

2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Main Committee II

Summary record of the 6th meeting

Held at Headquarters, New York, on Monday, 15 August 2022, at 3 p.m.

Chair: Ms. Krois. (Poland)

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The meeting was called to order at 3.05 p.m.

Draft report of Main Committee II
(NPT/CONF.2020/MC.II/CRP.1)

1. **The Chair** said that she had finalized the draft report of the Committee (NPT/CONF.2020/MC.II/CRP.1), which addressed the review of the implementation of the Treaty on the Non-Proliferation of Nuclear Weapons, as well as forward-looking actions. The exchange of views on the draft report would take place over the five meetings scheduled for that week. The agenda of the final scheduled meeting would include the review of the draft report of subsidiary body 2 and the review and adoption of the draft report of the Committee to the plenary. The goal, ambitious but within reach, was to send the report to the plenary as a reflection of what delegations were willing to agree to in a final document. Discussion of the draft report would be organized around thematic issues.

2. In drafting the report, she and her team had considered the background of what the Committee had been asked to do, namely, to take into account the decisions of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, the Final Document of the 2000 Review Conference and the conclusions and recommendations of the 2010 Review Conference. Additionally, she had looked at the language from the 2010 Review Conference, which provided a good starting point for potentially acceptable language. Then, seeking to bring past agreed language into the current context, she had focused on areas of common ground.

3. Having listened carefully to, studied and reviewed the statements, recommendations and proposals made by delegations, she had then made a good faith effort to incorporate them into the document. Many delegations would recognize their words in the draft. The purpose of Committee discussions was to ensure an open exchange on all issues of interest to States parties. She encouraged States parties to consult with one another on areas where it was necessary to do so in order to reach agreement.

4. **Mr. Vishnevetskii** (Russian Federation) said that he would first like to understand how the Chair intended to proceed with work on the draft report. He wondered whether delegations should concentrate their attention on the most problematic paragraphs of the draft, or whether they would proceed paragraph by paragraph to determine which parts of the text were more or less acceptable and consider the problematic paragraphs separately. Furthermore, his delegation would appreciate clarification on how the Chair would handle consideration of language proposed by delegations that

had not yet been included in the draft report and, specifically, whether she would present those proposals by inserting them into the text or circulating them in an annex to the so-called zero draft to enable delegations to consider them and compare them to their own proposals. Prior to the meeting, his delegation had submitted its proposals to the Committee secretariat for distribution.

5. **The Chair** said that the substantive issues that delegations had particular views on would determine how she would steer the discussion. Comments would be solicited cluster by cluster. She did not intend to open discussion on every paragraph or to draft in the meeting, which would be the responsibility of the Drafting Committee. Rather, she wished to ascertain whether the document was acceptable to the membership of the Committee and to determine whether there were particular substantive issues of such concern that the document could not be accepted.

6. She had studied and considered all proposals received before the draft report had been issued, and all proposals submitted in a timely manner had been included in the report. Many of the proposals contained references to the issues addressed in the draft report, and she had approached those issues in a manner conducive to finding common ground. She had not suggested that any proposals that had clearly been unacceptable be considered as a basis for common ground.

7. Delegations would find language on issues of common concern included in the draft report. Clearly, not every one of the approximately 250 proposals had been incorporated into the draft. She had also considered all recommendations read out or mentioned in meetings, incorporating language that she considered to be common ground into the draft report and adapting the language to produce a report that all delegations would find acceptable.

8. **Ms. van Heek ter Hoeve** (Netherlands) said that the draft report seemed to provide a good basis for discussion, in view of the divergent views expressed over the previous weeks. She noted that the language on several sensitive issues had been based on the Final Document of the 2010 Review Conference of the Parties to the Non-Proliferation Treaty. She hoped that common ground could be found on certain issues, with a view to making some progress, however modest.

9. **Mr. Roethlin** (Austria) said that his delegation appreciated the substantive draft report as a basis for further work towards a consensus that contained stronger language and built upon previous commitments. His delegation particularly appreciated the underscoring of the critical role of the International Atomic Energy Agency (IAEA), its safeguards mandate

and the manner in which it was discharging its mandate. Also welcome were the calls to amend or rescind small quantities protocols and language concerning the Zaporizhzhia nuclear power plant.

10. With regard to potential improvements, the manner in which the additional protocol was framed could be enhanced, given that, in addition to being a confidence-building measure, the protocol was essential to ensuring the highest level of compliance with non-proliferation obligations. Over the previous two weeks, many delegations had concurred that the comprehensive safeguards agreement and the additional protocol constituted not only integral elements of the safeguards system but the safeguards verification standard. Clearer language was also necessary in the paragraph on naval nuclear propulsion, which omitted an important pathway to compliance with the provisions of the Non-Proliferation Treaty, namely, the total elimination of nuclear weapons. The notion that the best way to limit the spread of such weapons was their total elimination should be articulated in the text, as should the fact that underscoring the importance of nuclear weapons could be a powerful driver for proliferation.

11. **Ms. Foistner** (Germany) said that the draft report accurately reflected the Committee's discussions over the previous week and many landing zones for the more controversial issues discussed. Her delegation particularly appreciated that the objective of universality of the Non-Proliferation Treaty was underlined, that safeguards and the important role of IAEA were treated in a comprehensive and balanced manner, and that the role and objectives of nuclear-weapon-free zones had been adequately reflected. The results of the Committee's discussion on regional issues with respect to the Middle East in subsidiary body 2 would have to complement that focus on nuclear-weapon-free zones.

12. Germany welcomed the fact that the role and contribution of women in non-proliferation and safeguards-related activities were highlighted in the draft report. Moving forward, the Committee should focus on streamlining the draft with the work of the other Main Committees in order to harmonize language and avoid redundancies. Language on existing and emerging threats should be strengthened, and a reference to cyberthreats in the nuclear domain should be included. Moreover, the paragraphs on export controls should be completed and strengthened, including by underlining the role of such multilateral export control regimes as the Nuclear Suppliers Group and the Zangger Committee.

13. Her delegation saw potential for strengthening the language on the important role of IAEA. With regard to strengthening safeguards instruments, ambitious language should be used, especially with regard to the universalization of the additional protocol.

14. Lastly, all of the aforementioned points should be addressed in the section on forward-looking actions. Germany looked forward to continued joint work on the draft report, which should reflect the discussions led by her delegation on regional issues in subsidiary body 2 and incorporate those discussions into the section on forward-looking actions.

15. **Mr. Hamdy** (Egypt) said that it was his understanding that a significant portion of the draft report had been based on the action plan contained in the Final Document of the 2010 Review Conference, which had been drafted in a very balanced way to express in a consensus fashion the collective position of States parties. Going beyond the previously agreed language and undermining the delicate balance struck in 2010 was inadvisable. A careful approach to the contentious and vital issue of the status of the additional protocol would create an environment conducive to consensus on the issue. Moreover, he urged the Chair to mention in the draft report action 30 of the action plan contained in the Final Document of the 2010 Review Conference, as that action had been an integral part of the balance struck in 2010.

16. The section of the draft report on nuclear security had introduced new language and ideas on the relationship between nuclear security and non-proliferation. Any new concepts dealing with nuclear security should first be addressed within the framework of IAEA and then endorsed at a later stage of the Review Conference. The overarching new ideas in question affected the underpinnings of many Non-Proliferation Treaty provisions, hence his delegation's difficulty with accepting those ideas, especially the paragraph that spoke to the relationship between physical protection and the non-proliferation objectives enshrined in the Treaty.

17. **Mr. Duarte** (Brazil) said that the draft posed a number of difficult challenges. Going beyond the language contained in the action plan of the 2010 Review Conference could be problematic. His delegation had not expected to have to deal with the issue of the additional protocol, a particularly sensitive issue for Brazil, in so many different places in the document, which currently contained no fewer than 12 references to the additional protocol. Despite the proliferation of language on the additional protocol, most if not all references captured only the views of

those delegations that advocated for making the additional protocol mandatory or elevating it to the status of standard for non-proliferation obligations under the Non-Proliferation Treaty. No multilaterally agreed framework contained substantive grounds for doing so. Moreover, that call ignored the views expressed by at least two regional groups, his own delegation and that of Argentina and others.

18. In addition to what his delegation regarded as an imbalanced reflection of discussions in the Committee on the additional protocol, Brazil had substantial problems with paragraphs 20 and 23. The misleading language regarding the voluntary nature of the additional protocol contained therein, which portrayed the additional protocol as an integral part of the IAEA safeguards system, was unacceptable to his delegation. Paragraph 21 also contained inappropriate language, as it posited that application of the protocol by a State on a provisional basis would constitute a legal obligation for that State. Such a notion contradicted the basic principles of international law. The only way for an international treaty to become a legal obligation was for a State to accept it and complete the ratification process. The assertion in paragraph 23 that a growing number of States recognized that comprehensive safeguards agreements and additional protocols were among the integral elements of the IAEA safeguards system constituted a departure from the 2010 language, according to which many – not a growing number of – States did so. Given that the same delegations that had championed that position presently did so, there was no basis for changing the 2010 language if that point was to be made in the document. Paragraph 24 contained a reference to the supposed need for Annexes I and II of the model additional protocol to take into account recent technical developments related to the production of special fissionable material. Such issues were of a technical nature and, as such, should be addressed in the context of IAEA and the Nuclear Suppliers Group.

19. Turning to the question of naval nuclear propulsion, the language contained in paragraph 29 did not adequately reflect the substantive discussions on the issue or the objective realities regarding the compatibility of naval nuclear propulsion with the Non-Proliferation Treaty and the IAEA safeguards regime. Moreover, the language failed to specify clearly what constituted the highest standards of non-proliferation mentioned therein. Given the fundamental importance of that issue to his delegation, that language was not a good basis for it to proceed.

20. The reference to State-level safeguards approaches contained in paragraph 35 also posed difficult challenges. The implementation of the State-

level approach required further clarification by IAEA, which had yet to issue a full report on the subject. The draft report of the Committee should also reflect the importance of bilateral and regional mechanisms in the application of safeguards. Para 21 of the Final Document of the 2010 Review Conference should be used as a basis for language in that regard, with the inclusion of references to General Assembly resolution [76/52](#). Moreover, the points made by the representative of Austria with regard to the elimination of nuclear weapons should be adequately reflected in the document. Brazil would submit language proposals to the Chair with a view to finding appropriate solutions to those challenges and others yet to be identified.

21. **Mr. Biggs** (Australia) said that his delegation could broadly support the elements set out in the balanced and comprehensive draft report on articles I and II of the Non-Proliferation Treaty. On safeguards, his delegation was generally supportive and would make specific suggestions when considering the text paragraph by paragraph. That section could be improved by strengthening the language on the role of IAEA and including previously agreed language on the additional protocol and non-compliance with safeguards. The language on the safeguards challenge posed by the invasion of Ukraine by Russia, while welcome, could be strengthened further in view of the acuteness of the situation.

22. On behalf of the United States and the United Kingdom, he recommended the addition of the following points to paragraph 29 on the implementation of safeguards to naval nuclear propulsion. First, non-nuclear-weapon States were permitted to pursue naval nuclear propulsion under the Non-Proliferation Treaty, an activity foreseen in the Treaty's legal framework. Secondly, non-nuclear-weapon States engaging in naval nuclear propulsion activities must ensure that such activities were developed according to the highest possible standards of non-proliferation and in compliance with their relevant safeguards obligations. Thirdly, the Director General and secretariat of IAEA were the international authority competent to implement safeguards obligations under article II and to provide the international community with the confidence that non-nuclear-weapon States were not diverting nuclear material to proscribed activities.

23. With regard to nuclear security, while the draft report captured many key issues, it should contain a reference to the threat posed by cyberattacks. Paragraph 80 of the working paper submitted by the Non-Proliferation and Disarmament Initiative ([NPT/CONF.2020/WP.10](#)) and paragraphs 57 and 80 of

the working paper submitted by the Vienna Group of Ten ([NPT/CONF.2020/WP.3/Rev.1](#)) contained relevant language to that effect. A reference should also be added to the nuclear security challenges resulting from the invasion of Ukraine by Russia.

24. Lastly, his delegation welcomed the reference to the full, equal and meaningful participation of women in non-proliferation and suggested that it be moved to the section on forward-looking actions.

25. **Ms. Kristanti** (Indonesia) said that non-proliferation was a central tenet of the Non-Proliferation Treaty, hence the need to work constructively on the draft report. Indonesia welcomed the inclusion in the draft of a number of recommendations made by the Group of Non-Aligned States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. However, those recommendations should be reflected as they were stipulated in document [NPT/CONF.2020/WP.26](#).

26. While she recognized the mention in the draft text of the existence and continuing contribution of nuclear-weapon-free zones, the nuclear-weapon States' lack of commitment to and participation in such zones would render them meaningless. The draft report must therefore further stress the importance of the early ratification by the nuclear-weapon States of the existing treaties on the establishment of nuclear-weapon-free zones as well as early ratification by all the nuclear-weapon States that had not yet done so of the relevant protocols to those treaties. A call upon the nuclear-weapon States to withdraw any reservation or interpretive declarations contrary to the object and purpose of the Treaty in establishing nuclear-weapon-free zones must also be included.

27. The fulfilment of the obligation of the nuclear-weapon States to provide non-nuclear-weapon States with effective, universal, unconditional, non-discriminatory and irrevocably legally binding security assurances against the use or threat of use of nuclear weapons under all circumstances was essential in the realization of the objective of treaties establishing nuclear-weapon-free zones, in line with recommendation 49 of document [NPT/CONF.2020/WP.26](#) submitted by the Group of Non-Aligned States Parties. Her delegation referred to recommendations 47 to 64 of that working paper and to document [NPT/CONF.2020/WP.59](#) and requested the inclusion in the draft report of those recommendations that had not been reflected. Indonesia welcomed the recognition of sound national laws and regulations of States parties in ensuring export controls, taking into account articles I to III of the Non-Proliferation Treaty.

However, it remained unconvinced of the value of current multilateral export control regimes outside the United Nations, which were formulated in a selective, non-inclusive and limited manner.

28. The issue of naval nuclear propulsion had been discussed at length in the Committee and mentioned in paragraph 29 of its draft report. However, that reference was insufficient, given that the issue of naval nuclear propulsion had given rise to non-proliferation issues and complications in the application of safeguards. The draft report must adequately address those concerns. She therefore requested the inclusion in the section of the draft report on forward-looking actions of paragraph 12 of the working paper submitted by Indonesia on naval nuclear propulsion ([NPT/CONF.2020/WP.67](#)). Her delegation would resubmit recommendations to the Chair on that issue.

29. In closing, her delegation hoped that the draft report could be further improved, taking into account the aforementioned recommendations, and that a constructive discussion would lead to the adoption by consensus of a final document.

30. **Mr. Friele** (Canada) said that while there certainly remained issues requiring further deliberation, the draft report encompassed many of the diverse positions heard on relevant issues over the course of the previous week's discussions and constituted a useful point of departure.

31. The language proposed on the role of IAEA and safeguards issues was generally comprehensive and balanced. Canada was also very pleased with the references to gender, including language calling for the full, effective and meaningful participation of women in non-proliferation and safeguards, and with the language proposed on nuclear security.

32. By way of initial observation, language on non-compliance with non-proliferation obligations under the Non-Proliferation Treaty could be strengthened. His delegation nevertheless recognized that that language might be reflected in the forthcoming report of subsidiary body 2. He also recalled the need for language on the treatment of IAEA inspectors to ensure that they were able to carry out their essential verification work effectively.

33. **Mr. Li Song** (China) said that the draft report was in need of some major improvements in certain areas. First, the report should fully reflect the latest developments in non-proliferation. During Committee deliberations, delegations had acknowledged and analysed the alarming impact of the international security situation on the implementation of the Non-Proliferation Treaty and on the international non-

proliferation regime. The draft report should reflect that important stocktaking and assessment, lest it be disconnected from the current international situation, resulting in a less meaningful review.

34. Secondly, the draft report must be streamlined, especially in areas of clear duplication with the Final Document of the 2010 Review Conference. The focus of the Committee should be on objectively reflecting the major trends and issues of the current review cycle and on formulating an action plan accordingly.

35. Thirdly, the draft report should faithfully reflect the concerns expressed by States parties throughout the Review Conference on prominent issues of general concern; the text as drafted failed to do so.

36. Fourthly, the views of all parties should be reflected in a balanced and objective manner. Several delegations had expressed diverging positions on the cooperation on nuclear powered submarines under the enhanced trilateral security partnership between Australia, the United Kingdom and the United States (AUKUS). She regretted that the current draft did not truthfully reflect the Committee's discussion on the matter. Not only did the draft report not provide a balanced and objective summary of the positions expressed by delegations, but it actually contained a clear bias.

37. China would continue to express its opinions on how to go about amending the draft. She hoped that a joint effort would enable the Committee to produce a balanced account of its discussions and ultimately reach a consensus on how to move forward. Her delegation disagreed with those that believed that the documents adopted by the Review Conference should only reflect points of convergence. The reality of the world could not be thus ignored or kept out of the review process, and there was no need to steer clear of different views and ideas. Only by allowing all delegations to speak freely and objectively reflecting any disagreement in the relevant documents could States parties achieve the objectives of the review. Only once all views were given full consideration would States parties be able to reach consensus on specific elements in the conclusions and recommendations sections of the documents to be adopted, leading to substantive outcomes.

38. His delegation remained committed to safeguarding the international nuclear non-proliferation regime and legitimate national interests. For its part, China stood ready to handle differences with the utmost sincerity and a constructive approach, but such an approach would require compromise from all sides.

39. **Mr. Majozi** (South Africa) said that while the draft report might not fully reflect the positions submitted by all delegations, he hoped that the Committee would strive to achieve a fair balance in reflecting the views shared. The rich content of the draft report was indicative of the extent to which the progress made on non-proliferation was not matched by progress on disarmament. His delegation would have difficulty with an outcome that retained such an imbalance between the two pillars and set out low ambitions in terms of redressing that imbalance. The overall outcome should be balanced with strong commitments on article VI of the Non-Proliferation Treaty.

40. On non-proliferation, his delegation was concerned by the failure to acknowledge the historic entry into force of the Treaty on the Prohibition of Nuclear Weapons and its contribution to non-proliferation; the event should be recognized, given its role in ensuring non-proliferation. He looked forward to a constructive discussion on nuclear-weapon sharing, in respect of which concerns had been expressed.

41. With regard to naval nuclear propulsion, which States parties had discussed at great length, his delegation had proposed the elaboration of a universally applicable mechanism on the consideration, monitoring and verification of all nuclear naval propulsion programmes, with a view to proactively addressing the need to standardize consideration of such programmes by IAEA in a thoroughly transparent manner.

42. South Africa appreciated the admirable efforts to consolidate all inputs provided under the topic of safeguards and the implementation of the additional protocol, which improved transparency and ensured that nuclear programmes intended for peaceful use were not diverted. While his delegation supported the universalization of the additional protocol, the Conference should acknowledge that entering into an additional protocol was a voluntary act undertaken by a State and only became legally binding after ratification.

43. With regard to nuclear security, it was rightly acknowledged in the draft report that nuclear security in a State was the responsibility of that State. Nuclear security must not be reflected as a precondition for the exercise by States of their inalienable right to the peaceful uses of nuclear technology. The reference in the draft report to nuclear security should clearly and categorically reflect that principle.

44. While South Africa appreciated the important work of export control regimes, such work should not hinder the right of States in full compliance with their safeguards obligations to the peaceful uses of nuclear technology. His delegation supported transparency in

the work of such regimes, a principle that must be reflected in the final document. However, those regimes must avoid becoming agenda setting for such authorities as IAEA.

45. With regard to nuclear-weapon-free zones, his delegation supported the provisions included in the draft report and underscored the need to expand such zones worldwide. It was vital for the Review Conference to stress the importance of the signature and ratification by the nuclear-weapon States, without conditions, delays or reservations, of the relevant protocols to treaties on the establishment of nuclear-weapon-free zones. Furthermore, failure to establish a Middle East zone free of nuclear weapons and other weapons of mass destruction would have a bearing on the integrity of the indefinite nature of the extension of the Non-Proliferation Treaty, given that the establishment of such a zone had been a key condition for extending the Treaty.

46. Turning to forward-looking actions, he recommended the inclusion of three actionable points. First, the Review Conference should urge specific countries to accede to the Non-Proliferation Treaty as non-nuclear-weapon States. Secondly, IAEA should be called on to elaborate a mechanism for the consideration, monitoring and verification of naval nuclear propulsion programmes. Lastly, States should be called on to unconditionally allow IAEA access to nuclear facilities that were or could be affected by conflicts. His delegation would submit concrete written proposals over the course of later deliberations.

47. **Ms. Lipana** (Philippines) said that the draft report provided a solid basis for deliberations and generally reflected the contours of the discussion to date. Her delegation appreciated the affirmation in the draft report of the continued validity of agreements arrived at by consensus at the 2000 and 2010 Review Conferences and the attempt to achieve a measure of progression from those baseline commitments. She also welcomed the inclusion of the relevant decisions of IAEA policymaking organs.

48. With regard to paragraph 3 of the draft report, it was her delegation's understanding that States parties must make every effort to promote universal adherence to the Non-Proliferation Treaty and refrain from taking any action that might undermine prospects for achieving the universality of the Treaty, including threats to use nuclear weapons against non-nuclear-weapon States under any circumstances. The Philippines appreciated the incorporation in paragraphs 15, 48, 50, 56 and 81 of language from the recommendations set out in the working papers of the Group of Non-Aligned States

Parties and the Non-Proliferation and Disarmament Initiative. However, several paragraphs, such as paragraph 21, still needed work.

49. While her delegation welcomed the reference in the draft report to nuclear-weapon-free zones as the building blocks of the global nuclear disarmament and non-proliferation framework, a way must be found to facilitate stronger cooperation and coordination between those zones and the nuclear-weapon States, which must accede to treaties on the establishment of nuclear-weapon-free zones and their relevant protocols, such as the Treaty on the Southeast Asia Nuclear Weapon-Free Zone (Treaty of Bangkok). In addition, she reiterated the call for the withdrawal of any interpretive declarations by the nuclear-weapon States that were incompatible with the object and purpose of such treaties and their protocols. With regard to the other nuclear-weapon-free zones, the Philippines encouraged the nuclear-weapon States to take all measures necessary to bring into force the pending protocols to the treaties on the establishment of such zones.

50. Her delegation thanked the Chair for the references in the draft report to export controls and to the full, equal and meaningful participation of women in non-proliferation and safeguards-related activities. With regard to safeguards, the Philippines appreciated the recognition of the role of IAEA as the competent authority responsible for implementing article III of the Non-Proliferation Treaty through its safeguards system, with a view to providing the international community with assurances that nuclear material was not being diverted into the production of a nuclear weapon.

51. The safeguards system must be implemented in an objective, impartial, professional, credible and non-discriminatory manner, in accordance with the Treaty, the IAEA statute and the relevant agreements. Moreover, in accordance with article III (3) of the Treaty, safeguards should avoid hampering the economic or technological development of States parties or their exercise of the inalienable right to the peaceful uses of nuclear energy.

52. It was essential for States parties to comply fully with their respective obligations under the Treaty and the safeguards system, including by providing complete and correct declarations and extending cooperation and support to IAEA in the fulfilment of its verification and monitoring functions.

53. On nuclear security, it was important to retain the recognition that responsibility for nuclear security within a State rested with that State, consistent with the relevant decisions of IAEA policymaking organs. Her delegation welcomed the outcomes of the recently

concluded Conference of the Parties to the Amendment to the Convention on the Physical Protection of Nuclear Material.

54. She appreciated the inclusion of references to IAEA technical services and capacity-building support for countries wishing to strengthen respective nuclear security regimes. Furthermore, the need to prevent the illicit trafficking of nuclear material, including through the Incident and Trafficking Database of IAEA, should be highlighted.

55. With the Review Conference under greater pressure than ever before to assure the public that the Treaty remained credible and the bedrock of the global arms control and disarmament regime, all States parties should endeavour to reach consensus on a final document that gave clarity on the directions and actions being taken to accomplish the goal of complete nuclear disarmament and non-proliferation. Her delegation would submit a written statement for further review by the Chair.

56. **Mr. Osmundsen** (Norway) said that the draft report was a balanced document that served as a good basis for the Committee's work. His delegation welcomed the emphasis in the draft report on the vital role of the Non-Proliferation Treaty in international peace and security, the call for universalization and the inclusion of commitments and decisions adopted by previous Review Conferences. Given that non-proliferation efforts were essential for achieving a world without nuclear weapons, Norway strongly supported the emphasis on the role and safeguards mandate of IAEA and considered that a comprehensive safeguards agreement with an additional protocol constituted the current verification standard, hence the need to strengthen the language on that issue in the draft report. Stronger language on non-compliance would also be necessary; beyond the need to resolve all cases of non-compliance, the Conference should call on those States non-compliant to move promptly to full compliance with their obligations.

57. His delegation fully supported the acknowledgement in the draft report of the importance of the full and meaningful participation of women in non-proliferation. Norway would also appreciate a reference to the added value and importance of the work of civil society on non-proliferation. In general, his delegation supported the sections of the draft report on nuclear security, export controls and nuclear-weapon-free zones, and would add more specific remarks at a later stage.

58. **Mr. Del Sar** (Argentina) said that his delegation acknowledged the use in the draft report of wording

agreed by the 2010 Review Conference, alongside various instances of new potentially problematic wording. In particular, his delegation was alarmed by the references to such delicate topics as the additional protocol in the section on safeguards. It was imperative that a clear distinction be made in that section between legal obligations under article III(1) of the Non-Proliferation Treaty and voluntary measures. No such distinction was made in paragraph 12, for instance, despite the acknowledgement in resolutions of the IAEA General Conference that the distinction was a necessary one, and the distinction itself having been made in the outcomes of previous Review Conferences. In that connection, his delegation could not support any new language or interpretations related to the additional protocol that departed from the Final Document of the 2010 Review Conference. He reiterated that the references to the additional protocol must respect the nature of the instrument in line with the agreements previously reached, avoiding duplication. Moreover, the allusions to that voluntary instrument should appear in a balanced manner throughout the draft report. Paragraphs 20 and 23 contained duplicate language on the additional protocol; in both cases, the departure from 2010 could entail changes in the way of interpreting the additional protocol. Argentina could not accept characterizations of the additional protocol as an integral part of the safeguards regime.

59. His delegation echoed the remarks made by the representative of Brazil on paragraph 29 and wished to know what was meant by the allusion in that paragraph to the "highest standard of non-proliferation". In addition, paragraph 35 on State-level safeguards approaches stressed that "IAEA safeguards should be regularly assessed and evaluated"; again, the proposed wording went beyond that previously used in the same context. Argentina was awaiting an updated technical report from IAEA on the subject, on the basis of which forward-looking conclusions could be drawn.

60. The current draft lacked a reference to the importance of bilateral and regional mechanisms for the implementation of safeguards, a matter to which his delegation attached great priority. Paragraph 21 of the Final Document of the 2010 Review Conference and General Assembly resolution [76/52](#) provided a solid basis for drafting the missing reference.

61. On nuclear security, the draft report should contain an acknowledgement that physical security measures must not undermine the exercise of the inalienable right to the peaceful use of or access to nuclear technology, as recognized in all other relevant documents adopted in various forums.

62. With regard to export controls, it should be explicitly stated in the draft report that such controls must not be interpreted as a means of restricting that inalienable right. In addition, the language on the Nuclear Suppliers Group and its technical character should be strengthened.

63. He would welcome more information on the scope of the phrase “high standards of safeguards, nuclear security, and export controls” contained in paragraph 56.

64. With regard to nuclear-weapon-free zones, the draft report was lacking a reference to the withdrawal by nuclear-weapon States of the interpretive declarations they had made when signing the protocols to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco). Some of those declarations effectively amounted to reservations to that Treaty, despite the fact that it was not subject to reservations. In that connection, the relevant recommendations that had been set forth in the working paper submitted by the parties to the Treaty of Tlatelolco ([NPT/CONF.2020/WP.7](#)) should be reflected in the section on forward-looking actions. Language related to gender should be strengthened in all areas of the non-proliferation pillar, including safeguards and nuclear security. His delegation would provide more detailed observations at a later stage of negotiations.

65. **Mr. Khaldi** (Algeria) said that the draft report constituted a more or less acceptable basis for future negotiations and further improvement. In terms of the structure of the report, his delegation was concerned that the titles proposed under the different articles of the Non-Proliferation Treaty, namely, non-proliferation, safeguards and export controls, had not been reflected in the Final Document of the 2010 Review Conference. The next version of the draft report should be streamlined, certain paragraphs and action proposals should be improved and actions 30 and 44 of the action plan of the 2010 Review Conference should be incorporated.

66. His delegation was concerned by the section on nuclear-weapon-free zones and, notably, the inexplicable failure to mention the Middle East zone free of weapons of mass destruction. Algeria would have hoped that the importance of the 1995 resolution on the Middle East would be reaffirmed, along with its validity of the resolution until its objectives were achieved.

67. He endorsed the calls by Indonesia and South Africa for stronger language on the urgent ratification by the nuclear-weapon States of the relevant protocols of treaties on the establishment of nuclear-weapon-free zones. His delegation also supported the comments made by the representative of Argentina on export

controls. Further comments and proposals would be submitted in writing to the Chair.

68. **Mr. Zlenko** (Ukraine) said that his delegation particularly welcomed the inclusion of the language on the Zaporizhzhia nuclear power plant, including in the list of forward-looking actions on non-proliferation, which reflected the statements made by many States parties. However, there remained room for further improvement of the relevant language, so as to properly convey the grave challenges and threats caused by the unprovoked and unjustified aggression by Russia against Ukraine and the Zaporizhzhia nuclear power plant, which had been illegally seized and continued to be shelled by the armed forces of the Russian Federation. His delegation would provide additional comments and proposals in due course.

69. **Mr. Jahromi** (Islamic Republic of Iran) said that the draft report lacked the balance his delegation had expected. The general debate and exchange of views held in the Committee and the written proposals and recommendations submitted to the Committee secretariat, including by the Group Non-Aligned States Parties and by individual delegations, had not been properly reflected in the draft report.

70. With regard to nuclear-weapon-free zones and the establishment of a Middle East zone free of weapons of mass destruction, there was a need for language that was acceptable to a large number of States parties, particularly those in the region, and that represented progress compared to the language contained in the last documents in which the issue had been addressed.

71. Turning to the section of the draft report on non-proliferation, he reiterated that the implementation of non-proliferation obligations should not be an obstacle to the peaceful uses of nuclear energy. Export control regimes should not be manipulated to impose a policy of double standards or to politicize the issue.

72. Further clarification was needed concerning the ambiguous reference to “high standards” in the draft report in connection with the additional protocol. Accession to the additional protocol should be on a voluntary basis.

73. The various paragraphs on gender in the draft report should be consolidated into a single reference. It would also be vital to ensure that non-proliferation would be pursued in parallel with disarmament obligations.

74. Lastly, the accession to the Non-Proliferation Treaty of States not parties to the Treaty as non-nuclear-weapon States was also of great importance to his

delegation, which would submit its written comments in due course.

75. **Ms. Cho Jeongin** (Republic of Korea) said that the initial draft report was solid and comprehensive and captured well the Committee's recent discussions. Her delegation welcomed the inclusion of paragraphs on the central role of IAEA and the importance of safeguards, as well as the inclusion of paragraphs on the importance of gender in non-proliferation and safeguards-related activities. More diverse perspectives, such as those of youth, should be integrated into that domain.

76. **Ms. Collins** (Ireland) said that her delegation welcomed the inclusion in the draft report of elements related to export control regimes, nuclear security and gender. Ireland supported the recommendation made by the representative of Australia on including the text on gender in the operational part of the report. On safeguards, further clarity could be provided on language, including in paragraph 11, that seemed to suggest that safeguards hampered scientific and technical development and the peaceful uses of nuclear energy, a view her delegation would not support.

77. The language on the verification standard, specifically with regard to the additional protocol, should be strengthened, as should the text on the small quantities protocol. Having listened carefully to discussions on the issue of export controls throughout the Review Conference, her delegation had not heard of specific instances to support the view that export controls constrained peaceful uses of nuclear energy.

78. With regard to Security Council resolution [1540 \(2004\)](#), there was greater scope to reflect the opportunities to address such challenges as emerging technologies. Her delegation echoed calls by other delegations on the importance of including suitable wording on a nuclear-weapon-free zone in the Middle East. She would await the report of subsidiary body 3 and hoped that suitable text on the establishment of a such a zone in the Middle East would be reflected in the Committee's final report.

79. **Mr. Hamdy** (Egypt) asked whether the structure of the draft report was preliminary and strictly for the purposes of the Committee's work, and whether the final document would be structured similarly. At each of the successful Review Conferences held in 1995, 2000 and 2010, each Final Document had had a unique structure, and no two were alike.

80. Looking ahead, he said it would be necessary to maintain a crisp balance between non-proliferation aspects and a clear statement reemphasizing the unrestricted, inalienable right of States parties in

compliance with their non-proliferation obligations to access nuclear technology. Failing to strike such a balance would be counterproductive and would critically affect the credibility of any final document. In particular, the language on export controls must be coupled with a clear affirmation of the inalienable right to the peaceful uses of nuclear energy, which was effectively the grand prize for non-nuclear-weapon States participating in the non-proliferation regime. At the end of the day, export control regimes were established by political bodies outside the framework of the Non-Proliferation Treaty. Non-nuclear-weapon States could not simply rely on political discourse stating that such entities were credible and responsible but would also require a minimum guarantee that their actions would not be politicized.

81. **The Chair** said that at the 1995 Review and Extension Conference, it had been decided that reports would consist of a review of previous commitments and their implementation, followed by a section on forward-looking actions. She had structured the draft report accordingly and based it on previous documents that had been deemed acceptable by States parties. Once the reports of the Main Committees were adopted, they would be sent to the Drafting Committee and reconciled. During the discussion of specific issues in the Committee, she would work to reconcile texts that would be acceptable to the membership.

82. **Ms. Curzio Vila** (Mexico) said that while her delegation considered the draft report to be a good basis for continued work, it agreed with South Africa on the need for balance among the reports pertaining to each of the three pillars. Mexico was concerned by the stark contrast between the modest calls for disarmament in Main Committee I and the number and urgency of the calls for non-proliferation on non-nuclear-weapon States. Balance among the three pillars was critical.

83. She endorsed the proposal made by the representative of Argentina to underscore the importance of reviewing reservations or unilateral interpretive declarations that had been made with regard to treaties on the establishment of nuclear-weapon-free zones and their protocols, in order for such reservations and declarations to be withdrawn if they were found to contravene the purposes of those treaties.

84. **Ms. Balázs** (Hungary) said that her delegation welcomed the promotion in the draft report of the universality of comprehensive safeguards agreements and additional protocols, which together constituted the current verification standard. It was important for the text to emphasize that there was a distinction between voluntary confidence-building measures and the legal

obligations of States and that it was the sovereign decision of a State to conclude an additional protocol. She encouraged those States parties that had not yet done so to conclude and bring into force an additional protocol. It was also important to maintain the call in the draft report on those States that had not yet amended or rescinded their small quantities protocols to do so. In a rapidly changing world, modernizing those protocols was necessary.

85. Her delegation welcomed the reference to State-level safeguards, as consistent and universal application of such safeguards strengthened global non-proliferation efforts. On nuclear security, Hungary supported the language on the central role of IAEA in strengthening the nuclear security framework and the need for the involvement of all States in nuclear security-related activities and initiatives in an inclusive manner.

86. The references in the draft report to the Global Initiative to Combat Nuclear Terrorism, and the Global Partnership Against the Spread of Weapons and Materials of Mass Destruction, were also welcome. Hungary welcomed the section on export controls, which were important for facilitating the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy. Such controls were fully in line with the Non-Proliferation Treaty and essential to the implementation by States parties of articles I and II of the Treaty. Moreover, the application of export control lists and guidelines gave the exporting States necessary assurances that sensitive products were being exported to trusted recipients. All States should therefore adhere to and benefit from those lists and guidelines. Through the guidelines, export control regimes contributed to the enhancement of international peace and security by preventing the diversion of sensitive materials, technology and equipment to end users of concern and to the implementation of Treaty obligations on non-proliferation without hampering peaceful, legitimate nuclear trade and cooperation. Her delegation was glad to see that the text underlined that any supplier arrangement should continue to be transparent and ensure that the export guidelines were formulated in a way that would not hamper the development of nuclear energy for peaceful purposes.

87. **Mr. Serna** (Spain) said that the draft report reflected the Committee's deliberations on complex topics. On export controls, Spain would prefer language that acknowledged the work of such groups as the Zangger Committee or Nuclear Suppliers Group. Turning to safeguards, his delegation would prefer strengthened language on the additional protocol.

Moreover, emphasis should be placed on the need to rescind small quantities protocols, especially in States that intended to launch or that had already launched civil nuclear programmes.

88. The text on gender equality, while welcome, would be better placed in the section on forward-looking actions. From a purely procedural standpoint, Committee members should work to eliminate any duplication in the text.

89. **Ms. Pitakannop** (Thailand) said that the draft report was a good basis for further discussion and improvement. Thailand welcomed the language highlighting the central role of IAEA and its important work on non-proliferation. It also welcomed the recognition of the importance of nuclear-weapon-free zones for nuclear disarmament and non-proliferation. However, her delegation agreed that the wording could be further strengthened, especially with regard to calling on the nuclear-weapon States to intensify their efforts to sign and ratify the relevant protocols to treaties on the establishment of such zones.

90. Thailand agreed with the representatives of Austria and Brazil that the total elimination of nuclear weapons was the only way to guarantee non-proliferation, and with the proposal by the representative of South Africa to include a reference on the Treaty on the Prohibition of Nuclear Weapons and its contribution to non-proliferation. Lastly, her delegation endorsed the recommendation made by Germany on streamlining the language among Main Committee reports to avoid redundancy.

91. **Mr. Countryman** (United States of America) said that the fact that the draft report had left so many delegations, including his own, equally dissatisfied was indicative of its high quality. He agreed with the representative of China that the work of the Review Conference must not be disconnected from the real world. That work did not relate to political problems but did address anything that affected the Non-Proliferation Treaty. The war in Ukraine would not be ended from New York, but the Conference must realistically discuss the impact on non-proliferation of a negative security assurance being violated and of the presence of a foreign military force at the site of the largest nuclear plant in Europe. Similarly, while the Conference would not resolve the problem of the Joint Comprehensive Plan of Action or the rapid build-up by North Korea of its nuclear arsenal, endangering the Korean Peninsula, discussions must nevertheless address such cases of non-compliance.

92. He also agreed with the representative of China that the draft report ought to be streamlined and that the

full range of views discussed should be reflected therein, but as the two aims were opposed, the only answer possible to that conundrum was to aim for consensus. The approach of reflecting the views of all delegations in a balanced manner, suggested by the representative of China, had been adopted at previous Review Conferences. For its part, the United States aimed to achieve a consensus document and would pursue that aim by continuing to listen to all delegations, addressing every good idea and engaging with every delegation or group that wished to do so.

93. He warmly welcomed paragraph 38 of the draft report on the role of women in non-proliferation. Women had a legitimate role and should have an equal voice, and their ideas were often better than those of men. However, paragraph 38 needed to be featured more prominently, either in the chapeau of the draft report or in the beginning of the overall final document.

94. With regard to naval nuclear propulsion, he agreed with the representative of Australia. He also endorsed the comments made by the representative of Canada on examining instances of non-compliance with the Treaty more carefully; language should indeed be included in the draft report to the effect that no State was allowed to intimidate or harass inspectors.

95. His delegation was looking at the issue of the additional protocol from a technical, not a political, standpoint. Technical advances since 2010 and the increased experience of IAEA demonstrated the high value of the additional protocol in a task essential to all States parties, namely, reassuring them about the peaceful intentions behind nuclear programmes. He therefore advocated stronger language on the additional protocol in the draft report.

96. He took note of the comments about the balance carefully and painstakingly achieved in 2010. Nevertheless, balance was important, and across all three pillars. Any ideas that deviated greatly from an earlier consensus or major new statements under any of the pillars would pose dangers similar to those the representative of Egypt had cautioned the Committee about. While it pained him to disagree with friendly delegations, whose convictions he understood and recognized as strong, he realized the need to be guided not only by ambition but also by realism and a good eye on the previous texts, at a moment of high non-proliferation risk and great nuclear tension in the world.

97. **Mr. Kawalowski** (Poland) said that the draft report constructively and comprehensively reflected the Committee's discussions to date. The structure, which made a clear distinction between review and forward-

looking actions, with a separate section for each, should be retained.

98. Given that many issues related to safeguards, the central role of IAEA, nuclear security, export controls and nuclear-weapon-free zones were relatively well reflected in the draft text, all there was left to do was improve or maintain those provisions. Nevertheless, language on certain important issues needed to be modified significantly and expanded in line with the outcome of the Committee's recent discussion and taking into account the demanding security situation.

99. The proposed wording on Ukraine in the draft report did not capture fully the worrisome reality since the Russian aggression, whose implications for nuclear safety and security and the three pillars of the Non-Proliferation Treaty must be reflected more comprehensively.

100. Poland joined other delegations in stressing the need to improve the language on comprehensive safeguards agreements and the additional protocol. The two elements together constituted the current verification standard pursuant to article III of the Treaty. The current provisions on export controls were comprehensive and balanced, though a mention by name of the Zangger Committee and the Nuclear Suppliers Group should be added, reflecting the importance of the export control regimes for non-proliferation.

101. There was a need to work on the approach to naval nuclear propulsion reflected in the document, which remained problematic for his delegation. Poland supported the proposal made by the representative of Australia. Lastly, his delegation joined others that had spoken in favour of referring directly to certain security issues, including on the Korean Peninsula.

102. **Mr. Baude** (France) said that his delegation noted with satisfaction the broad use of consensual language adopted in the Final Document of the 2010 Review Conference. It had, however, found new wording in the draft that might affect the consensus; he would address that matter in more detail when reviewing the text paragraph by paragraph.

103. A questionable link was established in paragraphs 3 and 63 (a) of the draft report between the universalization of the Treaty and security assurances in the sections on non-proliferation, issues that were already dealt with extensively in Main Committee I of the Review Conference.

104. The wording on IAEA guarantees, the importance of the additional protocol and the resolution of cases on non-compliance with safeguards could have been fine-tuned to reflect more accurately the many statements

made on those subjects. The same held true for export controls, in respect of which it would have been possible to mention the efforts of the Zangger Committee and the Nuclear Suppliers Group to combat proliferation.

105. With regard to nuclear security, France supported the proposal to insert into the text a reference to cyber threats. Language on the consequences of nuclear safety and security and guarantees in Ukrainian nuclear facilities following the Russian invasion of Ukraine could also be clarified further. His delegation looked forward to reading the report of subsidiary body 2, which would complement the Committee's efforts on specific regional issues of interest

106. **Ms. van Heek ter Hoeve** (Netherlands) said that her delegation could accept the text on non-proliferation overall, and the text on safeguards was a good basis that could be built upon. The Netherlands could also support language on the central role of IAEA and the call to achieve the universality of safeguards agreements.

107. There was a need to strengthen the texts on addressing non-compliance and on the additional protocol, whose voluntary nature had been underscored by several delegations. While she did not contest the fact that the decision to sign and ratify an agreement was the sovereign decision of a State, her delegation was of the opinion that a comprehensive safeguards agreement and an additional protocol constituted the current verification standard and, as such, wished to see that reflected in the text. The Netherlands would also welcome a reference to the acknowledgement that IAEA could only effectively provide assurances about the absence of undeclared material and activities in a State with an additional protocol in force in the State. She echoed the view expressed by the Non-Proliferation and Disarmament Initiative that only the combination of a comprehensive safeguards agreement and an additional protocol was adequate for effectively implementing safeguards and achieving the objectives set out in article III of the Non-Proliferation Treaty.

108. The need for IAEA inspectors to be able to conduct their safeguards-related activities in safety and security without being intimidated or harassed should be underscored in the text. On safeguards, in paragraph 33 the text did not mention that the Russian Federation was the cause of the problems related to safeguards in Ukraine.

109. With regard to nuclear security, a reference was needed to the role of cybersecurity in making the peaceful uses of nuclear energy safe and secure. With regard to export controls, she concurred with the representative of Egypt that a delicate balance must be maintained. The text should be strengthened to

emphasize that safeguards must comply with article IV of the Non-Proliferation Treaty, which enshrined the inalienable right to peaceful uses of nuclear energy, and to recall that States parties had an obligation to provide nuclear material or related equipment to any non-nuclear-weapon State only when that material would remain under safeguards in that State, in line with article III of the Treaty.

110. While the draft report did contain a mention of export control regimes, her delegation would like the regimes to be mentioned by name, including the Zangger Committee, the Nuclear Suppliers Group and the Missile Technology Control Regime. With regard to comments on nuclear-weapon-free zones, she would wait for the report of subsidiary body 2. Lastly, she welcomed the language on gender and agreed with the representative of Australia that it should be moved to the section on forward-looking actions.

111. **Mr. Dandy** (Syrian Arab Republic) said that the draft report provided an acceptable basis for further deliberation. With regard to safeguards and the additional protocol, the text should make a clear distinction between the legal obligations of States parties under the Non-Proliferation Treaty and voluntary confidence-building measures as previously provided in the Final Document of the 2010 Review Conference.

112. With regard to the paragraph on nuclear-weapon-free zones, the importance of the 1995 resolution on the Middle East must be affirmed. Turning to export controls, it was vital to ensure that such controls were enforced in a transparent manner devoid of politicization or double standards. Lastly, the text should also affirm the need to commit to implementing IV of the Treaty, which granted all States parties the inalienable right to the peaceful uses of nuclear energy, in a balanced, non-selective manner.

113. **Mr. Wirstam** (Sweden) said that the draft report reflected the ambitious and constructive approach that his delegation deemed necessary in a final document. Sweden welcomed the language expressing support for central role and activities of IAEA. However, there was room to strengthen the language on the additional protocol and on the important role of nuclear export control regimes, such as Zangger Committee and the Nuclear Suppliers Group, for peaceful uses of nuclear energy. He agreed with the representative of the United States that paragraph 38 on gender issues deserved a more prominent role.

114. **Ms. Thomas** (Cuba) said that her delegation welcomed the inclusion of some proposals made by the Group of Non-Aligned States Parties. She wished to express support for the comments made by certain

delegations that shared her delegation's concerns. Other proposals by the Group should be considered and incorporated into the final document of the Review Conference. Moreover, the draft report should contain a more emphatic acknowledgement of the vital need to implement the resolution on the Middle East adopted at the 1995 Review and Extension Conference and other decisions on the subject adopted at other Review Conferences, whose objectives would remain valid until achieved.

115. Language on the need for the nuclear-weapon States to review their interpretive declarations made when signing or ratifying protocols to the treaties on the establishment of nuclear-weapon-free zones should be strengthened. The draft report should also contain a reaffirmation that the Non-Proliferation Treaty was indispensable to achieving nuclear disarmament and containing the vertical and horizontal proliferation of nuclear weapons. Cuba endorsed the proposal by South Africa to recognize the entry into force of the Treaty on the Prohibition of Nuclear Weapons and its contribution to non-proliferation. Her delegation echoed the concern expressed by others on nuclear sharing in the context of AUKUS.

116. Cuba joined other delegations in affirming the need to highlight that the continued existence of nuclear weapons posed the greatest threat to humankind and that the elimination of such weapons in a transparent, irreversible and verifiable manner and within a specific time frame constituted the only guarantee against their use or threat of use.

117. **Mr. Vishnevetskii** (Russian Federation) said that his delegation continued to examine the draft report carefully and would take into account the observations and proposals made by other delegations. The Chair's conception of the report, based on the need to give an overview of the previous obligations of States parties as well as to determine which steps should be taken in the future, was the correct approach and had laid a solid foundation. Furthermore, his delegation had taken note of the Chair's remark that, upon receiving various proposals for inclusion in the initial draft, she had looked to steer clear of proposals that represented radical positions and, as such, had no chance of gathering consensus. However, the Chair had not managed to avoid such positions entirely in her draft, most notably, in the provisions concerning the situation around the Zaporizhzhia nuclear power plant, provisions that his delegation could obviously not accept.

118. He asked the delegations that were proposing such language whether their proposals amounted to an attempt from the outset to introduce divergences into

and politicize the work of the Review Conference, sowing a confrontational spirit in the process of adopting a final document. That intention was further evidenced by the proposals made at that very meeting to further strengthen the provisions on the situation in Ukraine and the Zaporizhzhia nuclear power plant. What was being advanced were the views of a minority of States parties that were trying to impose their point of view on the majority. Such political statements were part of normal discussion between rivals. That said, attempting to enshrine a particular position in a document as the position of all States parties amounted to pushing through a particular point of view on a specific issue. His delegation strongly opposed such a confrontational approach, which would lead nowhere. Against that backdrop, it was strange to hear the same delegations attempting to impose their point of view speak of striving for consensus at the Conference.

119. With regard to the remainder of the draft report, his delegation and capital were still examining it and would provide detailed comments in due course. By way of an initial observation, paragraph 35 on the State-level safeguards approach clearly required further work. Furthermore, States parties required clarity and reassurance that the non-proliferation mechanism would not be imperilled as a result of nuclear-powered submarines, which were establishing a precedent, including within the framework of IAEA. In the section on safeguards, the text must reflect the statement that IAEA was the only international organization responsible for verifying State party compliance with the Treaty. It was no less important to stress that work on IAEA safeguards should be technically sound and non-discriminatory, a principle that was, unfortunately, not upheld in every instance.

120. With regard to the establishment of a Middle East zone free of nuclear weapons and other weapons of mass destruction, the draft report should contain a mention of the implementation of the 1995 resolution on the Middle East in its entirety and the specific steps already taken to that end. He hoped that it would be possible to include such a mention, which had already been proposed by a number of delegations.

121. **Ms. Jones** (United Kingdom) said that the comprehensive draft report captured many of the relevant issues. Her delegation particularly appreciated the inclusion of a section on forward-looking actions, which provided a good basis for the Committee's work. However, further discussions were needed.

122. Since the previous Review Conference, non-proliferation crises worldwide had worsened dramatically, with the nuclear programme of Iran

reaching its most advanced stage. Equally alarming was the sustained development by the Democratic People's Republic of Korea of its nuclear and ballistic missile programmes. Against that backdrop, it was not enough to simply underscore the importance of addressing all non-compliance matters. Direct reference should be made to specific cases, in respect of which the Conference should express its serious concern.

123. It was right to describe the additional protocol as an integral part of the comprehensive safeguards system and to affirm that a comprehensive safeguards agreement together with an additional protocol represented the verification standard that best fulfilled the objectives of article III of the Non-Proliferation Treaty. The United Kingdom also supported the reference to State-level approaches and endorsed the statement made by the representative of Australia on naval nuclear propulsion, which, as many States had noted, was permitted under the Treaty. States pursuing such activities should ensure that they were developed according to the highest possible standards of non-proliferation, and in compliance with their relevant safeguards applications, and should engage fully with IAEA as the competent authority for verifying their compliance with safeguards agreements. The Conference should express its full confidence in the technical authority of IAEA to fulfil its mandate, in accordance with the IAEA statute and the implementation of the IAEA safeguards system.

124. Her delegation appreciated the acknowledgement in the draft report of the situation at the Zaporizhzhia nuclear power plant and called for control over the plant to be restored to the competent authorities of Ukraine. The United Kingdom reiterated that it was the Russian Federation that was impeding the Agency from fully and safely conducting safeguards verification activities at Ukrainian nuclear facilities within the internationally recognized borders of Ukraine. The Committee must not ignore that it was Russia that was, by its actions, endangering nuclear security, safety and safeguards in Ukraine. Her delegation would submit more detailed comments in writing later in the week.

125. **Mr. Ozawa** (Japan) said that the draft report provided a very good basis for discussion. Subsidiary body 2 was discussing the language on a Middle East zone free of nuclear weapons and other weapons of mass destruction, and on the situation in the Democratic People's Republic of Korea. Japan would present its specific comments at a later stage of the discussion of the Committee's draft report. Pitfalls should be avoided if a consensus final document was to be reached; the question that remained to be settled was how to move

from the present juncture to consensus and whether a section-by-section approach should be adopted.

126. **Ms. Estrada** (Guatemala) said that Guatemala once again acknowledged the mandate of IAEA in its central role of implementing safeguards and the need to enable the Agency to conduct its inspection and verification activities in an independent and uninterrupted manner, thereby protecting its integrity as a fundamental guarantee of the right to benefit from the peaceful uses of nuclear energy. In that connection, she noted with concern the various developments confronted by IAEA in the course of conducting those activities. She also echoed the remarks made by the representatives of Argentina and Mexico with respect to reservations to treaties on the establishment of nuclear-weapon-free zones and the protocols thereto, a matter of utmost priority for her country as a State party to the Treaty of Tlatelolco. Lastly, her delegation concurred with South Africa and other delegations with respect to the relevance of the Treaty on the Prohibition of Nuclear Weapons as an important complement to the Non-Proliferation Treaty.

127. **Mr. Leopoldino** (Brazil) said that there appeared to be a significant mismatch between perceptions regarding the standing of the additional protocol, which was regarded by the delegation of the Netherlands as the verification standard. That delegation's understanding of the additional protocol was not supported by any single multilaterally agreed language within the framework of the Non-Proliferation Treaty or IAEA. To the contrary, the basic undertaking contained in INFCIRC/153 of IAEA on the Structure and Content of Agreements Between the Agency and States Required in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons, as well as the text of the Model Protocol Additional to the Agreement(s) Between States and the International Atomic Energy Agency for the Application of Safeguards, contained in INFCIRC/540 of IAEA, left no doubt as to the voluntary nature of that instrument.

128. Moreover, the understanding that the additional protocol was voluntary in nature had been articulated in every resolution adopted by the General Conference of IAEA since 1997 and in the Final Document and action plan of the 2010 Review Conference. While States were entitled to their own perceptions about what constituted an ideal verification standard – or, for that matter, about what constituted compliance with article VI of the Non-Proliferation Treaty – no State had the right to impose those views on other States.

129. In closing, he noted with satisfaction the tactful acknowledgement by the representative of the United

States that reopening the carefully constructed language of the 2010 Final Document, in particular with regard to the additional protocol, would spell ill fate to the Committee's work, as evidenced by the ongoing discussion itself.

130. **Ms. Othman** (Malaysia) said that stronger, more concrete language could be used in the paragraphs on nuclear-weapon-free zones, specifically concerning the efforts by nuclear-weapon States to ratify the relevant protocols to treaties on the establishment of nuclear-weapon-free zones and to bring into effect the security assurances provided by such zones. Moreover, potential efforts to establish nuclear-weapon-free zones, especially in the Middle East, should be addressed. The paragraph on naval nuclear propulsion could be improved by articulating more clearly the comprehensive discussion on the matter that had taken place to date. Her delegation endorsed the concerns raised by the representative of Indonesia on behalf of the Group of Non-Aligned States Parties.

131. **Mr. Hamdy** (Egypt) said that his delegation strenuously objected to any statements that suggested that the additional protocol was regarded as the verification standard. He urged colleagues not to go beyond the agreed language and concepts that had been carefully crafted at previous Review Conferences and in the IAEA General Conference.

132. **Mr. Del Sar** (Argentina) said that his delegation echoed the remarks just made by the representatives of Brazil and Egypt. Argentina had clearly expressed its position, namely, that failing to respect the delicate balance previously struck to craft suitable language would be counterproductive to the Committee's efforts.

133. **Mr. Countryman** (United States of America) said that he had listened carefully to and understood the argument that changing a carefully crafted outcome and consensus language from a previous Review Conference would not be easy. However, such difficulty would be faced not only in relation to the additional protocol but to any other question where some delegation, for good and sincere reasons, saw an opportunity and a need to advance language even if it was inconsistent with the previous consensus. Such trade-offs must be made anytime that progress was desired.

134. **The Chair** said that her intention was to lead the discussion, which had been instructive for delegations in terms of the difficulties confronted by the Committee, to make it possible to identify common ground in the draft report, making it acceptable to all. She was not aiming to expose divergences in the views of delegations at that stage. Seeking common ground and reducing nuclear danger had been her guiding principles

throughout the process. Delegations were encouraged to provide concrete proposals for changes to the text; she and her team would study them carefully and, if an acceptable text could be based on those proposals, she would present them to the Committee later in the week.

135. She asked delegations to submit comments on paragraphs 2 through 9 on non-proliferation, and asked that repetition be avoided, with the understanding that some paragraphs that were applicable to the work of the entire Review Conference would be moved into its final document.

Non-proliferation (paras. 2 to 9)

136. **Ms. Hong Cong** (China) said that two paragraphs, 2 *bis* and 2 *ter*, should be inserted following paragraph 2 of the draft report. Paragraph 2 *bis* should read: "The Conference acknowledges that the international political and security situations have experienced profound and complex changes which have brought about new challenges to the international nuclear non-proliferation regime. The Conference takes note of the ongoing profound and complex changes and stresses that the authority and effectiveness of the international non-proliferation regime should be upheld". Paragraph 2 *ter* should read: "The Conference calls on States parties to collectively address emerging challenges to nuclear non-proliferation and jointly oppose selective application of rules and double standards in the implementation of Non-Proliferation Treaty obligations and reject any attempt to put geopolitical interests above nuclear non-proliferation principles".

137. Her delegation proposed the deletion of the phrase "in accordance with article I of the Treaty" in paragraph 4 of the draft report, as the language contained therein did not match the consensus language of the previous two Review Conferences. In addition, paragraph 4 should not be limited to observance of article I because the preambular paragraphs to, and other articles of, the Treaty must also be taken into account in interpreting that paragraph. In that same vein, China proposed that the phrases "in accordance with article II of the Treaty" at the end of paragraph 5 and "in accordance with the Treaty" at the end of paragraph 6 be deleted.

138. The final sentence of paragraph 9 of the draft report, which read: "[t]he Conference recognizes that breaches of the Treaty's obligations undermine nuclear disarmament, non-proliferation and peaceful uses of nuclear energy", should be deleted, as the language contained therein did not match the previous consensus language. Moreover, additional clarification on the meaning of that sentence was required.

139. A paragraph 9 *bis* to be inserted after paragraph 9 should read: "The Conference notes that many States

parties expressed concerns over the nuclear submarine cooperation among Australia, the United Kingdom and the United States, which involves the transfer of naval nuclear propulsion reactors and weapons-grade highly enriched uranium from nuclear-weapon States to a non-nuclear-weapon State. The Conference notes that there are broad differences on whether such transfer is in compliance with the Non-Proliferation Treaty, whether the relevant provisions of IAEA safeguards agreements are applicable here, and how they should be applied, if so. The Conference further notes the concerns that the relevant safeguards agreements will set a precedent and affect the interests of all the member States of IAEA and the States parties to the Non-Proliferation Treaty.”

140. A paragraph 9 *ter*, to be inserted after paragraph 9 *bis*, should read: “The Conference notes that there are different views regarding whether the nuclear sharing arrangements are in compliance with the Non-Proliferation Treaty. Some States parties are concerned about the possibility of replicating nuclear sharing arrangements in other regions of the world, which they believe is in contravention of the Non-Proliferation Treaty”. Those last two paragraphs should be added because States parties had divergent views on the issues of nuclear sharing and AUKUS, and the report of the Committee must reflect the range of views held by States parties on those topics.

141. **Ms. Collins** (Ireland) said that her delegation was pleased with the content and number of paragraphs but would suggest minor changes. A separate paragraph on universalization should be inserted in addition to paragraph 3, which addressed the need to promote universal adherence to the Non-Proliferation Treaty. The inserted paragraph should be followed by one in which threats would be addressed; her delegation would submit text to that effect. In paragraph 6, Ireland would also propose text referring to the unequivocal undertaking, capturing the commitment entered into by States.

142. **Ms. Thomas** (Cuba) said that the section of the draft report on non-proliferation should include recommendation 1 of the working paper submitted by the Group of Non-Aligned States Parties ([NPT/CONF.2020/PC.III/WP.11](#)), in which it was emphasized that the Non-Proliferation Treaty was the key international instrument aimed at achieving nuclear disarmament, halting the vertical and horizontal proliferation of nuclear weapons and promoting international cooperation and assistance in support of the inalienable right of its States parties to the peaceful uses of nuclear energy. Her delegation was flexible with regard to the exact placement of the recommendation.

143. **Ms. van Heek ter Hoeve** (Netherlands) said that as many delegations that had taken the floor had made

proposals related to text in the draft report, it would be useful to receive those proposals in writing and seek instruction from her capital prior to responding. For instance, paragraphs 9 *bis* and 9 *ter* proposed by the representative of China broached contentious issues and, as such, would probably not be acceptable to her delegation, but a written version would be helpful, nonetheless.

144. **The Chair** said that the Committee would hear and discuss more proposals and determine where common ground could be found. It was obviously difficult to reconcile the hundreds of recommendations that had been made, many of which had been included in the draft report. At a certain stage, she would produce a revised draft report that would take into account the language that constituted a middle ground. While she understood that many proposals were problematic for a number of delegations, it was helpful for all delegations to hear concrete proposals from specific States parties.

145. **Mr. Vishnevetskii** (Russian Federation) said that while it was useful to hear the drafting proposals made by delegations, all other delegations would like to receive those proposals in written form. He wondered whether it would be possible to issue and make available online a paper containing all the proposals for consideration by delegations and submission to their capitals, prior to working on the text, which work was currently in its initial stages.

146. **The Chair** said that she could ask delegations to send their comments in writing to the Committee secretariat, which would circulate those comments to coordinators and, through them, to the membership, provided that delegations approved of that course of action. Ideally, the comments would be delivered to delegations by the next morning.

147. **Mr. Majozi** (South Africa) said that while his delegation appreciated the request that delegations submit inputs for consideration prior to discussion, he asked for Committee members to be open to further discussion of matters already considered at earlier meetings, as delegations had been given limited time to peruse the documents already circulated and transmit them to their capitals, whose instruction delegations were awaiting.

148. **The Chair** said that she would have the proposals already available sent to the Committee secretariat. During the course of the additional discussions to be held throughout the week, as the Committee worked to arrive at a text acceptable to all delegations, she would determine to what extent delegations were prepared to accept those proposals.

The meeting rose at 5.50 p.m.