

**2000 Review Conference of the Parties  
to the Treaty on the Non-Proliferation  
of Nuclear Weapons**

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**Developments regarding positive and negative security  
assurances since the 1995 Review and Extension Conference  
of the Treaty on the Non-Proliferation of Nuclear Weapons**

**Background paper prepared by the Secretariat**

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## I. Introduction

1. At its third session (10-21 May 1999), the Preparatory Committee for the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons invited the Secretary-General to prepare for the Conference, among others, a background paper on the developments since the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons regarding security assurances, dealing with both positive and negative security assurances and reflecting developments in the Conference on Disarmament and the United Nations and proposals within the ambit of the Treaty (see NPT/CONF.2000/1, para. 28 (e)).

2. The Preparatory Committee stated that the following general approach should apply to the proposed papers (similar to the approach applied for the preparation of background documentation for the 1995 Review and Extension Conference): all papers must give balanced, objective and factual descriptions of the relevant developments, be as short as possible and be easily readable. They must refrain from presenting value judgements. Rather than presenting collections of statements, they should reflect agreements reached, actual unilateral and multilateral measures taken, understandings adopted, formal proposals for agreements made and important political developments directly related to any of the foregoing. The papers should focus on the period since the 1995 Review and Extension Conference and on the implementation of the outcome of that Conference, including the decisions on “Strengthening the review process for the Treaty”, the “Principles and objectives for nuclear non-proliferation and disarmament” and the “Resolution on the Middle East”.

3. The present paper is submitted in response to that request. A detailed presentation of developments that took place before May 1995 is contained in the background paper on the same subject prepared for the 1995 Review and Extension Conference (NPT/CONF.1995/6).

## II. Overview

4. Non-nuclear-weapon States have long harboured feelings of insecurity in a world where nuclear weapons continue to be possessed by some Powers. Therefore, since the beginning of the nuclear age, they have looked for means to protect themselves against the possible use or threat of use of nuclear weapons. A number of non-nuclear-weapon States have sought such security within alliances, involving one or several nuclear-weapon States. Other non-nuclear-weapon States have sought other international arrangements to ensure their security effectively. In that context, they called first for disarmament, notably nuclear disarmament, to be pursued with a sense of urgency and, as long as that had not been achieved, for international security assurances against the use or threat of use of nuclear weapons. This was a major issue in the negotiations on the Treaty in the 1960s.

5. With regard to disarmament, the negotiations led to the inclusion of a provision in the Treaty (article VI), by which each of the parties to the Treaty undertook “to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective

international control”.<sup>1</sup> With regard to security assurances, in the course of the negotiations, the non-aligned non-nuclear-weapon States called for the inclusion in the Treaty of a firm guarantee by the nuclear-weapon States not to use or threaten to use nuclear weapons against non-nuclear countries without nuclear weapons on their territory, or even under any other circumstances.<sup>2</sup> Ultimately a different approach prevailed. The Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America took the position that the matter of security assurances should be pursued “in the context of action relating to the United Nations, outside the non-proliferation Treaty itself but in close conjunction with it”.<sup>3</sup> As a result, no specific provision on security assurances to non-nuclear-weapon States was included in the Treaty. Instead, action was taken in the Security Council.

6. Thus, on 19 June 1968, the Security Council adopted resolution 255 (1968),<sup>4</sup> which was sponsored by the Soviet Union, the United Kingdom and the United States, the depositaries of the Treaty (see annex I). By that resolution the Council recognized that, in the case of aggression with nuclear weapons or the threat of such aggression against a non-nuclear-weapon State, the Council, and above all its nuclear-weapon State permanent members, “would have to act immediately in accordance with their obligations under the United Nations Charter”. The Council also welcomed “the intention expressed by certain States that they will provide or support immediate assistance, in accordance with the Charter, to any non-nuclear-weapon State party to the Treaty on the Non-Proliferation of Nuclear Weapons that is a victim of an act or an object of a threat of aggression in which nuclear weapons are used”. This assurance, defined as “positive”, was in principle welcomed by non-nuclear-weapon States. However, many non-aligned non-nuclear-weapon States pointed out that such an assurance fell short of their expectations and expressed a preference for a “negative” assurance, that is, a commitment by the nuclear-weapon States not to use nuclear weapons against countries not possessing such weapons in the form of a multilateral legally binding commitment.

7. Since then, the nuclear-weapon States have made, and have in some instances updated, unilateral declarations establishing criteria for the granting of negative assurances to non-nuclear-weapon States. In one case the assurance was unconditional, while the others contained various specific qualifications. For these reasons, many non-nuclear-weapon States continued to express strong preference for a multilaterally negotiated, legally binding international instrument.

8. Although the issue of security assurances has figured in various disarmament forums for more than two decades, in particular at the Conference on Disarmament and its predecessors and in the adoption of annual resolutions by the General Assembly — since 1990 in the form of a single resolution on the subject — no solution wholly satisfactory to both nuclear-weapon and non-nuclear-weapon States had been found. Consequently, the question remained on the disarmament agenda of the international community. It figured prominently on the agenda of review and extension conferences, in particular in 1990 during which numerous proposals to address the issue were made (for a detailed account, see NPT/CONF.1995/6).

9. It may also be noted that security assurances have been granted by the nuclear-weapon States in the context of the zones free of nuclear weapons established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) and the South Pacific Nuclear-Free Zone Treaty (Treaty of

Rarotonga). Protocols containing security assurances to be granted by the nuclear-weapon States are also part of the Treaty on the South-East Asia Nuclear-Weapon-Free Zone (Bangkok Treaty), which entered into force in 1997 and of the African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba), signed in 1996. With regard to the latter, all five nuclear-weapon States have signed Protocol I, while China and France have ratified it.

## **A. Unilateral declarations**

10. On the eve of the 1995 Review and Extension Conference, in response to the concerns expressed by the non-nuclear-weapon States, China, France, the Russian Federation, the United Kingdom and the United States individually issued updated unilateral declarations containing both positive and negative assurances (see annex II). The negative security assurances of four of the nuclear-weapon States — France, the Russian Federation, the United Kingdom and the United States — were harmonized in the light of efforts being made to draft a new Security Council resolution on assurances. In a joint declaration to the Conference on Disarmament on 6 April, France, the Russian Federation, the United Kingdom and the United States underlined the importance of the harmonized security assurances that they had given to the non-nuclear-weapon States parties to the Treaty against the use of nuclear weapons, as well as the commitments as regards the provision of appropriate assistance to a non-nuclear-weapon State party to the Treaty victim of aggression or the threat of aggression with nuclear weapons.<sup>5</sup> A number of delegations welcomed the unilateral declarations, expressing the view that they were consistent with the commitments that the non-nuclear-weapon States had entered into in the context of the Treaty. However, the Group of 21, in a joint statement,<sup>6</sup> noted that neither the Conference on Disarmament nor any members of the Group were associated with the drafting of the Security Council resolution and stressed that the text did not take into account any of the formal objections made in the past by non-nuclear-weapon States on the “restrictive, restrained, uncertain, conditional and discriminatory character of the guarantees already provided”. China reiterated its long-standing commitment to no-first use of nuclear weapons and called for early conclusion of an international convention on no-first use as well as for security assurances.

## **B. Security Council resolution 984 (1995)**

11. On 11 April 1995, at the initiative of the five permanent members of the Security Council, the Council adopted resolution 984 (1995) on assurances to non-nuclear-weapon States that are parties to the Treaty (see annex III). The resolution went further in some aspects than resolution 255 (1968). It recognized, for the first time, the legitimate interest of non-nuclear-weapon States parties to the Treaty in receiving assurances that the Security Council, and above all its nuclear-weapon State permanent members, would act immediately in the event that such a State was the victim of an act of aggression in which nuclear weapons were used. By that resolution, the Council also noted the means available to it for assisting such a victim and expressed its intention to recommend appropriate procedures in response to a request from victims for compensation. In addition, all States were urged to pursue negotiations in good faith on effective measures relating to nuclear

disarmament and on a treaty on general and complete disarmament under strict and effective international control, reflecting the wording of article VI of the Treaty.

### **C. Consideration of the question of security assurances at the 1995 Review and Extension Conference**

12. Most of the discussion on the issue of security assurances at the 1995 Review and Extension Conference took place in Main Committee I. While the five nuclear-weapon States believed that their updated unilateral declarations and the fact that Security Council resolution 984 (1995) took note of them would greatly facilitate consideration of the matter, the majority of non-nuclear-weapon States parties held that the declarations did not address their main concerns and that the resolution itself also had some shortcomings. A number of approaches to resolve those difficulties were advocated: (a) conclusion of a protocol on security assurances to be attached to the Treaty, to be negotiated in a special conference or in the Conference on Disarmament; this was proposed by a number of States, including Mexico and Nigeria; (b) conclusion of an international legal instrument on security assurances, proposed by China or a multilateral treaty proposed by Sweden; (c) a proposal for a collective commitment by the nuclear-weapon States to remedy the fundamental shortcomings of Security Council resolution 984 (1995), proposed by Egypt; and (d) more elaborate security assurances to non-nuclear-weapon States parties to nuclear-weapon-free zones, also proposed by Egypt. The non-aligned States believed that the five unilateral declarations and Security Council resolution 984 (1995) constituted only a first step towards providing the kind of assurances to which non-nuclear-weapon States were entitled. However, there was no agreement in Main Committee I on language acceptable to all States parties. The question of security assurances was also addressed in Main Committee II in the context of nuclear-weapon-free zones. States parties called upon those nuclear-weapon States that had not yet done so to give early consideration to signing the relevant protocols of the South Pacific Nuclear-Free Zone Treaty and adhering to the relevant protocols of the future treaty on an African nuclear-weapon-free zone.

13. In the decision on “Principles and objectives for nuclear non-proliferation and disarmament” adopted by the Conference, the States parties, noting Security Council resolution 984 (1995) and the declarations of the nuclear-weapon States concerning both negative and positive assurances, stated that “further steps should be considered to assure non-nuclear-weapon States party to the Treaty against the use or threat of use of nuclear weapons” and that such steps “could take the form of an internationally legally binding instrument”.<sup>7</sup>

## **III. Main developments since the 1995 Review and Extension Conference**

### **A. Conference on Disarmament**

14. Following the 1995 Review and Extension Conference, various delegations, in addressing the issue in the Conference on Disarmament, agreed that Security Council resolution 984 (1995) and the harmonized declarations by the nuclear Powers constituted a new and genuine contribution to the strengthening of

international security, but acknowledged that the measures taken had not fully met the hopes of many States parties to the Treaty, which sought legally binding commitments. Non-parties to the Treaty criticized the conditional nature of the unilateral commitments and stressed that any linkage of security assurances to accession to the Treaty or any other treaty constituted an erosion of the Charter of the United Nations, specifically the principle of the sovereign equality of all Member States and the inherent right of individual or collective self-defence, stated in Article 51 of the Charter. Members of the Conference on Disarmament generally welcomed the recommendation of the Review and Extension Conference as reflected in paragraph 8 of decision 2.<sup>7</sup> Some delegations considered that it opened the way for renewed negotiations in an ad hoc committee of the Conference. By the end of its 1996 session, there was general agreement within the Conference to address the issue in the framework of an ad hoc committee.

15. However, in both 1996 and 1997, the Conference on Disarmament was unable to establish an ad hoc committee on security assurances. The members of the Group of 21,<sup>8</sup> believing that, pending the total elimination of nuclear weapons, it was imperative to have in place effective international arrangements and that the assurances thus far given and reflected in Security Council resolution 984 (1995) fell short of the expectations of the non-nuclear-weapon States, advocated the re-establishment of an ad hoc committee on negative security assurances. South Africa, recalling its proposal made at the Preparatory Committee for the 2000 Review Conference,<sup>9</sup> stated that the appropriate venue for discussion of security assurances was the strengthened review process of the Treaty and that, therefore, it opposed the establishment of an ad hoc committee on the item in the Conference on Disarmament. A number of Western delegations expressed some doubts and reservations with regard to the wording of the previous mandate for an ad hoc committee on security assurances, and a large number of delegations suggested that the current mandate should be updated. The Russian Federation, referring to the assurances that it and other nuclear-weapon States had given to the States parties to the Treaty, noted that, in addition, the regional arrangements set out in nuclear-weapon-free zone treaties had gone a long way towards providing the assurances that the non-nuclear States had been pursuing for many years.<sup>10</sup>

16. In 1998, the Conference on Disarmament re-established the Ad Hoc Committee on Effective International Arrangements to Assure Non-Nuclear-Weapon States against the Use or Threat of Use of Nuclear Weapons. In the deliberations of the issue, delegations mostly reiterated the particular importance they attached to the issue and expressed readiness to engage in a search for mutually acceptable solutions.<sup>11</sup> The Committee, *inter alia*, discussed the nature and scope of existing negative security assurances: Security Council resolution 984 (1995), declarations of nuclear-weapon States; protocols to the nuclear-weapon-free zone treaties and their interpretative statements; as well as common and distinctive elements and those that needed clarification — invasion, aggression, attack, dependent Territories, security commitment, association or alliance — and on new developments. The Committee concluded by reaffirming that, pending the complete and effective elimination of nuclear weapons, non-nuclear-weapon States should be effectively assured by the nuclear-weapon States against the use or threat of use of nuclear weapons and noted the relationship between negative and positive security assurances.<sup>12</sup> At its 1999 session, the Conference was unable to establish an ad hoc committee and the issue was discussed only in plenary meetings where delegations mainly reaffirmed or

further elaborated their respective positions on the agenda item, the detailed description of which were duly recorded in the previous annual reports<sup>11</sup> of the Conference, related official documents and working papers, as well as plenary records.

## **B. General Assembly**

17. During the period under review, the General Assembly continued to address the issue annually and adopted various resolutions on the subject matter.<sup>13</sup> In those resolutions, the General Assembly, *inter alia*, reaffirmed the urgent need to reach an early agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons; noted with satisfaction that in the Conference on Disarmament there was no objection, in principle, to the idea of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, although the difficulties with regard to evolving a common approach acceptable to all had been pointed out; appealed to all States, especially the nuclear-weapon States, to work actively towards an early agreement on a common approach and, in particular, on a common formula that could be included in an international instrument of binding character; recommended that further intensive efforts be devoted to the search for such a common approach or common formula and that the various alternative approaches, including, in particular, those considered in the Conference on Disarmament, be further explored in order to overcome the difficulties; and also recommended that the Conference on Disarmament actively continue intensive negotiations with a view to reaching early agreement and concluding effective international arrangements to assure the non-nuclear-weapon States against the use or threat of use of nuclear weapons, taking into account the widespread support for the conclusion of an international convention and giving consideration to any proposals designed to secure the same objective.

## **C. Other developments**

18. Developments relevant to the question of security for non-nuclear-weapon States against the use or threat of use of nuclear weapons also took place in other contexts inside and outside the United Nations framework. In 1996, for the first time in history, a legal “Advisory opinion on the legality of the threat or use of nuclear weapons” was rendered by the International Court of Justice<sup>14</sup> in response to a request by the General Assembly.<sup>15</sup> The Court agreed unanimously that the threat or use of force by means of nuclear weapons that was contrary to Article 2, paragraph 4 (refraining from the threat or use of force) of the Charter and did not meet the requirements of Article 51 (inherent right of individual or collective self-defence) was unlawful, and that such threat or use of nuclear weapons should be compatible with international law applicable in armed conflict. According to the Court, the threat or use of nuclear weapons would generally be contrary to the rules of international law applicable in armed conflict, and in particular the principles and rules of humanitarian law. However, the Court could not conclude definitively whether the threat or use of nuclear weapons would be lawful or unlawful in an extreme circumstance of self-defence, in which the very survival of a State would be

at stake.<sup>16</sup> Since the Court gave its advisory opinion, the General Assembly has adopted specific resolutions on the subject matter.<sup>17</sup>

19. China, in its white paper on national defence issued in 1998, reiterated its commitment to unconditionally providing non-nuclear-weapon States and nuclear-weapon-free zones with negative security assurances and promised to provide them with positive security assurances.<sup>18</sup>

20. The North Atlantic Treaty Organization (NATO), at its fiftieth anniversary summit meeting in April 1999, approved and updated its Strategic Concept. NATO reaffirmed its policy of nuclear deterrence and, referring to its nuclear forces, the Concept stated that “they will continue to fulfil an essential role” by ensuring uncertainty in the mind of any aggressor about the nature of the Allies’ response to military aggression, although “the circumstances in which any use of nuclear weapons might have to be contemplated ... are extremely remote”.<sup>19</sup> In January 2000, the United States released a report on its national security strategy. The report stated that “nuclear weapons serve as a guarantee” of America’s security commitments to its allies. It also stressed that the United States would continue to maintain a robust triad of strategic nuclear forces sufficient to deter any potential adversaries who may have or seek access to nuclear forces.<sup>20</sup> Also in January 2000, the Russian Federation published a new national security strategy, in which it stressed the right to use all available means, including nuclear weapons, to repel aggressors. The use of nuclear weapons in war would be contemplated if all other means of resolving the crisis have been exhausted.

21. During the preparatory process for the 2000 Review Conference, specific proposals on the issue of security assurances were made by Myanmar, Nigeria and the Sudan in the form of a draft protocol aimed at providing comprehensive and unconditional security assurances for non-nuclear-weapon States parties to the Treaty.<sup>21</sup> South Africa proposed a draft protocol to the Treaty on the prohibition of the use of threat of use of nuclear weapons against non-nuclear-weapon States parties to the Treaty.<sup>22</sup> It stressed that the negotiations of legally binding security assurances within the Treaty as opposed to other forums would provide a significant benefit to the parties to the Treaty and would be seen as an incentive to those remaining outside to join.

#### Notes

<sup>1</sup> United Nations, *Treaty Series*, vol. 729, No. 10485.

<sup>2</sup> On 17 November 1966, the General Assembly, in resolution 2153 A (XXI), adopted by 97 votes to 2, with 3 abstentions, *inter alia*, requested the Conference of the Eighteen-Nation-Committee on Disarmament “to consider urgently the proposal that the nuclear-weapon Powers should give an assurance that they will not use, or threaten to use, nuclear weapons against non-nuclear-weapon States without nuclear weapons on their territories, and any other proposals that have been made or may be made for the solution of this problem”.

<sup>3</sup> See ENDC/PV.375, of 11 March 1968. The negotiations on security assurances were complicated by the fact that only three declared nuclear-weapon States (the Soviet Union, the United Kingdom and the United States), out of the five, were engaged in the non-proliferation Treaty negotiations.

<sup>4</sup> The resolution was adopted by 10 votes to none, with 5 abstentions (Algeria, Brazil, France, India and Pakistan).



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- <sup>5</sup> CD/1308. The statement was later issued as a document of the 1995 Review and Extension Conference (NPT/CONF.1995/20).
- <sup>6</sup> CD/1312.
- <sup>7</sup> NPT/CONF.1995/32, Part I, annex, decision 2, paragraph 8.
- <sup>8</sup> NPT/CONF.2000/1, annex III, NPT/CONF.2000/PC.III/53.
- <sup>9</sup> See CD/1462.
- <sup>10</sup> See *The United Nations Disarmament Yearbook*, vol. 22: 1997 (United Nations publication, Sales No. E.98.IX.1), pp. 21-22.
- <sup>11</sup> See, in particular, the summary of the views and national positions as stated in the 1998 Ad Hoc Committee, *Official Records of the General Assembly, Fifty-third Session, Supplement No. 27 (A/53/27)*, para. 38.
- <sup>12</sup> *Official Records of the General Assembly, Fifty-third Session, Supplement No. 27 (A/53/27)*, para. 38.
- <sup>13</sup> Resolutions 50/68 (122-0-44); 51/43 (125-0-45); 52/36 (116-0-51); 53/75 (117-0-52); and 54/52 (111-0-53). See also NPT/CONF.2000/4.
- <sup>14</sup> See A/51/218, annex.
- <sup>15</sup> See resolution 49/75 K.
- <sup>16</sup> The conclusion was drawn by seven votes to seven, by the President's casting vote.
- <sup>17</sup> The resolutions were adopted with the following voting results: 51/45 M (115-22-32); 52/38 O (116-26-24); 53/77 W (123-25-25); and 54/54 Q (114-28-22).
- <sup>18</sup> See *The United Nations Disarmament Yearbook*, vol. 23: 1998 (United Nations publication, Sales No. E.99.IX.1), p. 12.
- <sup>19</sup> See NATO press release NAC-S(99)65, 24 April 1999.
- <sup>20</sup> The White House, Office of the Press Secretary, press release, 5 January 2000.
- <sup>21</sup> NPT/CONF.2000/PC.I/16 and Corr.1.
- <sup>22</sup> NPT/CONF.2000/PC.III/9.

## Annex I

### Security Council resolution 255 (1968)

*The Security Council,*

*Noting with appreciation* the desire of a large number of States to subscribe to the Treaty on the Non-Proliferation of Nuclear Weapons, and thereby to undertake not to receive the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices directly or indirectly, not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices,

*Taking into consideration* the concern of certain of these States that, in conjunction with their adherence to the Treaty on the Non-Proliferation of Nuclear Weapons, appropriate measures be undertaken to safeguard their security,

*Bearing in mind* that any aggression accompanied by the use of nuclear weapons would endanger the peace and security of all States,

1. *Recognizes* that aggression with nuclear weapons or the threat of such aggression against a non-nuclear-weapon State would create a situation in which the Security Council, and above all the nuclear-weapon State permanent members, would have to act immediately in accordance with their obligations under the United Nations Charter;

2. *Welcomes* the intention expressed by certain States that they will provide or support immediate assistance, in accordance with the Charter, to any non-nuclear-weapon State Party to the Treaty on the Non-Proliferation of Nuclear Weapons that is a victim of an act or an object of a threat of aggression in which nuclear weapons are used;

3. *Reaffirms* in particular the inherent right, recognized under Article 51 of the Charter, of individual and collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security.

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## Annex II

### Excerpts from unilateral declarations on negative security assurances

#### China

1. China undertakes not to be the first to use nuclear weapons at any time or under any circumstances.

2. China undertakes not to use or threaten to use nuclear weapons against non-nuclear-weapon States or nuclear-weapon-free zones at any time or under any circumstances. This commitment naturally applies to non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons or non-nuclear-weapon States that have entered into any comparable internationally binding commitment not to manufacture or acquire nuclear explosive devices.<sup>a</sup>

#### France

France reaffirms that it will not use nuclear weapons against non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons, except in the case of an invasion or any other attack on France, its territory, its armed forces or other troops, or against its allies or a State towards which it has a security commitment, carried out or sustained by such a State in alliance or association with a nuclear-weapon State.<sup>b</sup>

#### Russian Federation

The Russian Federation will not use nuclear weapons against non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons, except in the case of an invasion or any other attack on the Russian Federation, its territory, its armed forces or other troops, its allies or on a State towards which it has a security commitment, carried out or sustained by such a non-nuclear-weapon State in association or alliance with a nuclear-weapon State.<sup>c</sup>

#### United Kingdom of Great Britain and Northern Ireland

The United Kingdom will not use nuclear weapons against non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons except in the case of an invasion or any other attack on the United Kingdom, its dependent territories, its armed forces or other troops, its allies or on a State towards which it has a security commitment, carried out or sustained by such a non-nuclear-weapon State in association or alliance with a nuclear-weapon State.<sup>d</sup>

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<sup>a</sup> The full text was issued in A/50/155-S/1995/265, annex.

<sup>b</sup> The full text was issued in A/50/154-S/1995/264, annex.

<sup>c</sup> The full text was issued in A/50/151-S/1995/261, annexes I and II.

<sup>d</sup> The full text of the declaration was issued in A/50/152-S/1995/262, annex.

## **United States of America**

The United States reaffirms that it will not use nuclear weapons against non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons except in the case of an invasion or any other attack on the United States, its territories, its armed forces or other troops, its allies, or on a State towards which it has a security commitment, carried out or sustained by such a non-nuclear-weapon State in association or alliance with a nuclear-weapon State.<sup>e</sup>

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<sup>e</sup> The full text of the declaration was issued in A/50/153-S/1995/263, annex.

## Annex III

### Security Council resolution 984 (1995)

*The Security Council,*

*Convinced* that every effort must be made to avoid and avert the danger of nuclear war, to prevent the spread of nuclear weapons, to facilitate international cooperation in the peaceful uses of nuclear energy with particular emphasis on the needs of developing countries, and reaffirming the crucial importance of the Treaty on the Non-Proliferation of Nuclear Weapons to these efforts,

*Recognizing* the legitimate interest of non-nuclear-weapon States parties to the Treaty to receive security assurances,

*Welcoming* the fact that more than one hundred seventy States have become parties to the Treaty and stressing the desirability of universal adherence to it,

*Reaffirming* the need for all States parties to the Treaty to comply fully with all their obligations,

*Taking* into consideration the legitimate concern of non-nuclear-weapon States that, in conjunction with their adherence to the Treaty, further appropriate measures be undertaken to safeguard their security,

*Considering* that the present resolution constitutes a step in this direction,

*Considering also* that, in accordance with the relevant provisions of the Charter of the United Nations, any aggression with the use of nuclear weapons would endanger international peace and security,

1. *Takes note with appreciation* of the statements made by each of the nuclear-weapon States [S/1995/261-S/1995/265], in which they give security assurances against the use of nuclear weapons to non-nuclear-weapon States that are Parties to the Treaty on the Non-Proliferation of Nuclear Weapons;

2. *Recognizes* the legitimate interest of non-nuclear-weapon States parties to the Treaty to receive assurances that the Security Council, and above all its nuclear-weapon State permanent members, will act immediately in accordance with the relevant provisions of the Charter of the United Nations, in the event that such a State is the victim of an act of, or object of a threat of, aggression in which nuclear weapons are used;

3. *Recognizes also* that, in case of aggression with nuclear weapons or the threat of such aggression against a non-nuclear-weapon State party to the Treaty, any State may bring the matter immediately to the attention of the Security Council to enable the Council to take urgent action to provide assistance, in accordance with the Charter, to the State victim of an act of, or object of a threat of, such aggression, and recognizes further that the nuclear-weapon State permanent members of the Security Council will bring the matter immediately to the attention of the Council and seek Council action to provide, in accordance with the Charter, the necessary assistance to the State victim;

4. *Notes* the means available to it for assisting such a non-nuclear-weapon State party to the Treaty, including an investigation into the situation and

appropriate measures to settle the dispute and restore international peace and security;

5. *Invites* Member States, individually or collectively, if any non-nuclear-weapon State Party to the Treaty is a victim of an act of aggression with nuclear weapons, to take appropriate measures in response to a request from the victim for technical, medical, scientific or humanitarian assistance, and affirms its readiness to consider what measures are needed in this regard in the event of such an act of aggression;

6. *Expresses its intention* to recommend appropriate procedures, in response to any request from a non-nuclear-weapon State party to the Treaty that is the victim of such an act of aggression, regarding compensation under international law from the aggressor for loss, damage or injury sustained as a result of the aggression;

7. *Welcomes* the intention expressed by certain States to provide or support immediate assistance, in accordance with the Charter, to any non-nuclear-weapon State party to the Treaty that is a victim of an act of, or an object of a threat of, aggression in which nuclear weapons are used;

8. *Urges* all States, as provided for in article VI of the Treaty, to pursue negotiations in good faith on effective measures relating to nuclear disarmament and on a treaty on general and complete disarmament under strict and effective international control which remains a universal goal;

9. *Reaffirms* the inherent right, recognized under Article 51 of the Charter, of individual and collective self-defence if an armed attack occurs against a member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security;

10. *Underlines* the fact that the issues raised in the present resolution remain of continuing concern to the Council.

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