

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

16 August 2022

English only

New York, 1–26 August 2022

DRAFT REPORT OF MAIN COMMITTEE 1 OF THE 10TH NPT REVIEW CONFERENCE

Articles I and II and first to third preambular paragraphs

1. The Conference reaffirms that the full and effective implementation of the Treaty on the Non-Proliferation of Nuclear Weapons and the regime of nuclear non-proliferation and nuclear disarmament in all its aspects has a vital role in promoting and preserving international peace and security. The Conference reaffirms that it is essential for the Treaty to be implemented in all its aspects in order to prevent the proliferation of nuclear weapons and other nuclear explosive devices without hampering the peaceful uses of nuclear energy by States parties. The Conference recognizes that the full and effective implementation of the Treaty is a common responsibility of all States parties to the Treaty and remains convinced that universal adherence to the Treaty and full compliance of all parties with all its provisions are the best way to prevent the spread of nuclear weapons and other nuclear explosive devices and to achieve a world without nuclear weapons.
2. The Conference notes that the nuclear-weapon States reaffirmed their commitment not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices directly, or indirectly, and not in any way to assist, encourage or induce any non-nuclear-weapon States to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices, in accordance with article I of the Treaty.
3. The Conference notes that the non-nuclear-weapon States reaffirmed their commitment not to receive the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices, or of control over such weapons or explosive devices directly, or indirectly, not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices and not to seek nor receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices, in accordance with article II of the Treaty.
4. The Conference recalls that the non-nuclear-weapon States entered into legally binding commitments not to receive, manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices in the context, inter alia, of the

corresponding legally binding commitments by the nuclear-weapon States to nuclear disarmament in accordance with the Treaty.

5. The Conference reaffirms the continued validity of all commitments undertaken by States parties towards the full and effective implementation of the objectives and provisions of the Treaty, through the decisions and the resolution adopted by the 1995 Review and Extension Conference, the Final Document of the 2000 Review Conference and the conclusions and recommendations for follow-on actions of the 2010 Review Conference.

6. The Conference reaffirms that the strict observance of all provisions of the Treaty is central to achieving the shared objectives of the total elimination of nuclear weapons, as well as preventing, under any circumstances, the further proliferation of nuclear weapons, and preserving the Treaty's vital contribution to international peace and security.

7. The Conference recalls the commitment by all States parties to pursuing policies that are fully compatible with the Treaty and the objective of achieving and maintaining a world without nuclear weapons.

8. The Conference emphasizes the importance of promoting the equal, full and effective participation of both women and men in the processes of nuclear non-proliferation, nuclear disarmament and the peaceful uses of nuclear energy.

Article VI and eighth to twelfth preambular paragraphs

9. The Conference notes the reaffirmation by all States parties of their commitment to the full and effective implementation of article VI of the Treaty and the reaffirmation by the nuclear-weapon States of their unequivocal undertaking to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, to which all States parties are committed under article VI of the Treaty.

10. The Conference deeply regrets the lack of progress in the implementation of Article VI and of related commitments, which, if not addressed, would jeopardise the integrity and credibility of the Treaty. The Conference reaffirms its resolve to seek a safer world for all and to achieve the peace and security of a world without nuclear weapons, in accordance with the objectives of the Treaty.

11. The Conference recalls and reaffirms the importance of the full and effective implementation by all States parties of article VI of the Treaty, paragraphs 3 and 4 (c) of the 1995 Review and Extension Conference decision entitled "Principles and objectives for nuclear non-proliferation and disarmament", the practical steps for achieving nuclear disarmament adopted by consensus in the Final Document of the 2000 Review Conference as well as the conclusions and recommendations for follow-on actions adopted by the 2010 Review Conference.

12. The Conference reaffirms the need for the nuclear-weapon States to comply with their nuclear disarmament obligations under the Treaty and to completely implement their nuclear disarmament commitments, including the 13 practical steps and the plan of action on nuclear disarmament that were adopted by consensus at the 2000 and 2010 Review Conferences of the Treaty, in order to accomplish the total elimination of their nuclear weapons. The Conference reaffirms that these are not open-ended commitments, and that concrete and urgent progress towards nuclear disarmament remains essential in maintaining the integrity and credibility of the Treaty.

13. The Conference recalls the commitment by the nuclear-weapon States, in implementing their unequivocal undertaking to accomplish the total elimination of their nuclear arsenals, to undertake further efforts to reduce and ultimately eliminate

all types of nuclear weapons, deployed and non-deployed, including through unilateral, bilateral, regional and multilateral measures.

14. The Conference reaffirms the ultimate goal of States Parties to achieve general and complete disarmament under strict and effective international control.

15. The Conference reaffirms the importance of concrete and measurable steps to reduce the alert status of nuclear-weapon systems that promote international stability and security, with a view to achieving the total elimination of nuclear weapons.

16. The Conference expresses concern at the increase in nuclear rhetoric and nuclear threats, and its impact on international peace and security as well as the full and effective implementation of the Treaty.

17. The Conference recognizes the importance of elaborated measures that can contribute to building confidence and reduce the risk of the use of nuclear weapons, whether intentionally, or by miscalculation, accident, miscommunication, or misperception, in the context of achieving nuclear disarmament. The Conference reaffirms that the full implementation of the Treaty, including the complete elimination of nuclear weapons, remains the best way to eliminate nuclear risks.

18. The Conference reaffirms that nuclear risk reduction is an interim measure pending the total elimination of nuclear weapons, and does not legitimize the continued existence of nuclear weapons, nor does it provide a substitute for tangible progress in fulfilling nuclear disarmament obligations under the Treaty.

19. The Conference recognizes the importance for all States Parties to report regularly on their implementation of obligations and commitments under the Treaty. The Conference recalls the need for the nuclear-weapon States to continue efforts to agree on a standard reporting form and appropriate reporting intervals.

20. The Conference notes the meetings of the nuclear-weapon States held in Beijing (2019), London (2020) and Paris (2021), which fostered dialogue and common approaches among them to strengthen the implementation of the Treaty. The Conference welcomes the development of a glossary by the nuclear-weapon States, intended to increase mutual understanding and confidence among them and facilitate discussions with the non-nuclear-weapon States.

21. The Conference welcomes the commitments made by the nuclear-weapon States at the 2020 London and 2021 Paris Conferences, on continuing structured efforts to exchange views on concepts, doctrines and policies beyond the current Review Conference.

22. The Conference welcomes the affirmation by the nuclear-weapon States, through the Joint Leaders' Statement by China, France, Russia, the United Kingdom and the United States on Preventing Nuclear War and Avoiding Arms Races of 3 January 2022, that a nuclear war cannot be won and must never be fought. The Conference further welcomes the nuclear-weapon States' reaffirmation of the importance of addressing nuclear threats, and of preserving and complying with their bilateral and multilateral non-proliferation, disarmament, and arms control agreements and commitments.

23. The Conference reaffirms the importance of the preservation and continued implementation of bilateral arms control agreements between the Russian Federation and the United States. The Conference welcomes the extension of the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation on Strategic Offensive Arms (New START Treaty) through February 4, 2026, and reaffirms the importance of further progress, including the

negotiation of a successor agreement leading to further reductions in their stockpiles of nuclear weapons.

24. The Conference reaffirms the importance of the nuclear-weapon states' prompt and sustained engagement with a view to, inter alia, rapidly moving towards an overall reduction in the global stockpile of all types of nuclear weapons, regardless of their location, as an integral part of the general nuclear disarmament process, and further diminishing the role and significance of nuclear weapons in all military and security concepts, doctrines and policies, which would promote international stability and security.

25. The Conference recognizes the importance for States parties that are part of military alliances that include nuclear-weapon States to report, as a significant transparency and confidence building measure, on steps taken to reduce and eliminate the role of nuclear weapons in national and collective security doctrines.

26. The Conference reaffirms that all States parties to the Treaty have committed themselves to applying the mutually reinforcing principles of irreversibility, verifiability and transparency in relation to the implementation of their Treaty obligations, and underscores the importance of the nuclear-weapon States' strict application of these principles in nuclear weapons reductions.

27. The Conference expresses concern at the qualitative improvement of and quantitative increase in nuclear weapons, and the development of advanced new types of nuclear weapons, as well as the lack of progress in diminishing the role of nuclear weapons in security policies, and the low level of transparency surrounding these activities.

28. The Conference recognizes that the indefinite extension of the Treaty at the 1995 Review and Extension Conference did not imply the indefinite possession of nuclear weapons by the nuclear-weapon States.

29. The Conference reiterates its deep concern at the catastrophic humanitarian consequences of nuclear weapons, including any unintentional or accidental nuclear explosion. The Conference reaffirms the need for all States at all times to comply with applicable international law, including international humanitarian law.

30. The Conference acknowledges the devastation that would be visited upon all humankind by a nuclear war and the consequent need to make every effort to avert the danger of such a war and to take measures to safeguard the security of peoples.

31. The Conference recognizes that the immediate, mid- and long-term consequences of nuclear weapon detonations, inter alia, on health, the environment, infrastructure, food security, climate, development, social cohesion and the global economy are significantly graver than previously understood, are interlinked, and would not be constrained by national borders but have regional or global effects, and could even threaten the survival of humanity.

32. The Conference welcomes the presentation, during the past two review cycles, of findings and evidence on the humanitarian impact of nuclear weapons in fact-based discussions, including at international conferences.

33. The Conference acknowledges that the Treaty on the Prohibition of Nuclear Weapons was adopted on 7 July 2017. It was opened to signature by the Secretary-General of the United Nations on 20 September 2017. The Conference further acknowledges that the Treaty entered into force on 22 January 2021 and held its first Meeting of States Parties on 21-23 June 2022, which concluded with the adoption of a declaration and an action plan.

34. The Conference recalls the International Court of Justice advisory opinion on the legality of the Threat or Use of Nuclear Weapons issued at The Hague on 8 July 1996. The Conference notes its finding that there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.

35. The Conference notes the adoption of United Nations General Assembly resolution A/RES/75/45 on Follow-up to the 2013 high-level meeting of the General Assembly on nuclear disarmament, which among others, declared 26 September as the International Day for the Total Elimination of Nuclear Weapons. The Conference welcomes the convening of annual meetings of the General Assembly to commemorate the International Day.

36. The Conference expresses disappointment at the failure of the Conference on Disarmament to commence negotiations on a treaty banning the production of fissile material for nuclear weapons and other nuclear explosive devices, noting that such a treaty could make a substantial and concrete contribution towards nuclear non-proliferation in all its aspects, the implementation of article VI of the Non-Proliferation Treaty and, ultimately, a nuclear-weapon-free world.

37. The Conference recognizes the 2018 consensus report of the high-level expert preparatory group of the treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices and notes that its content will be useful for treaty negotiations.

38. The Conference reaffirms the importance of the immediate commencement of negotiations at the Conference on Disarmament, on a non-discriminatory, multilateral and internationally verifiable treaty banning the production of fissile material for nuclear weapons and other nuclear explosive devices, taking into account the contents of report CD/1299 and the mandate contained therein.

39. The Conference reaffirms the importance of the entry into force of the Comprehensive Nuclear-Test-Ban Treaty at the earliest possible date, recalling the responsibility of all State signatories to promote that Treaty. The Conference welcomes recent signature (Tuvalu, 2018) and ratifications (Myanmar, 2016; Eswatini, 2016; Thailand, 2018; Zimbabwe, 2019; Comoros, 2021; Cuba, 2021; Dominica, 2022; Gambia, 2022; Timor Leste, 2022; and Tuvalu, 2022) as a sign of the continuing salience of the Treaty in strengthening international security.

40. The Conference recognizes that the entry into force of the CTBT is of the utmost urgency as it will provide the global community with a permanent, non-discriminatory, verifiable and legally binding commitment to end any nuclear weapon test explosion or any other nuclear explosion, as a means to constrain the development and qualitative improvement of nuclear weapons, which combats nuclear proliferation.

41. The Conference recognizes the need for all States to uphold existing moratoria on nuclear-weapon test explosions or any other nuclear explosion and to continue efforts towards the long overdue entry into force of the CTBT, through advocacy and engagement vis-à-vis the States whose ratification is required for entry into force, as well as political, technical and financial efforts to further strengthen the International Monitoring Systems (IMS) and the Comprehensive Test Ban Treaty Organization (CTBTO).

42. The Conference acknowledges the progress made to establish the CTBT verification regime, as evidenced by the work of the IMS and the International Data Centre (IDC) and by the experience gained with on-site inspections. The Conference acknowledges the importance of continued assistance by States parties to the

Preparatory Commission for the CTBTO in its work in preparing for the entry into force of the Treaty. This includes the early completion, provisional operation and maintenance of the IMS, which serves as an effective, reliable, participatory and non-discriminatory element of the global verification and compliance regime of the Treaty.

43. The Conference recalls the adoption of United Nations General Assembly resolution A/RES/64/35, which among others, declared 29 August as the International Day against Nuclear Tests. The Conference welcomes the convening of annual meetings of the General Assembly to commemorate the International Day.

44. The Conference reaffirms that the total elimination of nuclear weapons is the only absolute guarantee against the use or threat of use of nuclear weapons. The Conference recalls United Nations Security Council resolution 984 (1995) noting the unilateral statements by each of the nuclear-weapon States, in which they gave conditional or unconditional security assurances against the use and the threat of use of nuclear weapons to non-nuclear-weapon States parties to the Treaty, and the relevant protocols to nuclear-weapon-free zone treaties, recognizing that treaty-based unconditional and conditional security assurances are available to such zones. The Conference welcomes the reaffirmation of existing negative security assurances by the nuclear-weapon States in this regard.

45. The Conference reaffirms the importance of full adherence by all nuclear-weapon States to their existing obligations and commitments related to security assurances to non-nuclear-weapon States parties to the Treaty, including the commitments under the Memorandum on Security Assurances in Connection with Ukraine's Accession to the Treaty on the Non-Proliferation of Nuclear Weapons of 1994.

46. The Conference notes the urgency for the Conference on Disarmament to consider effective, universal, non-discriminatory, unconditional, legally binding arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons by all nuclear-weapon States, with a view to elaborating recommendations dealing with all aspects of this issue, including an internationally legally binding instrument, and recognizes the need to fully honour and uphold all existing security assurances given unilaterally and multilaterally.

47. The Conference reaffirms that effective and credible nuclear disarmament verification is essential to achieving and maintaining a world without nuclear weapons and welcomes ongoing work in this regard aimed at ensuring full compliance and building trust and confidence among the nuclear-weapon States and non-nuclear-weapon States, as well as the development of appropriate multilateral technical capabilities. Nuclear disarmament verification should conform with international law and the principles laid out in the final document of the first special session devoted to disarmament (1978) and in the United Nations Disarmament Commission principles of verification (1988).

48. The Conference welcomes the work undertaken by the Group of Governmental Experts established under General Assembly resolution 71/67 to consider the role of verification in advancing nuclear disarmament, and the adoption by the General Assembly of resolution 74/50, through which it established a group of governmental experts to further consider nuclear disarmament verification issues.

49. The Conference further notes the contributions of activities and initiatives on nuclear disarmament verification, such as those carried out in the framework of the International Partnership for Nuclear Disarmament Verification.

50. The Conference welcomes the increased and positive interaction with civil society during the review cycle and greater engagement with non-governmental

organizations in the context of the review process of the Treaty, as well as in the pursuit of nuclear disarmament and nuclear non-proliferation objectives.

51. The Conference underscores the importance of disarmament and non-proliferation education as a useful and effective means to advance the goals of the Treaty in support of achieving a world without nuclear weapons. The Conference recognizes the vital role of raising public awareness on disarmament and non-proliferation among members of the global community. The Conference welcomes the joint statement by 88 States parties on disarmament and non-proliferation education.
