

LETTER DATED 25 AUGUST 2009 FROM THE PERMANENT REPRESENTATIVE OF EGYPT ADDRESSED TO THE PRESIDENT OF THE CONFERENCE ON DISARMAMENT TRANSMITTING THE PARAGRAPHS OF THE INTRODUCTION AND SECTION ON DISARMAMENT AND INTERNATIONAL SECURITY OF THE FINAL DOCUMENT OF THE XV SUMMIT OF HEADS OF STATE AND GOVERNMENT OF THE NON-ALIGNED MOVEMENT HELD IN SHARM EL SHEIKH, EGYPT FROM 11 TO 16 JULY 2009

I have the honour to kindly request that introduction (paragraphs 1-3) and Section on Disarmament and International Security (paragraphs 102-163.2) of the Final Document of the XV Summit of Heads of State and Government of the Non-Aligned Movement (attached) be issued as an official document of the Conference on Disarmament.

(Signed): Hisham Badr
Ambassador
Permanent Representative

XV SUMMIT OF HEADS OF STATE AND GOVERNMENT OF THE NON-ALIGNED MOVEMENT

Sharm el Sheikh, Egypt
11th to 16th of July 2009

INTRODUCTION

1. The Heads of State and Government of the Movement of Non-Aligned Countries, met under the Chairmanship of H.E Mohammed Hosny Mubarak, President of The Arab Republic of Egypt, in Sharm El-Sheikh, Egypt on 15th and 16th July 2009 to address the existing, new and emerging global issues of collective concern and interest to the Movement, with a view to generating the necessary responses and initiatives thereof. In this regard, they reaffirmed and underscored the Movement's abiding faith in and strong commitment to its founding principles¹, ideals and purposes, particularly in establishing a peaceful and prosperous world and a just and equitable world order as well as to the purposes and principles enshrined in the United Nations Charter.

2. The Heads of State and Government *affirmed* the continued relevance and validity of all principled positions and decisions of the Movement as contained in the substantive outcome documents² of the 14th NAM Summit held in Havana, Cuba, 15-16 September 2006 and the preceding fourteen Summit Conferences of the Movement³, as well as all preceding Ministerial Conferences or Meetings of the Movement. Likewise, they *expressed* their determination to preserve and act in keeping with the Bandung Principles and the purposes and principles of the Non-Aligned Movement in the present international juncture as *agreed* in the Declaration on the Purposes and Principles and the Role of the Non-Aligned Movement in the Present International Juncture⁴ adopted in the 14th NAM Summit in Havana.

3. The Heads of State and Government *acknowledged* the NAM Chair's Report on the Movement's activities covering from the 14th NAM Summit held in Havana to date, which showed significant progress in the process of strengthening and revitalizing the Non-Aligned Movement.

1 The ten Founding Principles of NAM appears in Annex II.

2 The substantive documents adopted at the 14th NAM Summit in Havana are: the Final Document; Declaration on the Purposes and Principles and the Role of the Non-Aligned Movement in the Present International Juncture; the Document on the Methodology of the Non-Aligned Movement; the Declaration on Palestine; the Statement on the Islamic Republic of Iran's Nuclear Issue and the Plan of Action of the Non-Aligned Movement (2006-2009). All these documents can be downloaded from www.cubanoal.cu.

3 The preceding fourteen NAM Summit Conferences were held in Belgrade, Yugoslavia in 1961; Cairo, United Arab Republic in 1964; Lusaka, Zambia in 1970; Algiers, Algeria in 1973; Colombo, Sri Lanka in 1976; Havana, Cuba in 1979; New Delhi, India in 1983; Harare, Zimbabwe in 1986; Belgrade, Yugoslavia in 1989; Jakarta, Indonesia in 1992; Cartagena de Indias, Colombia in 1995, Durban, South Africa in 1998, Kuala Lumpur, Malaysia in 2003 and Havana, Cuba in 2006. All the substantive outcome documents of these Summit Conferences can be downloaded from www.namegypt.org.

4 The principles enshrined in the Declaration on the Purposes and Principles and the Role of the Non-Aligned Movement in the Present International Juncture appear in Annex III.

Disarmament and International Security

102 The Heads of State and Government *reaffirmed* and *reiterated* the long-standing principled positions of the Movement on disarmament and international security, including the decisions taken at the XII Summit in Durban in 1998, the XIII Summit in Kuala Lumpur in 2003, the XIV Summit in Havana in 2006, the XIII Ministerial Conference in Cartagena in 2000, the XIV Ministerial Conference in Durban in 2004, the Ministerial Meeting held in Putrajaya, Malaysia, in 2006, and the XV Ministerial Conference held in Teheran, Islamic Republic of Iran, in 2008.

103 The Heads of State and Government *reiterated* their continued grave concern over the current difficult and complex situation in the field of disarmament and international security. In this regard, they called for renewed efforts to resolve the current impasse in achieving nuclear disarmament and nuclear non-proliferation in all its aspects.

104 While *reaffirming* the absolute validity of multilateral diplomacy in the field of disarmament and non-proliferation, the Heads of State and Government *reiterated* their determination to promote multilateralism as the core principle of negotiations in the area of disarmament and non-proliferation, and in this regard, they *welcomed* the adoption of General Assembly Resolution 63/50 on Promotion of multilateralism in the area of disarmament and non-proliferation.

105 The Heads of State and Government *reiterated* their strong concern at the growing resort to unilateralism and in this context, underlined that multilateralism and multilaterally agreed solutions, in accordance with the UN Charter, provide the only sustainable method of addressing disarmament and international security issues.

106 The Heads of State and Government *reaffirmed* the Movement's principled positions on nuclear disarmament, which remains its highest priority, and on the related issue of nuclear non-proliferation in all its aspects and *stressed* the importance that efforts aiming at nuclear non-proliferation should be parallel to simultaneous efforts aiming at nuclear disarmament. They *stressed* their concern at the threat to humanity posed by the continued existence of nuclear weapons and of their possible use or threat of use. They *reiterated* deep concern over the slow pace of progress towards nuclear disarmament and the lack of progress by the Nuclear Weapons-States (NWS) to accomplish the total elimination of their nuclear arsenals. They *underscored* the need for the NWS to implement the unequivocal undertaking that they provided in 2000 so as to accomplish the total elimination of nuclear weapons and *emphasized*, in this regard, the urgent need to commence negotiations on nuclear disarmament without delay.

107 The Heads of State and Government, while noting the recent statements by NWS of their intention to pursue actions in achieving a world free of nuclear weapons, reaffirmed the need for urgent concrete actions by the NWS to achieve this goal.

108 The Heads of State and Government *remained* deeply concerned at strategic defence doctrines of NWS, including the "NATO Alliance Strategic Concept", which not only set out rationales for the use or threat of use of nuclear weapons, but also maintain unjustifiable

concepts on international security based on promoting and developing military alliances and nuclear deterrence policies.

109 The Heads of State and Government *reiterated* that improvements in existing nuclear weapons and the development of new types of nuclear weapons as envisaged in the United States Nuclear Posture Review contravene the security assurances provided by the NWS. They further *reaffirmed* that these improvements as well as the development of new types of such weapons violate the commitments undertaken by the NWS at the time of the conclusion of the Comprehensive Nuclear-Test-Ban Treaty (CTBT).

110 The Heads of State and Government *emphasized* that progress in nuclear disarmament and nuclear non-proliferation in all its aspects is essential to strengthening international peace and security. They *reaffirmed* that efforts toward nuclear disarmament, global and regional approaches and confidence building measures complement each other and should, wherever possible, be pursued simultaneously to promote regional and international peace and security.

111 The Heads of State and Government *reaffirmed* the importance and the relevance of the UN Disarmament Commission (UNDC) as the sole specialised, deliberative body within the UN multilateral disarmament machinery. They continued to *fully support* the work of the UNDC and *expressed* regret that UNDC was unable to reach agreement on recommendations on its two agenda items during substantive sessions of its three-year cycle ending in April 2008 due to the lack of political will and inflexible positions of certain Nuclear Weapons States, despite NAM's constructive role and concrete proposals throughout the deliberations, especially in the Working Group on "Recommendations for achieving the objective of nuclear disarmament and non-proliferation of nuclear weapons". The Heads of State and Government, while recalling the proposals submitted by the Movement, during the 2009 substantive session, called upon UN Member States to display the necessary political will and flexibility in order to achieve agreement on its recommendations in the UNDC's future sessions.

112 The Heads of State and Government reaffirmed the importance of the Conference on Disarmament (CD) as the sole multilateral negotiating body on disarmament, and reiterated their call on the CD to agree on a balanced and comprehensive program of work by, inter alia, establishing an ad hoc committee on nuclear disarmament as soon as possible and as the highest priority. They emphasized the necessity to start negotiations on a phased programme for the complete elimination of nuclear weapons with a specified framework of time, including a Nuclear Weapons Convention. They reaffirmed the importance of the unanimous conclusion of the ICJ that there exists an obligation to pursue in good faith and to bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.

113 The Heads of State and Government, *reaffirming* the importance of the Conference on Disarmament (CD), as the sole multilateral disarmament negotiating forum, *noted* the adoption of the Program of Work for the 2009 session (CD/1864) by the CD on 29 May 2009 after years of stalemate. They *expressed* their appreciation to the Members and Presidents of the Conference, in particular Algeria, for their tireless efforts in this regard. The Heads of State and Government *agreed* to continue coordination of efforts at the NAM Chapter in Geneva.

114 The Heads of State and Government *reiterated* their support for the convening of the Fourth Special Session of the UN General Assembly devoted to Disarmament (SSOD-IV) and further *reiterated* their deep concern over the persistent lack of consensus to date, despite efforts made in 2007. Appreciating the role of the Chair of the open-ended working group in 2007, selected from NAM, the Heads of State and Government recalled the concrete proposals and the consistent and constructive efforts of the Movement to reach agreement among all UN Member States. They regretted the lack of political will of a certain State in obstructing consensus at the time. The Heads of State and Government *also stressed* the importance of the General Assembly to continue its active consideration with a view to reaching consensus on the objectives, agenda, and the establishment of a preparatory committee for the SSOD-IV, including by reconvening the open-ended working group to consider the objectives and agenda, including the possible establishment of the preparatory committee for SSOD-IV. NAM would request, at an appropriate time, the convening of the open-ended working group.

115 The Heads of State and Government again called for an international conference to identify ways and means of eliminating nuclear dangers, at the earliest possible date, with the objective of arriving at an agreement on a phased programme for the complete elimination of nuclear weapons with a specified framework of time to eliminate all nuclear weapons, to prohibit their development, production, acquisition, testing, stockpiling, transfer, use or threat of use, and to provide for their destruction.

116 The Heads of State and Government *reaffirmed* that the total elimination of nuclear weapons is the only absolute guarantee against the use or threat of use of nuclear weapons and *reaffirmed* further that non-NWS should be effectively assured by NWS against the use or threat of use of nuclear weapons. Pending the total elimination of nuclear weapons, they reaffirmed the need for the conclusion of a universal, unconditional and legally binding instrument on security assurances to non-NWS as a matter of priority. They *noted* the establishment in 1998 of an Ad Hoc Committee on effective international arrangements to assure Non-nuclear-weapons States against the use or threat of use of nuclear weapons in the Conference on Disarmament to negotiate universal, unconditional and legally binding security assurances to all non-NWS.

117 The Heads of State and Government *stressed* the significance of achieving universal adherence to the CTBT, including by all NWS, which, inter alia, should contribute to the process of nuclear disarmament. They *reiterated* that if the objectives of the Treaty were to be fully realized, the continued commitment of all States signatories, especially the NWS, to nuclear disarmament would be essential.

118 The Heads of State and Government, while *noting* the entry into force of the 2002 Moscow Treaty between the Russian Federation and the United States, *stressed* that reductions in deployments and in operational status cannot substitute for irreversible cuts in, and the total elimination of, nuclear weapons, and *called on* the United States and the Russian Federation to apply the principles of transparency, irreversibility and verifiability to further reduce their nuclear arsenals, both warheads and delivery systems, under the Treaty. While taking note of the positive signals by the United States and the Russian Federation on their negotiations on the replacement of the Strategic Arms Reduction Treaty (START I), which is due to expire by the end of 2009, the Heads of State and Government *urged* them to conclude such negotiations urgently in order to achieve further deep cuts in their strategic and tactical nuclear weapons. The

Heads of State and Government *further stressed* that such cuts should be irreversible, verifiable and transparent.

119 The Heads of State and Government continued to be concerned over the negative implications of the development and deployment of anti-ballistic missile (ABM) defence systems and the threat of weaponization of outer space which have, inter alia, contributed to the further erosion of an international climate conducive to the promotion of disarmament and the strengthening of international security. The abrogation of the ABM Treaty brings new challenges to strategic stability and the prevention of the arms race in outer space. They *remained* concerned that the implementation of a national missile defence system could trigger an arms race(s) and the further development of advanced missile systems and an increase in the number of nuclear weapons.

120 The Heads of State and Government *recognized* the common interest of all mankind in the exploration and use of outer space for peaceful purposes, and *emphasized* that prevention of an arms race in outer space, including a ban to deploy or use weapons therein, would avert a grave danger for international peace and security. They further *emphasized* the paramount importance of strict compliance with existing arms limitation and disarmament agreements relevant to outer space, including bilateral agreements, and with the existing legal regime concerning the use of outer space. They also *reemphasized* the urgent need for the commencement of substantive work in the CD on the prevention of an arms race in outer space, taking note of the joint Russian-Chinese initiative of a draft treaty on the “Prevention of the Placement of Weapons in Outer Space, the Threat or Use of Force Against Outer Space Objects” (PPWT) presented in the Conference on Disarmament on 12 February 2008. They noted that this initiative is a constructive contribution to the work of the Conference, and is a good basis for further discussion toward adopting an international binding instrument.

121 The Heads of State and Government *remained convinced* of the need for a multilaterally negotiated, universal, comprehensive, transparent, and non-discriminatory approach toward the issue of missiles in all its aspects as a contribution to international peace and security. They *expressed* their support for efforts to be continued within the UN to explore further the issue of missiles in all its aspects. In this regard, they *emphasized* the contribution of peaceful uses of space technologies, including space launch vehicle technologies, to human advancement, such as for telecommunications and data gathering on natural disasters. They also *emphasized* the need to keep the issue of missiles in all its aspects on the agenda of the UN General Assembly and *welcomed* that the Panel of Governmental Experts established in accordance with Resolution 59/67 successfully concluded its work in 2008 and submitted its report to the 63rd session of the UN General Assembly. Pending the achievement of such a universal approach related to delivery systems for weapons of mass destruction, any initiative to address these concerns effectively and in a sustainable and comprehensive manner should be through an inclusive process of negotiations in a forum where all States could participate as equals. They *stressed* the importance of the security concerns of all States at regional and global levels in any approach to the issue of missiles in all its aspects.

122 The Heads of State and Government believed that the establishment of nuclear-weapon-free zones (NWFZs) created by the treaties of Tlatelolco, Rarotonga, Bangkok, Pelindaba, the Central Asian nuclear-weapon-free zone treaty as well as Mongolia’s nuclear-weapon-free-status

are positive steps and important measures towards strengthening global nuclear disarmament and nuclear non-proliferation and they *welcomed* the entry into force of the Treaty on a nuclear-weapon-free zone in Central Asia on 21 March 2009 as an effective contribution to strengthening regional and global peace and security. They *reiterated* that in the context of NWFZs, it is essential that NWS should provide unconditional assurances against the use or threat of use of nuclear weapons to all States of the zone. They *urged* States to conclude agreements freely arrived at among the States of the region concerned with a view to establishing new NWFZs in regions where they do not exist, in accordance with the provisions of the Final Document of the First Special Session of the General Assembly devoted to Disarmament (SSOD-I) and the principles adopted by the 1999 UN Disarmament Commission. Recalling the convening and the outcome of the First Conference of the States Parties and Signatories to Treaties that Established Nuclear Weapon Free Zones held in Tlatelolco, Mexico, from 26 to 28 April 2005, the Heads of State and Government *called on* the States parties and signatories to the Treaties of NWFZs to implement further ways and means of co-operation among themselves, their treaty agencies and other interested States. In this regard, they took note of the Focal Points Meeting of NWFZ Treaties and Mongolia, held from 27-28 April 2009 in Ulaanbaatar. They *expressed* their support for Mongolia's policy in institutionalizing its nuclear-weapon-free status. In this regard they welcomed the start of the talks by Mongolia with its two neighbours to conclude the required legal instrument and expressed their hope that it would soon result in the conclusion of an international instrument institutionalizing the status.

123 The Heads of State and Government *reiterated* their support for the establishment in the Middle East of a zone free of all weapons of mass destruction. As a priority step to this end, they *reaffirmed* the need for the speedy establishment of a NWFZ in the Middle East in accordance with the Security Council Resolution 487 (1981) and paragraph 14 of the Security Council Resolution 687 (1991) and the relevant General Assembly resolutions adopted by consensus. They called upon all parties concerned to take urgent and practical steps towards the fulfilment of the proposal initiated by Iran in 1974 for the establishment of such a zone and, pending its establishment, they demanded on Israel, the only country in the region that has not joined the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) nor declared its intention to do so, to renounce possession of nuclear weapons, to accede to the NPT without delay, to place promptly all its nuclear facilities under IAEA full-scope safeguards according to Security Council Resolution 487 (1981) and to conduct its nuclear related activities in conformity with the non-proliferation regime. They called for the earliest implementation of relevant IAEA resolutions on "Application of IAEA Safeguards in the Middle East". They *expressed* great concern over the acquisition of nuclear capability by Israel which poses a serious and continuing threat to the security of neighbouring and other States, and *condemned* Israel for continuing to develop and stockpile nuclear arsenals. In this context they also *condemned* the statement made by the Prime Minister of Israel on 11 December 2006, related to the possession of nuclear weapons by Israel. They *urged* the continued consideration of the issue of Israeli nuclear capabilities in the context of the IAEA, including at the General Conference at its 53rd Session. They were of the view that stability cannot be achieved in a region where massive imbalances in military capabilities are maintained particularly through the possession of nuclear weapons, which allow one party to threaten its neighbours, and the region. They further *welcomed* the initiative by H.E. Mr. Mohammed Hosni Mubarak, President of the Arab Republic of Egypt, on the establishment of a zone free from weapons of mass destruction in the Middle East, and in this context, they took into consideration the draft resolution tabled by the Syrian Arab Republic, on behalf of the Arab

Group, before the Security Council on 29 December 2003 on the establishment of a zone free of all weapons of mass destruction in the Middle East. They *stressed* that necessary steps should be taken in different international fora for the establishment of this zone. They also called for the total and complete prohibition of the transfer of all nuclear-related equipment, information, material and facilities, resources or devices and the extension of assistance in the nuclear related scientific or technological fields to Israel. In this regard, they *expressed* their serious concern over the continuing development whereby Israeli scientists are provided access to the nuclear facilities of one NWS. This development will have potentially serious negative implications on security in the region as well as the reliability of the global non-proliferation regime.

124 The Heads of State and Government *expressed* their support for the efforts of the Arab Group in Vienna to keep the question of the Israeli Nuclear capabilities under consideration of the General Conference of the IAEA at its 53rd Session.

125 The Heads of State and Government *underscored* the Movement's principled position concerning non-use or threat of use of force against the territorial integrity of any State. In this regard, they *condemned* the Israeli attack against a Syrian facility on September 6, 2007, which constitutes a flagrant violation of the UN Charter and *welcomed* Syria's cooperation with the IAEA in this regard.

126 The Heads of State and Government *emphasized* the importance of the observance of environmental norms in the preparation and implementation of disarmament and arms limitation agreements, and in this regard, they *welcomed* the adoption of General Assembly Resolution 63/51 on this matter for the first time without a vote. They *reaffirmed* that international disarmament forums should take fully into account the relevant environmental norms in negotiating treaties and agreements on disarmament and arms limitation and that all States, through their actions, should contribute fully to ensuring compliance with the aforementioned norms in the implementation of treaties and conventions to which they are parties.

127 The Heads of State and Government *emphasized* the importance of the UN activities at the regional level to increase the stability and security of its Member States, which could be promoted in a substantive manner by the maintenance and revitalization of the three regional centres for peace and disarmament.

128 The Heads of State and Government of the States Parties to the NPT, while *reaffirming* the package of agreements of the 1995 Review and Extension Conference of the NPT and the Final Document of the 2000 Review Conference of the NPT, *reiterated* their disappointment at the inability of the 2005 Review Conference of the NPT to agree on substantive recommendations. While recognizing the crucial role of the NPT in nuclear disarmament, nuclear non-proliferation and the peaceful uses of nuclear energy, the Heads of State and Government of the States Parties to the NPT *agreed* to make every effort to reach a successful outcome at the 2010 Review Conference of the NPT and called upon nuclear weapon States, to reiterate their full respect to their obligations under the Treaty, in particular in the area of nuclear disarmament, and the outcomes of its Review Conferences, in particular the 1995 Review and Extension Conference and the 2000 Review Conference and undertake practical measures thereto in order to arrive at a successful outcome of the 2010 Review Conference.

129 The Heads of State and Government of the States Parties to the NPT *reiterated* their call for the firm commitment by all States parties to the Treaty to the implementation of all the provisions of the Treaty and called for the full implementation of the 13 practical steps for systematic and progressive efforts to implement Article VI of the Treaty, particularly an unequivocal undertaking by the NWS to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament. Pending the total elimination of nuclear weapons, they also recalled that the Final Document of the 2000 Review Conference of the NPT *reiterated* that legally binding security assurances by the five NWS to the non-NWS parties to the Treaty strengthen the nuclear non-proliferation regime. They underlined the importance to establish subsidiary bodies to the relevant Main Committees of the 2010 Review Conference of the NPT to deliberate on practical steps for systematic and progressive efforts to eliminate nuclear weapons; to consider and recommend proposals on the implementation of the resolution on the Middle East adopted by the 1995 Review and Extension Conference of the NPT; and to consider and adopt a legally binding international instrument on unconditional security assurances to non nuclear weapon states. In this regard, they *emphasized* the need for the Preparatory Committee meetings to continue to allocate specific time for deliberations on nuclear disarmament, implementation of the 1995 resolution on the Middle East and security assurances. They recalled the agreement that the Review Conference will be chaired by a representative from the Movement.

130 The Heads of State and Government of the States Parties to the NPT called upon the NWS to implement their commitments not to use or threaten to use nuclear weapons against non-NWS parties to the Treaty or NWFZs at any time or under any circumstances, pending the conclusion of a legally binding instrument on security assurances.

131 The Heads of State and Government *reaffirmed* the inalienable right of developing countries to engage in research, production and use of nuclear energy for peaceful purposes without discrimination. They continued to *note* with concern that undue restrictions on exports to developing countries of material, equipment and technology, for peaceful purposes persist. They again *emphasized* that proliferation concerns are best addressed through multilaterally negotiated, universal, comprehensive and non-discriminatory agreements. Non-proliferation control arrangements should be transparent and open to participation by all States, and should ensure that they do not impose restrictions on access to material, equipment and technology for peaceful purposes required by developing countries for their continued development. The Heads of State and Government *expressed* their full confidence in the impartiality and professionalism of the IAEA and *strongly rejected* attempts by any State to politicize the work of the IAEA, including its technical co-operation programme, in violation of the IAEA Statute.

132 The Heads of State and Government of the States Parties to the NPT *emphasized* once more 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. They *stressed* that this right constitutes one of the fundamental objectives of the Treaty. In this connection, they confirmed that each country's choices and decision in the field of peaceful uses of nuclear energy should be respected without jeopardizing its policies or international co-operation agreements and arrangements for peaceful uses of nuclear energy and its fuel-cycle policies.

133 The Heads of State and Government stressed particularly the responsibility of developed countries to promote the legitimate need of nuclear energy of the developing countries, by allowing them to participate to the fullest extent possible in the transfer of nuclear equipment, materials, scientific and technological information for peaceful purposes with a view to achieving the largest benefits and applying pertinent elements of sustainable development in their activities.

134 The Heads of State and Government highlighted that the issue of multilateral approaches to the nuclear fuel cycle should be conducted through wide, integral and transparent consultations and negotiations, focusing on its technical, legal, political and economical implications, before any decision is taken about this complex and sensitive matter. The Heads of State and Government emphasized that decisions should be made by consensus, with the participation of all IAEA member States, and any proposal from IAEA must be consistent with its Statute, without any prejudice to the inalienable right of its member States to research, develop and use for peaceful purposes of nuclear sciences, in all its aspects.

135 The Heads of State and Government *emphasizing* the importance of the positive role played by the Non-Aligned Members in the IAEA, *stressed* the necessity that all members of the IAEA strictly observe its Statute. They *stressed* that any undue pressure or interference in the Agency's activities, especially its verification process, which could jeopardize the efficiency and credibility of the Agency, should be avoided. They recognised that the IAEA is the sole competent authority for verification of compliance with the obligations under the respective safeguard agreements of the Member States. They also *reaffirmed* that a clear distinction has to be made between the legal obligations of Member States under their respective safeguards agreements and their voluntary undertakings, in order to ensure that such voluntary undertakings are not turned into legal safeguards obligations.

136 The Heads of State and Government *stressed* that the discussion of the IAEA's future role until 2020 and beyond is an issue of extraordinary importance for all IAEA member States, in particular for NAM members. Therefore it should be conducted through a transparent and careful deliberation process, with active participation of all IAEA member States. Any decision in this regard should take into account the interests of all IAEA member States in order to achieve consensus.

137 The Heads of State and Government *reaffirmed* the inviolability of peaceful nuclear activities and that any attack or threat of attack against peaceful nuclear facilities –operational or under construction- poses a great danger to human beings and the environment, and constitutes a grave violation of international law, principles and purposes of the UN Charter and regulations of the IAEA. They recognised the need for a comprehensive multilaterally negotiated instrument prohibiting attacks or threat of attacks on nuclear facilities devoted to peaceful uses of nuclear energy.

138 The Heads of State and Government *affirmed* the need to strengthen the Radiological Safety and Protection Systems at facilities utilising radioactive materials as well as at radioactive waste management facilities, including the safe transportation of these materials. They *reaffirmed* the need to strengthen existing international regulations relating to safety and security

of transportation of such materials. While *reiterating* the need to take appropriate measures to prevent any dumping of nuclear or radioactive wastes, they called for effective implementation of the Code of Practice on the International Transboundary Movement of Radioactive Waste of the IAEA as a means of enhancing the protection of all States from the dumping of radioactive wastes on their territories.

139 The Heads of State and Government *stressed* that the issue of proliferation should be resolved through political and diplomatic means, and that measures and initiatives taken in this regard should be within the framework of international law; relevant conventions; the UN Charter, and should contribute to the promotion of international peace, security and stability.

140 The Heads of State and Government of the States Parties to the Biological and Toxin Weapons Convention (BTWC) *reaffirmed* that the possibility of any use of bacteriological (biological) agents and toxins as weapons should be completely excluded, and the conviction that such use would be repugnant to the conscience of humankind. They recognised the particular importance of strengthening the Convention through multilateral negotiations for a legally binding Protocol and universal adherence to the Convention. They *reiterated* their call to promote international cooperation for peaceful purposes, including scientific-technical exchange. They underlined the importance to maintain close coordination among the NAM States Parties to the Convention and highlighted that the Convention on Biological and Toxin Weapons forms a whole and that, although it is possible to consider certain aspects separately, it is critical to deal with all of the issues interrelated to this Convention in a balanced and comprehensive manner.

141 The Heads of State and Government of the States Parties to the Biological and Toxin Weapons Convention stressed the importance of the active participation by NAM States Parties to the BTWC in this year's Experts and Annual Meeting in the framework of the Convention, in August and December 2009, respectively, on enhancing international cooperation, assistance and exchange in biological sciences and technology for peaceful purposes, promoting capacity building in the fields of disease surveillance, detection, diagnosis, and containment of infectious diseases, which are items of utmost interest not only to the NAM States Parties to the BTWC but also to all developing countries. They further encouraged the BTWC States Parties to provide information, as set forth in paragraph 54 of the Final Document of the Sixth BTWC Review Conference, on how Article X of the BTWC on the issue of international assistance and cooperation is being implemented.

142 The Heads of State and Government of the States Parties to the Chemical Weapons Convention (CWC) *invited* all States that have not yet signed or ratified the Convention to do so as soon as possible with a view to its universality. They *reaffirmed* that the effective contribution of the Convention to international and regional peace and security can be enhanced through its full implementation. The Heads of State and Government *reaffirmed* the importance of international cooperation in the field of chemical activities for purposes not prohibited under the Chemical Weapons Convention. They *reiterated* their call on the developed countries to promote international cooperation for the benefit of States Parties through the transfer of technology, material and equipment for peaceful purposes in the chemical field and the removal of all and any discriminatory restrictions that are contrary to the letter and spirit of the Convention. They recalled that the full, balanced, effective and non-discriminatory implementation of all provisions of the Convention in particular economic and technical

development through international cooperation, is fundamental to the achievement of its object and purpose. While *expressing* their serious concern that more than 57% of chemical weapons still remain to be destroyed, they called upon States having declared possession of chemical weapons to ensure full and complete compliance with the final extended deadline (29th of April 2012) for the destruction of their chemical weapons, in order to uphold the credibility and integrity of the Convention. They *stressed* that the obligation and responsibility for the destruction of chemical weapons lies solely with the possessor States Parties and that fulfilment of this obligation is fundamental to achieve the object and purpose of the Convention. In this regard, they *called on* the relevant possessor States Parties to intensify the rate of destruction of their chemical weapons stockpiles by taking every necessary measure to meet their final extended deadlines for the destruction of their chemical weapons in accordance with the provisions of the Convention.

143 The Heads of State and Government of the States Parties to the CWC *reaffirmed* that the implementation of the Article X of the CWC on assistance and protection against chemical weapons make a significant contribution to countering the threats of use of chemical weapons. They *stressed* the importance of achieving and maintaining a high level of readiness of the OPCW to provide timely and needed assistance and protection against use or threat of use of chemical weapons, including assistance to the victims of chemical weapons.

144 The Heads of State and Government of the States Parties to the CWC, while paying due respect to the chemical weapons victims and their families, declare their firm conviction that international support to provide special care and assistance to all victims suffering the effects of exposure to chemical weapons is an urgent humanitarian need and that the States Parties to the Convention as well as the OPCW should pay urgent attention to meeting these needs including through the possible establishment of an international support network.

145 The Heads of State and Government condemned the recent Israeli military aggression against the Gaza Strip and the occupying power's indiscriminate shelling and bombing of Palestinian civilian areas, and expressed their grave concern over the reported use in civilian areas of harmful and potentially fatal incendiary weapons, such as white phosphorous. In this regard, they called for a thorough investigation of this serious matter by relevant bodies under the appropriate international conventions and agreements.

146 The Heads of State and Government regretted unsubstantiated allegations of non-compliance with relevant instruments on weapons of mass destruction and *called on* States Parties to such instruments that make such allegations to follow procedures set out in those instruments and to provide necessary substantiation for their allegations. They called upon all States parties to the respective international instruments to implement fully and in a transparent manner all their obligations under these instruments.

147 The Heads of State and Government *expressed* their satisfaction with the consensus among States on measures to prevent terrorists from acquiring weapons of mass destruction. They *welcomed* the adoption by consensus of the General Assembly Resolution 63/60 entitled "Measures to prevent terrorists from acquiring weapons of mass destruction" and underlined the need for this threat to humanity to be addressed within the UN framework and through international co-operation. While *stressing* that the most effective way of preventing terrorists

from acquiring weapons of mass destruction is through the total elimination of such weapons, they *emphasized* that progress was urgently needed in the area of disarmament and non-proliferation in order to help maintain international peace and security and to contribute to global efforts against terrorism. They called upon all Member States to support international efforts to prevent terrorists from acquiring weapons of mass destruction and their means of delivery. They also *urged* all Member States to take and strengthen national measures, as appropriate, to prevent terrorists from acquiring weapons of mass destruction, their means of delivery and materials and technologies related to their manufacture.

148 While *noting* the adoption of resolution 1540 (2004), resolution 1673 (2006) and resolution 1810 (2008) by the Security Council, the Heads of State and Government underlined the need to ensure that any action by the Security Council does not undermine the UN Charter and existing multilateral treaties on weapons of mass destruction and of international Organisations established in this regard, as well as the role of the General Assembly. They further cautioned against the continuing practice of the Security Council to utilize its authority to define the legislative requirements for Member States in implementing Security Council decisions. In this regard, the Heads of State and Government *stressed* the importance of the issue of non-state actors acquiring weapons of mass destruction to be addressed in an inclusive manner by the General Assembly, *taking into account* the views of all Member States.

149 Mindful of the threat posed to humankind by the existing weapons of mass destruction and underlining the need for the total elimination of such weapons, the Heads of State and Government *reaffirmed* the need to prevent the emergence of new types of weapons of mass destruction and therefore *supported* the necessity of monitoring the situation and triggering international action as required.

150 The Heads of State and Government *reaffirmed* the sovereign right of States to acquire, manufacture, export, import and retain conventional arms for their self-defence and security needs. They *expressed* their concern about unilateral coercive measures and *emphasized* that no undue restriction should be placed on the transfer of such arms.

151 The Heads of State and Government recognised the significant imbalance in the production, possession and trade in conventional weapons between the industrialized and the Non-Aligned Countries, and called for a significant reduction in the production, possession and trade of conventional weapons by the industrialized states with a view to enhancing international and regional peace and security.

152 The Heads of State and Government *remained* deeply concerned over the illicit transfer, manufacture and circulation of small arms and light weapons (SALW) and their excessive accumulation and uncontrolled spread in many regions of the world. They *recognized* the need to establish and maintain controls over private ownership of small arms. They *called on* all States, in particular major producing States, to ensure that the supply of small arms and light weapons is limited only to Governments or to entities duly authorized by Governments and to implement legal restrictions and prohibitions preventing the illicit trade of small arms and light weapons. They *encouraged* all initiatives by States to mobilize resources and expertise as well as to provide assistance to strengthen the full implementation of the UN Program of Action to Prevent, Combat and Eradicate the Illicit Trade in SALW in All Its Aspects.

153 The Heads of State and Government *emphasized* the importance of a prompt and full implementation of the Programme of Action, and in this regard, *stressed* that international assistance and cooperation is an essential aspect in the full implementation of the Programme of Action. They *expressed* disappointment at the inability of the UN Conference to Review the Progress made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in SALW in All its Aspects, held in New York, from 26 June to 7 July 2006, to agree on a final Document. The Heads of State and Government *noted* the third Biennial Meeting of the States (BMS) held in New York, from 14 to 18 July 2008, which considered the national, regional and global implementation of the Programme of Action. They *reaffirmed* the total validity of the Programme of Action and *encouraged* the NAM delegations to coordinate efforts in the UN with a view to reaching agreement on a follow-up to the Programme of Action in order to ensure its full implementation. They called for the full implementation of the international instrument to enable States to identify and trace in a timely and reliable manner the illicit small arms and light weapons, which was adopted by the General Assembly.

154 The Heads of State and Government continued to deplore the use, in contravention of international humanitarian law of anti-personnel mines in conflict situations aimed at maiming, killing and terrorising innocent civilians, denying them access to farmland, causing famine and forcing them to flee their homes eventually leading to de-population and preventing the return of civilians to their place of original residence. They called upon all States in the position to do so, to provide the necessary financial, technical and humanitarian assistance to landmine clearance operations, the social and economic rehabilitation of victims as well as to ensure full access of affected countries to material equipment, technology and financial resources for mine clearance.

155 The Heads of State and Government of the States Parties to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (the Mine Ban Convention) *invited* those States that have not yet done so to consider becoming parties to the Convention.

156 The Heads of State and Government *expressed* concern about the explosive remnants of the Second World War, particularly in the form of landmines which continue to cause human and material damage and obstruct development plans in some Non-Aligned Countries. They *called on* the States primarily responsible for laying these mines and leaving explosives outside their territories during Second World War to cooperate with the affected countries and provide mine action support to affected countries, including information exchange, maps indicating the locations of mines and explosives, technical assistance for mine clearance, defrayal of the costs of clearance and compensation for any losses caused by mines-laid.

157 The Heads of State and Government of the States Parties to the Mine Ban Convention *recognized* the significance of the Second Review Conference and expressed their appreciation for the commitment of Colombia to prepare and host that Conference to be held in Cartagena, between 30 November and 4 December 2009. Furthermore, they welcomed the regional conferences and workshops in preparation for the Conference and appreciated the efforts of the host States in that regard.

158 The Heads of State and Government of States Parties to the Convention on Prohibition or Restrictions on the Use of Certain Conventional Weapons Which May be deemed to be Excessively Injurious or to Have Indiscriminate Effects (CCW) and its Protocols encouraged States to become parties to the Convention and its Protocols.

159 The Heads of State and Government *recognized* the adverse humanitarian impact caused by the use of cluster munitions. They *stressed* the Movement's principled position on the central role of the United Nations in the area of disarmament and arms control. They took note of the continued consideration of the issue of cluster munitions in the context of the CCW. They further *took note* that the Convention on Cluster Munitions was opened for signature on 3 December 2008.

160 The Heads of State and Government underlined the importance of the adoption by the General Assembly of resolution 63/54, taking into consideration the possible harmful effects to human health and the environment, caused by the use of weapons and munitions containing depleted uranium.

161 The Heads of State and Government *stressed* the importance of the symbiotic relationship between disarmament and development and the important role of security in this connection, and in this regard, they *welcomed* the adoption without a vote of General Assembly Resolution 63/52. They also *expressed* concern at the increasing global military expenditure, which could otherwise be spent on development needs. They further *stressed* the importance of the reduction of military expenditures, in accordance with the principle of undiminished security at the lowest level of armaments, and *urged* all States to devote resources made available from there to economic and social development, in particular in the fight against poverty. They *expressed* firm support for unilateral, bilateral, regional and multilateral measures adopted by some governments aimed at reducing military expenditures, thereby contributing to strengthening regional and international peace and security and recognised that confidence building measures assisted in this regard.

162 The Heads of State and Government commended the continued work of the NAM Working Group on Disarmament, under the chairmanship of Indonesia, in coordinating issues of common concern to the Movement in the field of disarmament and non-proliferation. They *encouraged* all NAM delegations to actively participate at the international disarmament meetings with a view to promote and achieve the objectives of the Movement.

163 Consistent with and guided by the aforementioned principled positions and *affirming* the need to promote, defend and preserve these positions, the Heads of State and Government *agreed* to:

- 163.1 Continue to pursue the positions and priorities of the Movement, as appropriate, in the relevant international fora; and
 - 163.2 Task the NAM Coordinating Bureau to undertake efforts, as appropriate, with a view to achieving the objectives of the Movement at disarmament and international security meetings.
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