinite	Mexico, the Caribbean, Central America, and South America.	No testing, use, manufacture, production, acquisition, receipt, storage, installation, or deployment of nuclear weapons; no encouraging the above.	Biennial sessions; cooperative dispute resolution, then to the ICJ.	Exchange of reports; IAEA safeguarding; violations reported to UN Security Council, UN General Assembly, OAS, and IAEA.	Allows peaceful nuclear explosions with transparency, however this controversial provision has been negated by NPT states.	I: NWS with territories in the zone to accede, not including the continental United States; NWS will not contribute to violations; France, U.K. and U.S. have signed.	II: NWS will not use or threaten to use nuclear weapons against Treaty Parties; all have ratified.
<b>Treaty of Rarotonga</b> 8/6/85 12/11/86 13 indefinite	Australia, New Zealand, and the South Pacific Forum.	No production, acquisition, possession, testing, or control of any nuclear explosive device; no encouraging the above; no fissile material or related equipment provided to NWS or NNWS unless under NPT and IAEA regulations; no radioactive dumping or storage.	Regular reports, but meetings must be called by a Party; cooperative dispute resolution only.	Exchange of reports; IAEA safeguarding; special inspections of any relevant area.	Prohibits all nuclear activity, peaceful or otherwise, except export of equipment and materials for peaceful nuclear use under the NPT and IAEA.	I: NWS with territories in the zone to accede; all three have signed; France has ratified; III: NWS will not test in the zone; all signed; U.K. and U.S. have not ratified.	II: NWS will not use or threaten to use any nuclear explosive device against Treaty Parties or territories of states that have acceded to the Treaty; all have signed; U.K. and U.S. have not ratified.
<b>Bangkok Treaty</b> 12/15/95 3/27/97 10 indefinite	Southeast Asia.	No production, acquisition, possession, testing, transporting, stationing, or control of nuclear weapons; no encouraging the above; no fissile material or related equipment provided to NWS or NNWS unless under NPT and IAEA regulations; no radioactive dumping or storage.	Meeting concurrent with ASEAN sessions; 10 year review conference; cooperative dispute resolution, then refer problems to	Exchange of reports; IAEA safeguarding; fact-finding mandate.	Allows peaceful safeguarded nuclear programs; states decide for themselves whether to allow foreign nuclear weapons passage through territory	None.	I: NWS will not use or threaten to use nuclear weapons against any State Party, or in the zone; none has signed.
<b>Pelindaba Treaty</b> 4/11/96 -- 52 indefinite	Africa, island OAU members.	No research, development, production, acquisition, assistance, control, or testing of nuclear explosive devices; no assistance or encouragement of the above; mandates reversal of nuclear capabilities according to IAEA procedures; mandates IAEA physical protection procedures; prohibits armed attack of nuclear installations	Biennial sessions; cooperative dispute resolution, then referred to the ICJ.	Exchange of reports, African Commission on Nuclear Energy.	Specifically prohibits nuclear weapon research; mandates nuclear weapon program reversal.	II: NWS will not test in the zone; all have signed; France has ratified; III: (France) will apply provisions to its territories in the zone; France has ratified	I: NWS will not use or threaten to use nuclear weapons against any Treaty Party or any territory in the zone belonging to a State Party to Protocol III; France has ratified.

NOTE: The primary sources for this table are OPANAL, *Las Zonas Libres de Armas Nucleares, sobre la huella del Tratado de Tlatelolco*, 2/14/97; and the U.S. Arms Control and Disarmament Agency.

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