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FOURTH NPT REVIEW CONFERENCE

The Director General has received the following request from the delegations of Australia, Austria, Bangladesh, Belgium, Canada, the Czech and Slovak Federal Republic, Denmark, Egypt, Finland, Hungary, Indonesia, Ireland, Japan, the Republic of Korea, Malaysia, Mexico, the Netherlands, New Zealand, Norway, Peru, Poland, Sweden and Switzerland:

"You will be aware that, while the Fourth NPT Review Conference held in Geneva from 20 August to 14 September did not adopt a final declaration, the Conference developed in its review of Articles III, IV and V of the Treaty, a number of ideas and proposals concerning safeguards and nuclear technical co-operation. The following delegations request that the attached relevant sections of Drafting Committee document NPT/CONF.IV/DC/1/Add.3(A) as revised, and the text of NPT/CONF.IV/DC/1/Add.3(B) on the review of these articles be circulated as a General Conference document to delegations for their information and as an Information Circular for the information of Member States."

The material in question is accordingly attached for the information of the General Conference.

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90-04184

FOURTH REVIEW CONFERENCE OF THE PARTIES TO THE TREATY ON THE
NON-PROLIFERATION OF NUCLEAR WEAPONS,
GENEVA, 20 AUGUST TO 14 SEPTEMBER 1990

EXTRACTS FROM NPT/CONF.IV/DC/1/ADD.3(A)
AND
TEXT OF NPT/CONF.IV/DC/1/ADD.3(B)

Article III and preambular paragraphs 4 and 5

1. The Conference reaffirms the generally positive assessment of the Third Review Conference of the implementation of Article III, and notes that the recommendations of that Conference for the future implementation of that Article provided a helpful basis for States Parties to the Treaty and the IAEA to strengthen further the barriers to proliferation and provide assurance of compliance with non-proliferation undertakings.
2. The Conference affirms its determination to strengthen further the barriers against the proliferation of nuclear weapons and other nuclear explosive devices to additional States. The Non-Proliferation Treaty is vital to preventing the spread of nuclear weapons and in providing significant security benefits. The Parties remain convinced that universal adherence to the NPT and full compliance with its provisions is the best way to achieve this goal and they urge all States not party to the Treaty to accede to it and bring into force the required safeguards agreements. The non-proliferation and safeguards commitments in the Treaty are essential also for peaceful nuclear commerce and co-operation.
3. The Conference reaffirms the conviction that IAEA safeguards provide assurance that States are complying with their undertakings and assist States in demonstrating this compliance. IAEA safeguards thereby promote further confidence among States and, being a fundamental element of the Treaty, help to strengthen their collective security. Such safeguards play a key role in preventing the proliferation of nuclear weapons and other nuclear explosive devices.
4. The Conference notes with satisfaction that since the last Review Conference, the IAEA has again, in carrying out its safeguards activities for the States Parties, not detected any diversion of a significant amount of safeguarded material to the production of nuclear weapons or other nuclear explosive devices or to purposes unknown. However, unsafeguarded nuclear

activities which could lead to the spread of nuclear weapons capability still pose serious proliferation dangers. The Conference reiterates the calls for the continued pursuit of the principle of universal application of IAEA safeguards to all peaceful nuclear activities in all States.

5. The Conference urges all States Parties to ensure that their exports to non-nuclear-weapon States not party to the Treaty do not assist any nuclear weapon programme.

6. The Conference notes that IAEA safeguards activities have not hampered the peaceful nuclear development of the Parties to the Treaty but have furthered international co-operation in the peaceful utilization of nuclear energy.

7. The Conference commends the IAEA on its implementation of safeguards pursuant to this Treaty. It welcomes the continued improvements in safeguards effectiveness and efficiency and urges that this process be maintained inter alia by utilizing new cost effective technologies and methodologies. It invites the IAEA to consider studying new safeguards approaches, including, for example, randomized inspections. It emphasizes the importance of maintaining a staff of the highest professional standard, with due regard to the call for an increase in the number of safeguards inspectors from developing countries, in order to have the widest geographical distribution possible.

8. The Conference calls upon States Parties to continue their political, technical and financial support of the IAEA safeguards system in order to ensure that the IAEA is able to meet its international legal obligations pursuant to safeguards agreements under the Treaty, and its increasing safeguards responsibilities. It requests the IAEA to continue to identify all resources needed for effective and efficient safeguards. It urges all States to ensure that the IAEA is provided with these resources through the important mechanism of continued assured regular budget financing to permit the IAEA to meet its commitments in this area, and welcomes efforts by members of the IAEA to find a lasting and equitable solution to the question of a safeguards financing formula.

9. The Conference welcomes the significant contributions made by the States Parties in facilitating and assisting the application of IAEA safeguards and in supporting research, development and other supports to further the application of effective and efficient safeguards. It urges that such co-operation and support be continued and that other States provide similar types of support.

10. The Conference notes the request of the Director General of the IAEA for States to facilitate the designation of inspectors and their entry into the States, in particular with regard to visa requirements, and appeals to States to respond as fully as possible so as to maximize the efficient use of Agency inspection resources.

11. The Conference calls on States to complete the negotiation of their Subsidiary Arrangements with the IAEA.

12. The Conference calls upon all States to take IAEA safeguards requirements into account while planning, designing and constructing new nuclear facilities and while modifying existing ones.

13. The Conference recognizes the importance of State systems of accounting and control and of the Euratom system, and of co-operation between these systems and the IAEA, to the efficient and effective application of safeguards, and urges continued improvements in this area, including the provision of training in such systems, with the valuable assistance of IAEA and national programmes. It also notes in this regard the complementary and important role of national export and import control mechanisms.

14. The Conference welcomes the entry into force of the Convention on the Physical Protection of Nuclear Material which resulted from a recommendation of the first NPT Review Conference. The Conference notes that membership of the Convention has increased to 28. The Conference urges all States that have not done so to adhere to the Convention or to other international instruments on physical protection of nuclear material at the earliest possible date. In the general context of physical protection, particular attention must be paid to material of direct use, including separated plutonium.

15. Noting the importance of effective physical protection of nuclear material used for military purposes, and understanding that such material is and will continue to be accorded stringent physical protection, the Conference calls on the nuclear-weapon States to maintain the highest standards of security and physical protection of nuclear weapon systems and materials.

16. The Conference recognizes the non-proliferation benefits of the conversion of research reactors from high enriched uranium to low enriched uranium fuel and, when this is not feasible, of significant lowering of the level of enrichment. It welcomes the introduction of such conversions, where possible, and the continuing international co-operation in this field.

17. The Conference recognizes the particular requirements for safeguards of direct use nuclear material and notes IAEA projections that the use of separated plutonium for peaceful purposes is expected to increase in the 1990s. The Conference expressed satisfaction at the considerable work undertaken to ensure the continuing effectiveness of IAEA safeguards in relation to reprocessing and the storage and use of separated plutonium.

18. The Conference recognizes that there are items of equipment and materials, including tritium, not identified in NPT Article III.2 which are relevant to the proliferation of nuclear weapons and therefore to the NPT as a whole. Without prejudice to the existing principles guiding international co-operation in the peaceful uses of nuclear energy, especially Article IV of the NPT, the Conference in this regard calls for early consultations among States to ensure that their supply and export controls are appropriately co-ordinated.

19. The Conference recalls the recommendation at the Third Review Conference on the implementation of Article XII.A.5 of the Statute of the IAEA, and regrets that no progress has been made on this question. Bearing in mind projected developments in the peaceful nuclear fuel cycle and considering that as a result of disarmament measures enriched uranium or plutonium could be transferred from the military to the peaceful sector, the Conference recommends that the IAEA consider establishing arrangements as foreseen in its Statute for deposit with the Agency of any excess of plutonium and highly enriched uranium over what is needed, in order to prevent stockpiling of materials that could be diverted to direct use for nuclear weapons or other nuclear explosive devices. In this context, regional fuel cycle centres should also be considered further.

20. See document NPT/CONF.IV/DC.1/Add.3(B)

21. The Conference notes with satisfaction that eight States have concluded safeguards agreements in compliance with Article III.4 of the Treaty since 1985. It expresses concern, however, that 51 States Parties to the Treaty have yet to conclude their agreements and urges that they do so and bring these agreements into force as soon as possible. It is its view that the Treaty requirement for the timely conclusion and entry into force of an NPT-type safeguards agreement is an unqualified obligation of States Parties and is particularly important in States whose nuclear activities make such safeguards applicable.

22. The Conference also recommends that the Director General of the IAEA as a matter of priority further facilitate the conclusion and entry into force of such agreements and that Parties to the Treaty, in particular the Depositary Parties, should actively support this activity. The Conference notes that in the case of States without significant nuclear activities, conclusion of safeguards agreements involves simplified procedures.

23. The Conference recognizes the value of the voluntary offer safeguards agreements of the five nuclear-weapon States in strengthening the non-proliferation régime, in increasing the authority of the IAEA and the effectiveness of its safeguards system, and in contributing to the goal of the universal application of IAEA safeguards to all peaceful nuclear activities in all States. In this regard the Conference welcomes the entry into force since the last Review Conference of such a voluntary offer agreement between China and the IAEA. The Conference notes that these agreements make peaceful nuclear materials and facilities eligible for IAEA safeguards, but that the military nuclear facilities and material in these States are outside the scope of these agreements.

24. Recognizing that some nuclear-weapon States have already made all their peaceful nuclear facilities eligible for safeguards under their voluntary offers, the Conference calls on all other nuclear-weapon States to do so. Within this framework the Conference calls for the wider application of safeguards to peaceful nuclear facilities in the nuclear-weapon States in the most economic and practical way possible, taking into account the availability of IAEA resources. As a first step of this wider application, the Conference invites the Agency to consider the implementation of a scheme under the nuclear-weapon States' agreements consisting of full reporting in combination, where appropriate, with verification based on randomization. The results should be used to improve further the efficiency and effectiveness of safeguards in all States. The Conference considers that the financing of the application of safeguards in nuclear-weapon States should be taken into account in the IAEA's examination of the financing of safeguards.

25. The Conference also calls for substantial progress towards the separation of the peaceful and military nuclear facilities in the nuclear-weapon States. It affirms the great value of commitments by the nuclear-weapon States that nuclear supplies for peaceful purposes will not be used for nuclear weapons or other nuclear explosive devices. The Conference expresses the opinion that these nuclear supplies for peaceful purposes should be subject to the safeguards agreements concluded between the nuclear-weapon States and the IAEA.

26. The Conference urges the nuclear-weapon States to offer for verification any nuclear materials and nuclear installations that may be transferred from military use to peaceful nuclear activities by submitting them to IAEA safeguards under their voluntary offer safeguards agreements with the IAEA.

27. The Conference notes that a number of States Parties engaged in the supply of nuclear material and equipment have met regularly as an informal group which has become known as the Zangger Committee in order to co-ordinate their implementation of Article III.2. To this end these States have adopted certain requirements, including a list of items triggering IAEA safeguards, for their export to non-nuclear-weapon States not Party to the Treaty, as set forth in the IAEA document INFCIRC/209 as revised. The Conference urges all States to adopt these requirements in connection with any nuclear co-operation with non-nuclear-weapon States not Party to the Treaty. The Conference recommends that the list of items triggering IAEA safeguards and the procedures for implementation be reviewed from time to time to take into account advances in technology and changes in procurement practices. The Conference recommends the States Parties to consider further ways to improve the measures to prevent diversion of nuclear technology for nuclear weapons, other nuclear explosive purposes or nuclear weapon capabilities. While recognizing the efforts of the Zangger Committee in the non-proliferation régime, the Conference also notes that items included in the "trigger list" are essential in the development of nuclear energy programmes for peaceful uses. In this regard, the Conference requests that the Zangger Committee should continue to take appropriate measures to ensure that the export requirements laid down by it do not hamper the acquisition of such items by States Parties for the development of nuclear energy for peaceful uses.

28. The Conference recognizes that, in the event of questions arising about the commitment to the non-proliferation objectives of the Treaty of any State Party, and in particular about the safeguards coverage of its source or special fissionable materials, there are several courses of action open to the Agency. In such circumstances appropriate steps need to be taken by the Agency and by that State Party, in accordance with the Treaty and the safeguards agreement between them, to help restore confidence. The Conference therefore urges the Agency not to hesitate to take full advantage of its "rights, including the use of special inspections as outlined in paragraphs 73 and 77 of INFCIRC/153. The Conference notes that as yet no experience exists of such special inspections, and would welcome a study by the Agency of the possible scope, application and procedures of such inspections, including their implications for the information requirements and policy of the Agency.

29. The Conference, recognizing the importance of measures serving to maintain and strengthen confidence in the safeguards system of the IAEA, recommends to the IAEA to improve upon the transparency of presentation of the results of its safeguards activities so that information on these results can be made available to the public in order to prevent possible misinformation and misunderstanding.

Article IV and preambular paragraphs 6 and 7

1. The Conference affirms that the Treaty fosters the development of the peaceful uses of nuclear energy by providing a framework of confidence within which those uses can take place.

2. The Conference reaffirms that nothing in the Treaty shall be interpreted as affecting the inalienable right of all the Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with Articles I and II of this Treaty. In this connection the Conference confirms that each country's choices and decisions in the field of peaceful uses of nuclear energy should be respected without jeopardizing their respective fuel cycle policies.

3. The Conference also reaffirms the undertaking by all Parties to the Treaty to facilitate, and have the right to participate in, the fullest possible exchange of equipment, material, services and scientific and technological information for the peaceful uses of nuclear energy. In this context, the Conference recognizes the contribution that this can make to progress in general and to the elimination of technological gaps between the developed and developing countries.

4. The Conference reaffirms the undertaking of the Parties to the Treaty in a position to do so to co-operate in contributing alone or together with other States or international organizations to the further development of the applications of nuclear energy for peaceful purposes, especially in the territories of non-nuclear weapon States (NNWS) Party to the Treaty, with due consideration for the needs of the developing areas of the world. In this context, the Conference recognizes the particular needs of the least developed countries. In this respect, the Conference expresses its strong support for the IAEA programmes in the peaceful uses of nuclear energy and considers that these programmes need to be further strengthened.

5. The Conference urges that, in all activities designed to promote the peaceful uses of nuclear energy, preferential treatment be given to the NNWS Parties to the Treaty which have concluded the required safeguards agreement with IAEA, taking the needs of developing countries particularly into account.

6. The Conference recognizes the need for more predictable long-term supply assurance with effective assurances of non-proliferation. The Conference notes the measures which the IAEA's Committee on Assurances of Supply (CAS) has recommended to the IAEA Board of Governors for alleviating problems in international shipments of nuclear items, emergency and back-up mechanisms, and mechanisms for the revision of international nuclear co-operation agreements. The Conference further notes the surveys which CAS has initiated on the current supply situation on the international nuclear markets as a very useful source of information. The Conference notes that CAS was not able to reach agreement on a set of universally acceptable principles for international co-operation in the peaceful uses of nuclear energy and on appropriate ways and means for the promotion of such co-operation in accordance with mutually acceptable considerations of non-proliferation, as was also recognized by the United Nations General Assembly in its resolution 32/50. The Conference recommends that continuing efforts be made to reach agreement on those principles and calls for a resumption, when appropriate, of formal discussions in CAS.

7. The Conference reaffirms that in accordance with international law and applicable treaty obligations, States should fulfil their obligations under agreements in the nuclear field, and any modification of such agreements, if required, should be made only by mutual consent of the parties concerned. Related licences and authorization involved should be issued in a timely fashion.

8. The Conference commends the study by a Senior Expert Group sponsored by the IAEA entitled "Promotion and Financing of Nuclear Power Programmes in Developing Countries", and recommends that relevant Parties consider the recommendations of the Expert Group with respect to the four components identified by that study (Energy and Nuclear Power Planning, Public Acceptance, Project Preparation and Implementation, and Nuclear Power Financing). This report presents an examination of the existing constraints, including financing, on nuclear power development in developing countries, the requirements to be met for successful introduction of a nuclear power programme, and mechanisms to assist developing countries in overcoming the identified constraints.

9. The Conference calls upon all States Parties in a position to do so to fully co-operate with the developing States Party to the Treaty in the area of promotion and financing of nuclear power.

10. The Conference notes that the IAEA plays an important role in assisting developing States in the development of nuclear power and encourages the IAEA to continue to include the four components identified in the study in its programme of work. It also recommends that IAEA continue to provide, upon request, assistance in securing financing from outside sources, such as, the World Bank and UNDP, for nuclear power projects in developing countries, and, in particular, the least developed countries.

11. The Conference recommends that export credit agencies supported by Governments of exporting States and multilateral credit institutions, if requested, evaluate nuclear power as one option when assessing a borrowing country's electric power programme.

12. The Conference also underlines the fundamental importance of ensuring the highest standards of safety in the peaceful uses of nuclear energy. The Conference urges that nuclear co-operation under the NPT give increased attention to nuclear safety and radiological protection. It notes with the greatest regret the tragic accident that took place at Chernobyl, in April 1986. It expresses its fullest sympathy for those affected by the accident which caused considerable damage to life and property within the USSR and which affected other countries. The Conference commends the role of the Agency following the accident. It welcomes the comprehensive report and discussion of the accident during the international Post-Accident Review Meeting held at the IAEA's Headquarters in Vienna from 25-29 August 1986. The Conference also welcomes the international co-operation undertaken to study the effects of radioactive contamination with a view to limiting the consequences of that accident as far as possible.

13. The Conference welcomes the intensification of international co-operation in order to strengthen nuclear safety and radiological protection that has taken place since the Chernobyl accident, mainly under the auspices of IAEA. The Conference commends the entry into force in 1986 of the Convention on Early Notification of a Nuclear Accident and of the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency. The Conference urges all States which have not yet done so to sign and ratify these Conventions.

14. The Conference affirms that the NPT can help to ensure that international co-operation in nuclear safety will take place in an appropriate

non-proliferation framework. The Conference acknowledges the primary responsibility of individual States for the safety of nuclear installations within their territories, or under their jurisdiction, and the crucial importance of an adequate national infrastructure in nuclear safety, radiological protection and waste management for the peaceful application of nuclear energy. At the same time, the Conference recognizes that the maintenance of the highest possible standards of nuclear safety and radiological protection constitutes an interest of all States, and that international co-operation is important in assisting individual nations to establish the necessary policies and regulatory arrangements to support the safe use of nuclear energy for peaceful purposes.

15. The Conference considers nuclear safety an important responsibility of both supplier and recipient States. It also considers that, in view of advances in nuclear safety, all States Party to the Treaty are expected to co-operate with each other in providing technical information and support relevant to safety matters during the lifetime of a nuclear facility.

16. The Conference commends the efforts of the IAEA in the areas of nuclear safety, radiological protection and waste management, and supports the maintenance of a continued high professional standard for the IAEA programme in these areas. It calls on the IAEA to consider further ways of enhancing international co-operation in these same areas, in order to promote universal implementation of the highest standards. It welcomes the fact that the Agency intends to hold an expert conference on nuclear safety matters in 1991.

17. The Conference emphasizes the importance of the expert missions sent by the IAEA on request of Member States in order to assist the national authorities on problems in these areas, as well as of the Incident Reporting System (IRS) and the International Nuclear Safety Advisory Group (INSAG). It urges all States to contribute to and make full use of these programmes.

18. The Conference encourages all States Parties to fully consider improved internationally recognized guidelines in the implementation of their own national standards for the siting, design, construction and operation of nuclear facilities and for all aspects of management and disposal of radioactive wastes including international transfers. In view of the increasing importance of all aspects of nuclear waste management, the Conference calls upon the IAEA to strengthen its efforts in this field.

19. The Conference calls on the nuclear industry to carry out its activities with the highest levels of nuclear safety. It encourages the development of industry organizations to promote safety such as the recently created World Association of Nuclear Operators (WANO).

20. The Conference commends the efforts of the IAEA to enhance public understanding on all aspects of the peaceful use of nuclear energy, in particular, on nuclear safety, radiological protection and waste management.

21. The Conference recognizes the importance of suitable arrangements providing adequate and timely compensation in case of liability for damage arising from nuclear or radiological accidents. The Conference commends the IAEA and the Nuclear Energy Agency of the OECD for their efforts to assist in further improvement in the international régime for liability in case of nuclear damage, in particular for their role in the conclusion of a joint

protocol in September 1988 establishing a link between the Vienna and Paris Conventions on International Civil Liability. The Conference encourages the IAEA to continue its work through its Standing Committee on International Liability for Nuclear Damage to achieve early agreement on the liability issues submitted to it.

22. The Conference acknowledges the importance of the work of the IAEA as the principal agent for technology transfer amongst the international organizations referred to in Article IV.2 and welcomes the successful operation of the Agency's technical assistance and co-operation programmes. The Conference records with appreciation that projects supported from these programmes covered a wide spectrum of applications, related both to the power and non-power uses of nuclear energy, notably in agriculture and food preservation, medicine, industry and hydrology, and encourages the Agency to seek additional funds for the power and non-power sectors. Furthermore, the Conference acknowledges with appreciation the successful scientific co-operation either carried out by the IAEA itself or in collaboration with other agencies in the United Nations system. The Conference welcomes the Agency's assistance to the developing States Party to the Treaty which has been chiefly in the non-power uses of nuclear energy and calls upon the Agency to strengthen its assistance in the power sector.

23. The Conference welcomes the continued growth of the IAEA Technical Assistance and Co-operation Fund for the implementation of its programme of technical assistance and co-operation. The Conference reiterates the importance of the IAEA General Conference resolution GC(XXV)/RES/388, which requests the IAEA Board of Governors to take the necessary measures so that technical assistance is funded through the Regular Budget of the Agency or through other comparably predictable and assured resources, as well as to take appropriate steps so that technical assistance funds are increased in order to respond adequately to meet increasing financial requirements for the maximum possible number of technically sound projects and to enable progress in technical assistance to keep pace with the progress in other main activities of the Agency.

24. The Conference welcomes the existence, following a recommendation of the First Review Conference of the Parties to the Treaty, of a mechanism which permits the channelling of extra-budgetary funds to projects additional to those financed from the IAEA Technical Assistance and Co-operation Fund. The Conference notes with appreciation that this channel has been used to make additional resources available for a wide variety of projects in developing States Party to the Treaty. The Conference welcomes the development of multi-year, multi-donor projects financed by extra-budgetary contributions to the IAEA as requested by the last Review Conference.

25. The Conference underlines the need to ensure that the IAEA has the financial and human resources necessary in order to meet effectively its responsibilities in the area of technical assistance and co-operation.

26. The Conference encourages greater support for regional co-operative arrangements, promoting regionally agreed projects and mobilizing inputs from countries in the region. It notes the continuing contribution of the Regional Co-operation Agreement for Asia and the Pacific (RCA), and welcomes the establishment since the last Review Conference of the Regional Co-operation

Agreement for Latin America (ARCAL) and the African Regional Agreement (AFRA). These arrangements provide a valuable framework for regional development activities.

27. The Conference notes the significant level of bilateral co-operation between States Parties in the peaceful uses of nuclear energy, and urges that States in a position to do so should continue and where possible increase the level of their co-operation in these fields, particularly to developing countries Party to the Treaty. It also notes the reports that some States Parties have provided on their bilateral nuclear co-operation activities in support of Article IV and calls on parties, as appropriate, to report on this matter at the next conference to be held in 1995 in accordance with paragraph The Conference calls upon all Parties to the Treaty to look for ways to remove the constraints where they exist on enhancement of bilateral co-operation in the peaceful uses of nuclear energy.

28. The Conference notes the special needs of the least developed countries Party to the Treaty should be recognized in bilateral and multilateral nuclear technical assistance and co-operation programmes. It further notes that the IAEA has been giving particular attention to the areas where it can most effectively provide assistance to least developed countries. It recommends that the Agency intensify its efforts to identify suitable approaches for providing further assistance to such countries particularly in the area of pre-project planning.

29. The Conference notes that the United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy (UNCPICPUNE) provided for a comprehensive exchange of views of the question of international co-operation in the peaceful uses of nuclear energy in Geneva in 1987. The Conference notes that UNCPICPUNE was unable to reach an agreement on principles universally acceptable for international co-operation in the peaceful uses of nuclear energy and on appropriate ways and means for the promotion of such co-operation, as envisaged in the United Nations General Assembly resolution 32/50, and in accordance with mutually acceptable considerations of non-proliferation. The Conference notes that the technical papers of UNCPICPUNE issued by the United Nations could be utilized by Governments in planning national programmes for development, use and safety of nuclear energy for peaceful purposes. The Conference also notes that UNCPICPUNE recognized the IAEA's key role in furthering international co-operation in the peaceful uses of nuclear energy and the development of such national programmes for economic and social development, especially in the developing countries.

30. The Conference recognizes the importance of the report by the World Commission on Environment and Development and the Environmental Perspective to the Year 2000 and Beyond and their endorsement in resolutions 42/186 and 42/187 of the United Nations General Assembly. The Conference notes that, in response to the call by the General Assembly in those resolutions, the IAEA has reported on its contribution to achieving the objectives of environmentally sound and sustainable development, in particular, in furthering the peaceful uses of nuclear energy with due consideration for health and environment. The Conference further notes that the IAEA would regularly report to the United Nations General Assembly on progress it has made in that field.

31. The Conference considers that attacks or threats of attack on nuclear facilities devoted to peaceful purposes could jeopardize the development of nuclear energy. It further considers that the safeguards system of the IAEA is a reliable means of verifying the peaceful uses of nuclear energy.

32. The Conference recognizes that an armed attack on a safeguarded nuclear facility, operational or under construction, or threat of attack, would create a situation in which the Security Council would have to act immediately in accordance with the provisions of the United Nations Charter. The Conference further emphasizes the responsibilities of the depositaries of the Treaty in their capacity as permanent members of the Security Council to endeavour, in consultation with the other members of the Security Council, to give full consideration to all appropriate measures to be undertaken by the Security Council to deal with the situation, including measures under Chapter VII of the United Nations Charter.

33. The Conference encourages Parties to be ready to provide immediate peaceful assistance in accordance with international law to any Party to the Treaty, if it so requests, whose safeguarded nuclear facilities have been subject to an armed attack, and calls upon all States to abide by any decisions taken by the Security Council in accordance with the United Nations Charter in relation to the attacking State.

34. The Conference takes note of IAEA resolution GC(XXIX)/444. It also notes IAEA resolution GC(XXXI)/475, in which the General Conference states, inter alia, that it was:

- aware of the fact that an armed attack on a nuclear installation could result in radioactive releases with grave consequences within and beyond the boundaries of the State which has been attacked;
- convinced of the need to prohibit armed attacks on nuclear installations from which such releases could occur and of the urgency of concluding an international agreement in this regard;
- aware of the ongoing work of the Conference on Disarmament in this regard.

35. The Conference, recognizing that attacks on nuclear facilities could result in large releases of radioactivity with potentially grave consequences, appeals to States that participate in the Conference on Disarmament to overcome their differences and urges the co-operation of all States for the successful resolution of this issue in the near future.

36. The Conference notes calls on all States to become a party to the 1977 First Additional Protocol to the 1949 Geneva Convention, and on all States Party to that Protocol to consider, in the context of a possible diplomatic conference, how to improve the present régime with regard to the protection of nuclear facilities.

37. The Conference notes that States, in their mutual interest, have adopted confidence-building measures, in a bilateral or regional framework, designed to promote the aim of protecting nuclear facilities. By taking into account specific characteristics of each region, such measures were deemed useful by the participating States. The Conference recognizes that other States may adopt similar measures, where appropriate.

38. The Conference appeals to all States to take into account, when reviewing their military doctrines, the danger of radioactive releases potentially resulting from an attack on a nuclear facility.

39. The Conference notes that the unsafeguarded nuclear programmes of non-nuclear-weapon States not party to the NPT in particular South Africa and Israel represent a threat to the peaceful uses of nuclear energy under article IV. The Conference affirms its desire to see such nuclear programmes directed to peaceful purposes in conformity with article IV by the adherence of these States to the NPT and their acceptance of full scope IAEA safeguards. The Conference notes the demands made on all States to suspend any co-operation which would contribute to the nuclear programme of South Africa and Israel.

Article V

1. The Conference confirms that, if the potential for the safe and peaceful application of nuclear explosions were demonstrated and were made available to non-nuclear weapon States Party to the Treaty in accordance with article V, the IAEA would be the appropriate international body through which such applications could be made available.

2. The Conference notes that the potential for the peaceful applications of nuclear explosions has not been sufficiently demonstrated and that no requests for services related to the peaceful applications of nuclear explosions have been received by the IAEA since the Treaty entered into force. The Conference further notes that no nuclear-weapon State has an active programme for the peaceful application of nuclear explosions.

II.B. REVIEW OF THE OPERATION OF THE TREATY AND RECOMMENDATIONS

Article III

20. The Conference urges all non-nuclear-weapon States which have not already done so to make an international legally-binding commitment not to acquire nuclear weapons or other nuclear explosive devices and to accept IAEA safeguards on all their peaceful nuclear activities, both current and future, to verify that commitment. The Conference further urges the nuclear supplier States to require as a necessary condition for the transfer of relevant nuclear supplies to non-nuclear-weapon States under new supply arrangements, such a commitment and acceptance of such safeguards. The Conference expresses its view that accession to the Treaty is the best way to achieve these objectives. The Conference stresses that the application of such safeguards in additional States should not diminish resources for the IAEA's promotional programmes in the application of nuclear energy for peaceful purposes.
